



North Pender Island Local Trust Committee

Regular Meeting Agenda

Date: November 21, 2025
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
“Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change.”	
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 October 3, 2025 (for Adoption)	4 - 14
10.2 Section 26 Resolutions-without-meeting Report Dated Nov 2025	15 - 15
10.3 Advisory Planning Commission Minutes Dated October 1 and October 8, 2025 (for Receipt)	16 - 21
11. BUSINESS ARISING FROM THE MINUTES	
11.1 Follow-up Action List Dated Nov 2025	22 - 23
12. DELEGATIONS	

13. CORRESPONDENCE

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

14. APPLICATIONS AND REFERRALS 10:50 AM - 12:10 PM

- | | | |
|-------------|--|----------|
| 14.1 | Trust Council Bylaw No. 183 Policy Statement Bylaw Referral - For Response | 24 - 30 |
| 14.2 | NP-PL-DP-2025-0384 (Kerfoot) - Staff Report (attached) | 31 - 50 |
| 14.3 | NP-PL-DP-2025-0399 (Lansdowne) – Staff Report (attached) | 51 - 74 |
| 14.4 | NP-PL-RZ-2024-0110 (Bigham) – Staff Report (attached) | 75 - 196 |

15. LOCAL TRUST COMMITTEE PROJECTS 12:10 PM - 12:45 PM

- | | | |
|-------------|--|-----------|
| 15.1 | Housing Affordability and Access Project – Staff Report (attached) | 197 - 231 |
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16. REPORTS 12:45 PM - 12:55 PM

- | | | |
|-------------|---|-----------|
| 16.1 | Work Program Report (attached) | |
| 16.1.1 | <u>Active Projects Report Dated Nov 2025</u> | 232 - 232 |
| 16.1.2 | <u>Future Projects Report Dated Nov 2025</u> | 233 - 234 |
| 16.2 | Applications Report Dated Nov 2025 (attached) | 235 - 237 |
| 16.3 | Trustee and Local Expense Report Dated Sept 2025 (attached) | 238 - 238 |
| 16.4 | Adopted Policies and Standing Resolutions (attached) | 239 - 241 |
| 16.5 | Local Trust Committee Webpage | |
| 16.6 | Islands Trust Conservancy Report - None | |

17. NEW BUSINESS 12:55 PM - 1:00 PM

- | | |
|-------------|---------------------------------------|
| 17.1 | 6601 Razor Point Road Covenant Update |
|-------------|---------------------------------------|

18. UPCOMING MEETINGS 1:00 PM - 1:10 PM

- | | | |
|-------------|--|-----------|
| 18.1 | Draft 2026-2027 LTC Meeting Schedule - Request for Decision (attached) (for Adoption) | 242 - 247 |
| 18.2 | Next Regular Meeting Scheduled for January 30, 2026 at the St. Peter's Anglican Church Hall, Pender Island | |

19. TOWN HALL 1:10 PM - 1:25 PM

20. CLOSED MEETING (Distributed Under Separate Cover)

20.1 Motion to Close Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1)(f):

(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;

AND that the recorder and staff attend the meeting.

20.2 Recall to Order

20.3 Rise and Report

21. ADJOURNMENT

1:25 PM - 1:25 PM

North Pender Island Local Trust Committee Minutes of Regular Meeting

Date: October 3, 2025
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

Staff Present: Brad Smith, Island Planner
Warren Dingman, Bylaw Compliance and Enforcement Manager (electronic)
Lisa Millard, Meeting Administrator/Recorder (electronic)

Others Present: There were 5 members of the public present.

1. CALL TO ORDER

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

2. TERRITORIAL ACKNOWLEDGEMENT

Chair Maude acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

3. APPROVAL OF AGENDA

The following addition to the agenda was presented for consideration:

17.4 Short Term Vacation Rentals – Discussion

By general consent, the agenda was adopted as amended.

4. TRUSTEE REPORT

Trustee Morrison reported an increase in realtors referring their clients to Islands Trust to answer questions prior to making purchase decisions and noted dark sky principles had been incorporated into the draft Trust Policy Statement.

Trustee Campbell reported an increase in questions and conversations about short-term vacation rentals and spoke to a recent presentation made by Islands Trust and the Regional District of Nanaimo at the Union of BC Municipalities conference about enabling regulations to permit tiny homes on wheels for rural housing.

5. CHAIR'S REPORT

Chair Maude reported the following:

- Attended a session convened by the Mayor of Bowen Island for ferry affected communities to discuss common concerns
- Attended Trust Council on Gabriola Island
- The draft Trust Policy Statement project is moving forward and public engagement is being undertaken at the Local Trust Committee level
- Upcoming attendance, as Chair of the Denman Island Local Trust Committee, at a government-to-government introduction meeting with member of K'omoks First Nation

6. ELECTORAL AREA DIRECTOR'S REPORT – None

7. TOWN HALL AND QUESTIONS

A member of the public spoke to the proposed changes to the Development Permit Area for Raptor and Heron Nest and the following comments were recorded:

- They have sent two letters to Islands Trust regarding their concerns and have not received a response
- The proposed buffer zones will encompass their entire property causing concerns about any future ability to build a dwelling on the lot
- They would like to understand the reasons for the bylaw amendments as they are not aware of a study that suggests that the local raptor population is threatened
- The bylaw amendments impose on private property rights
- They requested that the bylaw not move forward or a compromise be made with the proposed language

7.1 Policy Statement - Local Engagement

The Senior Policy Advisor provided an introduction to the Policy Statement project and highlighted the following:

- The *Islands Trust Act* states that Trust Council must, by bylaw, adopt a Trust Policy Statement that applies to the Trust Area
- The Trust Policy Statement is a high-level land use and marine area planning document that is used by Trust Council to determine whether local Official Community Plans and land use bylaws are consistent with the greater vision for the Islands Trust Area and it forms the basis of intergovernmental relationships
- The current Policy Statement was developed over 30 years ago
- The draft Policy Statement is organized around 5 goals and contains guiding principles which should inform decisions, directive policies that address matters to which local trust committees must attend in their local bylaws, and advisory policies which should be considered but are not required by Trust Council
- The purpose of the public presentation is for the Local Trust Committee to hear comments from community members to inform further edits prior to moving to second reading

The following comments, clarifications, and answers to question put forth by members of the public were noted:

- The goals within the draft are not listed in hierarchal order but do reflect the three priority areas that Trust Council has recognized
- The directive policies use “should” language instead of “must” which causes confusion
- The language of “should” versus “shall” or “must” has been an issue in the previous Trust Policy Statement and there are considerations to take regarding balance between authority of Local Trust Committees and Trust Council oversight
- The terms “ensure” and “strive to ensure” are both used as there can be other agencies or levels of government that have jurisdiction and ‘ensuring’ an outcome might not be possible
- Allowing an overarching policy to be a pragmatic document provides local issues to be addressed
- If public input is desired then simple language describing the Policy Statement is needed
- A Trustee noted hard copies of the document and survey are available at the library

A member of the public indicated that many residents wonder why two local governments are necessary and inquired if there is a possibility to organize a public meeting to provide an outline of what Islands Trust does and hold the meeting at the Community Hall on a Friday or Saturday night as a weekday meeting does not allow for working people to attend to provide input.

A Trustee noted members of the Local Trust Committee can not attend an event outside of a formal meeting to discuss policy issues and regular weekday meetings have received more turnout than meetings that have taken place on weekends or after hours, and the Senior Policy Advisor indicated that the recording from the September public town hall provides a brief overview of Islands Trust.

8. COMMUNITY INFORMATION MEETING - None

9. PUBLIC HEARING - None

10. MINUTES

10.1 Local Trust Committee Minutes Dated July 25, 2025 (for Adoption)

By general consent the North Pender Island Local Trust Committee meeting minutes of July 25, 2025 were adopted.

10.2 Section 26 Resolutions-without-meeting Report Dated Sept 2025

Received for information.

10.3 Advisory Planning Commission Minutes Dated June 20, 2025, August 15, 2025 and Draft September 12, 2025 (for Receipt)

Received for information.

11. BUSINESS ARISING FROM THE MINUTES

11.1 Follow-up Action List Dated Sept 2025

Received for information.

12. DELEGATIONS - None

13. CORRESPONDENCE

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

13.1 Rob Fenton and Mamie Hutt-Temoana re Alternative Housing Option Report

The correspondent noted the report was sent to the Island Planner and the Advisory Planning Commission and it highlights the need to allow recreational vehicles as approved housing options. They provided a summary of the report and asked that the Local Trust Committee consider the option as a solution for housing and provide an endorsement so the proponent can bring a letter of support forward to the Capital Regional District.

In response, Trustees provided the following comments:

- Within the larger discussion on housing needs there has been ongoing discussion regarding the use of recreational vehicles as housing and there are many factors to consider including zoning, safety, environmental issues, waste disposal, Regional District jurisdictional conflicts and building code standards
- If there is a specific piece of property that one identifies as a possibility for alternative housing then that individual could discuss the possibility of a rezoning application with the Planner and bring an application forward prior to the completion of potential zoning amendments coming out of the Housing Access and Affordability project.

The meeting was recessed for a break at 11:38 a.m. and reconvened at 11:45 a.m.

The agenda was re-ordered and item 15.2 was discussed after item 13.

14. APPLICATIONS AND REFERRALS

14.1 Salt Spring Island Local Trust Committee Referral for Proposed Bylaw 546 (for Response)

NP-2025-050

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee respond to the Salt Spring Island Local Trust Committee that interests are unaffected by proposed Bylaw No. 546.

CARRIED

14.2 Salt Spring Island Local Trust Committee Referral for Proposed Bylaw 549 (for Response)

NP-2025-051

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee respond to the Salt Spring Island Local Trust Committee that interests are unaffected by proposed Bylaw No. 549.

CARRIED

14.3 Trust Council Bylaw No. 183 Policy Statement Bylaw Referral - For Response

Discussion ensued and the Local Trust Committee stated they would like to review and incorporate comments received from the public into their referral response.

NP-2025-052

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee request item 14.3 Trust Council Bylaw No. 183 Policy Statement Bylaw Referral be deferred to the November 21, 2025 North Pender Local Trust Committee meeting.

CARRIED

14.4 Mayne Island Local Trust Committee Referral for Draft Bylaws 196 and 197 (for Response)

NP-2025-053

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee respond to the Mayne Island Local Trust Committee that interests are unaffected by draft Bylaws No. 196 and 197.

CARRIED

15. LOCAL TRUST COMMITTEE PROJECTS

15.1 Raptor Nest Development Permit Area (DPA) Project - Staff Report

The Planner summarized the staff report and highlighted the following:

- The proposed bylaw amendments are consistent with recommendations in the qualified professionals report and current provincial best practices
- Significant public and property-owner engagement has been completed
- The data set has been verified through two field seasons to confirm and review nest locations and the proposed bylaw reflects nest trees that have been identified and updated through the field investigations
- Proceeding with first reading will initiate further public input and referrals
- Staff recommends that a public hearing be scheduled in November
- The Local Trust Committee could further amend the bylaw following the public hearing

Discussion ensued and the following comments were noted:

- The seasonal restriction period coincides with the typical construction season and a permit would be required to build within that time frame in a buffer area unless exemptions apply
- The permit application process allows an educational opportunity to ensure protection of raptor nesting trees when development is taking place
- The public is not understanding that there are options and think if their property is located in a buffer zone they can not build; however, development is allowed with a permit
- The current, or any future, Local Trust Committee can not implement bylaws that make a lot within the buffer zone undevelopable
- Correspondence received regarding the Development Permit Area is typically addressed as part of the Local Trust Committee's discussion on the topic during a business meeting.

NP-2025-054

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee amend draft Bylaw No. 235, cited as "North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2023" by:

- a. Updating 5.2.8.2 Designation to include a 200 metre non-nesting period buffer area for Peregrine Falcons and 100 metre seasonal nesting period buffer areas for Osprey and Peregrine Falcons to align with provincial guidance
- b. Adding an exemption in 5.2.8.6 Development Permit Exemptions for the construction or placement of a small accessory building or structure such as a pump house, gazebo, garden shed or storage structure if all of the following conditions are met:
 - i. The accessory building or structure is located entirely within the seasonal buffer
 - ii. No native trees are removed or land altered by machinery
 - iii. No building permit is required
 - iv. The total area or coverage of the accessory building or structure is less than 10 m²
- c. Updating 5.2.8.7 Guidelines to include guidance where an application involves the development of a primary residence on a previously undeveloped residential parcel, and a significant portion or all of the developable area of the parcel falls within a raptor or heron DPA
- d. Update 5.2.8.7 Guideline 5 to read "Where an application involves the development of a primary residence on a previously undeveloped residential parcel, and a significant portion or all of the developable area of the parcel falls within a raptor or heron DPA, development is permitted and should, where feasible:".

CARRIED

NP-2025-055

It was MOVED and SECONDED,

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

CARRIED

NP-2025-056

It was MOVED and SECONDED,

that 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” as amended is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

NP-2025-057

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee directs staff to schedule a public hearing for proposed Bylaw No 235, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2023” as amended to be held November 21, 2025.

CARRIED

NP-2025-058

It was MOVED and SECONDED,

that 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 October 3, 2025 staff report.

CARRIED

NP-2025-059

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee direct staff to place an advertisement in the Pender Post for the November 21, 2025 Public Hearing on Bylaw No. 235.

CARRIED

15.2 Housing Access and Affordability Project – Staff Report

The Planner summarized the staff report and highlighted the following:

- The Local Trust Committee endorsed the Housing Action Plan at their May, 2025 meeting
- Draft mapping will be prepared based on Suitable Land Analysis work
- Preliminary data from the build-out analysis will be presented at an upcoming Community Information Meeting
- An information mail out has been prepared and is paused due to the Canada Post strike and options to get the information to the public are being looked at

The Chair of the Advisory Planning Commission noted that draft recommendations have been provided, the recommendations are general in nature until Suitable Land Analysis and build-out data is provided, and they have tried to address issues through balanced options that would allow for more affordable and accessible housing.

NP-2025-060

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee directs staff to prepare draft land use and Official Community Plan bylaws for the Housing Access and Affordability Project.

CARRIED

NP-2025-061

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee directs staff to update the Housing Access and Affordability Project charter to reflect new timelines and other updates as presented in the October 3, 2025 staff report.

CARRIED

16. REPORTS

16.1 Work Program Report

16.1.1 Active Projects Report Dated Sept 2025

Received for information.

16.1.2 Future Projects Report Dated Sept 2025

Received for information.

16.2 Applications Report Dated Sept 2025

The Planner provided an update on the report.

16.3 Trustee and Local Expense Report Dated July 2025

Received for information.

16.4 Adopted Policies and Standing Resolutions

Received for information.

16.5 Local Trust Committee Webpage

No updates requested.

16.6 Islands Trust Conservancy Report - None

17. NEW BUSINESS

17.1 6601 Razor Point Road Covenant Update - None

17.2 North Pender Bylaw Compliance and Enforcement Policy - Staff Report

The Bylaw Compliance and Enforcement Manager summarized the staff report.

Discussion ensued and the following comments and clarifications were noted:

- The Local Trust Committee has strengthened their ability to enforce Development Permit Area regulations through the new Development Permit Area contravention penalty and there remains an option to prosecute bylaw enforcement contraventions; however, jurisdictional issues require consideration
- The penalty can be issued each day that a contravention is taking place
- The inspection language appears to read that an inspection can be conducted without notice to the landowner and the Bylaw Compliance and Enforcement Manager clarified section 5.3 of the current policy encourages 24 hours notice and the Local Trust Committee can amend the policy and set whatever notice period they see fit
- Sections 5.5 and 5.6 specify that inspections related to Temporary Use Permits are treated differently
- Screening of a complaint defaults to the Bylaw Compliance and Enforcement Manager and, if there is concern about bias, the policy now allows screening to be done by a Regional Planning Manager

NP-2025-062

It was MOVED and SECONDED,

that the North Pender Local Trust Committee amend the North Pender Island Local Trust Committee Bylaw Compliance and Enforcement Policy Section 5.3 to read “bylaw compliance and enforcement officers are required to request mutually agreeable times to arrange site inspections and provide one week notice.

CARRIED

NP-2025-063

It was MOVED and SECONDED,

that the North Pender Local Trust Committee amend the North Pender Island Local Trust Committee Bylaw Compliance and Enforcement Policy to include Section 6.8 that the Local Trust Committee authorize a daily penalty for work in a Development Permit Area without a permit.

CARRIED

NP-2025-064

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee adopt the North Pender Island Local Trust Committee Bylaw Compliance and Enforcement Policy as amended.

CARRIED

NP-2025-065

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee rescind standing resolutions NP-2019.016 & NP-2022-002.

CARRIED

17.3 North Pender LTC Bylaw Enforcement Notification Proposed Bylaw No. 230 - Consideration of Adoption - Staff Report

The Bylaw Compliance and Enforcement Manager summarized the Staff Report and noted the Local Trust Committee gave first, second, and third reading to proposed Bylaw No. 230 and the amendment bylaw will update penalty schedules and establish a penalty for failure to obtain a permit for work in a development permit area.

NP-2025-063

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee adopt Bylaw No. 230 the “North Pender Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 188, 2011, Amendment No. 1, 2022”.

CARRIED

17.4 Short Term Vacation Rentals – Discussion

The Local Trust Committee discussed short-term vacation rentals and the following comments were recorded:

- There are approximately ten Temporary Use Permits currently active for short-term vacation rentals where there is no permanent resident living on the property
- Most complaints are related to those short-term vacation rentals that are not owner occupied
- The provincial regulation has a primary residence requirement
- Should the Local Trust Committee wish to eliminate Temporary Use Permits for short-term vacation rentals they could amend the Official Community Plan guidelines through the current Housing Access and Affordability project
- There is still enforcement occurring in areas that have opted in to the provincial regulation on infractions such as unpermitted use of an accessory building for habitation
- A provincial representative will be providing information on Bill 35 at the December Trust Council meeting

18. UPCOMING MEETINGS

18.1 Special Meeting - Community Information Meeting Scheduled for October 25, 2025 at the St. Peter's Anglican Church Hall

18.2 Next Regular Meeting Scheduled for November 21, 2025 at the St. Peter's Anglican Church Hall, Pender Island

19. TOWN HALL

No members of the public spoke.

20. CLOSED MEETING - None

21. ADJOURNMENT

By general consent the meeting was adjourned at 1:50 p.m.

David Maude, Chair

Certified Correct:

Lisa Millard, Recorder



Resolutions Without Meetings Log

North Pender Island

Resolution Number	Action	Date
2025-005	Carried	21-Oct-2025
To cancel Oct 25 Special Meeting		
That the North Pender Island Local Trust Committee cancel the special meeting scheduled for Saturday October 25th, 2025, for the purpose of holding a community information meeting on the housing project.		

Minutes of the North Pender Island Advisory Planning Commission

Date: October 1, 2025
Location: Electronic – Zoom

Members Present: Theresa Barker
Jay Gilbert
Peter Pare
Joyce Thayer

Members Regrets: Lisa Baile
Mike Dine

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

Members of the Public: There were no members of the public present.

1. Call to Order

Chair Pare called the meeting to order at 9:32 a.m.

2. Approval of Agenda

By general consent, the agenda was approved as presented.

3. North Pender September 12, 2025 APC Minutes (for Adoption)

By general consent, the North Pender Advisory Planning Commission minutes of September 12, 2025 were adopted.

4. Discussion of Draft APC Report and October 25 presentation

Planner Smith outlined a plan for upcoming next steps and made the following comments:

- The staff report at the next Local Trust Committee meeting will broadly present the Advisory Planning Commission draft report and provide an update
- Following the Community Information Meeting, a more robust staff report will be presented at the November 21 meeting that will include the Advisory Planning Commission's final report and staff recommendations

Discussion ensued and the following comments were made:

- Due to the Canada Post strike, the brochure for the Community Information Meeting has not yet been sent

- Advertising in the brochure is a way to get more members of the public to the meeting and gives momentum to the work
- Planner Smith will ask the Trustees if they would consider postponing the Community Information Meeting until the brochure can be sent
- GIS staff is working on build-out mapping and preliminary mapping should be ready to present at the November 21 meeting
- The Regional Planning Team is working on the Suitable Land Analysis with a goal to present at the November 21 meeting
- The final report will close out the current referral and then the Local Trust Committee can request that the Advisory Planning Commission do further analysis of the recommendations based on mapping work

Chair Pare reviewed the draft report and Commissioners made the following comments:

- All the documents Commissioners have reviewed to reach recommendations should be included in the report
- The table used in the staff report could be included in the document
- Planner Smith will follow up with GIS staff about the census data and density on North Pender
- “Ground-oriented” means level access into a unit (which could be more than one story)
- The Province created a suite of policies on a province-wide basis that could be woven into the local context on Pender
- Parking provisions are included in the bylaw for secondary suites

Discussion ensued about how flexible zoning might be applied to Magic Lake. A suggestion was made to flag that there may be some lots in Magic Lake that the Advisory Planning Commission understands may be suitable for flexible zoning, but further analysis when mapping is available can confirm. Another suggestion was made to not include exceptions in the report as they can arise later on a one-off basis.

Discussion continued about the potential opportunity to create affordable housing on the church property. The following comments were made:

- The Anglican Diocese is considering donating land for affordable housing
- The Pender Island Housing Society needs more capacity
- Ideally a survey would be done to rezone a portion of the land and have it ready for future subdivision; proof of water and septic would also be readily available
- Money would need to be raised to do surveying work as the Local Trust Committee budget is strictly limited to land use planning services
- A suggestion was made to note the limits of what the Local Trust Committee can do
- Permitting affordable housing on the church property can be vetted through the community
- The designation in the Official Community Plan can be updated to identify the land as appropriate for affordable housing
- Decreasing the hurdle for a future affordable housing provider is key
- A suggestion was made to note in the report that staff is working with the Anglican Church to determine appropriate zoning to support affordable housing
- Various dioceses across the province are pursuing affordable housing opportunities

General discussion continued about the draft report and the following comments were made:

- Pro-actively rezoning properties close to amenities for higher density could potentially influence the housing market
- The land use zone must be consistent with the Official Community Plan designation

Planner Smith left the meeting at 10:24 a.m. Commissioners agreed that Commissioner Dine should address the public as part of the October 25th public meeting if he is available (or on November 21). Discussion continued and the following comments were made:

- A suggestion was made to recommend that the bylaw be enforced to say recreational vehicles cannot be used except during home construction
- Land owners must have a building permit and approval to live in a recreational vehicle during home construction
- A suggestion was made to recommend that the Local Trust Committee carry out a robust review of the process for permitting recreational vehicle use given their safety risks
- The goal should be to get people who are living in recreational vehicles into housing by facilitating low-income housing
- It is unclear whether the bylaw review can address the safety risks faced by the unhoused population that lives in off-grid recreational vehicles
- Considering zoning for a recreational vehicle village should not be an option as there is no safety standard to which they can be inspected
- Working towards affordable housing for people that can only live in a recreational vehicle should be continued on an ongoing basis
- Some individuals on disability or with extremely low income require wraparound services that Pender does not have
- The report should include the suggestion to “not increase population density on North Pender for any further subdivision for market housing” (this is also congruent to maintaining rural character)

5. Next Meeting

Oct 8 at 9:30 a.m. at the Anglican Church

6. Adjournment

By general consent the meeting was adjourned at 10:57 a.m.

Peter Pare, Chair

Certified Correct:

Carly Bilney, Recorder

Minutes of the North Pender Island Advisory Planning Commission

Date: October 8, 2025
Location: St. Peter's Church

Members Present: Theresa Barker
Mike Dine
Peter Pare
Joyce Thayer (electronic)

Members Regrets: Lisa Baile
Jay Gilbert

Staff Present: Carly Bilney, APC Secretary (electronic)

Members of the Public: There were no members of the public present.

1. Call to Order

Chair Pare called the meeting to order at 9:33 a.m.

2. Approval of Agenda

By general consent, the agenda was approved as presented.

3. North Pender October 1, 2025 APC Minutes (for Adoption)

By general consent, the North Pender Advisory Planning Commission minutes of October 1, 2025 were adopted.

4. Discussion of Draft APC Report

Chair Pare reviewed the updated draft report and invited Commissions to comment. General discussion ensued and the following comments were made:

- Rural (R) zoning needs to be added back into the draft
- It may be useful to include a statement that says RR1 (Magic Lake) is close to capacity for water and sewage, and the lots are smaller
- Magic Lake Property Owners Society should be contacted to confirm how close they are to water and sewer capacity
- This is the final report (no longer preliminary), but it should be noted that specific details are not included in the recommendations because the Build-Out Report and Suitable Land Analysis are not yet available
- The section that notes possible zoning changes could include a sentence that clarifies an additional dwelling is already allowed

- Concern was expressed that secondary dwellings would be used for short term rentals
- A suggestion was made to require a housing agreement for secondary dwellings to ensure they are not used for short-term rentals

Discussion on rezoning the Anglican Church property was held and the following comments were made:

- The Anglican Diocese has expressed interest in rezoning
- The Local Trust Committee could consider rezoning the whole property or a portion of it
- The zoning map has to include the particular designation of a property in the Official Community Plan map
- The recommendation should say rezoning for affordable, subsidized housing and suggest a housing agreement be required

Discussion was held about the use of recreational vehicles and the following comments were made:

- One Commissioner recommended removing the option for the Local Trust Committee to “consider application for rezoning for an RV village on a case-by-case basis;” another suggested it stay in to reflect all available possibilities and the desire of some community members
- Clustering recreational vehicles in a village could ensure adequate infrastructure and shared water for fire suppression, however, there is no inspection standard for their long-term use
- A suggestion was made to more strongly emphasize the safety risks that come with the full-time use of recreational vehicles
- It is paradoxical to say long-term use of recreational vehicles is unsafe, yet it is permissible for up to four years with a building permit during house construction
- The assumption is that use of a recreational vehicle (RV) during home construction is a temporary measure; the majority of people with a temporary use permit for this use have newer RVs that they use temporarily
- The safety risk is from substandard recreational vehicles that are used on a full-time basis

Mixed opinions were expressed about whether or not the present moratorium on enforcement of the existing RV bylaw should remain unchanged (where enforcement is by complaint) or be removed (where enforcement would be by the Capital Regional District). Comments were made that the problem lies in what will happen to people if they are forced out of the recreational vehicles in which they are currently living full-time. The following comments were made:

- The moratorium empowers landlords to provide a venue for substandard living without having to meeting fire or building code safety regulations
- By recommending that the present moratorium be re-examined, we are putting the Local Trust Committee on notice that this should be looked at
- This is a debate that is happening all over B.C.

Chair Pare noted he would send a revised draft to Commissioners for input.

5. Discussion of Draft Power Point – (see Item 6)

6. Discussion of October 25 Community Information Meeting

Chair Pare commented on the challenges that have arisen regarding the October 25 Community Information Meeting as the informational brochure has not been distributed due to the postal strike, and it is unclear whether staff will be available to attend due to the B.C. General Employees' Union (BCGEU) strike. It was suggested that the Commission continues to prepare a PowerPoint presentation. The following comments were made:

- The Advisory Planning Commission's portion of the Community Information Meeting will only be about 15 minutes
- The PowerPoint should not list pros and cons of each recommendation or it will be too detailed
- If the meeting is delayed Commissioner Dine might be able to attend and answer questions
- A photo shared among Commissioners of a recently burned recreational vehicle on North Pender exemplifies the safety risks – risks to the people who live in RVs, as well as their neighbours across the island
- Some RV parks have high standards that do not allow derelict vehicles

7. Next Meeting

A suggestion was made to wait and see how the BCGEU strike progresses before scheduling the next meeting.

8. Adjournment

By general consent the meeting was adjourned at 10:40 a.m.

Peter Pare, Chair

Certified Correct:

Carly Bilney, Recorder

Follow Up Action Report

North Pender Island

03-Oct-2025

Progress	Activity	Responsibility	Dates	Status
100%	1 10.1 July 25, 2025 LTC meeting minutes adopted as presented	Emily Bryant	Target: 17-Oct-2025	Completed
0%	2 14.1 and 14.2 SSI BL 546/549 - respond that LTC interests unaffected	Jas Chonk	Target: 17-Oct-2025	Completed
0%	3 14.4 Mayne Island LTC Referral BL 196/197 - LTC interests unaffected	Jas Chonk	Target: 17-Oct-2025	Completed
0%	4 15.2 Housing Access and Affordability Project 1) Staff to prepare amending OCP and land use bylaws 2) Staff to update project charter as presented	Brad Smith Emily Bryant Jas Chonk	Target: 17-Oct-2025	Completed
0%	5 14.3 Trust Council Bylaw No. 183. - deferred to Nov 21, 2025 meeting - include on Nov 21 agenda.	Jas Chonk	Target: 17-Oct-2025	Completed
0%	6 15.1 Raptor Project 1) BL 235 given 1st reading with proposed amendments A-D implemented (Done) 2) ITPS policy endorsed - update with endorsement date DONE 3) Schedule a public hearing for Jan 30, 2026 at LTC regular meeting 4) Schedule CIM prior to Public hearing on Jan 30, 2026 5) Update project charter as presented - DONE 6) Staff to advertise public hearing in January Pender Post	Brad Smith Emily Bryant Jas Chonk	Target: 13-Dec-2025	In Progress

Follow Up Action Report

North Pender Island

03-Oct-2025

Progress	Activity				Responsibility	Dates	Status
0%	7	17.2	Bylaw Compliance and Enforcement Policy		Jas Chonk	Target: 17-Oct-2025	Completed
			1) Section 5.2.3 amended to read one weeks notice		Warren Dingman		
			2) Add section 6.8 re daily fines for DP infractions without permit				
			2) Adopted as amended				
			3) Rescind Standing resolutions NP-2019.016 and 2022-002 (Done)				
0%	8	17.3	BL Enforcement Notification BL 230 - Adopted as presented		Jas Chonk	Target: 17-Oct-2025	Completed
					Warren Dingman		

MEMORANDUM

DATE OF MEETING:	October 3, 2025	File No.: TC-BL-183 (Policy Statement)
TO:	North Pender Island Local Trust Committee	
FROM:	Jas Chonk, Legislative Clerk, Southern Team	
SUBJECT:	Referral: Proposed Bylaw No. 183	

PURPOSE

The Islands Trust Council has referred proposed Bylaw No. 183 (cited as "Islands Trust Policy Statement Bylaw, 2025") to the North Pender Island Local Trust Committee.

BACKGROUND

Islands Trust [Policy 4.1.9](#) Inter-Local Trust Committee Community Planning Bylaw Referral delineates how a local trust committee will implement a local trust committee referral process for community planning bylaws affecting another local trust committee or island municipality.

Additional information regarding this project including the preliminary staff report with site context, photos, correspondence, and other information can be found on the Islands 2050 webpage: <https://islandstrust.bc.ca/programs/islands-2050/>

NEXT STEPS

The following draft resolutions have been provided for consideration:

1. **If the LTC considers their interests unaffected by the bylaw:**
That the North Pender Island Local Trust Committee respond to the Islands Trust Council that interests are unaffected by proposed Bylaw No. 183.
2. **If the LTC wishes to recommend proceeding with the bylaw for specific reasons:**
That the North Pender Island Local Trust Committee recommend to the Islands Trust Council that proposed Bylaw No. 183 proceed for the following reasons:
 - *[list reasons] ...*
3. **If the LTC wishes to recommend proceeding with the bylaw subject to conditions:**
That the North Pender Island Local Trust Committee recommend to the Islands Trust Council that proposed Bylaw No. 183 proceed, subject to the following recommendations:
 - *[list recommendations] ...*
4. **If the LTC wishes to recommend not proceeding with the bylaw:**
That the North Pender Island Local Trust Committee recommend to the Islands Trust Council that proposed Bylaw No. 183 not proceed for the following reasons:
 - *[list reasons] ...*

Submitted By:	Jas Chonk, Legislative Clerk	September 16, 2025
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ATTACHMENTS

1. BYLAW REFERRAL FORM



BRIEFING

To: Local Trust Committees and Islands Trust Conservancy **For the Meeting of:** Varies

From: Trust Area Services **Date Prepared:** August 15, 2025

SUBJECT: Bylaw Referral – Policy Statement Bylaw No. 183

PURPOSE: The purpose of this briefing is to update local trust committees (LTCs) and Islands Trust Conservancy that Trust Council expects to receive referral responses from LTCs and Islands Trust Conservancy no later than February 6, 2026, not October 10, 2025 as stated in the original referral package sent out on August 7, 2025.

BACKGROUND: The original bylaw referral package sent to LTCs and Islands Trust Conservancy in August stated that referral responses must be received by October 10, 2025. However, this date did not take into account that the local engagement events requested by LTCs are spread out between September and late November, and so some LTCs may not want to respond to the referral until those events have been held.

It is appreciated by staff if LTCs could submit their referral response as soon as practicable following local engagement events.

ATTACHMENT(S): None

FOLLOW-UP: TAS staff will follow up with individual LTCs and Islands Trust Conservancy as needed.

Prepared By: Jason Youmans, Senior Policy Advisor

Reviewed By/Date: Clare Frater, Director, Trust Area Services/August 20, 2025

From: Islands2050
Sent: Friday, August 8, 2025 10:33 AM
To: Nadine Mourao; Jason Youmans
Subject: Bylaw Referral - Trust Council Bylaw 183 Policy Statement - For Response by October 10, 2025
Attachments: 2025_TC_BL183-FRM-Agency-Referral.pdf; TC_2025-07-29
_BL183PolicyStatement_Schedule-A_First-Reading.pdf

Dear Referral Coordinator(s),

We are reaching out to seek feedback from provincial and federal government agencies, Indigenous Governing Bodies, local trust committees and Bowen Island Municipality, school districts, regional districts, and improvement districts on the proposed Islands Trust Policy Statement, which was given first reading by Islands Trust Council on July 29, 2025.

The Islands Trust Policy Statement is a document required by Provincial legislation to be a general statement of the policies of the Islands Trust Council to carry out the [object](#) (mandate) of the Islands Trust. The proposed Policy Statement sets out Islands Trust Council's proposed principles and policy framework for planning and land use management within the lands and waters of the Island Trust Area. The Policy Statement guides the development of the official community plans and land use bylaws of local trust committees and Bowen Island Municipality, and the development of Trust Council's Strategic Plan. It is not a set of regulations that apply to land in the Islands Trust Area.

First reading of the Policy Statement bylaw followed a year of meetings by Islands Trust Council's Committee of the Whole and Trust Programs Committee, where the draft bylaw was reviewed and revised to address feedback received from Indigenous Governing Bodies, island residents, Islands Trust staff, legal counsel, and government agencies over the course of the project. Work on a new Islands Trust Policy Statement has been ongoing since 2019.

Please visit the Islands [2050 project webpage](#) for full project background information, including frequently asked questions.

Your organization may have provided a response when a previous draft of the new Policy Statement was referred out for comment in 2021. Since then, the document has been substantially revised and is now being referred out anew. If you would like to review a copy of your organization's response to the 2021 referral, please see the agency referral section of the project library on the [Islands 2050 project webpage](#).

Your informed response is important to this process and will support the Islands Trust Council in delivering the Islands Trust's provincially-mandated object "to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British Columbia."

Agencies Information Session Webinars

Islands Trust will host two Zoom webinars for referral agencies to provide information about the proposed Policy Statement bylaw and to offer an opportunity for questions and answers.

Please register in advance for one of the two sessions:

- **Friday, September 5, 2025**, from 9:30 a.m. to 10:30 a.m. – [Register here](#)
- **Monday, September 8, 2025**, from 1:30 p.m. to 2:30 p.m. – [Register here](#)

After registering, you will receive a confirmation email with details on how to join the webinar.

Your response to this referral is respectfully requested:

Attached to this email is a bylaw referral package that includes our referral form and the proposed Policy Statement bylaw. Project information can be found on our website here:

<https://islandstrust.bc.ca/programs/islands-2050/>.

We understand that there are numerous demands on your time, however, we genuinely welcome any comments you may have. Your referral response to this proposed bylaw is respectfully requested by **October 10, 2025**. Referral responses will be provided to Islands Trust Council for its consideration, and publicly posted to the project webpage.

Should you have any questions or require further information, please contact Jason Youmans at jyoumans@islandstrust.bc.ca or at 250-405-5177.

Please direct referral responses to islands2050@islandstrust.bc.ca

or by mail to:

Islands Trust - Islands 2050
200 – 1627 Fort Street
Victoria, BC V8R 1H8

Thank you for your time and attention to this matter.

Respectfully,

Nadine Mourao

Legislative Clerk / Deputy Secretary (she, her, hers)

Islands Trust

700 North Road | Gabriola BC V0R 1X3

T 250-247-2206 | www.islandstrust.bc.ca

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

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

I respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOKEĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEL, Qualicum, scəwəθən, səlilwətał, SEMYOME, shishálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune 'luxutth', STAUTW, Stz'uminus, łaʔəmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOŁŁP, WSIKEM, Xeláltxw, Xwémalkwu, Xwsepsum, and xʷməθkʷəy̓əm First Nations. Islands Trust is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.



ISLANDS TRUST POLICY STATEMENT BYLAW REFERRAL FORM

Islands Trust – Islands 2050
200 – 1627 Fort Street
Victoria, BC V8R 1H8
islands2050@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Islands Trust Area Bylaw No.: TC 183 Date: August 6, 2025

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.

PURPOSE OF BYLAW:

The Islands Trust Act requires that Islands Trust Council adopt a Policy Statement. The current Policy Statement has not been substantively updated in over 30 years. The purpose of this bylaw is to update the Policy Statement through the lenses of reconciliation, climate change, and affordable housing.

GENERAL LOCATION:

The Islands Trust Policy Statement is a general policy that applies to all of the Islands Trust Area, including Bowen Island. For a map of the Islands Trust Area, please visit: <https://islandstrust.bc.ca/mapping-resources/mapping/>

YOUR RESPONSE IS RESPECTFULLY REQUESTED:

Your response to this referral will help to ensure that the Policy Statement advances the mandate of the Islands Trust, in cooperation with the Province, other agencies and Indigenous Governing Bodies. The Islands Trust Policy Statement requires the approval of the Minister of Municipal Affairs and Housing if it is to be used by Islands Trust Executive Committee and Trust Council to evaluate and approve bylaws submitted by local trust committees and island municipalities.

The proposed new Policy Statement contains policies that may affect your agency's interests. We would encourage you to review the [Islands 2050 project webpage](#) for additional information about the Policy Statement Amendment Project, including an FAQ. Please return the response form to islands2050@islandstrust.bc.ca

OTHER INFORMATION:

For more information on the Islands 2050 Policy Statement Amendment Project, including the draft Policy Statement: <https://islandstrust.bc.ca/programs/islands-2050/>

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 response and, if necessary, outline any conditions related to that response. Please note any legislation or official government policy that would affect our consideration of this Bylaw.

(Signature)

Name: David Marlor

Title: Secretary, Islands Trust

This referral has been sent to the following agencies:

Federal Agencies

Environment and Climate Change Canada
Fisheries & Oceans, Canada (Fish Protection and Aquaculture - Pacific Region)
Transport Canada
Parks Canada

Regional Agencies

Capital Regional District
Comox Valley Regional District
Cowichan Valley Regional District
Metro Vancouver Regional District
Nanaimo Regional District
qathet Regional District
Sunshine Coast Regional District

School District Boards

School District No. 45 (West Vancouver – Gambier)
School District No. 46 (Gambier)
School District No. 64 (Gulf Islands: Galiano, Mayne, North Pender, South Pender, Salt Spring, Saturna)
School District No. 68 (Gabriola/Ballenas Winchelsea)
School District No. 69 (Lasqueti/Ballenas Winchelsea)
School District No. 71 (Denman/Hornby)
School District No. 79 (Thetis)

Improvement District Boards

Gabriola Fire Protection District
Graham Lake Improvement District
Schmidt Improvement District
Galiano Estates Improvement District
Gossip Island Improvement District
Montague Improvement District
Spanish Hills Improvement District
Wise Island Improvement District
Bennett Bay Waterworks District
Campbell-Bennett Bay Improvement District
Lighthouse Point Waterworks District
Mayne Island Improvement District
Village Point Improvement District
Georgina Improvement District
Razor Point Improvement District
Trincomali Improvement District
Harbour View Improvement District
Mount Belcher Improvement District
North Salt Spring Waterworks District
Piers Island Improvement District
Salt Spring Island Fire Protection District
Scott Point Waterworks District
Saturna Shores Improvement District
Thetis Island Improvement District
Vaucroft Improvement District

Adjacent Local Trust Committees and Municipalities

Ballenas-Winchelsea Islands Local Trust Committee
Bowen Island Municipality
Denman Island Local Trust Committee
Gabriola Island Local Trust Committee
Galiano Island Local Trust Committee
Gambier Island Local Trust Committee
Hornby Island Local Trust Committee
Lasqueti Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Salt Spring Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Islands Trust Conservancy Board

Provincial Agencies

Agricultural Land Commission
Attorney General (Housing Policy Branch)
BC Ferries
Ministry of Agriculture and Food
Ministry of Energy and Climate Solutions
Ministry of Energy and Climate Solutions (Climate Action Secretariat)
Ministry of Mining and Critical Minerals
Ministry of Environment and Parks
Ministry of Environment and Parks (BC Parks and Conservation Officer Service Division)
Ministry of Forests
Ministry of Water, Land and Resource Stewardship (South Coast Office, Crown Lands, Water Licensing (Watershed Stewardship & Security Branch, Ecosystems, Archaeology)
Ministry of Health
Ministry of Indigenous Relations and Reconciliation (West Coast Office; South Coast Office)
Ministry of Housing and Municipal Affairs (Governance and Structure Branch and Land Use Planning and Regional Impacts Branch)
Ministry of Transportation and Transit on Vancouver Island and South Coast (via electronic Development Approvals System)

**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

Islands Trust Area (Islands 2050)

(Island)

(Signature)

(Date)

TC 183

(Bylaw Number)

(Printed Name and Title)

(Agency)

File No.: PL-DP-2025-0384

DATE OF MEETING: November 21, 2025

TO: North Pender Island Local Trust Committee

FROM: Bruce Belcher, Planner 2
Southern Team

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: PL-DP-2025-0384

Applicant: Budd Kerfoot
Location: 1329 Mackinnon Rd, North Pender Island

RECOMMENDATION

1. That the North Pender Island Local Trust Committee approve issuance of Development Permit PL-DP-2025-0384.

REPORT SUMMARY

The purpose of this report is to consider a Development Permit (DP) application for construction within the **Commercial and Industrial Form and Character Development Permit Area (DPA)** on the property. Specifically, it would permit the new construction of a pool deck within the DPA.

BACKGROUND

The application is following the Islands Trust Building Permit Review which determined that the new construction would require a DP based on the following section within the North Pender Island Official Community Plan No. 171, 2007 (OCP):

The following activities shall require a development permit whenever they occur within the DPA, unless specifically exempted below:

- 1) Construction of, addition to or alteration of a building or other structure.

This work is not exempt from the requirement for a DP as a building permit is required.

The applicant plans to construct a pool deck addition, approximately 90 m² in area, adjacent to the existing pool area, including a hot tub and cold plunge. The property includes four smaller rental cottages and one large rental house, all used as a part of the tourist accommodation business. The pool and proposed new deck, hot tub, and cold plunge are all amenities included as part of the commercial tourist accommodation business.

The draft development permit is included as Attachment 4.

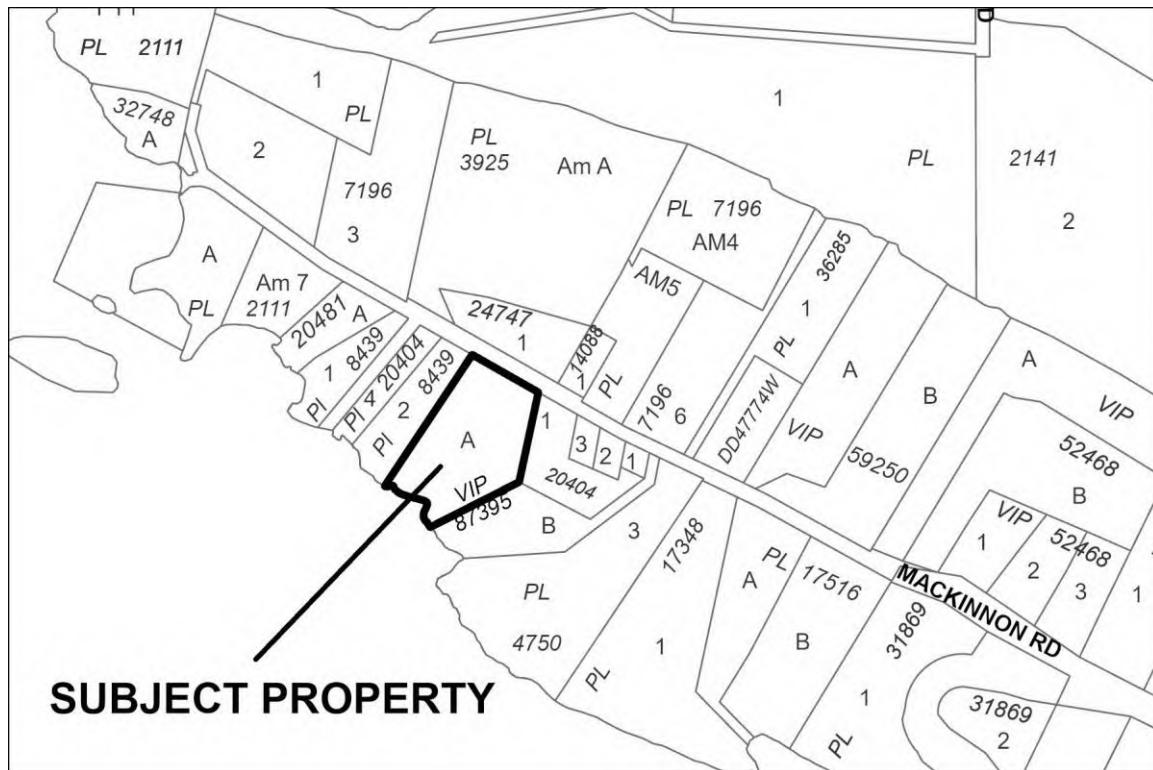


Figure 1: Subject Property Location

ANALYSIS

Official Community Plan:

The entirety of the property is within the Commercial and Industrial Form and Character DPA. The objective of this development permit area is to ensure that new or additional commercial or industrial uses are developed in a manner that is consistent with and enhances rural character and avoids impacts on adjacent properties.

The new construction does not involve the addition of any new commercial guest accommodation units. The proposal is generally unobtrusive and maintains consistency with the existing landscaping and design of the property. The pool deck addition does not impact the views of adjacent properties and the existing trees along the property boundaries provide adequate screening for the commercial use.

The new construction is consistent with the applicable landscaping guidelines. A landscaping plan was not submitted for the application and is not considered necessary due to the scale of development within the application and the minimal changes to the property's topography and vegetation. The construction will involve limited land alteration through the concrete footings used to support the deck, cold plunge tub, and hot tub. The construction will require the removal of invasive Himalayan blackberries which occupy much of the proposed construction site

The new construction would not require any new parking requirements. Additionally, no lighting or signage changes are proposed as a result of the application. The application is extensively compliant with all of the relevant DPA guidelines. Staff's review of the relevant DPA guidelines is included as Attachment 3.

Land Use Bylaw:

The property is zoned Commercial 2 – variant d (C2(d)) in the North Pender Island Land Use Bylaw No. 224, 2022 (LUB). This zoning permits tourist accommodation as a principal use as well as accessory uses, buildings, and structures. The proposed construction is compliant with the required setbacks for the property.

Staff understand that the two cabins encroaching on the west property line setback likely have pre-existing non-conforming status and pre-date the land use bylaw's setback regulations.

Consultation

There is no public or agency consultation regularly associated with a DP application or amendment, nor any requirement for statutory notification.

Archaeological Potential

There is archaeological potential identified within 100 metres of the subject property. The applicant should be aware that the lot may contain previously unrecorded archaeological material that is protected under the Heritage Conservation Act. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a Heritage Conservation Act permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.

Rationale for Recommendation

The recommendation on page 1 is supported as:

- The objectives and guidelines of the DPA have been met;
- The approval of the DP allows the applicant to proceed with applying for a building permit.

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. 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. Determine that the DPA guidelines are not being met

The LTC may determine that the application as presented does not meet one or more guidelines of DPA 9. If this is the case, the LTC may request that the applicant amend the proposal to more closely align with DPA guidelines. The LTC should indicate which guidelines are not being met and the reasons for this. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee has determined that application PLDP20250384 as presented does not meet guideline(s)_____ for the following reasons:_____.

Submitted By:	Bruce Belcher, Planner 2	November 7, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	November 7, 2025

ATTACHMENTS

1. Site Context
2. Maps, Plans, Photographs
3. DPA Guideline Checklist
4. Draft Development Permit

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	LOT A SECTION 17 PENDER ISLAND COWICHAN DISTRICT PLAN VIP87395
PID	028-093-721
Civic Address	1329 MACKINNON RD, NORTH PENDER ISLAND
Lot Size	1.23 ha

LAND USE

Current Land Use	Commercial Tourist Accommodation
Surrounding Land Use	Commercial Tourist Accommodation, Residential

HISTORICAL ACTIVITY

File No.	Purpose
NP-DP-2008.3	Related to Boundary Adjustment Subdivision
NP-SUB-2008.6	Boundary Adjustment Subdivision
NP-SUB-2016.1	Subdivision to create one parcel and one remainder
PLBP20250265	New building permit for deck construction

POLICY/REGULATORY

Official Community Plan Designations	Tourist Commercial – TC DPA 9 – Commercial and Industrial DPA 1 – Woodland Sensitive Ecosystems on property. Development Permit Areas  11/6/2025, 10:37:51 AM Legend: - DPA 9 - Commercial & Industrial - DPA 1 - Woodland - DPA 6 - Intertidal - Civic Address - Property Boundaries - Blue: Band_3 - Red: Band_1 - Green: Band_2 Scale: 0 0.01 0.03 0.05 mi Source: Esri, Maxar, Airbus DS, USGS, NOAA, CCMA, N. Robinson, NCEAS, NLS, OS, NMA, Geobase/Esri, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community, Esri Community Maps Contributors, Whatcom County, WA State Parks GIS, © OpenStreetMap, Esri Community Maps Contributors, Whatcom County, WA State Parks GIS, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc., MET/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS, NRCan, Parks
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Land Use Bylaw	Commercial 2 – variant d
Other Regulations	none
Covenants	FB312715 – Registered to the CRD for flood control and natural boundary of the sea protection.
Bylaw Enforcement	none

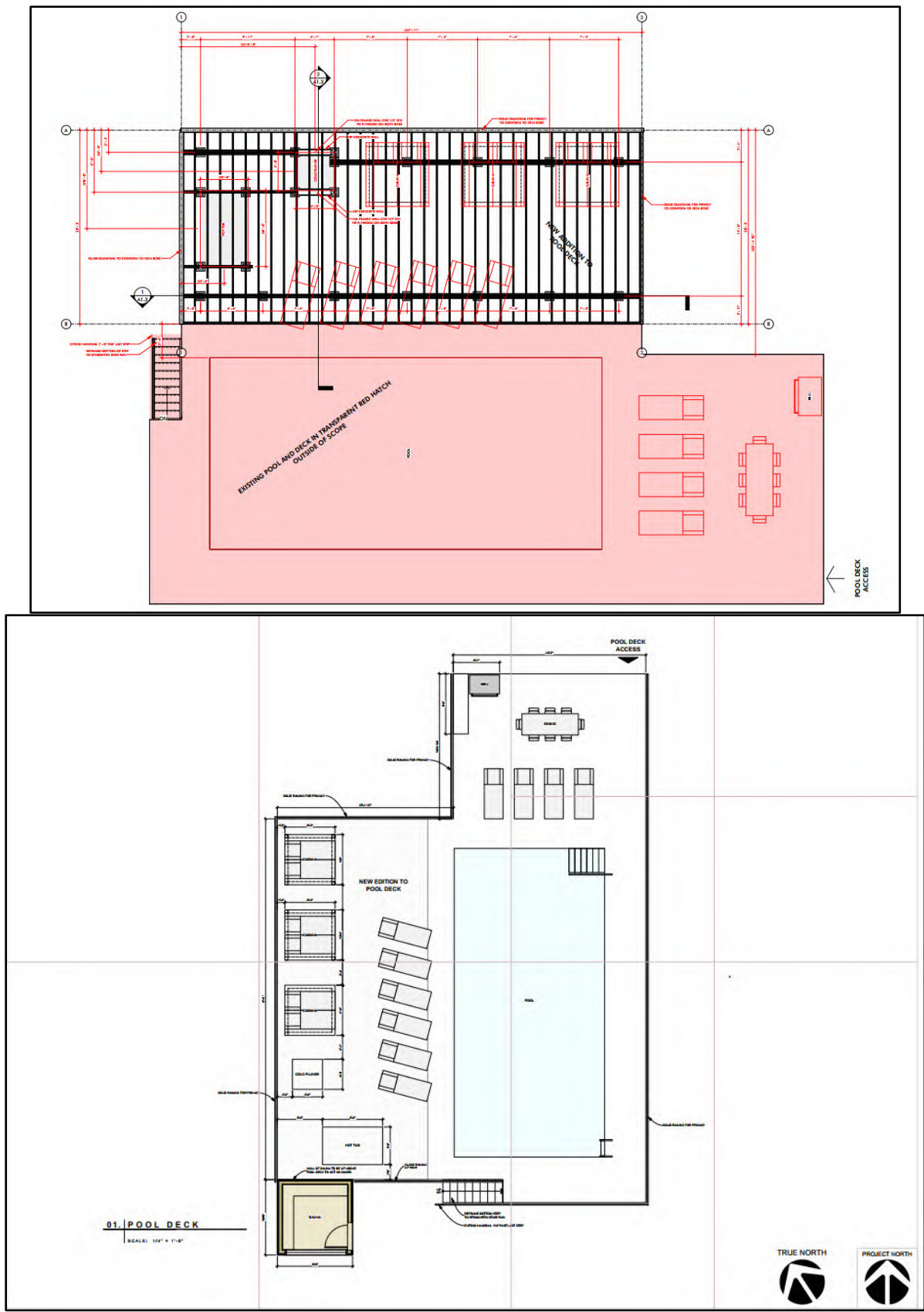
SITE INFLUENCES

Islands Trust Conservancy	The application has no considerations for the Islands Trust Conservancy
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	Marbled Murrelet, Southern Resident Orca Whale Species at Risk  11/6/2025, 10:55:01 AM ORTHO_2021 Red: Band_1 Green: Band_2 Blue: Band_3 0 0.01 0.03 0.05 mi 0 0.02 0.04 0.08 km Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasystemen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community, Esri Community Maps Contributors, Whitcom County, WA State Parks GIS, © OpenStreetMap, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS, NRCAn, Parks
Sensitive Ecosystems	Woodland Sensitive Ecosystem

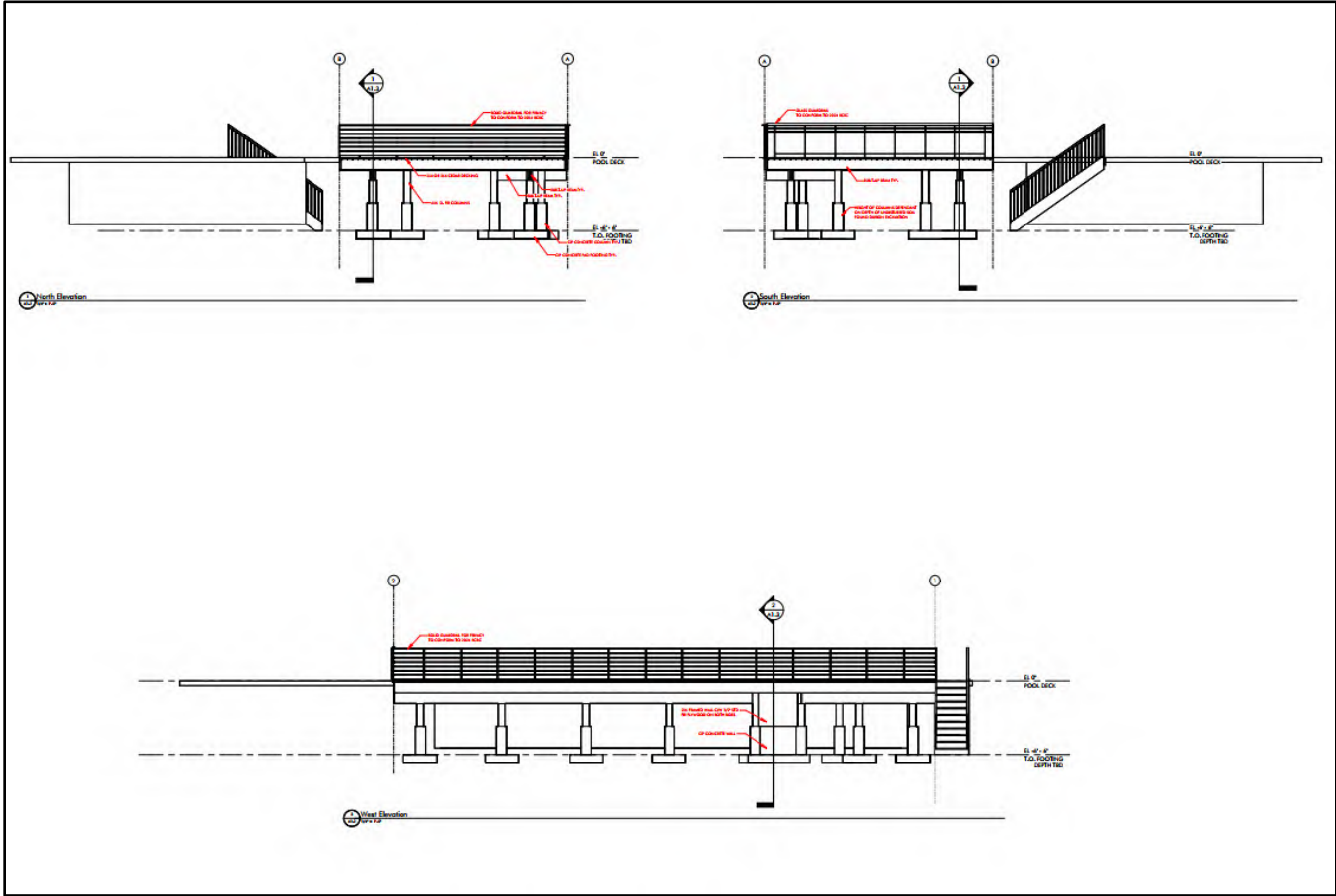
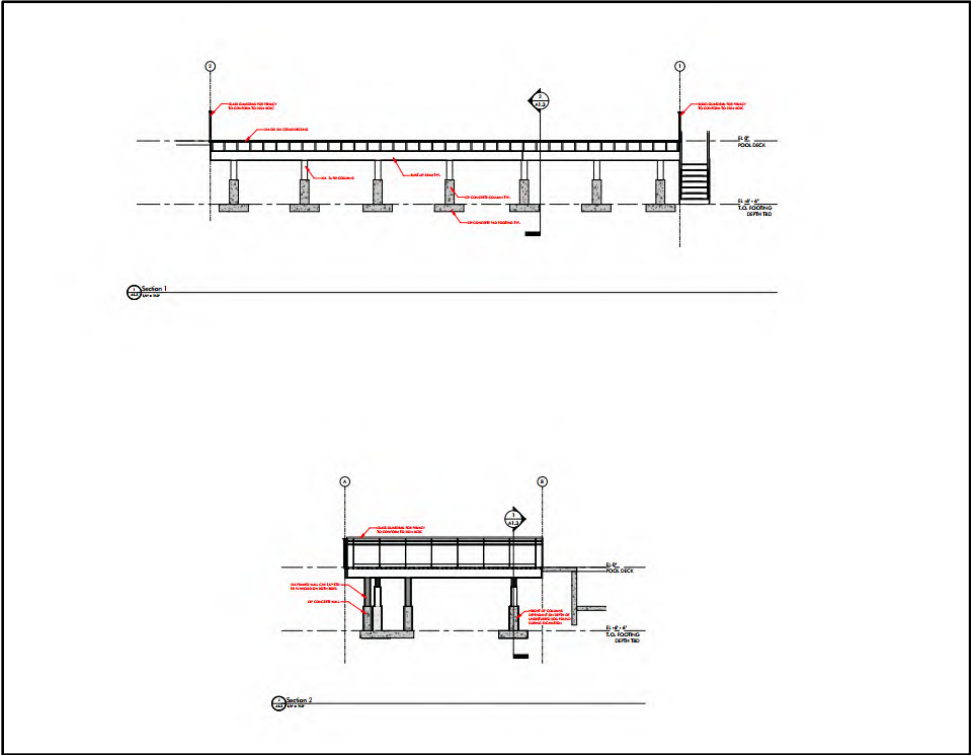
	Sensitive Ecosystems
Hazard Areas	Moderate to low-risk steep slopes Steep Slope Hazards 11/6/2025, 10:57:02 AM Civic Address Property Boundaries ORTHO_2021 Low Risk Moderate Risk Red: Band_1 Green: Band_2 Blue: Band_3 Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGAR, N Robinson, NCEAS, NLS, OS, NMA, GeoDataStymlen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community, Esri Community Maps Contributors, Whatcom County, WA State Parks GIS, © OpenStreetMap.

	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. The applicant has also been sent the Islands Trust Chance Find Protocol and provincial guidance on archaeological site
Climate Change Adaptation and Mitigation	There are no anticipated increases in greenhouse gas emissions associated with the proposed development.
Shoreline Classification	Low Rock/Boulder
Shoreline Data in TAPIS	Low Rock/Boulder

2.2 FLOOR PLANS

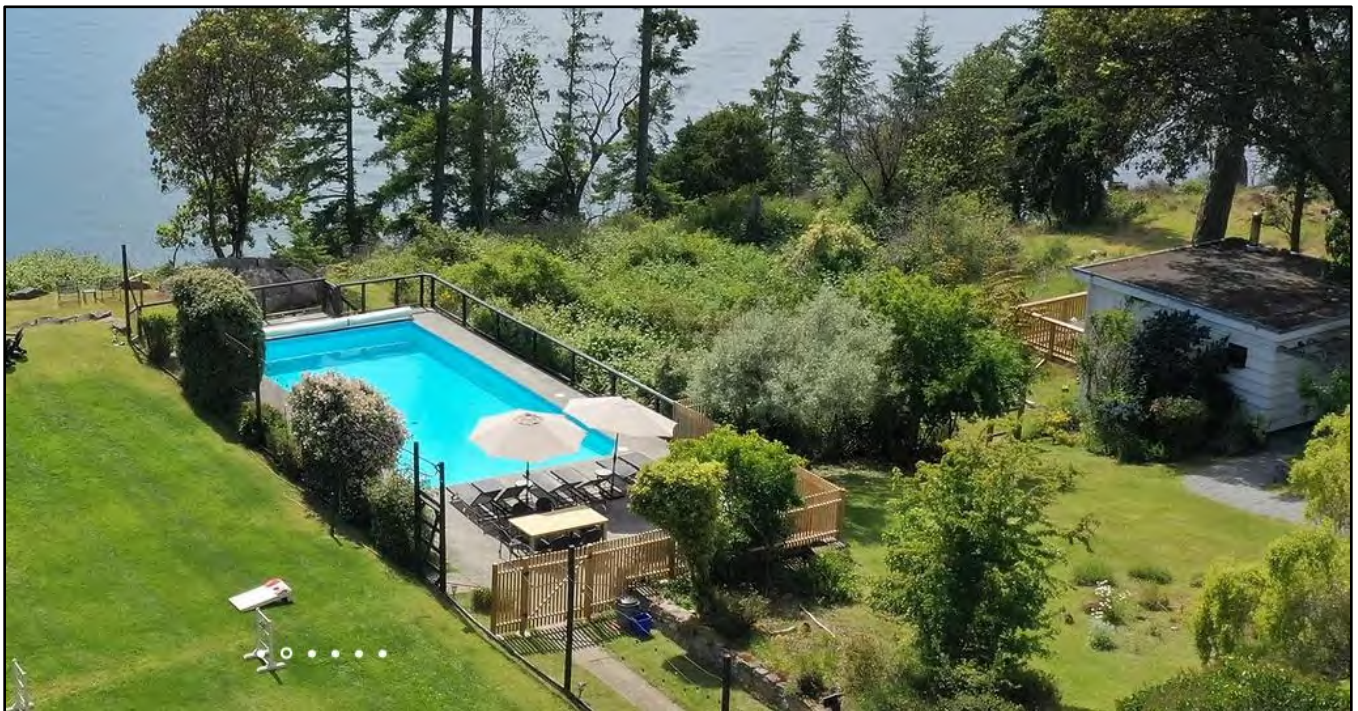


2.3 ELEVATION PLANS



2.4 PHOTOGRAPHS (TAKEN FROM COMMERCIAL WEBSITE)





North Pender Island
OCP Bylaw No. 171, 2007
Commercial and Industrial Form and Character - Development Permit Area (DPA 9)
Guideline Checklist

Guideline	Complies			Staff Comments
	Yes	No	N/A	
2. Where an application involves a proposal to construct or alter tourist commercial buildings or structures, which are buildings designed and intended for use as commercial guest accommodation units, building form and character should adhere to the following guidelines:	☐	☐	☒	
a) Buildings and other structures should utilize existing topography and vegetation to be sited in a manner that is relatively unobtrusive and blends into the surrounding landscape.	☒	☐	☐	New construction is unobtrusive and is screened from adjacent properties
b) Where there are significant numbers of commercial guest accommodation units proposed or permitted on a site, development should incorporate a variety of building types, including attached or multi-unit buildings, in order to minimize the development footprint on the site and to minimize impacts on adjacent properties.	☐	☐	☒	No new commercial guest accommodation proposed
c) Building form and character should be similar to the scale, mass and character of adjacent non-commercial properties without being imitative or derivative of adjacent dwellings.	☐	☐	☒	
d) Building mass should be limited to two storeys above grade.	☐	☐	☒	
e) Building mass should be appropriately proportioned in comparison to building height by limiting building frontage length in relation to building height.	☐	☐	☒	
f) Natural materials should be incorporated into the design of buildings with construction materials and styles relating to the vernacular style of coastal architecture.	☐	☐	☒	
g) Architectural variety should be provided through the use of pitched roofs, peaked roof lines, dormers and similar features.	☐	☐	☒	
h) New buildings should result in minimal disturbance to existing vegetation.	☒	☐	☐	New structure would create minimal disturbance to existing vegetation, only requiring the removal of invasive Himalayan Blackberry

Guideline	Complies			Staff Comments
	Yes	No	N/A	
i) Such elements as roof top mechanical equipment, shipping and loading areas, exterior storage areas, transformers, and meters should be screened from public view as effectively as possible through the use of any combination of landscaping, solid fencing, and building design.	☐	☐	☒	
j) Development along the shoreline should be visually unobtrusive and conform to the existing contours of the shoreline.	☐	☐	☒	
k) Development should be designed and sited in such a manner as to preserve existing significant views and view corridors from adjacent properties and public lands. Consideration should be given to siting a first storey below grade where it results in a lower profile building and protection of views.	☒	☐	☐	New construction would not impact the views of adjacent properties.
l) Structures intended to access the foreshore, docks and marinas should be small-scale and low-profile. Stairs and ramps should follow the existing contours of the site, incorporate landings, utilize small concrete pilings and have gaps between boards.	☐	☐	☒	
4. All applications should include landscaping adhering to the following guidelines:	☐	☐	☒	
a) A landscape plan should be professionally prepared and should: i. provide supporting documentary evidence pertaining to landscape specifications, irrigation requirements, planting lists (highlighting indigenous species), cost estimates, and the total value of the work; ii. identify existing vegetation by type and identify areas which are to be cleared; iii. provide for the landscape treatment of the frontage of the site which abuts onto existing or future public roads; iv. provide for vegetative buffers along lot lines; v. identify how landscape treatment will avoid the use of herbicides, pesticides and fungicides.	☐	☐	☒	A landscaping plan was not submitted for the application and is not considered necessary due to the scale of development.
b) Existing site topography and landscape features should not be altered in order to create new landscaping.	☒	☐	☐	
c) Existing indigenous vegetation should be retained wherever possible. Significant existing indigenous vegetation within all setback areas should be preserved (i.e. wetlands and mature wooded areas). Significant existing indigenous vegetation within the buildable area of the site should be preserved wherever possible through careful and innovative site design.	☐	☐	☒	

Guideline	Complies			Staff Comments
	Yes	No	N/A	
d) An adequate landscaped strip should be provided along all roads. The width and extent of this buffer strip should be established based on the overall useable site area of the parcel, the extent of existing vegetation, the provision for adequate access and visual clearances, and any zoning requirements for landscape screening.	☐	☐	☒	
e) Landscaped strips should be provided adjacent to the boundary of the Agricultural Land Reserve, along abutting residential properties and adjacent to watercourses.	☐	☐	☒	
f) Any storage areas on the property facing public roadways should have adequate landscape screening or the provision of other screening consistent with the overall character of the site and with the other guidelines in this section.	☐	☐	☒	
g) Proposed new plantings should consist of indigenous vegetation or other noninvasive vegetation suitable for local environmental conditions; buffer planting using massing of indigenous trees and shrubs is encouraged.	☐	☐	☒	
h) Appropriate planting should be used to soften building massing, to break up parking areas and to provide screening along lot lines. It is not intended that plantings form a full-height visual screen around the whole site and screen all buildings from view; planting should reduce and soften the apparent scale and mass of buildings, provide screens, and create breaks in a building façade or at building corners.	☒	☐	☐	Existing tree screening provides separation between lot lines.
i) New drainage swales and detention basins should be planted with materials that will assist in the treatment of stormwater runoff and that are also complementary to the surrounding natural vegetation.	☐	☐	☒	
j) All landscaping and screening should be completed within 12 months of an occupancy permit being issued and should meet or exceed the British Columbia Society of Landscape Architects and British Columbia Nursery Trades Association standards.	☐	☐	☒	
k) The application should include a security, in the form of an irrevocable letter of credit for 125% of the value of the quoted landscaping cost.	☐	☐	☒	
5. All applications should provide a parking layout plan, adhering to the following guidelines:	☐	☐	☒	
6. Lighting proposed as part of an application for a new building or overall site development should adhere to the following guidelines:	☐	☐	☒	
7. Signs should adhere to the following guidelines:	☐	☐	☒	

Guideline	Complies			Staff Comments
	Yes	No	N/A	
8. Where an application involves a proposal to construct or alter commercial or industrial marine structures over the water or the foreshore, the form and character of development should adhere to the following guidelines:	☐	☐	☒	
9. The LTC may consider variances to siting or size regulations where the variance may result in closer adherence to the guidelines in this section	☐	☐	☒	



**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT
PLDP20250384**

To: Leslee Kerfoot
c/o Budd Kerfoot

1. This Development Permit (the “Permit”) applies to the land described below:

LOT A SECTION 17 PENDER ISLAND COWICHAN DISTRICT PLAN VIP87395
PID: 028-093-721
2. This Development Permit PLDP20250384 authorizes the construction of a pool deck within the Development Permit Area Nine (DPA 9) – Commercial and Industrial Form and Character, subject to the following requirements and conditions:
 - a) The siting and dimensions of the pool deck shall be substantially consistent with Schedule ‘A’ and Schedule ‘B’ attached to and forming part of this permit.
3. Any further development within designated Development Permit Areas will require a new Development Permit, or a Development Permit Amendment.
4. The area described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any plans and specifications attached to this Permit, which shall form a part thereof.
5. This permit does not relieve the applicant from complying with the provisions of the North Pender Island Land Use Bylaw unless varied by this Permit.

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.

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

Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ##th DAY OF MONTH, YEAR, THIS PERMIT AUTOMATICALLY LAPSES.



SCHEDULE 'B' – Building Elevations



File No.: PLDP20250399 (Lansdowne)
x-ref NP-DP-2023.6 (Funk)
and NP-DP-2022.2 (Funk)

DATE OF MEETING: November 21, 2025
TO: North Pender Island Local Trust Committee
FROM: Brad Smith, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Development Permit Amendment Application – Amendment #2
Applicant: Dayton Funk
Location: 1346 MacKinnon Road

RECOMMENDATION

1. That the North Pender Island Local Trust Committee approve issuance of amending Development Permit PL-DP-2025-0399 (Lansdowne).

REPORT SUMMARY

This report is to consider a second Development Permit (DP) amendment application for the subject property located at 1346 Mackinnon Road.

The recommendation above is supported as:

- The objectives and guidelines of the DPA have been met in the original permit and the amendments;
- A biologist has provided a report addendum that concludes DPA 1 will not be impacted by the further adjustment to the siting of the proposed dwelling and carport; and,
- Implementation and monitoring conditions in the original and amending DPs will ensure the protection of the sensitive woodland ecosystem.

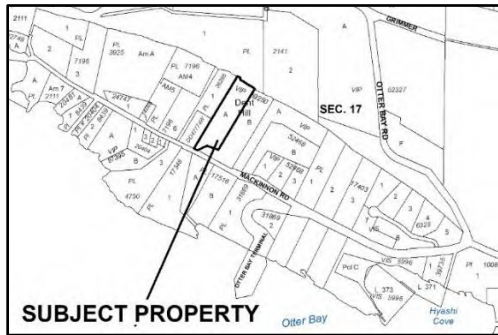
BACKGROUND

The original permit (NP-DP-2022.2) was approved in August 2022 for land alteration, tree removal and establishment of building areas on the subject property located within **Development Permit Area (DPA) One – Woodland Ecosystems**.

The approved amendment permit NP-DP-2023.6 was to allow for an adjustment of the siting of the proposed dwelling and accessory building (garage) within DPA 1.

The property owner is now seeking another amendment to alter the siting of the house and the addition of a carport.

Figure 1 – Subject Property



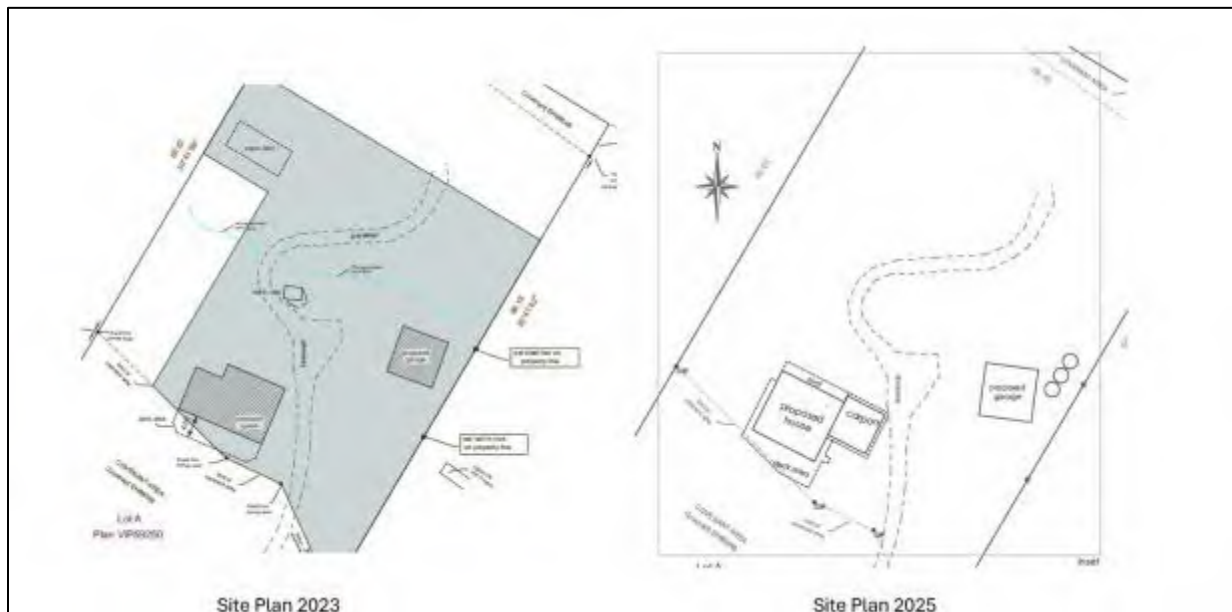
Issued permit NP-DP-2022.2 and NP-DP-2023.6 are included as Attachments 1 and 2 for reference. Also included a rationale letter provided by the property-owner (Attachment 3).

ANALYSIS

Proposed Amendments

Adjustments have been made to the proposed primary dwelling plan, with the proposed dwelling now being smaller in size, and a carport added. The location of the structure has also been altered slightly to avoid the no-build covenant area to the south of the proposed dwelling (covenant held by the Ministry of Transportation and Transit). This adjustment will result in no net increase in the footprint from the previous site plan from 2023.

Figure 1. Comparison of Site Plans from 2023 and 2025 showing altered location of primary dwelling and addition of carport



Draft Permit NPDP20250399 (Attachment 4) includes the following conditions to allow for these adjustments:

- An amended site plan (Schedule A) showing the adjusted location of the dwelling and carport and the new development area boundary; and,

- A condition requiring that the snow/silt management fence follow the new footprint of the dwelling and carport based on their new location.

If the amending DP is approved by the LTC, all other permit conditions of approved permits NP-DP-2022.2 and NP-DP-2023.6 that are unaffected by the new permit would continue to apply.

Figure 2 shows the amended site plan with new house and carport location, and new development area boundary.

Figure 2. Amended Site Plan with New Development Area Boundary

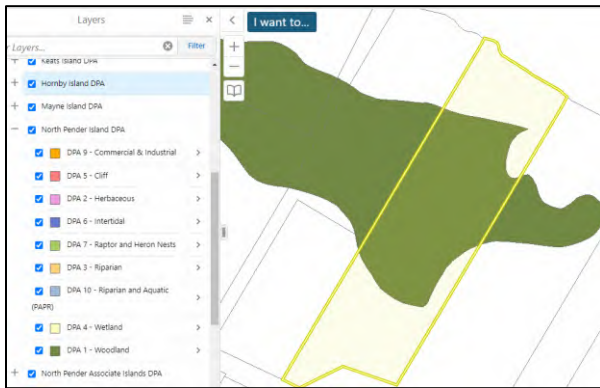


Policy/Regulatory

Official Community Plan

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

DPA 1 is designated on the subject property as shown below:



DPA guidelines were presented at the time of original permit approval and the first amendment, with staff determining that the proposed development substantively meets the objective and guidelines of the DPA. The newly requested amendments are also consistent with these objectives and guidelines.

Land Use Bylaw

The property is zoned **Rural Residential (RR)** in the North Pender Island Land Use Bylaw No. 22, 2022. The proposed uses and density meet the requirements of the LUB.

Issues and Opportunities

Biologist's Report Addendum

The property owner has obtained a report from the same professional biologist that completed the previous assessments. In the addendum report, dated October 1, 2025 (Attachment 5) the R.P. Bio concludes:

It is my professional opinion that the Woodland Ecosystem DPA will not be impacted by the adjustment of the proposed primary dwelling and a carport at 1346 MacKinnon Road, Pender Island BC. It is my opinion that with continued care of existing seedlings and/or young trees in the Woodland Ecosystem DPA, no further detrimental impacts to the sensitive and threatened ecosystems on the subject will occur.

The recommendations in the report addendum for maintaining native species are already included as conditions in NP-DP-2022.2.

Tree Removal and Planting

Land clearing has already resulted in the removal of the 16 trees approved in the original permit.

For the amending permit, the dwelling location has been adjusted to avoid a 'no-build' covenant area. No additional trees are required to be removed for this adjustment.

The initial permit recommended compensatory plantings consisting of 44 Douglas-fir and 16 arbutus seedlings. The property owner has more than doubled the required plantings by planting 50 arbutus and approximately 100 Douglas-fir trees. Therefore, it is the opinion of the biologist that there is no need for any further tree planting compensation and no further restoration conditions have been added by staff to the draft DP.

Consultation

There is no public or agency consultation regularly associated with a DP application or amendment, nor any requirement for statutory notification.

First Nations

Islands Trust reviews all applications/permits using Remote Access to Archaeological Data (RAAD) mapping to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. Staff have previously provided the Islands Trust Chance Find Protocol and the Provincial Archaeological Branch guidelines on *Heritage Act* to the property owner.

Rationale for Recommendation

The recommendation on page 1 is supported as:

- The objectives and guidelines of the DPA have been met in the original permit and the amendments;
- A biologist has provided a report addendum that concludes DPA 1 will not be impacted by the adjustment to the adjusted siting of the proposed dwelling and carport; and,
- Implementation and monitoring conditions in the original and amending DPs will ensure the protection of the sensitive woodland ecosystem.

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. 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. Determine that the DPA guidelines are not being met

The LTC may determine that the application as presented does not meet one or more guidelines of DPA-1. If this is the case, the LTC may request that the applicant amend the proposal to more closely align with DPA guidelines. The LTC should indicate which guidelines are not being met and the reasons for this.

Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee has determined that application PL-DP-2025-0399 (Lansdowne) as presented on November 21, 2025 does not meet guideline(s) _____ for the following reasons: _____.

Submitted By:	Brad Smith, Island Planner	November 4, 2025
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Concurrence:	Robert Kojima, Regional Planning Manager	November 4, 2025
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ATTACHMENTS

1. Original Permit NP-DP-2022.2
2. Addendum Permit NP-DP-2023.6
3. Rationale Letter from applicant
4. Draft Permit PLDP20250399
5. R.P. Bio Addendum Letter, October 1, 2025



**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT NP-DP-2022.2**

To: Dayton and Carol Funk
Jonathan Funk
Jason Funk and Jennifer Rai

1. This Development Permit (the "Permit") applies the land described below and all buildings, structures and other developments therein:

LOT A, SECTION 17, PENDER ISLAND, COWICHAN DISTRICT, PLAN VIP59250
PID: 018-876-838

2. This Development Permit NP-DP-2022.2 authorizes the alteration of land including site preparation and installation of in-ground infrastructure for the siting of a dwelling and accessory building, including the removal of thirteen (13) mature Douglas-fir and three (3) Arbutus trees and restoration planting within **Development Permit Area ('DPA') 1 – Woodland Sensitive Ecosystem**, subject to the following requirements and conditions:

General

- a. Overall the permitted development within the DPA shall minimize land and vegetation disturbance and maintain undeveloped habitat in as natural a state as possible.
- b. Development shall be substantively consistent with Schedules 'A', 'B' and 'C', attached to and forming part of this permit.
- c. The development of a dwelling and accessory building is permitted in the specific locations and areas shown on Schedules 'A' and 'B', and any expansion or relocation of the areas would require an amendment to this permit or a new permit.

Mitigation and Restoration (Tree Replacement & Retention)

- d. A total of sixty (60) replacement small seedlings (forty-four (44) Douglas-fir and sixteen (16) Arbutus) shall be planted in the DPA outside of the area of permitted development.
- e. Site selection for seedling planting shall be in areas selected for soil type and depth, and shading in consultation with the monitoring QEP.
- f. All seedlings used in replanting shall be selected to suit the soil, light and groundwater conditions of the site, shall be native to the region, shall be of a size that minimizes the need for machinery and should be selected for wildlife habitat values where possible.
- g. All restoration planting shall occur in the fall (Sept-Oct) or spring (Feb-Mar) to allow for plant root establishment and soil stabilization before being exposed to the peak drought season or winter precipitation.
- h. All new seedling trees shall be maintained by the property owner until they have reached a "free to grow" height of 1.5 m. to include; exclusion fencing as per condition 2(i); the removal of invasive weeds (e.g., Himalayan blackberry (*Rubus armeniacus*), Scotch broom); and, irrigation through the summer drought months to ensure seedling establishment.

- i. All new seedlings shall be protected from foraging by wildlife by the use of exclusion fencing consisting of expandable metal cages and/or fencing that starts close to the ground and is expanded and maintained until the trees reach a minimum height of 1.5 metres.
- j. Unhealthy, dying or dead stock shall be replaced at the owner's expense in the next regular planting season to maintain the total replacement number of seedlings at sixty (60).
- k. To maintain ecological integrity of the ecosystem and to provide habitat, nesting opportunities and shelter, all existing trees, including standing dead trees ("snags"), and native plant species shall be retained within the DPA.
- l. With the exception of the minimum amount of excavation and clearing for the designated building sites, there shall be no further soil removal or deposit within the DPA as shown on Schedules 'A' and 'B'.
- m. The retention of mature trees and snags in areas of the property outside of the DPA is strongly encouraged.

Hydrology

- n. Stormwater drainage of roof areas and impermeable landscape features (terrace) should be redirected toward the replacement seedling plantings in the DPA where feasible.
- o. The installation of rainwater catchment systems with the dwelling and accessory buildings are encouraged.

Native and Invasive Species Management (Retention, Planting & Removal)

- p. The area of DPA outside of permitted development areas shall be maintained in an undeveloped habitat in as natural a state as possible.
- q. Additional landscaping and restoration inside the DPA, shall be conducted using only native plant species.
- r. The ongoing removal of invasive plant species (particularly Scotch broom) is required within replanting areas, to prevent its continued spread and improve the quality of natural areas.
- s. Removal of Scotch broom shall be undertaken by cutting larger plants at or just below the ground to avoid soil disturbance and erosional loss, as well as to reduce germination of seeds contained in the soil seed bank.
- t. The use of native plant species for landscaping and removal of invasive species in areas of the property outside of the DPA is strongly encouraged.

Construction Management

- u. Prior to the commencement, and for the duration, of development the following measures shall be undertaken by the property owner:
 - i. The DPA shall be delineated on the ground and construction access limited to the area of development with the installation of a combined snow/silt fence between the proposed development area and the DPA boundary as shown in Schedule 'B' and in accordance with the specification in Schedule 'C', attached to and forming part of this permit.
 - ii. Mature trees adjacent to the construction footprint should be protected from damage with the installation of snow-fencing around the drip line of trees to prevent compaction of root systems by heavy equipment.
- v. Any hired contractors shall inspect their equipment and vehicles to ensure they do not transport invasive plant species seeds onto or off the property; the manual removal of invasive weed species from machinery and equipment should occur regularly, and all machinery and equipment shall be washed prior to arrival.

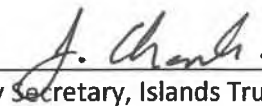
- w. Seedling replanting should be done by hand where feasible, and where machinery is required for replanting and building excavation the lightest possible machinery shall be use.
- x. There shall be no incursion by machinery or equipment into the DPA outside of the permitted building envelopes as shown on Schedules 'A' and 'B'.
- y. There shall be no storage of construction supplies and waste in the DPA outside of the permitted building envelopes as shown on Schedules 'A' and 'B'.
- z. Any soils exposed or deposited for a period of greater than two (2) weeks and/or prior to any significant rainfall event shall be covered and maintained by means of tarps in good repair, jute, straw and/or hydromulch (without seeds).
- aa. Construction, restoration and landscaping should be undertaken during dry weather and not during periods of prolonged wet, windy and rainy weather.
- bb. Where feasible construction activities should avoid the peak annual songbird nesting windows of May 1st to July 22nd.

Monitoring

- cc. A follow-up site visit by a QEP once the revegetation is completed is required to assess the effectiveness of the restoration.
 - dd. The monitoring QEP(s) shall prepare and submit to the Islands Trust written confirmation of compliance with all conditions with this permit as issued within one (1) month of the restoration work being completed.
3. Any further development within designated Development Permit Areas will require a new Development Permit, or a Development Permit Amendment.
 4. The area described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any plans and specifications attached to this Permit, which shall form a part thereof.
 5. This permit does not relieve the applicant from complying with the provisions of the North Pender Island Land Use Bylaw unless varied by this Permit.

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. 103, 1996 and to obtain other approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE NORTH PENDER ISLAND LOCAL TRUST COMMITTEE THIS 11TH DAY OF AUGUST, 2022.


Deputy Secretary, Islands Trust

August 12, 2022
Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE 12TH DAY OF AUGUST, 2024, THIS PERMIT AUTOMATICALLY LAPSES.

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT NP-DP-2022.2
SCHEDULE 'A'
Site Plan

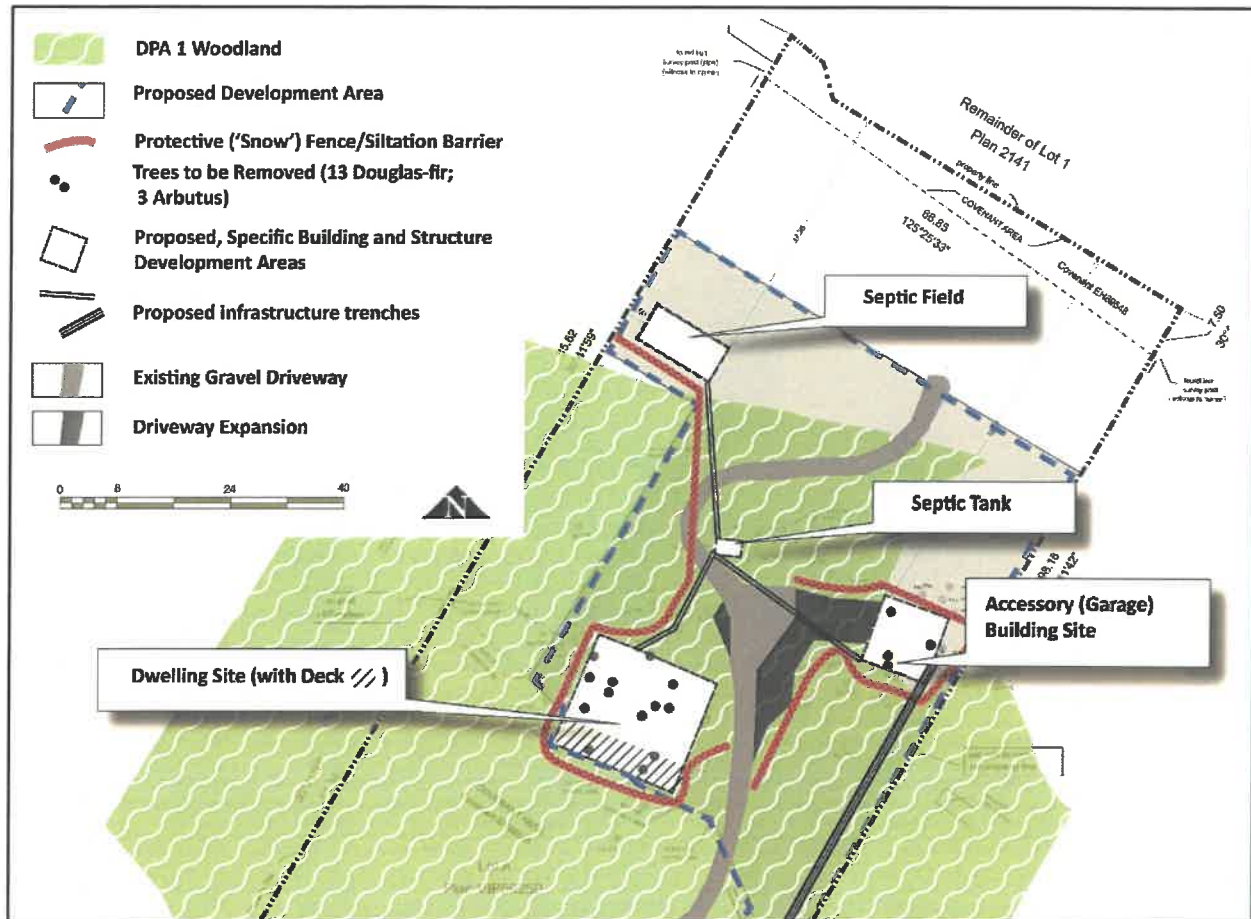


I hereby certify this to be Schedule A which is attached to and forms part of Development Permit No. NP-DP-2022.2.

A. Chank
 Signature of Islands Trust Official

August 12, 2022
 Date of Issuance

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT NP-DP-2022.2
SCHEDULE 'B'
Detail Site Plan – Tree Removal



I hereby certify this to be Schedule B which is attached to and forms part of Development Permit No. NP-DP-2022.2.

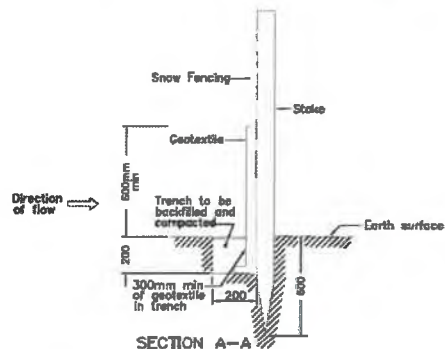
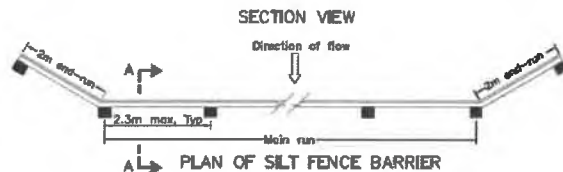
J. Chant
 Signature of Islands Trust Official

August 12, 2022
 Date of Issuance

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT NP-DP-2022.2
SCHEDULE 'C'
Erosion and Sedimentation Control Measures

EROSION AND SEDIMENTATION

- 1) PRE-STAKED SILT FENCE TO BE INSTALLED AS SHOWN PRIOR TO CONSTRUCTION AS DIRECTED BY THE ENGINEER.
- 2) TOPSOIL STRIPPED FOR REUSE TO BE STOCKPILED AWAY FROM WATER COURSES, DRAINAGE PATHS AND PROPERTY AND SHALL BE COVERED AND / OR SEEDED TO REDUCE EROSION.
- 3) ALL DISTURBED AREAS TO BE RESTORED AND LANDSCAPED AS SOON AS POSSIBLE FOLLOWING CONSTRUCTION.
- 4) ALL EROSION AND SEDIMENT CONTROL MEASURES TO BE INSPECTED AND MAINTAINED ON A REGULAR BASIS THROUGHOUT THE COURSE OF CONSTRUCTION BY THE CONTRACTOR. THE QUALIFIED ENVIRONMENTAL MONITOR (QEM) JOHN GROOS SHALL HALT PROGRESS OF ANY AND ALL WORK AND SHALL DIRECT CONTRACTOR TO REPAIR / ALTER CONSTRUCTION MITIGATION MEASURES IF THEY ARE NOT PERFORMING ADEQUATELY.



NOTE:

All dimensions are in millimetres or metres unless otherwise shown.

SILT FENCE WITH SNOW FENCE DETAIL

NTS

I hereby certify this to be Schedule C which is attached to and forms part of Development Permit No. NP-DP-2022.2.


 Signature of Islands Trust Official

August 12, 2022
 Date of Issuance



Islands Trust

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT NP-DP-2023.6 (x-ref NP-DP-2022.2)**

To: Dayton and Carol Funk
Jonathan Funk
Jason Funk and Jennifer Rai

1. This Development Permit (the "Permit") amends Development Permit NP-DP-2022.2 and applies to the land described below and all buildings, structures and other developments therein:

LOT A, SECTION 17, PENDER ISLAND, COWICHAN DISTRICT, PLAN VIP59250
PID: 018-876-838

2. This Development Permit NP-DP-2023.6 authorizes the alteration of land including site preparation and installation of in-ground infrastructure for the siting of a dwelling and accessory building, subject to the following amending requirements and conditions:

General

- a. Development shall be substantively consistent with Schedule 'A' attached to and forming part of this permit which supplements and amends Schedule A of Development Permit NP-DP-2022.2.
- b. The development of a dwelling and accessory building is permitted only in the specific locations shown on Schedule 'A' and any expansion or relocation of these structures would require an amendment to this permit or a new permit.

Construction Management

- c. The Development Area boundary is amended as shown in Schedule 'A' attached to and forming part of this permit.
- d. The required installation of a combined snow/silt fence as shown in Schedule B of Development Permit NP-DP-2022.2 must be adjusted to follow the new footprint of the dwelling and accessory building as shown in Schedule A of this amending permit.

Tree Removal

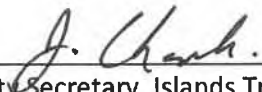
- e. The removal of one (1) additional Douglas-fir (Tag 701) is permitted as shown in Schedule 'B' attached to and forming part of this permit which supplements the permitted removal of 13 Douglas-fir and 3 arbutus as shown in Schedule B of Development Permit NP-DP-2022.2.

3. This permit amends Development Permit NP-DP-2022.2 (Funk). All other conditions described within Development Permit NP-DP-2022.2 and not amended by this Development Permit remain valid and applicable.
4. Any further development within designated Development Permit Areas will require a new Development Permit, or a Development Permit Amendment.

5. The area described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any plans and specifications attached to this Permit, which shall form a part thereof.
6. This permit does not relieve the applicant from complying with the provisions of the North Pender Island Land Use Bylaw unless varied by this Permit.

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.

AUTHORIZING RESOLUTION PASSED BY THE NORTH PENDER ISLAND LOCAL TRUST COMMITTEE THIS 26TH DAY OF JANUARY, 2024.

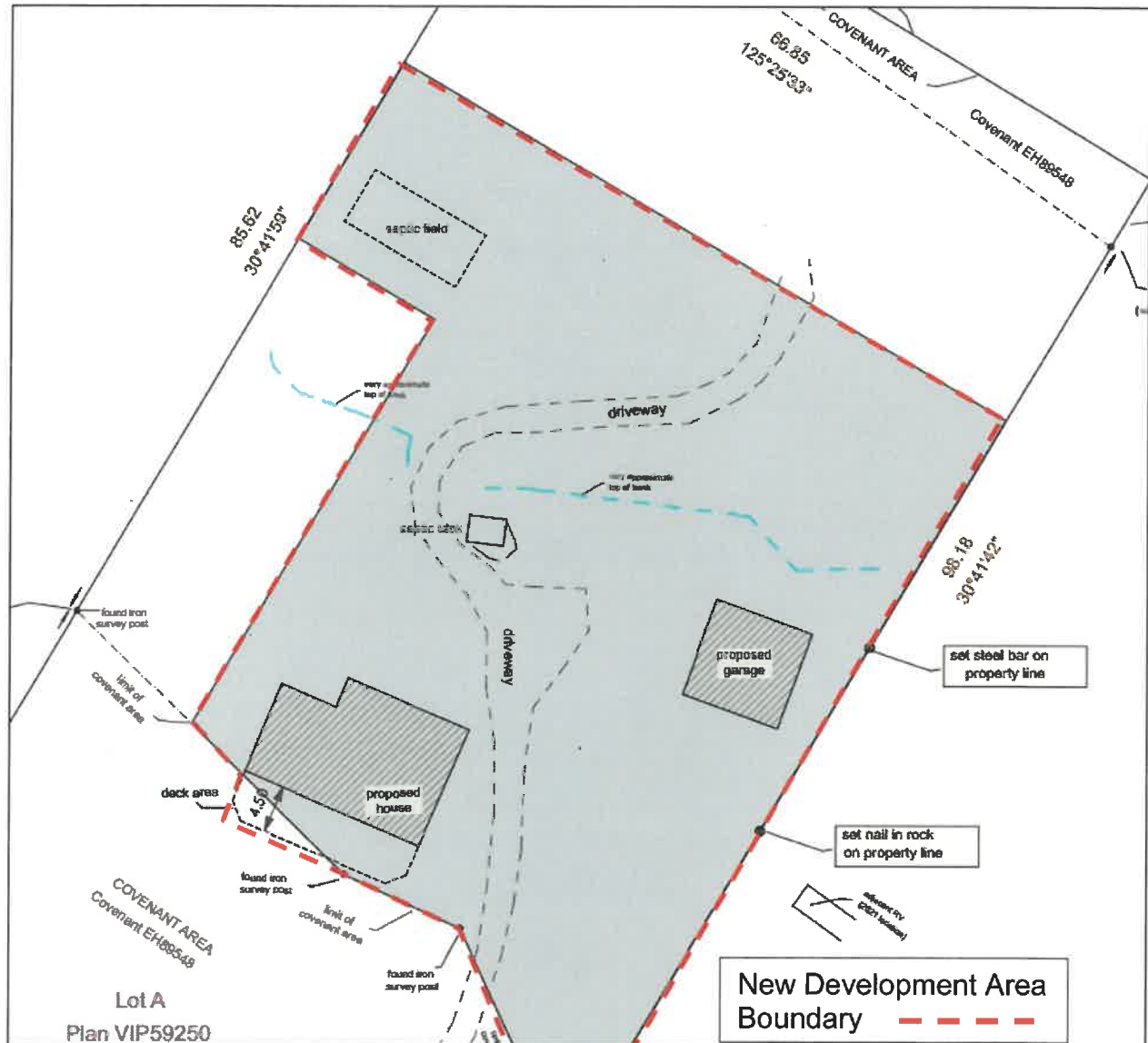


Deputy Secretary, Islands Trust

February 2, 2024
Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE 2ND DAY OF FEBRUARY, 2026, THIS PERMIT AUTOMATICALLY LAPSES.

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT NP-DP-2023.6 (x-ref NP-DP-2022.2)
SCHEDULE 'A'
Site Plan - Amended



I hereby certify this to be Schedule A which is attached to and forms part of Development Permit No. NP-DP-2023.6.

J. Charles

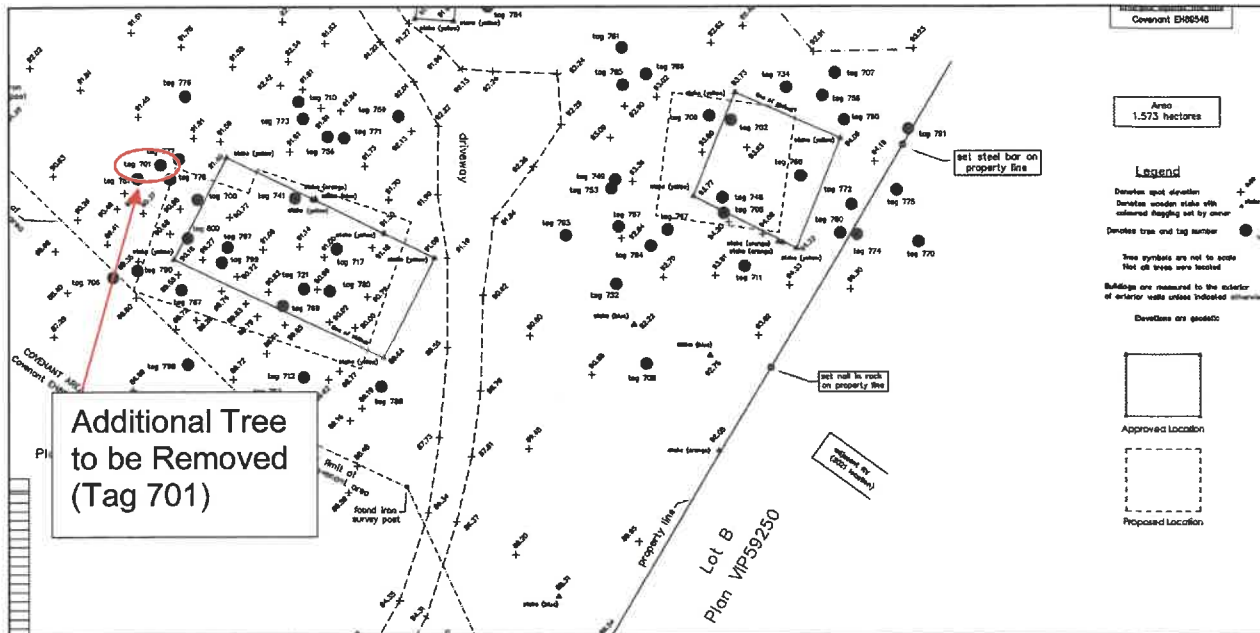
 Signature of Islands Trust Official

February 2, 2024

 Date of Issuance

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT NP-DP-2023.6 (x-ref NP-DP-2022.2)
SCHEDULE 'B'**

Site Plan – Additional Tree Removal



I hereby certify this to be Schedule B which is attached to and forms part of Development Permit No. NP-DP-2023.6.

J. Chant

Signature of Islands Trust Official

February 2, 2024

Date of Issuance

Introduction

The purchase of 1346 MacKinnon Road on December 1, 2020, is a Family Endeavor. Our Family consists of three family units. 1) Carol and Dayton Funk, retired organic farmers currently residing in Saskatchewan 2) Jason Funk, web developer, owner and operator of Whitkow Interactive, currently residing in Vancouver with his wife, Jennifer Rai, office manager of Hub City Cycling. 3) Jonathan Funk, web developer and graphic designer, also currently residing in Vancouver.

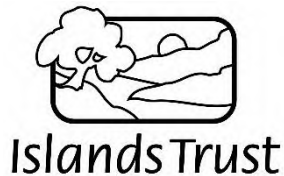
We had explored several islands and locations in B.C. when we came upon this property. Its quiet, rural atmosphere with plenty of natural space, birds, wildlife and beautiful fauna was the perfect fit for us. Prior to our purchase, we did our due diligence and research. We discovered the property was in a DPA - Woodland and also had a non-inhabitable covenant attached to the title. Many hours were spent researching and consulting with several local professionals. As a result, we are convinced we have chosen the best building site. Our plan complies with the existing bylaws, and will create the least amount of disturbance to the DPA and protect our water source. There is an existing driveway to the site and much of the property had already been disturbed as was evident by the invasive species of Scotch Broom and black berry that flourished there. We have spent a considerable amount of sweat equity and expense to clear and dispose of rubbish and invasive plants. We are committed to the ongoing monitoring and care of our property and its unique ecosystem.

Our goal is to develop the property as a full time residence for two family units and part time residence for the third family unit. After examining many options, we decided that the best plan within the existing bylaws is to build a primary dwelling with a secondary suite and an accessory building (garage/workshop).

Enclosed in this package is our Development Permit Application. Biologist report will follow shortly. Accurate set backs and elevations are not included as the design is not complete. The purpose of this application is to proceed with development of infrastructure needed for primary dwelling and accessory building, trenching of electricity, water, propane and sewage lines and installing the electrical substation, septic tank, septic field and driveway. Details are included in the development proposal section of this application.

Respectfully yours,

The Funk Family



**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT PL-DP-2025-0399
(x-ref NP-DP-2022.2 and NP-DP-2023.6)**

To: Dayton and Carol Funk
Jonathan Funk
Jason Funk and Jennifer Rai

1. This Development Permit (the "Permit") amends Development Permits NP-DP-2022.2 and NP-DP-2023.6 and applies to the land described below and all buildings, structures and other developments therein:

LOT A, SECTION 17, PENDER ISLAND, COWICHAN DISTRICT, PLAN VIP59250
PID: 018-876-838

2. This Development Permit PL-DP-2025-0399 authorizes the alteration of land including site preparation and installation of in-ground infrastructure for the siting of a dwelling and accessory building, subject to the following amending requirements and conditions:

General

- a. Development shall be substantively consistent with Schedule 'A' attached to and forming part of this permit which supplements and amends Schedule A of Development Permit NP-DP-2023.6.
- b. The development of a dwelling and accessory building is permitted only in the specific locations shown on Schedule 'A' and any expansion or relocation of these structures would require an amendment to this permit or a new permit.

Construction Management

- c. The Development Area boundary is amended as shown in Schedule 'A' attached to and forming part of this permit.
 - d. The required installation of a combined snow/silt fence as shown in Schedule B of Development Permit NP-DP-2022.2 must be adjusted to follow the new footprint of the dwelling and accessory building as shown in Schedule A of this amending permit.
3. This permit amends Development Permit NP-DP-2022.2 and NP-DP-2023.6. All other conditions described within Development Permit NP-DP-2022.2 and NP-DP-2023.6 and not amended by this Development Permit remain valid and applicable.
 4. Any further development within designated Development Permit Areas will require a new Development Permit, or a Development Permit Amendment.
 5. The area described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any plans and specifications attached to this Permit, which shall form a part thereof.

6. This permit does not relieve the applicant from complying with the provisions of the North Pender Island Land Use Bylaw unless varied by this Permit.

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.

AUTHORIZING RESOLUTION PASSED BY THE NORTH PENDER ISLAND LOCAL TRUST COMMITTEE THIS DAY OF .

Deputy Secretary, Islands Trust

Date of Issuance

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

Site Plan – Amended





Caurinus Environmental

3601 Masthead Cr.
Pender Island BC Canada
V0N 2M0
250-222-4571
caurinusenvironmental@gmail.com

1 October 2025

Brad Smith:

Re: Review of building adjustment in the Woodland Ecosystem Development Permit Area (DPA) located at Lot A Plan, VIP59250 Section 17, Land District 16, Portion Pender Island (PID: 018-876-838) - 1346 MacKinnon Road.

Caurinus Environmental was retained to review a plan to adjust the placement of the primary dwelling within the Woodland Ecosystem Development Permit Area (DPA) located at 1346 MacKinnon Road on North Pender Island. The purpose of the Woodland Ecosystem DPA is to offer protection to the remaining woodland ecosystems on North Pender Island by guiding any new development that might occur within them. Portions of the property at 1346 MacKinnon Road have been locally designated as a Woodland Ecosystem DPA by the Islands Trust. This designation includes forest such as open deciduous and mixed deciduous conifer. They are generally restricted to areas with shallow soils on south-facing slopes in areas with extremely dry summers. The Woodland Ecosystem DPA present is designated as 70% Douglas-fir - Shore Pine – Arbutus, Young Forest; 30% Douglas-fir Salal, Young Forest (Figure 1).

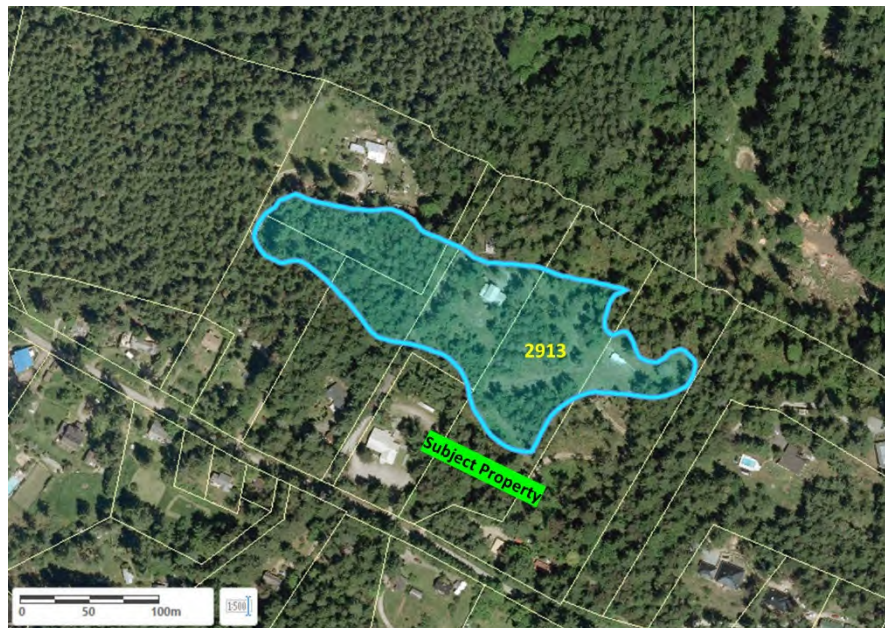


Figure 1. Location of Woodland Ecosystem DPA on subject property. 2913: 70% Douglas-fir - Shore Pine – Arbutus, Young Forest; 30% Douglas-fir Salal, Young Forest (Islands Trust (MapIT) 2023).

Adjustments have been made to the proposed primary dwelling plan located at 1346 McKinnon Road, with the proposed dwelling now being smaller in size, and a carport added. This adjustment will result in no net increase in the footprint from the previous site plan from 2023 (Figure 2).

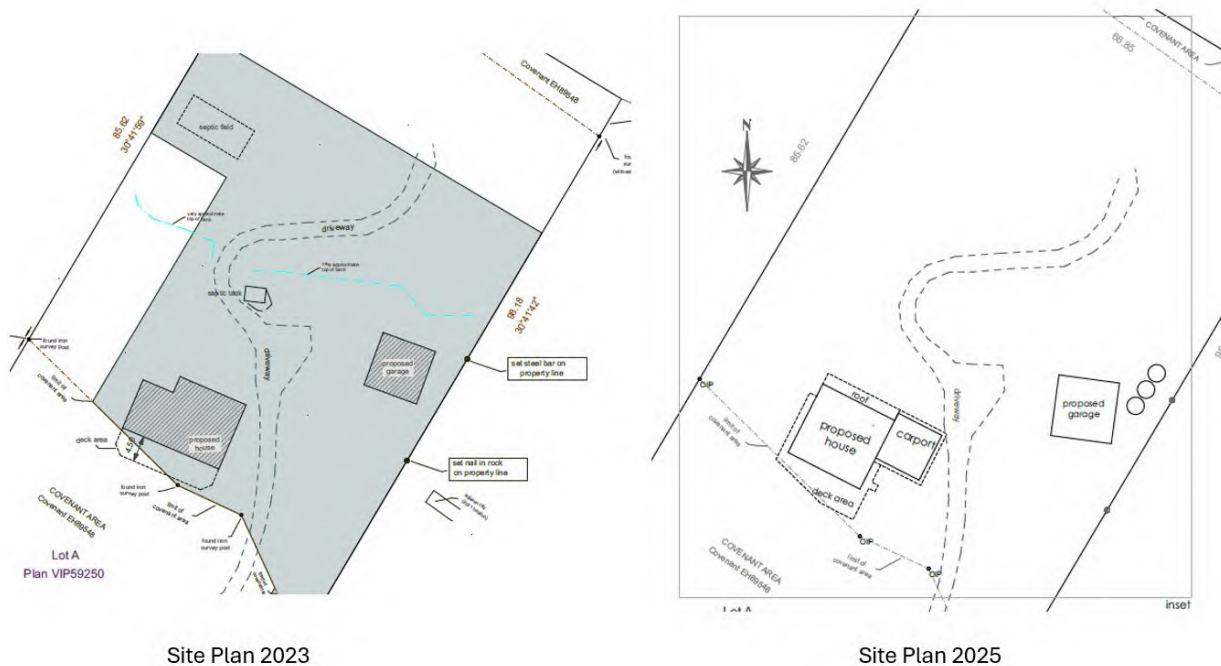


Figure 2. Comparison of Site Plans from 2023 and 2025 showing location of primary dwelling in the Woodland Ecosystem DPA.

The adjustment will result in the proposed structure lying within 1.5m of three Douglas-fir trees (756, 777, 781) and no new trees will be removed from the Woodland Ecosystem DPA (Figure 3). Although no new trees will be removed with the new location of the proposed structure, it is important, given the shallow soil depth on the property, to reduce the likelihood of potential for damage to lateral anchoring roots of trees growing adjacent to the proposed dwelling in the Woodland Ecosystem DPA. Root damage due to equipment or soil compaction can compromise tree health and stability; this has the potential to impact the integrity of the Woodland Ecosystem DPA and could result in risk of tree fall damage to structures, necessitating future tree removal. Of particular concern are any impacts to tree roots caused by large equipment operation during construction; if root damage occurs, this will lead to the loss of these stabilizing trees and further erosional losses, as well as associated detrimental reduction in carbon storage, biodiversity, and groundwater impacts.

It is my professional opinion that the Woodland Ecosystem DPA will not be impacted by the adjustment of the proposed primary dwelling and a carport at 1346 MacKinnon Road, Pender Island BC. It is my opinion that with continued care of existing seedlings and/or young trees in the Woodland Ecosystem DPA, no further detrimental impacts to the sensitive and threatened ecosystems on the subject will occur.

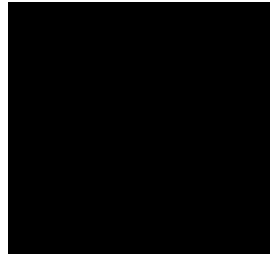
Please do not hesitate to contact me if you have any additional questions or concerns, or if you require additional information.

CAURINUS ENVIRONMENTAL

Per:



Dan Baxter, B.Sc., R.P.Bio. #1999
Project Manager



DATE OF MEETING: November 21, 2025
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 prepare a draft bylaw for rezoning application PL-RZ-2024-0110 (Bigham).

REPORT SUMMARY

The purpose of this staff report is to provide an update on rezoning application PL-RZ-2024-0110 (Bigham) including the submission of professional reports from the applicant, and to seek direction from the North Pender Island Local Trust Committee (LTC) to prepare a draft bylaw.

The above recommendation is supported as:

- Professional reports demonstrate adequate proof of water and conclude that there would be minimal further environmental impacts from future proposed uses over the existing conditions;
- The area proposed for rezoning is designated as Industrial and the proposed use is consistent with the Industrial land use policies of the North Pender Island Official Community Plan No. 171 (OCP); and,
- Having a draft bylaw will facilitate First Nations and agency referrals and enable further public input.

BACKGROUND

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

At the November 29, 2024 meeting, staff presented the LTC with a preliminary report on the application, seeking direction on how to proceed. At that meeting, the LTC passed the following resolutions:

NP-2024-062**It was MOVED and SECONDED,**

that North Pender Island Local Trust Committee directs applicant to provide an ecological assessment report in respect to the rezoning application NP-PLR20240110 (Bigham) for impact on adjacent properties.

NP-2024-063**It was MOVED and SECONDED,**

that North Pender Island Local Trust Committee directs staff to proceed with application PLRZ20240110 (Bigham) and to provide terms of reference to the applicant.

NP-2024-064**It was MOVED and SECONDED,**

that 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.

A terms of reference (TOR) was subsequently issued to the applicant in December 2024 (Attachment 1). The TOR requires the submission of a professional hydrogeological report demonstrating proof of water for both the proposed industrial and future residential uses, an industrial wastewater/stormwater management plan to address movement of water at the site and minimize impacts on the environment and adjacent properties, and an ecological assessment report that includes conclusions and recommendations with respect to suitability and impact of the proposed industrial uses on the subject property.

With the submission of hydrogeological and ecological assessment reports, staff are now seeking direction on how to proceed, including whether to prepare an amending draft bylaw for further consideration by the LTC and the community.

The [November 2024 preliminary staff report](#) provides a detailed description of historical and proposed future uses, sites plans, policy and regulatory analysis and other important baseline information regarding the proposed rezoning.

The proposed uses remain the same as in November 2024 except that the applicant has removed the wash pad from the proposal. An updated site plan is still required from the applicant that shows the wash pad removed.

Issues and Opportunities***Hydrogeology Report***

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 an estimated 16353 litres/day.

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.

The TOR requires the following in respect of proof of water:

A groundwater report, prepared by a professional hydrogeologist (an engineer or geoscientist licensed under the Professional Governance Act or any legislation which may be enacted in substitution; and has competency in the field of hydrogeology), demonstrating standards for potable water supply for **both** the future residential use on the lot based on the domestic potable water supply standard of 2000 litres/day, **plus** the amount conservatively estimated by the professional hydrogeologist to service all proposed future industrial groundwater uses.

The applicant has submitted a professional hydrogeological report that provides the results of a 15 hour pump test completed on June 24, 2025 (Attachment 2). The report finds that the well tested at a rate of 3.0 L/s (4,370 L/day) which would meet a minimum standard of 2000 l/day for both a residential and industrial use, and further concludes:

A rezoning application has been submitted for the property at 3334 Port Washington Road, on Pender Island, BC, to become industrially zoned. One water well with Well ID: 65548 is located on site and was inspected and tested for the purpose of becoming the property's potable water source. It is confirmed that:

- The well has sufficient available groundwater to provide the daily required volume of potable water for the proposed buildings and use.
- The well has been constructed in accordance with the Groundwater Protection Regulation.
- The extraction of groundwater for the proposed buildings and use will not adversely affect the quantity or quality of any existing groundwater well or surface water used as a source of potable water.

Samples taken at the time of the pump test yielded no coliform bacteria, no fecal contamination, and no E. coli; however, elevated non-coliform bacteria, high plate counts, and elevated levels of lead and manganese suggest treatment is required to provide potable water. It is also recommended to disinfect the well prior to use. The treatment methods described in this report are recommended to remove lead and manganese and to mitigate against future potential bacteriological issues. With the water samples obtained, it is confirmed that:

- The water quality analysis was completed by an accredited laboratory.
- The proposed water supply source can be made potable with a treatment system that is customarily used in a dwelling unit.
- The well is not affected by the intrusion of saline groundwater or sea water and has a low risk of becoming affected.

The Senior Freshwater Specialist has reviewed the professional report and has determined that the methodology meets Islands Trust and provincial standards and that the findings are reasonable and valid.

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 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.

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.

Ecological Assessment Report

The TOR requires that the ecological assessment report consider the following:

An Ecological Assessment Report that includes at a minimum:

- a. Property location and description including background and history of use of subject parcel and adjacent properties;
- b. Identification of existing structures, roadways and other development features;
- c. Desktop review of ecological, landform and other relevant spatial data layers;
- d. Site inventory including identification of significant sensitive terrestrial and aquatic ecosystem features and species on subject parcel and adjacent properties;
- e. Review and assessment of the concerns expressed in the [letter](#) from the Pender Islands Conservancy to the LTC, dated November 25, 2024 (Attachment 2); and,
- f. Conclusions and recommendations with respect to suitability and impact of proposed industrial uses including potential cumulative impacts, siting of development infrastructure and driveway/parking areas, measures to reduce impacts to neighbouring properties and ecosystems during construction and operation, and future site monitoring requirements.

A professional ecological assessment report has been submitted by the applicant from Aquaparian Environmental Consulting, dated November 5, 2025 (Attachment 3). As excerpted below, the ecological assessment report concludes that in the opinion of the professional biologist *“the current proposed rezoning is appropriate for the site and is not expected to result in further environmental impacts over the existing conditions.”*

It is Aquaparian’s opinion that continued use of the southern portion of the subject parcel for industrial use is consistent with the adjacent industrial parcels along both sides of Port Washington Road frontage in this area and that concentrating similar industrial operations to one small area of the island is preferable to spreading industrial uses throughout the island or to other areas that may cause habitat fragmentation or have existing sensitive environmental attributes that may be lost to new development. There is currently no plan to expand the work yard of the site which is limited to a very small portion of the property (6%). The work yard is separated and downslope of the environmentally sensitive portion of the parcel. The conservation lands identified in the report are located over 300m away from the Big Digem work yard and two of the three parcels are on the opposite side of the ridge from the subject parcel. The nearest known eagle nest tree is over 200m away from the works yard, one of which is on the opposite side of the ridge and the other is separated by a forest stand. It is Aquaparian’s opinion that the current proposed rezoning is appropriate for the site and it is not expected to result in further environmental impacts over the existing conditions. If other parcels in this area are rezoned for additional industrial use in the future, increased heavy equipment traffic would be expected to occur along Port Washington Road over current use.

Staff conclude that the ecological assessment report meets the reporting requirements of the TOR and that the findings of the professional are reasonably considered and valid.

A draft version of the professional report was reviewed by staff in August 2025 including the in-house registered professional biologist, and comments were provided by the Islands Trust R.P. Bio to the applicant (included as Attachment 4). These comments have been addressed through edits to the report.

The report also includes a number of recommendations in respect of invasive species management, protection of bird species and sharp-tailed snakes, and site management including managing dust and air quality, road maintenance and workshop construction. Where appropriate, these recommendations could be included as s. 219 covenant conditions.

If there are concerns or questions with the findings or the scope of the ecological assessment, the LTC could direct the applicant to provide additional information through their professional.

Wastewater/Stormwater Management Plan

The TOR requires that the Wastewater/Stormwater Management Plan consider the following:

An Industrial Wastewater/Stormwater Management Plan, prepared by a qualified professional engineer, which includes requirements to minimize impacts on the environment and adjacent properties, based on site conditions and proposed industrial uses for:

- a. The safe storage and disposal of all industrial wastewater produced on the site;
- b. Effective management of all stormwater; and,
- c. Compliance monitoring and reporting.

The applicant has provided a draft Industrial Wastewater/Stormwater Management Plan by a qualified professional engineer to staff for preliminary review. The draft report concludes that an on-site stormwater attenuation system is feasible.

Staff are currently in the process of reviewing the draft document with the applicant and their professional engineer in regards to a number of technical aspects of the proposed plan. The expectation is that a more finalized plan document will be ready to bring the LTC in time for the January 30, 2025 meeting.

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 including any relevant aspects and recommendations of the professional reports in respect of groundwater use, storm and wastewater management, and mitigation of ecological impacts.

Consultation

Should the LTC direct staff to prepare amending bylaws, staff will bring it back to the LTC at the January 30, 2025 meeting for further consideration. Following receipt by the LTC in January, the draft amending bylaw would be sent to potentially affected government agencies and First Nations for referral and used to garner additional community input prior to consideration of first reading.

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.

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.

Rationale for Recommendation

The recommendation on page 1 is supported as:

- Professional reports demonstrate adequate proof of water and conclude that there would be minimal further environmental impacts;
- The area proposed for rezoning is designated as Industrial and the proposed use consistent with the Industrial land use policies of the North Pender Island Official Community Plan No. 171 (OCP); and,
- Having a draft bylaw will facilitate First Nations and agency referrals and enable further public input.

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.

Submitted By:	Brad Smith, Island Planner	November 13, 2025
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Concurrence:	Robert Kojima, Regional Planning Manager	November 13, 2025
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ATTACHMENTS

1. December 2024 Terms of Reference w Letter from Pender Conservancy
2. Hydrogeologist Pump Test Report, November 2025
3. Ecological Assessment Report, November 2025
4. Islands Trust RP Bio comments, August 2025



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

December 18, 2024

File Number: PLRZ20240110 (Bigham)

Attn: Braedon Bigham
Via email:

Dear Braedon,

Re: Terms of Reference for Rezoning Application PLRZ20240110 (Bigham) - 3334 Port Washington Road, North Pender Island (PID 005-837-693)

The North Pender Island Local Trust Committee (LTC) received a preliminary report for rezoning application PLRZ20240110 (Bigham) at the November 29, 2024 LTC meeting. At that meeting, the LTC passed a resolution to proceed with the application, including the issuance of a Terms of Reference (TOR).

Consistent with the [North Pender Island Development Approval Information Bylaw No. 134](#) (DAI Bylaw), the objective of this TOR is to identify and request any anticipated information from the applicant in a timely manner, and as early as possible in the process.

The information received by Islands Trust to date includes:

1. Completed application form
2. Letter of intent and proposed future uses
3. Survey plan depicting area proposed for rezoning
4. Preliminary site plan drawings
5. Statement of Title Certificate
6. Site Disclosure Statement
7. Septic Authorization Report
8. Well Drilling Log
9. Highway Access Permit
10. Legal Easement Documents

Additional information required to proceed with your application includes:

1) Hydrogeological Report

A groundwater report, prepared by a professional hydrogeologist (an engineer or geoscientist licensed under the Professional Governance Act or any legislation which may be enacted in substitution; and has competency in the field of hydrogeology), demonstrating standards for potable water supply for **both** the future residential use on the lot based on the domestic potable water supply standard of 2000 litres/day, **plus** the amount conservatively estimated by the professional hydrogeologist to service all proposed future industrial groundwater uses.

Attachment 1 provides further technical guidance for demonstrating potable water.

The applicant should also be aware that a provincial [water licence](#) would be required for all industrial groundwater uses in accordance with the *Water Sustainability Act*.

2) Industrial Wastewater/Stormwater Management Plan

An Industrial Wastewater/Stormwater Management Plan, prepared by a qualified professional engineer, which includes requirements to minimize impacts on the environment and adjacent properties, based on site conditions and proposed industrial uses for:

- a. The safe storage and disposal of all industrial wastewater produced on the site;
- b. Effective management of all stormwater; and,
- c. Compliance monitoring and reporting.

3) Ecological Assessment Report

An Ecological Assessment Report that includes at a minimum:

- a. Property location and description including background and history of use of subject parcel and adjacent properties;
- b. Identification of existing structures, roadways and other development features;
- c. Desktop review of ecological, landform and other relevant spatial data layers;
- d. Site inventory including identification of significant sensitive terrestrial and aquatic ecosystem features and species on subject parcel and adjacent properties;
- e. Review and assessment of the concerns expressed in the [letter](#) from the Pender Islands Conservancy to the LTC, dated November 25, 2024 (Attachment 2); and,
- f. Conclusions and recommendations with respect to suitability and impact of proposed industrial uses including potential cumulative impacts, siting of development infrastructure and driveway/parking areas, measures to reduce impacts to neighbouring properties and ecosystems during construction and operation, and future site monitoring requirements.

4) **Site Plans** – there are no further site planning reporting requirements at this time.

5) **Septic Servicing** – there are no further septic servicing reporting requirements at this time.

6) **Geotechnical** – there are no further geotechnical reporting requirements at this time.

7) **Development Permit Areas (DPAs)** – Although there are areas of DPA 1 -Woodland and DPA 2 - Herbaceous located in the upper portion of the subject parcel, there are no DPAs affecting the area proposed for rezoning.

However, the applicant should be aware that if a portion of the property is rezoned to a Light Industrial zone, the requirements of **DPA 9 - Commercial and Industrial Form and Character** will apply and a Development Permit may be required for any new work requiring a building permit. DPA 9 guidelines start on p. 85 of the [OCP](#).

8) **Land Title Act s. 219 covenant** - The applicant should be aware that the LTC may seek further conditions of rezoning to be established as part of a s.219 covenant. A s.219 covenant is a charge secured against the title to a property in favour of the LTC to impose an obligation on the property owner, as per the provisions of s.219 of the *Land Title Act*.

In this case, a s. 219 covenant could include conditions not captured through rezoning in the LUB such as the inclusion of a detailed site plan, specific construction requirements, groundwater use restrictions, industrial wastewater and stormwater management plan obligations, environmental monitoring and reporting obligations, and other limits on the proposed land use and development.

- 9) **Archaeological Material** - Islands Trust reviews all applications/permits using Remote Access to Archaeological Data (RAAD) mapping to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. A review of the subject property indicates archaeological potential exists. Further to that review, staff direct the applicant to contact the BC Archaeology Branch to determine if an archaeological permit would be required prior to commencing any future development. Attached are the Islands Trust Chance Find Protocol and Provincial Archaeological Branch *Heritage Act* guidelines (Attachments 3 and 4).

Reporting Requirements

With respect to any reporting requirements listed above, the applicant and/or professional must, in accordance with generally accepted impact assessment methodology, ensure the reports:

- (a) identify relevant baseline information and document the nature of the resource or other matter on which the proposed activity or development may have an impact;
- (b) identify and describe the potential and likely impacts of the activity or development including any cumulative effects when combined with other projects proposed or under development;
- (c) evaluate the impacts in terms of their significance and the extent to which and how they might be mitigated; and
- (d) make recommendations as to conditions of approval that may be appropriate to ensure that undesirable impacts are minimized or avoided, and
- (e) make recommendations as to measures that may restore or enhance natural functions or features that have been damaged or degraded prior to development or that would be impacted by the proposed development.

This information must be prepared by a professional or professionals in good standing with his/her professional organization within British Columbia, acting within his/her area of expertise, and with demonstrated and pertinent experience and/or training.

Please also note that the Islands Trust reserves the right to require additional information or clarification in response to the project reports. Any additional requirements will be provided in writing and will identify the additional information required in as clear and specific manner as possible.

If you have any questions concerning the application or TOR requirements stated above, please do not hesitate to contact me.

Sincerely,

BSmith

Brad Smith
Island Planner, North Pender Island Local Trust Area

Attachment 1. Potable Water Standards Guidance
Attachment 2. Pender Islands Conservancy Letter, dated November 25, 2024
Attachment 3. Islands Trust Chance Find Protocol
Attachment 4. Provincial Archaeological Branch *Heritage Act* guidelines

pc: Robert Kojima, Regional Planning Manager



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 Website: www.islandstrust.bc.ca

[DATE]

File Number: [Click here to enter text.](#)
MoTI File Number: [Click here to enter text.](#)

[Click here to enter text.](#)

Via email: [Click here to enter text.](#)

Dear [Click here to enter text.](#)

Re: Terms of Reference – Supply of Potable Water – [File] – [Civic or legal]

The terms of reference described below are bylaw requirements or recommended best practices for the purposes of Proof of Water for Subdivision. Deviations from the best practices may result in delays in processing and additional consultant costs. The applicant shall retain a “hydrogeologist” an engineer or geoscientist licensed under the Professional Governance Act or any legislation which may be enacted in substitution; and has competency in the field of hydrogeology to satisfy proof of water requirements under Section [Click here to enter text.](#) (“Standards for Potable Water Supply”) of the [Click here to enter text.](#) Island Land Use Bylaw No. [Click here to enter text.](#) (LUB) for the proposed application.

The *hydrogeologist’s* written certification must be submitted under a professional engineer or geoscientist seal and include, but not be limited to, a Technical Assessment Report (Report) with the following terms:

- 1) Where *potable* water is to be supplied by a drilled well the Report shall provide that:
 - a) Each well has sufficient available groundwater to provide the daily required volume of *potable* water for each permitted building, structure or use;
 - b) Each well has been constructed in accordance with the *Groundwater Protection Regulation* or any legislation which may be enacted in substitution; and,
 - c) The extraction of groundwater in respect of each permitted building, structure or use will not adversely affect the quantity or quality of any existing groundwater well or surface water used as a source of potable water.
- 2) Where the *potable* water supply is provided through a drilled well or water licence, the Report shall provide:
 - a) Results of a water quality analysis, completed by an accredited laboratory;
 - b) Certification, based on the accredited laboratory water quality analysis, that the proposed water supply source is *potable*, or can be made *potable*, with a treatment system that is customarily used in a *dwelling unit*;
 - c) Certification, based on the accredited laboratory water quality analysis of chloride concentrations, that each well is not likely to be affected by the intrusion of saline groundwater or sea water in accordance with Government of British Columbia guidance documents;
 - d) A plan of the proposed *subdivision* indicating the location where each water sample was taken; and

- e) A statement that the water samples upon which the water quality analysis was performed were unadulterated samples taken from the locations indicated on the plan.
- 3) Where *potable* water is to be supplied by a drilled well, a *pumping test*¹ *should* be carried out on each well in a proposed subdivision under the direct supervision of a *hydrogeologist* by:
- a) pumping groundwater, at a constant rate, for a minimum period of 12 hours; and
 - b) withdrawing the daily required volume in accordance with Section [Click here to enter text.](#) of the LUB within a period of 24 hours; and
 - c) monitoring the recovery phase for each well recovered to 90 percent of static water level within a period no longer than the duration of the pumping test. If 90 percent recovery is not achieved the hydrogeologist must provide reason for the lack of recovery to 90 percent and must analytically demonstrate the efficacy of the well in the absence of 90% recovery.
- 4) The Report shall address all applicable guidelines for subdivision for [*Development Permit Areas*] that are designated on the subject property in the [Click here to enter text.](#) Island Official Community Plan [Click here to enter text.](#) (OCP). Specifically, impacts of individual drilled wells and the feasibility of a community water supply should be assessed in accordance with the following guideline [Click here to enter text.](#):
- i) [Click here to enter text.](#)

Groundwater wells under, or at risk of, saline water intrusion are not permitted sources of potable water.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

[Click here to enter text.](#)

[Click here to enter text.](#)

pc: William Shulba, Senior Freshwater Specialist
[Click here to enter text.](#), Development Officer, MoTI



Pender Islands
Conservancy

#1-4301 Bedwell Harbour Road
Pender Island BC V0N 2M1

25 Nov 2024

Dear North Pender Island Trustees Maude, Campbell and Morrison:

We are writing on behalf of the Pender Islands Conservancy Board of Directors, with respect to file No. PLRZ20240110 (Bigham). As the owner of a Nature Reserve bordering the Subject Property (see Figure 1 below), we believe rezoning to allow continued and expanded industrial activity on the lower portion of the Subject Property has a high potential to adversely impact ecological integrity and habitat quality for species at risk on adjacent properties, including our Nature Reserve for which we have a duty of care. According to the North Pender OCP (Section 2.5.1), “industrial development and activity which may have a deleterious impact on adjacent land uses will not be permitted”. We therefore request that Trustees do not advance this application for Industrial zoning, but rather explore more appropriate locations for the proposed industrial activity.

Comments on the Staff Report

The list of existing uses of land on *adjacent properties* (P. 134) curiously excludes the adjacent Nature Reserve *owned by the Islands Trust itself* (Lisa Baile Nature Reserve, held by Islands Trust Conservancy), though this property is peripherally acknowledged on P. 139 (“Site Influences”). The additional 10-acre Forest Wetland Nature Reserve is currently being established as a result of a generous land donation by community donors and is now owned by the Pender Islands Conservancy; this Nature Reserve also borders the Subject Property to the north. Vulture Ridge Nature Reserve (36 acres), secured by the Pender Islands Conservancy in 2024 with the support of community donors, the Province of BC, and Environment and Climate Change Canada, is located ~85m from the eastern border of the subject property. All three of these properties (shown in Figure 1) have been secured in part to protect critical habitat for species at risk such as sharp-tailed snakes, common nighthawks and olive-sided flycatchers.

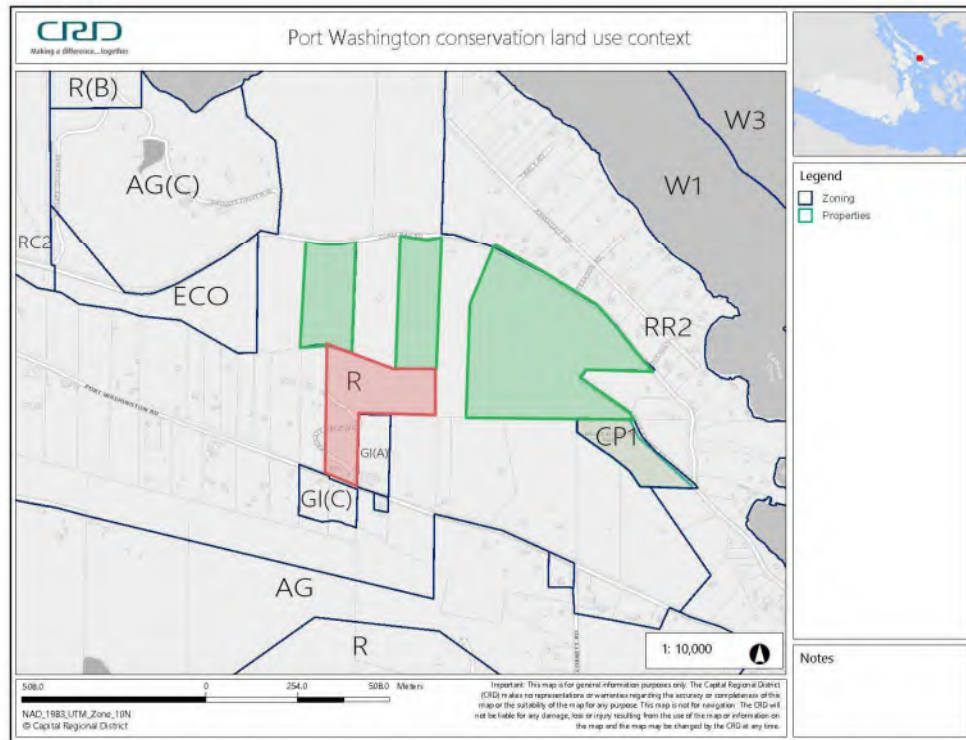


Figure 1. Subject Property (red) with adjacent Nature Reserves (green). From west to east: Lisa Baile Nature Reserve (10 acres; owned by Islands Trust Conservancy), Forest Wetland Nature Reserve (10 acres; Pender Islands Conservancy) and Vulture Ridge Nature Reserve (36 acres; Pender Islands Conservancy).

The statement on P. 139 of the Staff Report that no species at risk are present on the Lisa Baile Nature Reserve (LINR) is misleading. Sharp-tailed snakes have been visually detected on 3330 Port Washington Road, immediately adjacent to both the Subject Property and LINR, and hence there is a very high likelihood that they similarly occupy the Nature Reserve and even the Subject Property itself. Moreover, olive-sided flycatchers and common nighthawks are regularly detected using the adjacent properties, including the Nature Reserves; both are also species at risk, listed provincially and federally. Threaded vertigo (*Nearctula* sp.), a federally listed species of terrestrial snail, was identified on Vulture Ridge Nature Reserve in 2024 and is highly likely to be present on LINR as well. The LINR Management Plan identified a high likelihood of the presence of at-risk vascular plants, birds, amphibians and reptiles on LINR, and recommended ongoing monitoring to document species at risk (Lisa Baile Nature Reserve Management Plan 2022; P. 42).

We request that staff include the two Nature Reserves that border the subject property in the list of *existing uses of land on adjacent properties* (uses: conservation) and acknowledge that species at risk are, or are highly likely to be, present on these adjacent properties. We further request an assessment by Islands Trust Conservancy ecologists with respect to the potential impacts of the proposed permanent and expanded industrial activity associated with the Subject Property on the Lisa Baile Nature Reserve, which the Islands Trust has a responsibility to steward and protect as the recipient of this generous donation of ecologically valuable land.

The staff report states that the applicant's business "*provides an important community service*"; we note that Nature Reserves similarly provide important community services, by protecting groundwater quality and recharge capacity, buffering extreme weather events and associated impacts (flooding, drought, wildfire - becoming increasingly common in the context of climate change), enhancing surrounding property value and aesthetics, and maintaining biodiversity that in turn enhances recreational experiences and supports agriculture (pollination services) and hence local food security.

We do not dispute that the service provided by the applicant is important to the community; however, given the Industrial Land Use Objectives in the OCP, "*to ensure any industry is sited to minimize adverse effects upon neighbouring properties*", we argue the Subject Property is not an appropriate location for the ongoing and intended future industrial use, as it has a high probability of adversely affecting ecological integrity, habitat quality and ecosystem services on adjacent Nature Reserves.

Potential ecological impacts

Raptor nests

Two newly identified bald eagle nest trees are located east of the Subject Property, with one potentially located within 200 m of the proposed rezoning area (see P.168 of Staff Report – distance estimated from map scale). According to Provincial "Breeding Season Quiet Buffer Requirements" in rural areas and depending on the outcome of the reassessment of the Heron and Raptor Nest DPA currently underway by the North Pender Island LTC to align this DPA with Provincial standards (which have already been widely adopted by local governments across BC), no industrial activity, including heavy equipment operation, may ultimately be permitted on the Subject Property between Feb 5 – August 31 (see P. 165 of Staff Report). We suspect this would negatively impact the applicant's business. We again suggest that the proposed location is inappropriate for current and future intended industrial activity, given adjacent land uses – in this case, by nesting bald eagles.

Groundwater

The Subject Property and adjacent Nature Reserves have been identified by the Islands Trust Area Groundwater Recharge Mapping Project (2022) as high groundwater recharge areas (Appendix A). This ecosystem service is one of the reasons the adjacent Pender Conservancy Nature Reserves were assessed as high priority for securement. We welcome the attention given to the significant impacts to groundwater supply of the anticipated commercial and residential groundwater use on the Subject Property in the Staff Report; however, application of standards for domestic use only (2000 L/day, P. 135) is inappropriate for an industrial rezoning application, and we trust this application would be held to a higher standard. Rainwater catchment can be a reasonable offset to reduce groundwater use; however, given that precipitation inputs were by far the most sensitive input parameter in the Southern Gulf Islands Water Balance Model sensitivity analysis (Islands Trust Area Groundwater Availability Assessment, 2021; P. 19, Figure 9), intercepting rainwater in our region can in fact reduce local groundwater recharge and hence indirectly still reduce groundwater availability.

Species at risk

Sharp-tailed snakes are known to be present on adjacent properties. Recent studies have shown that this species moves over relatively long distances into forests from the open bluff habitats that

they are typically associated with (up to 80 m; Christian Engelstoft, pers. comm.). Hence, undisturbed forest habitat adjacent to bluffs is of potentially high value for this species at risk. Continued and expanded industrial activity within the lower portion of the Subject Property may therefore limit movement of this species across the landscape. As noted in the Lisa Baile Nature Reserve Management Plan (2022), the ridge and adjoining forest provides habitat suitable for many other species at risk, including vascular and nonvascular plants, birds (e.g. olive-sided flycatcher, common nighthawk, purple martins), and amphibians such as red-legged frogs. Our knowledge of the distribution and abundance of species at risk on Pender Island is extremely deficient, and so in the absence of appropriate survey efforts, it cannot be responsibly stated that species at risk are not present and will not be adversely affected by continued and expanded heavy industrial activity on the Subject Property. Indeed, similar habitat suitable for these species at risk occurs on the Subject Property itself.

OCP policy

*2.5.1 Industrial development which **may have** a deleterious impact on adjacent land uses **will not** be permitted.*

We argue that a TUP should not have been issued according to the above OCP policy, and in doing so the LTC is in violation of the North Pender Island OCP. Constant, daily heavy equipment operation and aggregate hauling *along the length of Port Washington Road*, adjacent to land used for residential and agricultural purposes, as well as the acoustic and physical habitat disturbance caused by the industrial operation on the Subject Property which directly borders two Nature Reserves, most certainly has a deleterious impact on these adjacent land uses, and so the application to rezone for *permanent* industrial operation on the subject property cannot be advanced, as it directly violates the above OCP policy. We understand that directing staff to proceed with the application will enable public consultation and input, to “identify any issues or concerns with the proposed rezoning”. However, if the application clearly violates an OCP policy, public input to that effect should not be required for you to make the assessment that the application should not be advanced.

We are aware that in recent LTC meetings, Trustees have discussed that other possible locations for the applicant’s operation are being explored which would require some imagination and cooperation with other land holders. We urge you to work with the applicant and broader community to identify an alternate location for this operation that appropriately balances the community benefit provided by the applicant’s business with maintenance of ecological integrity and ‘rural character and lifestyle’, as our North Pender Island OCP and the Islands Trust mandate require.

Respectfully signed,



Elizabeth Miles
Board President
Pender Islands Conservancy



Dr. Pamela Wright
Stewardship Committee Chair
Pender Islands Conservancy

Appendix A

North Pender Island Groundwater Recharge and Discharge Zones



Legend

Preferential Recharge / Discharge
Co-Efficient Factor

 High Discharge

 Moderate Discharge

 Transition

 Moderate Recharge

 High Recharge

• Registered Groundwater Wells

 Parcels

Groundwater Sustainability Science Program North Pender - Preferential Recharge and Discharge Zones

Notes:

Drawn by: William Shulba, P.Geo

Drawn on: October 2022

Data Source: Islands Trust Area Groundwater Recharge Mapping Project

0 1 2 3 4 km





Cultural Protocol for Chance Finds and Ancestral Remains within Islands Trust Area

Purpose:

The purpose of this protocol is to provide culturally relevant guidelines to the Islands Trust in cooperation with the Province of British Columbia, the Archaeology Branch, archaeologists (academic, cultural resource management or otherwise), and other agencies or individuals and the public as to the procedures for handling human remains within First Nations treaty and traditional territories. This is to facilitate the culturally appropriate and respectful treatment of these remains.

Mandate:

Islands Trust Area is located within British Columbia and Canada, and anyone undertaking land altering activities in areas of known and recorded archaeological or variable archaeological potential should be adhering to the Heritage Act, Island Trust by-laws, other agency and government permitting and all legal requirements related to land alteration. Chance finds outside of archaeological sites require work to stop to allow for assessment and protection of the area.

Authority:

First Nations within the Islands Trust Area represent the cultural and heritage interests throughout the Trust area.

Procedures:

The following steps will apply in cases where ancestral remains are found in unexpected situations (e.g. construction of buildings or renovations, building of roads, natural erosion, ground disturbance or alteration) or during archaeological projects or studies under or not under a First Nation cultural and heritage permit.

A. Unexpected Discoveries

In cases where the First Nation is notified that ancestral remains are discovered by chance; the following should apply:

1. The First Nation Lands and Resources Department or Council or Band Manager/Administrator must be notified immediately.

2. The coroner's office and local policing authority must be notified.
3. Representatives from the First Nation (contact determined by First Nation) and the coroner's office will determine whether the find is contemporary forensic concern. The Archaeological Branch and or archaeologists can offer advice on such matters.
4. If the remains are of First Nation/Indigenous ancestry, and under no immediate threat or further disturbance, they will not be excavated or removed, unless determined otherwise by the First Nation.
5. If the remains have been partially or completely removed, the First Nation will facilitate their removal or mediate the situation.
6. If the remains are under threat, removal under the authority of the coroner, police authority and First Nation will coordinate removal.
7. If desired the First Nation may allow for a qualified physical anthropologist or archaeologists with training in human osteology and First Nation handling of ancestral remains to assess the found remains in order to implement conservation measures.
8. Any analysis of ancestral remains must be limited to basic recording and in field observation until representatives of the First Nation arrive at the site.

B. Permitted Archaeological Projects

In cases where ancestral remains encountered in the course of project under a First Nation cultural and heritage permit, the First Nation must be contacted immediately.

1. Extreme care and respect for ancestral remains is required. If uncovered, they must not be removed, but left in place. For any reason they are removed, they must be placed in a clean handkerchief or blanket, placed in a solid box with cedar boughs.
2. The field director or permit holder must contact the First Nation and seek advice on how the ancestral remains should be handled.
3. The First Nation will determine the disposition of the ancestral remains.
4. Any analysis of ancestral remains must be limited to basic recording and in field observation until representatives of the First Nation arrive at the site.

Contacts at Islands Trust include Local Trustee and Senior Intergovernmental Policy Advisor, Victoria Office lwilcox@islandstrust.bc.ca or (604) 348-6885.

PROTECTED ARCHAEOLOGICAL SITES IN BRITISH COLUMBIA

Archaeological sites are the physical remains of past human activity. There are over 50,000 known archaeological sites in British Columbia representing thousands of years of human history. The **Heritage Conservation Act (HCA)** recognizes the historical, cultural, scientific, spiritual, and educational value of archaeological sites to First Nations, local communities, and the public. Archaeological sites on both public and private land are protected under the HCA and must not be altered or damaged without a permit issued by the Province of British Columbia's Archaeology Branch.

Receipt of this form indicates that your local government has reviewed the records of the Archaeology Branch to determine whether your proposed activities are likely to impact a protected archaeological site. By identifying overlaps with archaeological sites early in the planning and development process, appropriate and timely steps can be taken that support an efficient development process. You should be aware that there are limitations concerning this review; please read the Provincial disclaimer¹ below.

Your property or project area falls into the selected category:

☐ Direct overlap with protected archaeological site: _____

Provincial records indicate that an archaeological site protected under the HCA is recorded within your property or project area.

- Your proposed activities may impact the protected archaeological site.
- You must obtain a site alteration permit issued by the Archaeology Branch before impacting the site.
- Completing an application for alteration permit usually requires archaeological expertise. You may consider engaging an eligible consulting archaeologist (see page 2) to confirm the results of this review and assist you in establishing permit requirements with the Archaeology Branch.
- Disturbance of a protected archaeological site without an alteration permit is a contravention of the HCA and may result in substantial fines and development delays.
- The archaeological site impact management and permit process is summarized on page 2. If you have questions about the process, contact the Archaeology Branch.

☐ Direct overlap with an area of high archaeological potential

Provincial records indicate your property or project area has high potential to contain an archaeological site protected under the HCA, either because the area has been previously assessed for potential or there is a known archaeological site within 50 m that may extend beyond its recorded boundaries.

- Your proposed activities may impact an unrecorded archaeological site. Archaeological sites are protected under the HCA, even if they have not yet been identified and recorded.
- Disturbance of a protected archaeological site without a permit is a contravention of the HCA. Accidental discovery of an unknown archaeological site during development requires activities to be halted until permit requirements have been established; this may result in significant development delays.
- To avoid the possibility of unauthorized archaeological site impacts and development delays, you may wish to engage an eligible consulting archaeologist (see page 2) to determine in advance whether your activities are likely to impact an unrecorded protected archaeological site.
- The archaeological site impact management and permit process that you will need to follow if an archaeological site is encountered before or during development activities is summarized on page 2. If you have questions about the process, contact the Archaeology Branch.

☐ No identified overlap with archaeological sites or areas of high archaeological potential

Provincial records do not indicate known archaeological sites or areas of high archaeological potential within your property or project area.

- Provincial records may be incomplete with regard to archaeological potential in your area.
- There is always a possibility for unrecorded archaeological sites to exist. Archaeological sites are protected under the HCA, even if they have not yet been identified and recorded.
- If an archaeological site is encountered, development activities must be halted and the Archaeology Branch contacted for direction (250-953-3334).

¹ **Provincial Disclaimer:** The Archaeology Branch of the Province of BC is responsible for the administration of the *Heritage Conservation Act*. It is not administered by municipal or regional governments. In completing this form, municipal and regional government staff rely on information provided by the Province of BC. Any questions regarding this document should be directed to the Archaeology Branch or to an eligible consulting archaeologist. The information in this document is based on a search of Provincial records. There are archaeological sites in BC that are unknown and not recorded in these records. The Province makes no representations or warranties with respect to the accuracy or completeness of this information. Persons relying upon it do so at their own risk.

Archaeological Site Impact Management and Permit Process

Archaeological sites are protected under the *Heritage Conservation Act* (HCA) and must not be altered or damaged without a permit issued by the Province of British Columbia's Archaeology Branch. The archaeological site impact management and permit process is summarized below. This summary applies to the majority of situations where small-scale development plans are in conflict with protected archaeological sites. There are always exceptions that can be explained to you by an archaeologist or the Archaeology Branch as you proceed through the steps. Major development projects may be subject to additional requirements that are beyond the scope of the basic process described below.

What do I do if my property or project area contains a protected archaeological site?

You must obtain a site alteration permit issued by the Archaeology Branch before conducting activities that will impact a protected archaeological site. Permit applications are available on the Archaeology Branch website. However, completing a permit application usually requires archaeological expertise. Most applicants will therefore engage a professional archaeologist to review development plans, verify archaeological records, confirm that an alteration permit is required, complete the permit application, and work with the Archaeology Branch on the applicant's behalf to ensure all HCA permit requirements are met. **Note that the application process for all Archaeology Branch permits takes 8-12 weeks from the date the application is submitted.** Contact an eligible consulting archaeologist for time and cost estimates.

After discussing your project, a desktop review, and/or a preliminary reconnaissance, the archaeologist may conclude that your activities will not impact the archaeological site. The archaeologist should send a letter stating their professional opinion to the Archaeology Branch. You may no longer require an alteration permit to proceed with your activities. In other cases the Archaeology Branch may conclude that an alteration permit cannot be issued based on the information available.

What is an archaeological impact assessment?

An archaeological impact assessment (AIA) is conducted by an archaeologist under an inspection permit. The permit allows the archaeologist to conduct subsurface tests to collect information about the archaeological site. The AIA results in recommendations for managing impacts to the archaeological site. The archaeologist's recommendations and their feasibility should be discussed with you before they are submitted to the Archaeology Branch. Common recommendations include:

- Changing building plans or construction techniques to reduce or avoid archaeological site impacts.
- Proceeding with an alteration permit with or without concurrent archaeological studies, depending on the expected degree of impact to the site.
- No further archaeological study or permits required.

Contact an eligible consulting archaeologist

An eligible consulting archaeologist is able to hold a Provincial heritage permit that authorizes archaeological studies. Ask an archaeologist if he or she can hold a permit. Contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Find an archaeologist through the BC Association of Professional Archaeologists (www.bcapa.ca) or through business directories.

Contact the BC Archaeology Branch

BC Archaeology Branch
Ministry of Forests, Lands, Natural Resource Operations and Rural Development
Phone: 250-953-3334

Web: www.for.gov.bc.ca/archaeology/property_owners_and_developers

Data Request Form (to inquire about archaeological sites within your property or project area): www.archdatarequest.nrs.gov.bc.ca

Date: July 23, 2025

Submit To: Islands Trust
200-1627 Fort Street
Victoria, BC, V8R 1H8
information@islandstrust.bc.ca

Attn: Brad Smith

Prepared By: MSR Solutions Inc.

Subject: 3334 Port Washington Road - Hydrogeological Report

1. Introduction

A rezoning application has been submitted for the property at 3334 Port Washington Road, on Pender Island, BC. The legal description of the property is Lot 7, Plan, VIP6294, Section 18&22, Cowichan Land District, Portion Pender Island, with the PID: 005-837-693. The file number for the rezoning application is: PLRZ20240110. The North Pender Island Local Trust Committee had received a preliminary report and passed a resolution to proceed with the application on November 29, 2024. With the issuance of a Terms of Reference, it is required that a hydrogeological report is submitted.

2. Background

MSR Solutions Inc. (MSR) has been retained to develop a hydrogeological report for the rezoning application. The hydrogeological report is requiring an assessment of the quantity and quality of the potable water on site. One well has previously been drilled on site in October 2023. This well has a Well Tag No.: 129423, and Well ID: 65548, and is proposed to provide the potable water supply for the property. According to the letter from Islands Trust, regarding the “Terms of Reference for Rezoning Application PLRZ20240110 (Bigham) - 3334 Port Washington Road, North Pender Island (PID 005-837-693)” and dated December 18, 2024, the water supply standard for residential use is 2,000 L/day, plus the amount to service all proposed future industrial groundwater uses. A shop and an office are proposed on site, which are assumed to have a comparable water demand to a dwelling. No additional industrial groundwater uses are proposed. The water well and potable water supply is also to be in accordance with the North Pender Land Use Bylaw No. 224 (2022) and North Pender Island Official Community Plan Bylaw No. 171 (2007).

The terms of reference provide in the attachments and document for Potable Water Standards Guidance, which appends a map of the North Pender Island Groundwater Recharge and Discharge Zones. According to the map, the well is in a high recharge zone.

3. Water Supply

Potable water is to be supplied by the water well on site (Well ID: 65548). The drillers estimated well yield is 11.3 L/min (3 USgpm), which equates to an estimated 16,350 L/day, which exceeds the water supply standard for residential use of 2,000 L/day. To confirm the well yield, a pump test was completed by, and under the supervision of MSR (refer to Section 5 for more details).

The well was constructed in accordance with the Groundwater Protection Regulation to a total depth of 74.7 m (245 ft), recorded as being drilled in sandstone from top to bottom. With the well located over 100 m away from the next nearest well according to the BC Wells Database and located in a high recharge zone, the extraction of groundwater in respect of each permitted building, structure, or use, will not adversely affect the quantity or quality of any existing groundwater well or surface water used as a source of potable water. Regional mapping does not show any surface water in the nearby vicinity of the well.

4. Water Quality

Water samples were collected from the water well on site for further testing, to determine the drinking water quality. Refer to the attached site plan in Appendix A for the location of the well and obtained samples. The samples were sealed on site and delivered to the laboratory in accordance with their best practices of cool storage and a timely delivery.

A water quality analysis was completed by an accredited laboratory, obtaining the results provided in Tables 1-3. The water quality results are compared to the Maximum Allowable Concentrations (MACs) and Aesthetic Objectives (AO) determined by the Guidelines for Canadian Drinking Water Quality (2020). Refer to Appendix B for the water quality results provided by the laboratory for more information.

Table 1: Water Quality Analysis – Bacterial Testing

Parameter	Result	Guideline	Interpretation
Total Coliforms (TC)	0 CFU/100 mL	0 CFU/100 mL	Safe – No coliform bacteria
Fecal Coliforms (FC)	0 CFU/100 mL	0 CFU/100 mL	Safe – No fecal contamination
E. coli	0 CFU/100 mL	0 CFU/100 mL	Safe – No E. coli present
Total Non-coliforms (T-NC)	27,600 CFU/100 mL	≤ 200 CFU/100 mL	Result of stagnant well – shock disinfection treatment recommended.
Fermenters (F-NC)	200 CFU/100 mL	≤ 200 CFU/100 mL	
Lactose Fermenters	276 CFU/mL	≤ 200 CFU/mL	
Iron Bacteria	Present	Not a health risk	
Yeast/Fungi	Not Detected	Not specified	
Aeromonas	0.18 CFU/mL	No guideline	
Total Plate Count (TPC)	22,272 CFU/mL	≤ 500 CFU/mL	

Based on the water quality test results showing no coliform bacteria, no fecal contamination, and no E. coli, the water meets criteria outlined by the Canadian Drinking Water Quality Guidelines and the British Columbia Drinking Water Quality Guidelines. High measurements for Total Non-coliforms, Fermenters, Lactose Fermenters, and Total Plate Count suggest that there is some bacteriological activity occurring in the well, which is common for wells that are stagnant for an extended period. It is recommended to disinfect and flush the well thoroughly and retest the water again prior to finalizing the proposed treatment system.

For use in a dwelling unit, a baseline recommendation is to treat the water through filtration plus UV disinfection for safer and cleaner water and to mitigate against any potential bacteriological changes in the future.

Table 2: Water Quality Analysis – Metals Testing

Parameter	Result	Guideline	Interpretation
Lead	6.32 µg/L	5.00 µg/L MAC	High – Treatment recommended
Manganese	0.184 mg/L	0.120 mg/L MAC (0.020 AO)	High – Treatment recommended
Iron	0.155 mg/L	0.300 mg/L	Safe – Within limits
All Other Metals	-	-	Safe – No exceedances

Water quality analysis for metal elements in the well water yielded high lead and manganese. Lead can be toxic at trace amounts and should be removed. Manganese is generally considered safe within low levels, though an exceedance of the MAC indicates that treatment is required.

The water can be made safe for potable uses with the appropriate treatment provisions. The use of filter media such as Katalox Light, Metsorb, or Granular Activated Carbon (GAC) contained in a Clack canister is a common strategy effective in reducing both lead and manganese levels. Reverse Osmosis can also be considered but has high energy demands and high water consumption.

Table 3: Water Quality Analysis – Saltwater Intrusion Indicators

Parameter	Result	Guideline	Interpretation
Chloride	8.12 mg/L	≤ 250 mg/L (AO)	Safe – Within aesthetic objectives
Sodium	34.4 mg/L	≤ 200 mg/L (AO)	Safe – Within aesthetic objectives
Electrical Conductivity (EC)	425 µS/cm	Not specified	Safe – Freshwater is generally < 1,000 µS/cm
Total Dissolved Solids (TDS)	246 mg/L	≤ 500 mg/L (AO)	Safe – Within aesthetic objectives
Sulfate	6.86 mg/L	≤ 500 mg/L	Safe – Far below limit
Hardness	140 mg/L	75–150 mg/L	Safe – Moderately hard water within normal levels
pH	7.51	7.0 – 10.5	Safe – Neutral pH

Based on the water quality results, it is determined that the well does not experience high saline levels and is therefore safe for potable uses. According to the BC Water Resources Atlas, the subject well is not likely to be affected by the intrusion of saline groundwater or sea water as it is classified as moderately low seawater intrusion vulnerability. The well draws from Aquifer No. 711, a bedrock aquifer covering the northern area of North Pender Island.

Taking the current water quality results into account, it is recommended to install a 5-micron cartridge filter, 1-micron absolute cartridge filter, Clack canister filter with Katalox Light media, and a UV disinfection unit. Treatment with appropriately sized equipment of this nature will allow the existing well to function as a potable water source. As noted previously, it is recommended to disinfect and purge the well prior to taking a new sample to confirm requirements for treatment.

5. Pump Test

A pump test was started on the morning of June 24th, 2025, running for about 15 hours, before stopping the pump and monitoring the water level until the morning of June 26th, 2025. The two-day test allowed for the pumping of groundwater at a constant rate, exceeding the minimum pumping period of 12 hours according to the Terms of Reference and Land Use Bylaw No. 224. The pump was running at a rate of about 3.0 L/min (0.8 US gpm), which exceeds the water supply standard and provides a conservative margin for future groundwater uses. The pump test withdrew more than double the daily required volume in the span of 15 hours, which satisfies the requirements for the domestic potable water supply for one primary and one additional dwelling under the Land Use Bylaw No. 224 Section 8.12. Refer to Table 4 for a flow rate comparison.

Table 4: Flow Rate Comparison

	Flow Rate (L/day)	Flow Rate (L/min)	Flow Rate (US gpm)
Water Supply Standard ^A	2,000	1.4	0.4
Drillers Estimate ^B	16,350	11.4	3.0
Pump Test	4,370	3.0	0.8

^A From Terms of Reference and Land Use Bylaw No. 224

^B From BC Wells Database

Figure 1 demonstrates the results of the pump test at a flow rate of 3.0 L/min. The water rose shortly after the test started and was quickly drawn back down to the initial level within about the first two hours of pumping. An initial spike in the data may be indicative of a plugged screen, which was released with the draw of water through pumping.

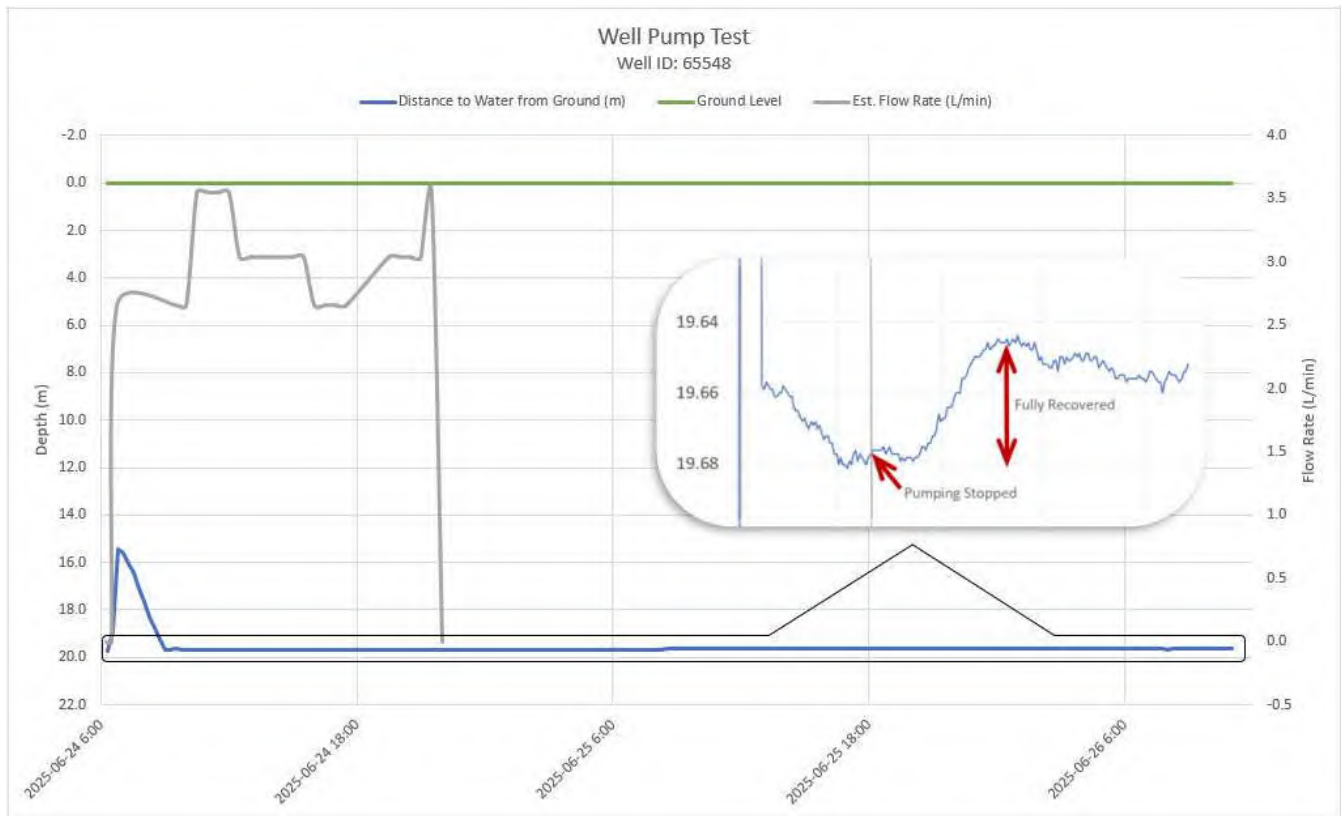


Figure 1: Pump Test and Well Drawdown

As seen in Figure 1, the water level rose nearly 4 cm within 12 hours after the pumping had stopped, fully recovering within a period no longer than the duration of the pumping test. The pump test did not show any signs of negative effects. The well was monitored for 36 hours after the completion of the pump test which generally remained above the initial water level observed prior to the pump test. The theoretical well yield is therefore greater than the 3.0 L/min at which it was tested.

Based on the rate of drawdown during the pump test, a 120-day projection can be extrapolated by forecasting the data obtained by the water data logger. By obtaining a logarithmic trendline equation for the data obtained by the data logger, the equation was used to project the trend over 120 days. Figure 2 shows the forecasted water drawdown through 24 hours per day, at 3.0 L/min.

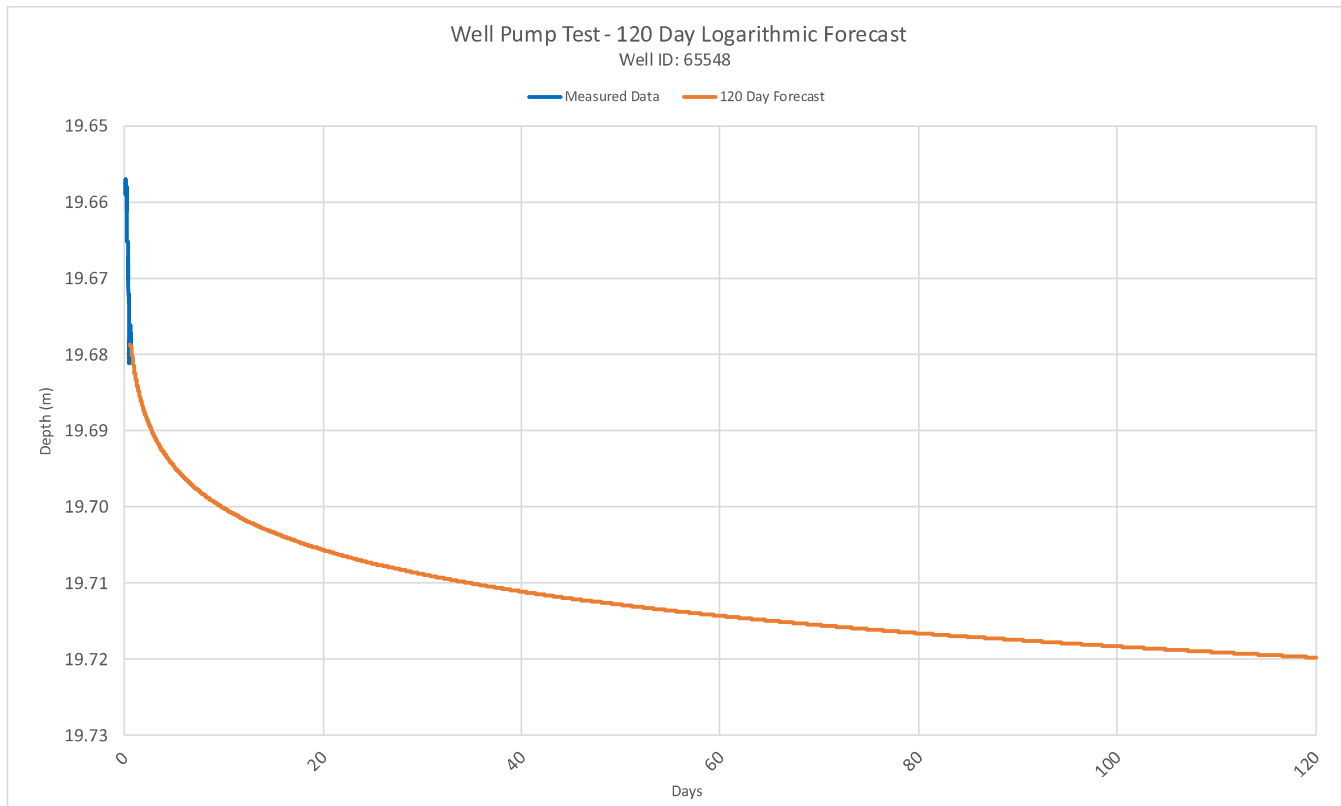


Figure 2: Pump Test 120 Day Projection

With the well drilled to a depth of 74.7 m, the water drawdown over the 120-day projection does not indicate any concern, as the expected drawdown will bring the water level down to 19.72 m below grade, for a total drop of approximately 0.06 m.

6. Guidelines for Subdivision

Development permit areas are outlined in the North Pender Island Official Community Plan (OCP) Bylaw No. 171, 2007. According to the OCP Development Permit Areas Compilation Map, the subject property is partially located in Development Permit Area (DPA) 1 for Woodland areas, with a small portion in DPA 2 for Herbaceous Sensitive Ecosystems. The DPA is located on the north side of the site and does not encompass the water well. The water well is not expected to have any impact on the DPA and while there may be an adequate capacity for a community system, the well will not serve as such.

The Terms of Reference acknowledge the presence of DPA 1 and DPA 2 areas, noting that they exist in the upper portion of the subject parcel only, and there are no DPAs affecting the area proposed for rezoning.

7. Conclusion

A rezoning application has been submitted for the property at 3334 Port Washington Road, on Pender Island, BC, to become industrially zoned. One water well with Well ID: 65548 is located on site and was inspected and tested for the purpose of becoming the property's potable water source. It is confirmed that:

- The well has sufficient available groundwater to provide the daily required volume of potable water for the proposed buildings and use.
- The well has been constructed in accordance with the Groundwater Protection Regulation.
- The extraction of groundwater for the proposed buildings and use will not adversely affect the quantity or quality of any existing groundwater well or surface water used as a source of potable water.

Samples taken at the time of the pump test yielded no coliform bacteria, no fecal contamination, and no E. coli; however, elevated non-coliform bacteria, high plate counts, and elevated levels of lead and manganese suggest treatment is required to provide potable water. It is also recommended to disinfect the well prior to use. The treatment methods described in this report are recommended to remove lead and manganese and to mitigate against future potential bacteriological issues. With the water samples obtained, it is confirmed that:

- The water quality analysis was completed by an accredited laboratory.
- The proposed water supply source can be made potable with a treatment system that is customarily used in a dwelling unit.
- The well is not affected by the intrusion of saline groundwater or sea water and has a low risk of becoming affected.
- A plan of the property is attached, indicating the location where the water samples were taken.
- The water samples upon which the water quality analysis was performed were unadulterated samples taken from the location indicated on the plan.

A pump test verified the adequacy of the quantity and quality of water from a well drilled on site, tested at a rate of 3.0 L/s (4,370 L/day), more than double the minimum water supply standard for a dwelling. The well showed a high recovery rate and over a projection of 120-days there no anticipated impacts to the quantity of groundwater available. The pump test completed confirms that:

- Groundwater was pumped at a constant rate for a period of more than 12 hours.
- A volume greater than the daily required volume in the North Pender Land Use Bylaw No. 224 was extracted within a period of 24 hours.
- The recovery phase was monitored for the well, and it was observed to recover more than 90 percent of the static water level within a period no longer than the duration of the pumping test.

Prepared By:

Reviewed By:

Approved By:

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3334 Port Washington Road
Pender Island, BC, V0N 2M1
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Appendix A: Site Plan



GENERAL NOTES

DESIGN NOTES

EROSION AND SEDIMENT CONTROL

PRELIMINARY –
FOR DISCUSSION
PURPOSES ONLY
JULY 2025



SCALE: AS SHOWN	CLIENT	BIG DIG'EM EXCAVATING LTD		
DESIGN: LN	PROJECT	3334 PORT WASHINGTON RD SITE PLAN		
DRAWN: AM				
CHECKED: JA				
APPROVED: .				
	PROJECT NO.	SHEET NO.	DRAWING NO.	REVISION NO.
	25-970	1 OF 2	C01	1



CALL BEFORE YOU DIG!

THE CONTRACTOR IS TO CALL IN ONE CALL AND HAVE EXISTING SERVICES STAKED PRIOR TO ANY CONSTRUCTION.

[illegible]

MSR SOLUTIONS INC.
INNOVATIVE ENGINEERING SOLUTIONS
125 - 662 GOLDSTREAM AVENUE, LANGFORD
B.C. V3B 0N8
OFFICE: (250) 479 - 5164
admin@msrsolutions.ca

STAMP

SCALE: AS SHOWN

DESIGN: LN

DRAWN: AM

CHECKED: JA

APPROVED: _____

CLIENT

BIG DIG'EM EXCAVATING LTD

3334 PORT WASHINGTON RD

SITE PLAN

	PROJECT NO.
--	-------------

SHEET NO.

DRAWING

REVISION NO

Appendix B: Water Quality Testing Results

MSR Solutions
*B Inv admin@msrsolutions.ca
#125-662 Goldstream Ave
Victoria, BC
V9B 0N8

TEL: 250 479-5164
cole@msrsolutions.ca

26Jun25 2:51p
Source: Well
Type of Sample: Water
No. of Samples: 1

W188128

Arrival temp.: 9.3C
PD B1227B 2606U

<u>Site Code</u>	<u>Date</u>	<u>Time</u>	<u>CFU/100 ml</u>		<u>CFU/100 ml</u>		<u>CFU/100 mL</u>
			<u>TC</u>	<u>T-NC</u>	<u>FC</u>	<u>F-NC</u>	<u>E.coli</u>
1 Well Sample	26Jun25	11:00	0	27600	0	200	0

WATER DISTRICT SCREEN

<u>Sample</u>	<u>Date</u>	<u>Time</u>	<u>Lactose</u>	<u>Coliforms</u>	<u>Fecal</u>	<u>E.coli</u>	<u>Total</u>
			<u>Fermentors</u>	<u>Total</u>			<u>Aeromonas</u>
1 Well Sample	26Jun25	11:00	276	ND	ND	ND	0.18

<u>Sample</u>	<u>Date</u>	<u>Time</u>	<u>Sulfur Reducing/</u>	<u>Yeast/Fungi</u>	<u>TPC*</u>
			<u>Iron Bacteria</u>		
1 Well Sample	26Jun25	11:00	ND/ present	ND / ND	22272

* All counts are colony forming units per milli-litre

TC = total coliform bacteria FC = fecal coliform bacteria (aka Thermotolerant Coliforms)
NC = non-coliform bacteria ND = none detected
TPC = total plate count- spread plate method - 35C/48hr TGEA FDA/BAM 9th ed, Oct 2020
CFU = colony forming units

Results may be adversely affected if samples are submitted to the laboratory more than 24 to 30 hours after collection.

E. coli = Escherichia coli, FDA/BAM 9th ed, Oct 2020
Bergy's Manual of Systematic Bacteriology vol 1, AOAC 1984; J.Clin.Micro.,
J.Intern.Systm.Bact.

Comments:

For Interpretation of Results:

Total, Fecal Coliforms or E.coli present greater than 0 CFU/100mL (0 CFU/mL):
IF Coliform numbers exceed safe limits for drinking water-
water is not suitable for drinking without treatment.

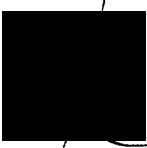
Total Non-coliform bacteria (=Lactose Fermentors) equal to or greater than
200 CFU/100mL (2.0 CFU/mL):

IF the number organisms present exceed recommended guidelines for
drinking water; treatment is strongly recommended.

If Total Plate Count bacteria are -

- A) greater than 100 CFU/mL:
high numbers of microbial organisms indicate that this water supply should
be monitored on a seasonal basis.
- B) greater than 500 CFU/mL:
the number of organisms present exceed recommended guidelines for drinking
water; treatment is strongly recommended.

- See following page for chemistry results -


W. Riggs
Sr. Microbiologist

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EMAILED
JUL 03 2025
8:58PM

MSR Solutions
*B Inv admin@msrsolutions.ca
#125-662 Goldstream Ave
Victoria, BC
V9B 0N8

TEL: 250 479-5164
cole@msrsolutions.ca

26Jun25 2:51p
Source: Well
Type of Sample: Water
No. of Samples: 1

Arrival temp.: 9.3C
PD B1227B 2606U

W188128 pg2

Sample: Well Sample - 26Jun25 11:00

<u>ELEMENTS</u>		<u>SAMPLE</u>	<u>UNITS</u>	<u>Maximum Limits</u> <u>In Drinking Water*</u>
1) Aluminium	Al	0.097	mg/L	no limit listed
2) Antimony	Sb	<0.500	ug/L	6.00 ug/L
3) Arsenic	As	2.50	ug/L	10.0 ug/L
4) Barium	Ba	0.014	mg/L	2.00 mg/L
5) Beryllium	Be	<0.003	mg/L	no limit listed
6) Boron	B	0.258	mg/L	5.00 mg/L
7) Cadmium	Cd	<0.010	ug/L	7.00 ug/L
8) Calcium	Ca	40.1	mg/L	200 mg/L
9) Chromium	Cr	0.003	mg/L	0.050 mg/L
10) Cobalt	Co	<0.005	mg/L	no limit listed
11) Copper	Cu	<0.008	mg/L	1.00 mg/L
12) Gold	Au	<0.040	mg/L	no limit listed
13) Iron	Fe	0.155	mg/L	0.300 mg/L
14) Lanthanum	La	<0.020	mg/L	no limit listed
15) Lead	Pb	6.32	ug/L	5.00 ug/L
16) Magnesium	Mg	9.79	mg/L	50.0 mg/L
17) Manganese	Mn	0.184	mg/L	0.120 MAC 0.020 AO
18) Mercury	Hg	<0.010	ug/L	1.00 ug/L
19) Molybdenum	Mo	<0.005	mg/L	no limit listed
20) Nickel	Ni	<0.004	mg/L	no limit listed
21) Phosphorus	P	<0.010	mg/L	no limit listed
22) Potassium	K	0.560	mg/L	no limit listed
23) Scandium	Sc	<0.050	mg/L	no limit listed
24) Selenium	Se	<0.500	ug/L	5.0 ug/L
25) Silicon	Si	16.7	mg/L	no limit listed
26) Silver	Ag	<0.010	mg/L	no limit listed
27) Sodium	Na	34.4	mg/L	200 mg/L
28) Strontium	Sr	0.560	mg/L	no limit listed
29) Tin	Sn	<0.020	mg/L	no limit listed
30) Titanium	Ti	<0.010	mg/L	no limit listed
31) Tungsten	W	<0.050	mg/L	no limit listed
32) Vanadium	V	<0.010	mg/L	no limit listed
33) Zinc	Zn	0.006	mg/L	5.00 mg/L
Hardness (mg/L CaCO ₃)		140	mg/L	75-150 mg/L = moderately hard
pH		7.51	units	7.0 to 10.5

* As per Canadian or B.C. Health Act Safe Drinking Water Regulation BC Reg 230/92, & 390 Sch 120, 2001. Task Force of the Canadian Council of Resource and Environment Ministers - Guidelines for Canadian Drinking Water Quality, 2020.

Comments:

Lead: toxic and accumulates in body tissues; Lead may come from old lead pipes, solders, or industrial discharges. Even small amounts can contribute to learning disability in children.

Manganese: high amounts can cause staining of laundry, porcelain & plumbing fixtures & an undesirable tastes. Not considered toxic-caution children under 6 months

R. Bilodeau
Analytical Chemist

H. Hartmann
Sr. Analytical Chemist

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#125-662 Goldstream Ave
Victoria, BC
V9B 0N8

TEL: 250 479-5164
cole@msrsolutions.ca

26Jun25 2:51p
Source: Well
Type of Sample: Water
No. of Samples: 1

W188128 pg3

Arrival temp.: 9.3C
PD B1227B 2606U

<u>SAMPLE</u>	<u>DATE</u>	<u>TIME</u>	<u>Alkalinity</u> (mg/L)	<u>NH₃-N</u> (ug/L)	<u>Cl⁻</u> (mg/L)	<u>Colour</u> (TCU)	<u>E.C.</u> (uS/cm)
Well Sample	26Jun25	11:00	225	ND	8.12	2.01	425
Lab Blank			ND	ND	ND	ND	ND
So			0.100	0.254	0.015	0.300	0.300
REF. VALUE			100	10.0	10.0	10.0	147
STD ± 2SD			103 ± 6.22	9.66 ± 0.560	10.8 ± 0.811	9.78 ± 0.744	143 ± 11.2

<u>SAMPLE</u>	<u>DATE</u>	<u>TIME</u>	<u>CORROSIVITY</u> (Is @20C)	<u>F⁻</u> (mg/L)	<u>S²⁻</u> (ug/L)	<u>TKN</u> (mg/L)	<u>NO₃-N</u> (ug/L)
Well Sample	26Jun25	11:00	0.078	ND	ND	ND	4.00
Lab Blank				ND	ND	ND	ND
So				0.007	0.007	0.012	0.160
REF. VALUE				1.00	50.0	1.00	10.0
STD ± 2SD				1.06 ± 0.057	50.6 ± 4.12	1.04 ± 0.056	9.85 ± 0.660

<u>SAMPLE</u>	<u>DATE</u>	<u>TIME</u>	<u>NO₂-N</u> (ug/L)	<u>SO₄²⁻</u> (mg/L)	<u>T.O.C.</u> (mg/L)	<u>T&L</u> (mg/L)	<u>TDS</u> (mg/L)
Well Sample	26Jun25	11:00	1.80	6.86	ND	ND	246
Lab Blank			ND	ND	ND	ND	ND
So			0.300	0.075	0.300	0.070	0.010
REF. VALUE			10.0	10.0	10.0	1.00	200
STD ± 2SD			9.77 ± 0.497	10.6 ± 0.622	9.55 ± 0.560	1.03 ± 0.067	206 ± 13.3

<u>SAMPLE</u>	<u>DATE</u>	<u>TIME</u>	<u>Turbidity</u> (NTU)	<u>UVT</u> (%)
Well Sample	26Jun25	11:00	5.78	97.3
Lab Blank			ND	ND
So			0.015	0.003
REF. VALUE			10.0	90.0
STD ± 2SD			9.55 ± 0.623	90.2 ± 0.022

SD = standard deviation; REF VALUE = primary or secondary reference material
STD = secondary standard calibrated to primary standard reference material
So = standard deviation at zero analyte concentration; method detection limit
is generally considered to be 3x So value
ND = none detected n/a = not applicable

R. Bilodeau
Analytical Chemist

H. Hartmann
Sr. Analytical Chemist

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AQUAPARIAN
Environmental Consulting Ltd.



**ENVIRONMENTAL IMPACT ASSESSMENT
REZONING APPLICATION
3334 PORT WASHINGTON ROAD, PENDER ISLAND, BC**



**July 22, 2025;
Rev 01: November 5, 2025**

Completed for:
Braedon Bigham
Big Digem Excavating
3334 Port Washington Road
Pender Island, BC

Via Email: bdeltd@shaw.ca

203 – 321 Wallace Street Road Nanaimo, BC V9R 5B6, 250-591-2258
Cell SARAH BONAR 250-714-8446 CHRIS ZAMORA 250-714-8864

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Figure 1a &1b:	Site Location Maps
Figure 2:	Site Plan (Polaris Land Surveying Inc.)
Figure 3:	Biophysical Map
Figure 4:	Wildlife Tree Stewardship Map
Figure 5:	SEI Map
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Appendix B:	Site Assessment Vegetation Plot Data
Appendix C:	BC Conservation Data Centre Search Results
Appendix D:	Invasive Species Council of BC Fact Sheets (Scotch broom & Himalayan blackberry)



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DISCLAIMER AND LIMITATIONS OF USE:

This report has been prepared exclusively for the 3334 Port Washington Road re-zoning application for a portion of the parcel to have permanent zoning compatibility with the established land use. The findings and recommendations documented in this report are based on information available at the time of assessment.

LIMITATIONS:

1. **Scope of Work:** This report is limited to the scope of work agreed upon between Braedon Bigham and Aquaparian Environmental Consulting Ltd (Aquaparian). This document is not to be considered the sole document required by permitting agencies for this project. Any additional investigations or assessments beyond this scope are not included. Aquaparian exercised reasonable skill, care, and diligence to assess the information acquired during the preparation of this document but makes no guarantees or warranties as to the accuracy or completeness of this information.
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1.0 INTRODUCTION

Aquaparian Environmental Consulting Ltd (Aquaparian) was retained by Braedon Bigham, owner of Big Digem Excavating Inc. (Big Digem), to complete an Environmental Impact Assessment (EIA) as supplementary documentation for a rezoning application (file No. PLRZ20240110 (Bigham)) required by the Islands Trust for continued industrial land use of the south portion of 3334 Port Washington Road, Pender Island, BC.

The subject parcel is approximately 6.1 ha in area and is legally identified as follows:

- Lot 7, Sections 18 and 22, Pender Island, Cowichan District, Plan 6294 (PID 005-837-693).

A review of the North Pender Island Land Use Bylaw No. 224, 2022 (LUB) identifies that the parcel is currently zoned Rural. The North Pender Island Official Community Plan No. 171, 2007 (OCP) identifies that the land use is split designated as Rural (R) and Industrial (I). As understood, the portion designated as Industrial is 0.56 ha and has been used as designated since 2011 under Temporary Use Permits (TUPs). Big Digem includes aggregate storage, retail sales, and associated activities and is recognized by the Islands Trust as providing important community services to Pender Island. As further understood, the business operator is planning to rezone the property to come into compliance with the North Pender Island LUB for continued industrial use of the property.

The OCP identifies that there are two Development Permit Areas (DPAs) located in the north portion of the property: DPA 1 – Woodland, and DPA 2 - Herbaceous. There are no DPAs in the industrial portion.

Site location maps of the study area have been included in this report as Figure 1a & 1b. A site plan prepared by Polaris Land Surveying Inc. identifies the industrial use area and is included as Figure 2. A selection of site photographs taken during the site surveys have been included as Appendix A.

1.1. SCOPE OF WORK

The scope of work for this assessment included the following:

- Background review of available information from government databases and maps, and documents available within the Rezoning Application online file.
- Field assessment to document environmental attributes within the site and current site conditions.
- Produce an EIA report to document findings and to identify potential impacts and



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recommendations to protect environmental assets of the property if industrial use continues within the designated portion of the property.

Findings of the assessment include a review of relevant background information for the study area which included a review of mapped information within 500m of the site, site information including current land use, historical land use and surrounding land use, an inventory of environmental features identified within the parcel, current applicable *Acts* and Regulations, a biophysical site map showing environmental attributes, and photo documentation. The information is provided to facilitate the North Pender Island Local Trust Committee (LTC) decision on the re-zoning application. This report was reviewed by Patricia Woodruff (Islands Trust Biologist) and comments were provided. This report has been revised on November 5, 2025 to address these comments.

2.0 REGULATORY FRAMEWORK

The following is a list of federal, provincial and municipal environmental *Acts*, Regulations and Bylaws current at the date of preparing this report, that *may* apply to development of the subject parcel:

Federal *Species-at-Risk Act* is a key federal government commitment to prevent wildlife species from becoming extinct and secure the necessary actions for their recovery. It provides for the legal protection of wildlife species and the conservation of their biological diversity. SARA contains prohibitions against the killing, harming, harassing, capturing, taking, possessing, collecting, buying, selling or trading of individuals of endangered, threatened and extirpated species listed in Schedule 1 of the Act. The Act also contains a prohibition against the damage or destruction of their residences (e.g. nest or den). The *Species at Risk Act* (SARA) applies automatically on federal lands as well as:

- all endangered, threatened and extirpated migratory birds listed in Schedule 1 of SARA and protected by the *Migratory Birds Convention Act*, 1994, anywhere they occur, including private lands, provincial lands and lands within a territory; and
- all endangered, threatened and extirpated aquatic species as defined by the *Fisheries Act* listed in Schedule 1 of SARA, anywhere they occur, including private lands, provincial lands and lands within a territory.

In certain circumstances, SARA prohibitions may be applied to protect any other species listed in Schedule 1 of SARA when found on non-federal lands, if provincial/territorial laws do not effectively protect the species or its residence. On the recommendation of the Minister of the Environment, the Governor in Council, by Order can provide that sections 32 and 33, or either of



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them, apply on non-federal lands with respect to individuals of a listed wildlife species that is not an aquatic species or protected by the *Migratory Birds Convention Act, 1994*.

Federal Migratory Birds Convention Act, 1994. Most species of birds in Canada are protected under this act. “Migratory birds” are defined by Article I of the Convention which names the families and sub-families of birds protected and provides some clarification of the species included. In general, birds not falling under federal jurisdiction within Canada include grouse, quail, pheasants, ptarmigan, hawks, owls, eagles, falcons, cormorants, pelicans, crows, jays, kingfishers, and some species of blackbirds.

Federal Migratory Birds Regulations, 2022 (MBR), provides protection to migratory bird nests when they are considered to have a high conservation value for migratory birds. The MBR prohibits the damage, destruction, removal or disturbance of nests of all migratory birds when there is a live bird or viable egg, or if the nest was built by a species that is listed in Schedule 1 of the regulation. Schedule 1 lists 18 species which are protected year-round unless they are shown to have been abandoned for a designated period of time depending on the species. In BC there are two Schedule 1 species; Great blue heron are protected for 24 months after reporting the nest is unoccupied, and Pileated woodpecker are protected for 36 months after reporting unoccupied.

Provincial Wildlife Act Section 34, states that a person commits an offence if the person, except as provided by regulation, possesses, takes, injures, molests or destroys:

- (a) a bird or its egg,
- (b) the nest of an eagle, peregrine falcon, gyrfalcon, osprey, heron or burrowing owl, or
- (c) the nest of a bird not referred to in paragraph (b) when the nest is occupied by a bird or its egg.

Provincial Heritage Conservation Act. All archaeological sites, recorded or not, are protected under the *Heritage Conservation Act* and must not be altered or damaged without a site alteration permit from the Archaeology Branch. As understood, municipalities have access to provincial records that show recorded sites and sites with high potential for archaeological resources. If a known site is located on the parcel, an archaeological consultant will need to be retained to provide advice. If the site has a high potential, it is recommended to retain and archaeological consultant to provide recommendations. Archaeology is outside the scope of this report.



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3.0 SITE DESCRIPTION

The parcel is approximately 6.1 ha in area and located on the north side of Port Washington Road and primarily sloping with a southern aspect. The parcel extends north upslope to the top of a ridge and extends to the east; the parcel is shaped like an upside-down “L”. To the west is a rural parcel (3330 Port Washington Road) developed for industrial use within the south portion which is leased to Eco-Source Septic as a contractor yard for two septic pump trucks, screening equipment and a dump truck. The driveway to the residential upslope area of 3330 Port Washington Road cuts across the subject parcel as a shared driveway. To the east is a rural parcel and the Pender Island Home Building Centre (commercial/retail) with another excavation contractor east of that parcel. To the north, past the crest of the ridge are rural parcels that are sloping with a northern aspect; two of the parcels are nature reserves including the Lisa Baile Nature Reserve located 320m from the Big Digem yard (4 ha; owned by Islands Trust Land Conservancy), and Forest Wetland Nature Reserve located 300m from the Big Digem yard (4 ha; owned by Pender Island Land Conservancy). There is another 14.5 ha parcel identified as Vulture Ridge Nature Reserve that is also owned by the Pender Island Land Conservancy located 356m to the northeast from the Big Digem yard. Other surrounding parcels are developed for industrial use include the Pender Island Yard, ENCOM, and BC Hydro across the street to the south, Southridge Country store to the southeast, and other rural residential lots.

The lower/south portion of the parcel fronting Port Washington Road includes a flat gravel yard for storage of all equipment related to Big Digem operations (heavy equipment, bins etc.) on the east side of the shared gravel driveway, and the remaining portion of the Big Digem operation on the west side which is a cleared gravel work yard that is understood to include the following:

- Contractor yard, spill kits up to 200L & small kits on all heavy machines;
- Storage, handling and wholesale of aggregates, soils and mulches – maximum 460m² (550 yards). Gravels are stockpiled in the southwest corner of the yard and soils are contained in lock-block storage bins;
- Six sea cans for storage of equipment and materials;
- Small heavy equipment including compactors, a digger, and a bulldozer;
- Soil screens;
- Tarp-tent awning under which a front-loader is parked;
- Superior Propane Tank storage, drainage and sewer culvert/pipe and septic tank storage – maximum 15 tanks for island emergencies;
- Storage of 10,000L of diesel for company use on off road equipment in a double-lined fuel tank; and,
- Water wagon (500 Gal) for fire suppression/mitigation.



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As understood, the only additional proposed works at the time of writing this report is the construction of a 40ft x 40ft workshop within the existing gravel yard area to replace some of the sea cans for maintaining and servicing company-owned vehicles and equipment. The workshop is proposed to include a bathroom and a kitchen. As understood, the workshop is a future plan that will depend on whether the rezoning is accepted so no design drawings were available at the time of preparing this report.

The perimeter of the work yard is mostly planted with a tall cedar hedge with a chain link fence along the inside of it. The work yard is flat and backs onto the toe of a steep slope extending north into the larger portion of the parcel. The toe of slope is cleared approximately to the limit of the industrial use area confined below the access road. The area between the edge of the work yard at the toe of the slope and the Industrial Designation Boundary is bisected by a shared driveway and to either side is vegetated with grass and invasive Himalayan blackberry (*Rubus armeniacus*), and Scotch broom (*Cytisus scoparius*). As understood, there are no plans to expand the footprint of the industrial work yard area further to the north due to the slope.

The remainder of the parcel is forested and undeveloped. The shared access driveway extends northwest across the parcel behind the work yard. The driveway is shared to access the upslope portions of the adjacent property to the west and the upper portion of the subject parcel. One flat benched area above the access road has recently been cleared (2023) and there are some dirt roads that switch back up the slope through the parcel extending to the top of the ridge. Woodland forest extends from the lower slope up to the north side of the parcel with some patches of second growth Douglas-fir (*Pseudotsuga menziesii*) habitat in the south portion of the forest. There is a sloped ridge that extends west to east across the parcel with a band of open, south-facing terrestrial herbaceous habitat below it. The ridge extends along the north property boundary and is forested with more woodland habitat. From the highest point in the northeast corner the ocean is visible to the northeast and southwest through the trees.

Aquaparian traversed the site by foot on April 16, 2025 to document site conditions. The site assessment included documentation of seven vegetation plots in representative areas throughout the parcel to further classify the habitat present. Appendix B is a detailed inventory of species identified within each plot. A Biophysical map of the property has been included as Figure 3 and identifies the ecosystem types found within the property and vegetation plot locations. Physical and biological features of the parcel are summarized in Section 4.0 below.



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4.0 ENVIRONMENTAL SETTING

4.1. Physical Resources

The following section provides a general overview of biophysical attributes and land use of the site documented by government databases, crown publications and from Aquaparian's reconnaissance of the property.

4.1.1. Topography

The terrain within the study area is flat adjacent to Port Washington Road where the work yard is situated, then it slopes up to the north with steep terrain throughout. The elevation is 70m above sea level at the south side and the highest point is 170m above sea level at the northeast corner of the parcel. The overall slope of the parcel is 28% but some sections were as steep as ~50% in gradient.

4.1.2. Climate

The property is located within the Moist Maritime Coastal Douglas-fir Subzone (CDFmm). The CDFmm is restricted to low elevations along southeast Vancouver Island from Bowser to Victoria, the Gulf Islands south of Cortes Island, and a narrow strip along the Sunshine Coast near Halfmoon Bay. Elevational limits typically range from sea level to approximately 150m.

The CDFmm lies in the rain shadow of the Vancouver Island and Olympic Mountains resulting in warm, dry summers and mild, wet winters. Growing seasons are very long, and feature pronounced water deficits on zonal and drier sites. The CDFmm represents the mildest climate in Canada. (Green and Klinka).

4.1.3. Land/Soil

A review of the provincial map "Soils of the Gulf Islands of British Columbia" (1988) indicate that the parcel is dominated by the Saturna Soil Association (ST), with Rock (RO) comprising the northernmost portion of the parcel. The lower industrial portion of the parcel is mapped as MD – Made Land. Made Land refers to soils that have been "artificially altered or disturbed by the activities of man to such a degree that they cannot be identified or classified" (Kenney *et. al*, 1988).

Saturna soils are well-drained soils that have developed on shallow deposits of channery sandy loam textured colluvial and glacial drift over sandstone bedrock within 100cm of the surface. Coarse fragment content varies between 20 and 50%. These soils are



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associated with gently to strongly sloping (6-30%) topography in subdued to hummocky terrain or on very strongly to steeply sloping (31-100%) side slopes of rock ridges. (Kenney *et al.* 1988). Soil phases within the study area are identified as Very Shallow Lithic. Slope classes include predominantly moderate to strong slopes (10-30% gradient) with a lesser representation of very strong slopes (31-45%). These soils are likely supporting the woodland habitat within the parcel.

The Rock portion is identified as undifferentiated bedrock exposed or covered by moss or mineral soil less than 10cm thick. Slope classes include very strong slopes (31-45%) to extreme slopes (46-70%). This classification is represented by the terrestrial herbaceous habitat within the north portion of the parcel which was observed to have very thin soils and moss over bedrock and was observed to be steeply sloping and south-facing aspect.

4.1.4. Surface Water

A review of municipal maps and the provincial Habitat Wizard did not identify any mapped watercourses or wetlands within or adjacent to the subject parcel. No watercourses or wetlands were observed within the subject parcel. The parcel is dominated by sloping woodland or terrestrial herbaceous habitat with no flat receiving environments for water to accumulate. No seeps or vernal pools were identified in the terrestrial herbaceous or woodland habitat.

There is a shallow roadside ditch fronting the property that terminates to the west fronting 3330 Port Washington Road; no culvert was identified underneath the driveway. The property does not contain any storm drains.

4.1.5. Groundwater

A review of the provincial Groundwater Wells and Aquifers mapping tool identifies that the parcel is within Aquifer 711 - North Pender (northern area), a highly vulnerable fractured sedimentary bedrock aquifer 11.3km² in size. The map identifies the presence of one well (#129423) located centrally within the parcel.

4.1.6. Land Use

The property is 6.1 ha. The site plan shows the Industrial Designation boundary is a short distance upslope of the constructed shared driveway and Right of Way Plan 2942 line for the driveway and encompasses an area of approximately 5487m² (0.55ha) (9% of parcel). However, the south, flat portion of the parcel that has been used for Big Digem operations since 2011 is approximately 3400m² in area (0.34 ha), which is 6% of

the property. Prior to that, it is understood that the land was used 50-60 years ago for gravel and sand extraction and potentially a concrete batch plant was located there at one point (*pers. comm. Braedon Bigham*). As further understood, a transfer site (waste collection, sorting, consolidation and transportation) was operated in this location prior to Big Digem being established. The two properties across the street from the subject parcel (Lot 8 & Lot 9, Plan 6294; commonly known as the highways works yard) were rezoned in the past; these properties have also been used for light industrial operations for since the 1950's with the current owners, Mainroad Properties, taking ownership in 2006 (*pers. comm. Braedon Bigham*).

4.2. Biological Resources

4.2.1. Flora

Forests on zonal sites within the CDFmm are typically dominated by Douglas fir (*Pseudotsuga menziesii*), western red cedar (*Thuja plicata*) and grand fir (*Abies grandis*). The understory is dominated by salal (*Gaultheria shallon*), dull Oregon grape (*Mahonia nervosa*), oceanspray (*Holodiscus discolor*) and Oregon beaked moss (*Kindbergia oregana*). Less prominent species include baldhip rose (*Rosa gymnocarpa*), snowberry (*Symphoricarpos albus*), western trumpet honeysuckle (*Lonicera ciliosa*), vanilla leaf (*Achlys triphylla*), and electrified cat's-tail moss (*Rhytidiadelphus triquetrus*). Drier sites are characterized by the presence of Garry oak (*Quercus garryana*) and arbutus (*Arbutus menziesii*) and several members of the lily family.

In general, the parcel is comprised of a small industrial zone which is completely disturbed/impacted with the remainder of the parcel comprised of woodland habitat, a band of terrestrial herbaceous habitat, and a small strip of dry second growth Douglas-fir forest. Disturbed areas also include a small, flat area off the driveway that was recently cleared and a strip of the lower slope above the work yard that was historically cleared and is now dominated by invasive species and grasses; the treeline above the clearing appears to correspond with the Industrial Designation Boundary (Fig. 2). Refer to Figure 3 for mapping of these areas and Appendix B for detailed vegetation plot inventories. Below is a summary of the canopy and understory species that were observed to comprise each habitat type within the subject parcel. This is not a detailed species study; some of the wildflowers may not have emerged or it was too early in the growing season to identify them to species. Because no development is proposed in these areas at this time, a detailed species survey is beyond the scope of this application and further studies may be required if development plans are proposed in the future.

Terrestrial herbaceous and woodland ecosystems have the potential to support rare plant species. Note that no specialized ephemeral microhabitats such as vernal pools or seeps were identified.

4.2.1.1. Industrial Zone

This area is fully developed for use as a work yard. A flat gravel pad comprises most of the industrial use area within the subject parcel. The only vegetation is an ornamental cedar hedge row (*Thuja* sp.) along most of the perimeter. The cleared slope behind the work yard is vegetated with grasses, invasive Himalayan blackberry thicket and patches of invasive Scotch broom.

4.2.1.2. Woodland Habitat

Woodland habitat comprises most of the parcel and includes a partial canopy (~30-45%) dominated by Douglas-fir with up to 50% representation of arbutus (*Arbutus menziesii*) and minor amounts of Garry oak (*Quercus garryana*) and bigleaf maple (*Acer macrophyllum*). The understory is open, dominated by grasses & mosses (mixed spp.), red columbine (*Aquilegia canadensis*), fairy slipper (*Calypso bulbosa*), little western bittercress (*Cardamine oligosperma*), miner's lettuce (*Claytonia perfoliata*), yerba buena (*Clinopodium douglasii*), fragile fern (*Cystopteris fragilis*), woodland strawberry (*Fragaria vesca*), sweet-scented bedstraw (*Galium triflorum*), dove's-foot crane's-bill (*Geranium molle*), rattlesnake plantain (*Goodyera oblongifolia*), nipplewort (*Lapsana communis*), purple peavine (*Lathyrus nevadensis*), hairy honeysuckle (*Lonicera hispidula*), western honeysuckle (*Lonicera ciliosa*), rose campion (*Lychnis coronaria*), dull Oregon-grape (*Mahonia nervosa*), Alaska oniongrass (*Melics subulata*), largeleaf sandwort (*Moehringia macrophylla*), wood forget-me-not (*Myosotis sylvatica*), frog's pelt (*Peltigera neopolydactyla*), goldback fern (*Pentagramma triangularis*), licorice fern (*Polypodium glycyrrhiza*), western buttercup (*Ranunculus occidentalis*), baldhip rose (*Rosa gymnocarpa*), Pacific sanicle (*Sanicula crassicaulis*), rein orchid (*unidentified, not flowering*), black cap raspberry (*Rubus occidentalis*), and a minor amount of sword fern (*Polystichum munitum*). The following invasive species were identified in woodland habitat throughout the parcel: common chickweed (*Stellaria media*), common

dandelion (*Taraxacum officinale*), Scotch broom (*Cytisus scoparius*), common thistle (*Cirsium arvense*), foxglove (*Digitalis purpurea*), Himalayan blackberry (*Rubus armeniacus*), and white hawkweed (*Hieracium albiflorum*). This ecosystem is represented by Site Series 03 Fd – Oniongrass within the CDFmm biogeoclimatic classification which indicates a rich to very rich soil nutrient regime and very dry soils (Green & Klinka, 1994).

4.2.1.3. Terrestrial Herbaceous Habitat

This habitat is open with minimal canopy (<10%) comprised of scattered trees including predominantly Douglas-fir, arbutus, and minor amounts (several trees) of Garry oak (*Quercus garryana*). The groundcover is carpeted by a layer of mixed moss species (~95%) with the remaining ~5% comprised of exposed bedrock. Some of the moss species identified include juniper hair cap moss (*Polytrichum juniperinum*), rough goose neck moss (*Rhytidiadelphus triquetrus*), and Wallace's spikemoss (*Selaginella wallacei*). Native grasses observed include sweet vernal grass (*Anthoxanthum odoratum*) and Alaska oniongrass.

Forbs emerging from the moss at the time of the site visit include fairy slipper, giant blue-eyed Mary, miner's lettuce, fragile fern, wingstem monkeyflower (*Erythranthe alsinoides*), sweet-scented bedstraw (*Galium triflorum*), wholeleaf saxifrage (*Micranthes integrifolia*), western saxifrage (*Micranthes occidentalis*), Pacific sanicle (*Sanicula crassicaulis*), rein orchid (*unidentified, not flowering*), and corn speedwell (*Veronica arvensis*). Invasive species include dense thickets of Scotch broom (*Cytisus scoparius*) and sheep sorrel (*Rumex acetosella*). Scotch broom commonly invades open meadow habitat and was observed to be growing in thickets with an average of 30-40% cover, but some dense patches had over 60% coverage. This ecosystem is represented by Site Series 02 FdPI – Arbutus within the CDFmm biogeoclimatic classification which indicates a very poor to medium soil nutrient regime and very dry soils (Green & Klinka, 1994).

4.2.1.4. Dry Second Growth Douglas-fir Forest Habitat

Second growth Douglas-fir forest comprises a small portion of the

parcel near the inside elbow of the 90° bend of the property boundaries. The forest habitat is bisected by an upper section of the shared access road. The canopy is mostly closed and comprised of 90% young Douglas-fir trees ranging between 20 and 40cm diameter-at-breast-height (dbh), 5% arbutus ranging between 20 and 25cm dbh, and 5% western redcedar (*Thuja plicata*) ranging between 20 and 25cm dbh. The understory is nearly fully shrubbed, dominated by dull Oregon-grape with lesser amounts of salal (*Gaultheria shallon*). Other species include cleavers (*Galium aparine*), western honeysuckle, moss (mixed spp.), bracken fern (*Pteridium aquilinum*), trailing blackberry (*Rubus ursinus*), Pacific sanicle, and starflower (*Trientalis borealis*). This ecosystem is represented by Site Series 01 Fd – salal within the CDFmm biogeoclimatic classification which indicates a very poor to medium soil nutrient regime and medium soil moisture (Green & Klinka, 1994).

4.2.2. Fauna

No records were found indicating that large carnivorous mammals including black bear (*Ursus americanus*), cougar (*Puma concolor*), and wolf (*Canis lupis*) are present on Pender Island, though occasionally individuals are known to swim over to southern gulf islands from adjacent lands. Black-tailed deer (*Odocoileus hemionus*) are abundant and expected to utilize the parcel. Raccoon (*Procyon lotor*) and rodents such as mice may also be found in the study area. There have been occasional reports of Roosevelt elk (*Cervus canadensis roosevelti*) sightings on Pender Island (*Country Life in BC*). It is unknown if elk would be found within the subject property; there does not appear to be an established population on Pender Island. It does not appear that rabbits or squirrels are found on Pender Island. Though semi-aquatic mammals such as beaver (*Castor canadensis*), river otter (*Lontra canadensis*), American mink (*Neogale vison*), and muskrat (*Ondatra zibethicus*) are found on Pender Island, no aquatic habitat was identified within the subject parcel to support them. Snags were observed and may provide cavity roosting habitat for a variety of bat species.

The terrestrial herbaceous ecosystems within the site have rocky outcrops and sunny forest openings providing good habitat for reptiles including northern alligator lizards (*Elgaria coerulea*), garter snakes (*Thamnophis elegans*), and potentially sharp-tailed snakes (*Contia tenuis*). One northern alligator lizard was observed under a bedrock overhang in the terrestrial herbaceous habitat. A letter to the Islands Trust from the Pender Island Conservancy (Nov 25, 2024) regarding the proposed rezoning application included an anecdotal visual siting of a sharp-tailed snake (provincially red-listed, SARA

1-Endangered 2003) on 3330 Port Washington Road; this is the parcel developed for industrial use immediately next the Big Digem yard. No further documentation was provided to verify this species sighting or locate the sighting within the parcel.

A comprehensive list of amphibian species confirmed on Pender Island was not available. Semi-terrestrial amphibians such as Pacific tree frog (*Pseudacris regilla*), rough-skinned newt (*Taricha granulosa*) and northern red-legged frog (*Rana aurora*) have been documented through iNaturalist recorded sightings and may be found within the parcel, but no aquatic breeding habitat is available to support their lifecycles. Two Pacific tree frog were observed during the site visit sheltered from the sun in rock crevices within the terrestrial herbaceous habitat. Some woody debris was observed on the woodland forest floor, but the parcel does not have shaded, moist forest habitat or abundant large, rotted logs for fully terrestrial salamanders to use for breeding, cover and forage. A detailed survey to confirm wildlife species presence was not completed as part of this assessment.

4.2.3. Birds

A variety of resident and migratory bird species are likely to inhabit and utilize the study area. Intact woodland canopy within the property is continuous with surrounding forests to the north, west and east of the subject parcel. The site offers excellent forage (acorns, berries, seeds, cones, insects etc.) and a layered canopy of mature trees for nesting. Forest-meadow interfaces provide suitable habitat for songbirds. Dead standing (wildlife) trees and snags throughout the site provide insect forage and cavity nesting opportunity for birds. Woodpeckers were heard excavating deadwood during the survey. As understood, there are bird nesting boxes throughout the Lisa Baile Nature Reserve that are part of an Avian Bioindicator Monitoring Project on the Pender Islands that examines violet-green swallows (*Tachycineta thalassina*) and chestnut-backed chickadees (*Poecile rufescens*) as bioindicators of ecosystem health (Schaefer, 2022). One bird nest box was observed just outside of the northern boundary of the subject parcel and many violet-green swallows were observed feeding on insects above the work yard during the site visit. The Pender Island Conservancy included anecdotal observations of olive-sided flycatchers (BC Yellow list; SARA1-Special Concern 2023) and common nighthawks (BC Blue-list; SARA 1-Special Concern 2023) within the adjacent nature reserve parcels.

A review of the provincial Wildlife Tree Stewardship Atlas (WiTS) identifies that the nearest mapped bald eagle (*Haliaeetus leucocephalus*) nest (BAEA-101-104 Clam Bay Road) is located approximately 150m northeast of the subject parcel and approximately 570m away from the industrial portion of the lot. The nest tree was recorded as Tree



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Standing in 2022. No eagle nests were identified during site reconnaissance of the property, but some large trees capable of supporting a bald eagle nest are present throughout the site. The WiTS eagle nest map is included as Figure 4. A letter from the Pender Islands Conservancy dated November 25, 2024 regarding the subject rezoning application reports that there are two newly identified bald eagle nests, one located more than 200m away from the industrial portion of the subject parcel with a dense forest



stand between the yard and the nest. The nest to the north is on the other side of the ridge and downslope over 400m away from the Big Digem yard. Eagles are well known to adapt to regular activities and sounds within their chosen nest tree locations. As the land use has not changed, the eagles are apparently adapted to local land uses. The following figure shows the approximate location of the eagle nests reported by the Pender Island Conservancy in relation to the parcel boundaries and the industrial use area. No GPS coordinates or photographs were provided in the letter. Note, the north parcel boundary runs along the top of the ridge.

A review of the Great Blue Heron Atlas identified that there are no mapped great blue heron (*Ardea Herodias fannini*) nest trees located within or nearby the study area. No heron nests were identified within or nearby the subject parcel during the site assessment.

No raptor nests, whitewash against trees, feathers, prey remains or plucking stations were detected during the site assessment. However, observations of forest habitat within the site identified that the site has abundant suitable nesting habitat for several smaller raptors such as hawks and owls.

Bird species observations were recorded during the site survey and are listed in Table 1 below:

Table 1: Incidental bird species observed at 3334 Port Washington Rd (April 16, 2025)

Common name	Scientific name
Anna's hummingbird	<i>Calypte anna</i>
Song sparrow	<i>Melospiza melodia</i>
Turkey vulture	<i>Cathartes aura</i>
Purple finch	<i>Haemorhous purpureus</i>
Red-breasted nuthatch	<i>Sitta canadensis</i>
Dark-eyed junco	<i>Junco hyemalis</i>
Common raven	<i>Corvus corax</i>
White-crowned sparrow	<i>Zonotrichia leucophrys</i>
Orange-crowned warbler	<i>Leiothlypis celata</i>
Yellow-rumped warbler	<i>Setophaga coronata</i>
Chestnut-backed chickadee	<i>Poecile rufescens</i>
Bald eagle	<i>Haliaeetus leucocephalus</i>
Northern flicker	<i>Colaptes auratus</i>
Brown creeper	<i>Certhia americana</i>
Ruby-crowned kinglet	<i>Regulus calendula</i>
Violet-green swallow	<i>Tachycineta thalassina</i>

A detailed bird survey was not conducted as part of this assessment. Species presence will change seasonally throughout the year.

Federal guidelines indicate the songbird nesting season in this area extends from March 1st to August 15th of a given year. Raptors tend to begin nesting earlier in the year, as early as February. Bald eagle nesting season generally starts in January and extends until August 15th of a given year. Great blue heron nesting seasons occurs between April and May with chicks fledging the nest late August and sometimes into September. Nesting habitat within the industrial portion of the parcel is limited to the cedar perimeter hedge which may support small songbird nests such as hummingbirds. It would be expected that birds choosing to nest in this location would be adapted to the noise and activities occurring from the daily operation of the Big Digem work yard and surrounding industrial operations. Certain species such as barn swallows (*Hirundo rustica*) or dark-eyed juncos (*Junco hyemalis*) may choose to nest in man-made structures. If nesting is observed amongst the industrial operation or on equipment, the nest is to be left undisturbed until fledging is confirmed by a Qualified Environmental Professional (QEP). As understood, no clearing of vegetation is proposed as part of the rezoning application.

4.2.4. Fisheries

A review of the Provincial database Habitat Wizard and municipal mapping does not

identify any mapped watercourses or wetlands within or adjacent to the subject parcel. No fish habitat or fish habitat supportive watercourses were identified during the assessment.

4.2.5. Sensitive Ecosystems Inventory Mapping

The Sensitive Ecosystem Inventory of southeast Vancouver Island and the Gulf Islands (SEI) 1993-1997 systematically identified and mapped specific rare and fragile ecosystems. The purpose of the SEI project was to identify remnants of rare and fragile terrestrial ecosystems and to encourage land-use decisions that will ensure the continued integrity of these ecosystems.

Seven sensitive ecosystem types were described and mapped in the east coast of Vancouver Island study area as follows: Wetland, Woodland, Riparian, Older Forest (>100yrs), Terrestrial Herbaceous, Sparsely Vegetated and Coastal Bluff. Two other important ecosystems were mapped for their general biodiversity and wildlife habitat values: Older Second Growth Forest (60-100yrs) and Seasonally Flooded Agricultural Fields.

A review of the 2004 SEI map covering the study site (092B.084) identified that there are three mapped polygons within the study area identified as follows:

1. T0802/WD (Woodland). Located along the central north portion of the parcel. Aquaparian's site reconnaissance verified woodland habitat over a larger portion of the parcel than indicated.
2. T0804/HT:ro (Terrestrial Herbaceous: rocky outcrop). A narrow band located in the north central portion of the parcel within the woodland polygon. Site reconnaissance confirmed that the mapping is accurate.
3. T0801*/SG:mx (Second Growth: mixed conifer and deciduous). Mapped at the northern extent potentially just outside of the parcel boundaries. This may be accurate north of the parcel. Woodland habitat was observed to extend to the northern limits of the parcel which is the crest of the slope then the topography slopes down to the north. Deeper soils downslope may result in a transition to second growth forest. Second growth forest observed elsewhere within the parcel appeared to be conifer-dominant.

The SEI map is included with this report as Figure 5. The Sensitive Ecosystems of North Pender map (2004), which is available through the Islands Trust and included with



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this report as Figure 6, shows similar mapping with a wide woodland ecosystem polygon along the north side of the parcel that overlaps with a terrestrial herbaceous band in the north central region of the property. Terrestrial herbaceous habitat was verified within the parcel and includes a sloping, south-facing open meadow but no special microhabitat features such as vernal pools or seeps were observed.

4.2.6. Species At Risk

4.2.6.1. Species at Risk Act

The Species at Risk Act (SARA), Schedule 1 lists species that are legally protected due to their risk status. Sections 32 and 33 contains prohibitions against the killing, harming, harassing, capturing, taking, possessing, collecting, buying, selling or trading of individuals of endangered, threatened and extirpated species listed in Schedule 1 of the *Act*. (Note, this *Act* does not include Special Concern listed species). This *Act* applies to:

- all endangered, threatened and extirpated migratory birds listed in Schedule 1 of SARA and protected by the *Migratory Birds Convention Act*, 1994, anywhere they occur, including private lands, provincial lands and lands within a territory.
- all endangered, threatened and extirpated aquatic species as defined by the *Fisheries Act* listed in Schedule 1 of SARA, anywhere they occur, including private lands, provincial lands and lands within a territory.
- With respect to individuals of a listed wildlife species that is not an aquatic species or a species of birds that are migratory birds protected by the MBCA, sections 32 and 33 of SARA do not apply in lands in a province that are not federal lands unless an Order is made under subsection (2) to provide that they apply.
- The Governor in Council may, on the recommendation of the Minister, by Order, provide that sections 32 and 33, or either of them, apply in lands in a province that are not federal lands with respect to individuals of a listed wildlife species that is not an aquatic species or a species of birds that are migratory birds protected by the *Migratory Birds Convention Act*, 1994.

When a Recovery Strategy or Action Plan is created for specific species listed on the SARA Public Registry, critical habitat is identified which is the habitat necessary for the survival or recovery of a listed species. Sometimes critical habitat is identified for groups of species occurring in specific habitat. Critical habitat identification alone is not an automatic protection designation. Federal or non-federal laws or bylaws may be in place to provide protection. At the provincial level, BC does not have specific

legislation in place for the protection of vascular plants at risk. The province of BC considers recovery planning documents, including the identification of critical habitat by the federal government, science advice only. The intent of the *Act* is to “protect critical habitat as much as possible through “voluntary actions and stewardship measures” and “prohibitions against the destruction of that particular critical habitat may come into play” (Government of Canada). If the critical habitat of a listed species is identified on private land, landowners may be required to take measures to protect it such as modifying land use to avoid habitat destruction.

4.2.6.2. *Provincial Species Ranking*

The British Columbia Conservation Data Centre (BC CDC) assists in conservation of biodiversity in the province by collecting and sharing information about wildlife, plants and ecosystems in the province. Species and ecosystems are placed on a Red, Blue or Yellow list to rank them according to their provincial conservation status. Provincially Red-Listed species includes any native species or ecological communities that have, or are candidates for, Extirpated, Endangered, or Threatened status in British Columbia. Extirpated species no longer exist in the wild in British Columbia but do occur elsewhere. Endangered species and ecological communities are facing imminent extirpation or extinction. Threatened species and ecological communities are likely to become endangered if limiting factors are not reversed. Blue-Listed species includes any native species or ecological community considered to be of Special Concern (formerly Vulnerable) in British Columbia. Species or ecological communities of Special Concern have characteristics that make them particularly sensitive or vulnerable to human activities or natural events. Yellow-Listed Species includes species or ecological communities that are apparently secure and not at risk of extinction. Yellow-listed species may have red- or blue-listed subspecies. The BC CDC also identifies ecological communities at risk based on species composition and habitat condition.

4.2.6.3. *At-risk Species Screening*

A review of BC CDC iMap identified that there is a mapped occurrence of a Red-listed Douglas-fir / Alaska oniongrass ecosystem (CDC Occurrence #65752). This ecosystem occurs on southeastern Vancouver Island and the Southwestern Gulf Islands on dry sites with shallow (<1m) soils over bedrock, typically south-facing. It is characterized by a moderately open canopy of Douglas-fir with interspersed Garry oak and occasionally arbutus, a sparse to absent shrub layer and a diverse and well-developed herb layer often dominated by Alaska oniongrass and may also include long-stoloned sedge (*Carex inops*), Pacific sanicle and yerba Buena, as well as

some other associated forbs. (BC CDC). Within the CDFmm subzone, this ecosystem is identified as site series 03 Fd – Oniongrass and is associated with a Very Dry soil moisture regime and Rich to Very Rich soil nutrient regime (Green & Klinka, 1994). Species and conditions identified in the northern portion of the parcel appear consistent with this site series classification. Appendix C includes a copy of the BC CDC iMap and the mapped ecosystem occurrence report. In addition, the BC CDC identifies masked occurrences over the study area. The BC CDC was contacted, and it has been determined that details regarding the masked occurrence are not relevant for the project due to distance from the occurrence. Notable mapped occurrences nearby include historical (1951) observations of sharp-tailed snake (*Contia tenuis*; #4054) located approximately 700m to the southeast, and more recent (2002, 2007 & 2021) observations of Western screech-owl, *kennicottii* subspecies (*Megascops kennicottii kennicottii*; #134959) located approximately 815m to the southeast. The BC CDC reports for these occurrences are included in Appendix C.

There are a number of “at-risk” species listed by the BC CDC Ecosystems Explorer search tool which are considered to have some potential to occur at the study area. The search parameters used include animals or plants; BC Conservation Status Red or Blue; North Pender Island Local Trust Area; Habitat subtypes Conifer Forest – Dry, Conifer Forest – Mesic, Garry Oak Woodland, Rock/Sparsely Vegetated Rock; BGC Zone, Subzone CDFmm. A list of 34 Blue-listed and 40 Red-listed species were generated and summarized into a table which has been included with this report in Appendix C. The list was assessed and species that have no potential to be found within the parcel were removed from the list. In consideration of the habitat characteristics observed in the site including intact second growth forest, south-facing terrestrial herbaceous meadow, and woodland habitat, the overall site has the potential to support a number of the listed species. Aquaparian rated the potential for the remaining species listed to be found within the subject parcel as Low, Moderate or High. Species were rated as having a Low potential because many key habitat elements were absent within the study site. A Moderate potential ranking was designated for species where many of the habitat elements were present including some key elements but not all of them. A High potential ranking was given to species where most of or all of the habitat elements identified in the species descriptions were present within the site including key elements, or because the species was previously documented in similar habitats nearby.

A detailed species-at-risk survey was not completed as part of this assessment because no development is planned within the second growth forest habitat,



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woodland habitat or the terrestrial herbaceous habitat. There are no plans to expand the work yard or extend the area of the proposed industrial zone. None of the species listed have a high likelihood of finding suitable habitat within the industrial portion of the parcel which has been completely impacted and actively used for light industrial use for over a decade. The species-at-risk considered have potential to be found within the remaining rural portion of the parcel. However, highly specialized micro-habitats that support niche-dependent rare species, such as vernal pools, vernal seeps, vernal swales, or seasonally wetted wetland margins that are considered to be critical habitat for many rare plant species, were not identified within the study area. A review of the databases iMap BC and Esri Canada did not identify any mapped SARA critical habitat within the parcel.

5.0 IMPACT ASSESSMENT

In general, the subject parcel contains sensitive woodland and terrestrial herbaceous habitat within the rural zoned northern portion of the parcel north of the shared driveway which comprises 5.54 ha (90%) of the parcel area. Thin, dry soils with varying nutrient regimes have the potential to support a number of flowering plants, amphibians, reptiles, insects, birds and some mammal species within the site. The site also has the potential to support a number of species-at-risk that have been listed within this report and ranked as having a Low, Moderate, or High potential to be found within the site, including sharp-tailed snake. The site assessment included an inventory of species observed but detailed species presence surveys were outside of the scope of this study.

Approximately 2/3rds (0.34 ha) of the 0.56 ha area of the parcel that is shown on the site plan as Designated for Industrial use has been used as such for the past decade. It is consistent with other industrial activities along this section of Port Washington Road including industrial use of Lots 8 and 9 directly across the street. The Islands Trust Staff Report No. PLRZ20240110 (Bigham) identifies that Big Digem is recognized as providing important community services and appears to be well operated. The industrial operation is confined to a small flat gravel area that is adjacent to Port Washington Road and there are no plans to expand the industrial area north which is limited by a steep slope. There are no watercourses or wetlands within the parcel and the roadside ditch is a grassy swale that was observed to terminate without connectivity to any natural watercourses downstream. All of the sensitive ecological features that were identified within the parcel are located upslope from the industrial use portion of the parcel which precludes the potential for hydrocarbon or sediment contamination of soils from runoff or rainfall.

The industrial portion of the parcel does not appear to pose any risk to the integrity of adjacent



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land reserves due to the steep topography and intact forest which is expected to provide a buffer for sound and a barrier for visual disturbance to wildlife that is using the upper portion of the parcel or the adjacent land reserves. Intact mature forest habitat is continuous with adjacent forest habitat including nature reserves on the north side of the ridge. There will be no fragmentation of the intact forested habitat that occupies most of the parcel and it will maintain its function as a wildlife corridor for a variety of species, notably migratory birds.

At the time of writing this report, it is understood that there are no development plans within the rural portion of the parcel so no impact over existing conditions is expected. The rural portion of the parcel includes approximately 200m of forested buffer between high-value potential sharp-tailed snake habitat comprised of south-facing rocky outcrops and exposed fractured bedrock (terrestrial herbaceous habitat). The forested buffer provides connectivity to other valuable potential sharp-tailed snake habitat on adjacent sites including nature reserve lands and provides leaf litter and decaying logs which are identified as important habitat features found in wooded areas that may be used by the snakes (Ministry of Environment and Climate Change Strategy, 2014). Recommendations provided in the document “Guidelines for Amphibian and Reptile Conservation” include preserving these important features and removing invasive species, in particular, Scotch broom and Himalayan blackberry (Ministry of Environment and Climate Change Strategy, 2014). Removal of invasive species which are densely established adjacent to the work yard will reduce the potential for them to spread into the sensitive rocky meadow habitat upslope that may support sharp-tailed snakes, while removal of invasive species from meadow and woodland habitat will directly improve the integrity of these areas. Expansion of the footprint of the industrial work yard is not proposed for the future so there is no reduction in viable sharp-tailed snake habitat or the habitat buffer.

Exclusion fencing was proposed in the review comments as a potential mechanism to keep sharp-tailed snakes from incidentally entering the work yard; however, fencing poses the risk of directing wildlife towards driveways crossing the site or towards the road. Exclusion fencing has not been incorporated in the measures because the site does not appear to be a major travel or migration corridor for this species; the woodland forest and meadow habitat upslope would be more likely to be used as a dispersal corridor. The Guidelines for Amphibian and Reptile Conservation During Road Building and Management Activities in British Columbia states that reptile fencing should be limited to mortality hotspots and areas between key habitats (Ministry of Environment and Climate Change Strategy, 2020, p. 54). Fencing also poses the risk of having detrimental effects on non-target species and should only be installed if these risks are outweighed by potential benefit to the target species.

Additionally, sharp-tailed snake activity is restricted to evenings and night when the work yard is not active, reducing potential for harm to this species from movement of equipment if snakes



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are passing through the site. Their seasonal activity is highest in spring (February to June) and fall (September to October) so timing invasive plant management outside of these periods may help to reduce the chance of encounters (Ministry of Environment and Climate Change Strategy, 2014). It should also be considered that there are no features attracting the snakes to the work yard such as prey availability (primarily slugs), basking sites, leaf litter and/or decaying wood.

Other species-at-risk identified in adjacent nature reserve lands (e.g. common nighthawk) are not expected to be negatively impacted by rezoning for continued use of the industrial portion for the same reasons as sharp-tailed snake, namely because no expansion of the work yard into higher-value habitat upslope is proposed and because there is an ample forested buffer to provide visual and noise barriers and maintain connectivity between adjacent habitat.

Eagle or heron nests were not observed within or adjacent to the parcel. One eagle nest is mapped by WiTS to be nearby but is approximately 570m from the industrial area (Fig 4). The Pender Island Conservancy has reported a new eagle nest located approximately 200m from the industrial portion of the subject property and has expressed concerns regarding potential impacts to the nest from operation of the business during the bald eagle nesting season. Eagles are considered to have a “moderate-high” tolerance to activity near the nest site (BC Ministry of Environment, 2013). The provincial Guidelines for Raptor Conservation (2013) recommend a 100m nest tree buffer in a rural setting with an additional 100m ‘quiet’ buffer during the breeding season (see below):

Ability to co-exist*	Undeveloped	Rural	Urban	Breeding season 'quiet' buffer (additional)
“High” and “moderate-high”	200 m	100 m	1.5 tree lengths or 50 m from cliff	100 m
“Moderate”	500 m	200 m	1.5 tree lengths or 50 m from cliff	100 m
“Low-moderate” and “low”	500m	As advised by Professional Biologist**	As advised by Professional Biologist**	As advised by Professional Biologist**

A breeding season quiet buffer is recommended for sudden and unusual activities such as land contouring, tree falling, chain saws, large trucks, whistles, fireworks or banging devices (BC Ministry of Environment, 2013). It should be noted that the industrial operation at 3334 Port Washington Road is continuous through the year and includes regular operation of heavy

machinery. If a new nest has been constructed at this location it indicates that the eagles have accepted the location as suitable despite regular noise from the work yard. It is also important to consider sight lines between eagles and disturbances as they have high visual acuity; it is assumed that the visual activities of the work yard are not perceived as threatening by the eagles if they are within sight of the operations, or else there is a sufficient visual barrier between the nest and the work yard. Note that the buffer measurements stated above are recommendations and each situation may be unique based on ambient noise, visual barriers, and nest location. If eagles are noted to be flushing from the nest during the nesting season, a biologist may need to be retained to assess if the industrial works appear to be negatively impacting the nesting eagles. No nests have been identified within 200m of the Big Digem yard.

Future development within the industrial portion of the parcel, if rezoning is approved, may include construction of a workshop which will introduce a new area of impermeable surface. A hydrogeological report was prepared by MSR Solutions Inc. (3334 Port Washington Road – Industrial Wastewater/Stormwater Management Plan; July 23, 2025) to support the proposed rezoning application. The report confirms that stormwater runoff from the roof of the workshop can be captured in roof leaders and directed to a catch basin with stormwater storage capacity, overflow, and a restrictive outlet. The stormwater would be directed through a perforated pipe to the south end of the parcel. The report confirmed that post-development flows will not exceed pre-development flows. As no significant changes to the operation of the Big Digem work yard are expected, rezoning is expected have little to no impact over existing and historical conditions.

The provincial Cumulative Effects Framework defines Cumulative Effects (CE) as: “changes to environmental, social, and economic values caused by the combined effect of past, present and future human activities and natural processes” (Government of British Columbia, 2021). The CE Framework includes an assessment of ‘values’ which are defined as: “the things that the people and government of British Columbia care about and see as important for assuring the integrity and well-being of the province’s people and communities, economies and ecological systems, defined in policy, legislation or agreements with First Nations.” Values found within the site may include woodland forest, terrestrial herbaceous meadows, species-at-risk and their associated habitat features, air quality, and water quality. The site has been used the same way for many years, and the proposed rezoning is not expected to significantly change the land use. No increase of emissions, stormwater discharge, or noise are anticipated over existing and past land use that would be expected to have a significant cumulative effect on values identified within the parcel. As discussed in this report, the rural-zoned portion of the parcel contains high-value ecological resources and is not proposed to be developed because of the rezoning. The parcel is zoned for residential use, and if future plans include residential development (outside of the scope of the rezoning application), it is highly recommended that



measures are in place to maintain the ecological integrity and connectivity of the sensitive habitat located at the north portion of the property while planning changes to this portion of the parcel and to prevent cumulative effects that would be expected from combined industrial and residential use of the property. The Rural-zoned portion of the property has ample viable building space to be developed for residential use without encroaching into sensitive habitat or creating significant pressure on ecologically sensitive habitats within or adjacent to the property. If high-value ecological habitat is maintained and protected for its connectivity between habitat, then there is not expected to be any significant impacts on adjacent nature reserve lands if residential development is proposed in the future. At the time of writing this report, there are no plans to develop the Rural portion of the property.

6.0 RECOMMENDATIONS

The following are recommendations to preserve the identified ecological values of the property if the rezoning for the southern portion is accepted.

- The slope above the work yard and the terrestrial herbaceous habitat were observed to have an abundance of Scotch broom. Scotch broom spreads rapidly and can dominate and outcompete sensitive terrestrial herbaceous meadows. It has been identified as a major contributor to the decline of rare and endangered plant species. Removal of invasive vegetation, in particular, Scotch broom and Himalayan blackberry, has also been identified as instrumental in sharp-tailed snake conservation. It is recommended that a management plan to reduce and control this species is implemented to protect the integrity of the terrestrial herbaceous meadow in the north portion of the parcel. The following recommendations for eradication of Scotch broom is based on the *Invasive Species Council of BC: Scotch Broom Tips*:

Scotch broom

- Minimize soil disturbance adjacent to infestations to contain seed spread;
- Cut plants below soil before flowering and seeds set (late winter, early spring). To minimize potential for impacts to sharp-tailed snake, if present, and to avoid the bird nesting season, concentrate removal efforts in the winter when they are inactive;
- Due to enormous seed banking and regenerating, mechanical control needs to be repeated over a 3-5 yr period;
- Burning is ineffective as seeds germinate following a burn;



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- After mechanical treatment, promptly re-vegetate with an appropriate seed mix (e.g. Garry Oak Ecosystem seed blend from Satinflower Nurseries), followed by an application of phosphorus-rich fertilizer and wood mulch; and, Along the slope above the industrial portion (but not the terrestrial herbaceous meadow), promptly establish competitive shrubbery, including snowberry, thimbleberry, and dull Oregon-grape to reduce broom growth.
- The slope above the work yard also has an abundance of Himalayan blackberry that should also be managed. The Invasive Species Council of BC factsheets for Scotch broom and Himalayan blackberry are included with this report as Appendix D. The following recommendations for eradication of Himalayan blackberry are based on the *Invasive Species Council of BC: Himalayan Blackberry Fact Sheet*:

Himalayan blackberry:

- Plan for blackberry removal in late August/September when the plants are stressed and when the migratory bird nesting season (March 15-August 15) is over;
 - Removal is only successful if all parts of the plant are removed. This includes canes, roots and root crowns;
 - Cut canes down to ~30cm before digging/grubbing to remove thickets while easily locating root crowns;
 - Hand pulling is recommended for small seedlings or young plants or shade-suppressed canes. Pull when plants are large enough to grasp but have not produced seeds;
 - Dig/grub more established plants, avoid leaving root fragments behind as they may resprout. Claw mattocks or Pulaskis have been proven to be effective tools;
 - If machines will be used, dig deep and carefully to get all of the root crown; and,
 - Bag or tarp all plant parts and seeds before transporting to a designated disposal facility such as a landfill or destroy by incineration.
- There is a low potential for some bird species such as barn swallows or dark-eyed juncos to nest in anthropogenic spaces or on equipment. Works within the yard must abide by the *Migratory Bird Convention Act* and the *Wildlife Act*. If birds are found to be nesting in or on equipment they must be left alone and not removed or disturbed until their eggs have hatched and the chicks have fledged.
 - There is potential for sharp-tailed snakes to be found within the property. Use of the industrial portion of the property for habitat is considered unlikely due to lack of key habitat elements and continuous disturbance, and because of the 200m forested buffer

between high-value potential sharp-tailed snake habitat and the work yard. They are most likely to find suitable habitat in the terrestrial herbaceous or woodland ecosystems identified to the north of the parcel as several key habitat elements were identified. The northern portion of the parcel should be preserved in the future to maintain connectivity between like habitat and the adjacent nature reserves. Documented sightings of this elusive species are very limited. If it is suspected that this species has been spotted in the subject parcel, document the sighting including photographs, if possible, and report the sighting to the BC Conservation Data Centre and wait for further guidance. If a sharp-tailed snake is identified in the active work yard and imminently at risk of harm, carefully move it to a safe location where it is not in danger of injury or mortality and report it to BC CDC.

- If future residential development is planned for the rural zoned upper portion of the parcel, it is highly recommended to avoid construction in the northern portion of the property due to its connectivity with adjacent nature reserve lands, its high-ecological value, its potential for a wildlife corridor, and its potential to support species-at-risk.
- Trucks and heavy machinery are to be washed down at a certified vehicle washing facility rather than onsite.
- Dust / air quality – dust should be managed by use of water on the site. Idling equipment should be limited as far as possible. Machines are to be kept in good repair to limit air emissions.
- Ensure no track out onto the paved road occurs. If track out occurs, it is to be swept off immediately.
- As understood, there are plans for construction of a new workshop. Ensure standard mitigation measures for construction are in place to prevent negative impacts to the environment including management of sediment laden water to prevent migration off-site, management of hydrocarbons in the case of a spill or leak to prevent soil and groundwater contamination, control of dust, etc.

7.0 CONCLUSIONS

It is Aquaparian's opinion that continued use of the southern portion of the subject parcel for industrial use is consistent with the adjacent industrial parcels along both sides of Port Washington Road frontage in this area and that concentrating similar industrial operations to one small area of the island is preferable to spreading industrial uses throughout the island or to other areas that may cause habitat fragmentation or have existing sensitive environmental attributes that may be lost to new development. There is currently no plan to expand the work yard of the site which is limited to a very small portion of the property (6%). The work yard is separated and downslope of the environmentally sensitive portion of the parcel. The conservation lands identified in the report are located over 300m away from the Big Digem work yard and two of the three parcels are on the opposite side of the ridge from the subject parcel. The nearest known eagle nest tree is over 200m away from the works yard, one of which is on the opposite side of the ridge and the other is separated by a forest stand. It is Aquaparian's opinion that the current proposed rezoning is appropriate for the site and it is not expected to result in further environmental impacts over the existing conditions. If other parcels in this area are rezoned for additional industrial use in the future, increased heavy equipment traffic would be expected to occur along Port Washington Road over current use.

8.0 CLOSURE

Aquaparian Environmental Consulting Ltd was retained to complete an Environmental Assessment to support a re-zoning application to the Islands Trust for continued industrial land use of the south portion of 3334 Port Washington Road, Pender Island, BC. Currently this portion of land is being used for light industrial operations under a Temporary Use Permit since 2011. The remaining area of the parcel is currently undeveloped and forested. The rezoning application is to allow the proponent to come into compliance with the North Pender Island Land Use Bylaw for continued industrial use of the property. This report has been prepared at the rezoning stage. At the time of writing this report, Aquaparian understands that no further expansion of the industrial footprint is proposed and that the activities within this portion of the property will remain more or less the same.

This report was completed to identify general habitat conditions and features within the subject property and to document and map environmentally sensitive areas located within the parcel. No detailed species presence assessments were completed for this study. This assessment includes recommendations for protection of sensitive ecological features including management of invasive species identified within the property.



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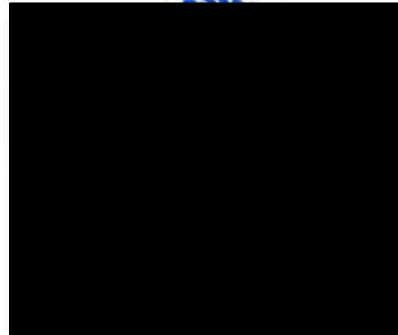
3334 Port Washington Road, Pender Island, BC
Environmental Impact Assessment – Rezoning
July 2025; Rev. Nov. 2025

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This report has been completed in accordance with generally accepted biological practices. No other warranty is made, either expressed or implied. Aquaparian trusts that the information provided in this report meets your requirements. Any questions regarding information provided in this document, please contact the undersigned at (250) 591-2258.

Respectfully submitted,

AQUAPARIAN ENVIRONMENTAL CONSULTING LTD.



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Biologist-in-Training

Sarah Bonar, R.P.Bio.
Senior Biologist/Principal

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FIGURE 1A & 1B
SITE LOCATION MAP



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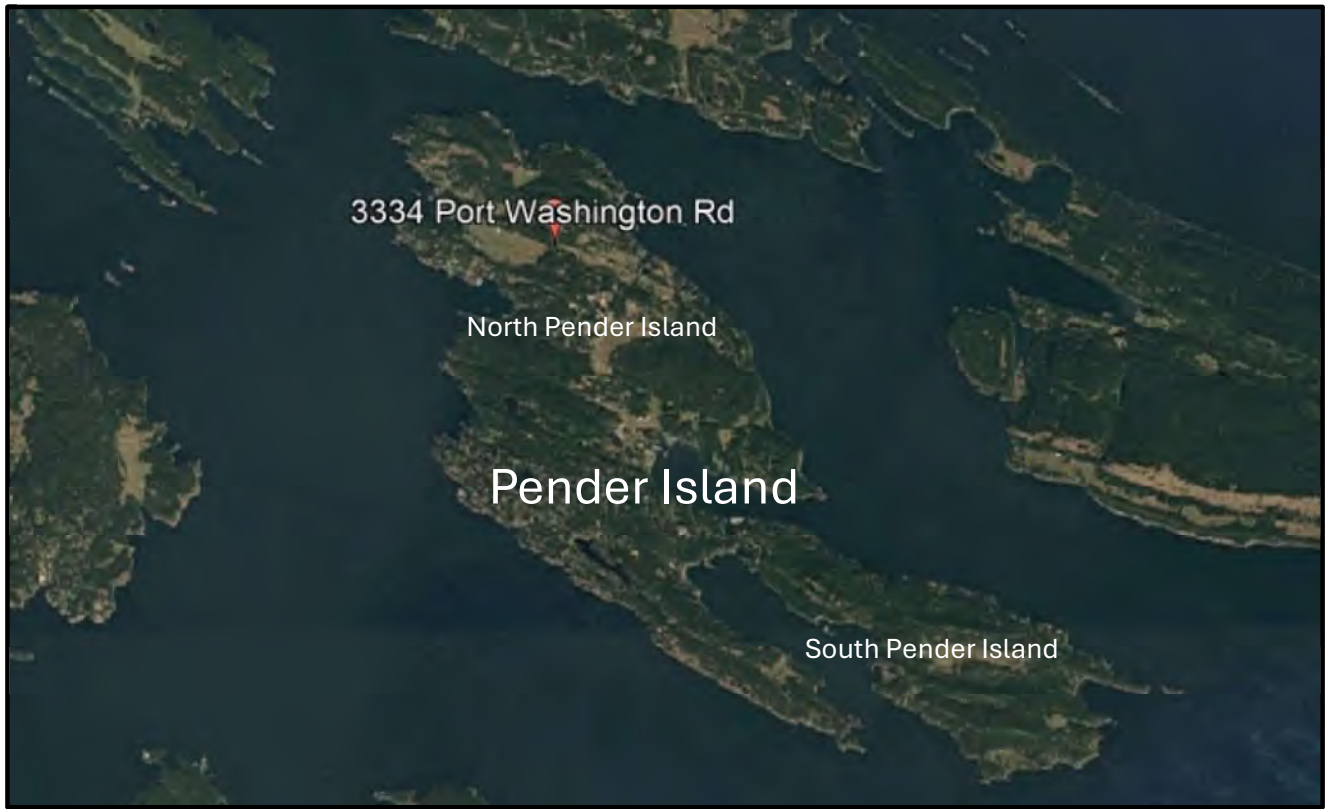


FIGURE 1a & 1b – SITE LOCATION MAPS



FIGURE 2
SITE PLAN (POLARIS LAND SURVEYING INC.)



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FIGURE 2 – SITE PLAN (3334 PORT WASHINGTON RD)

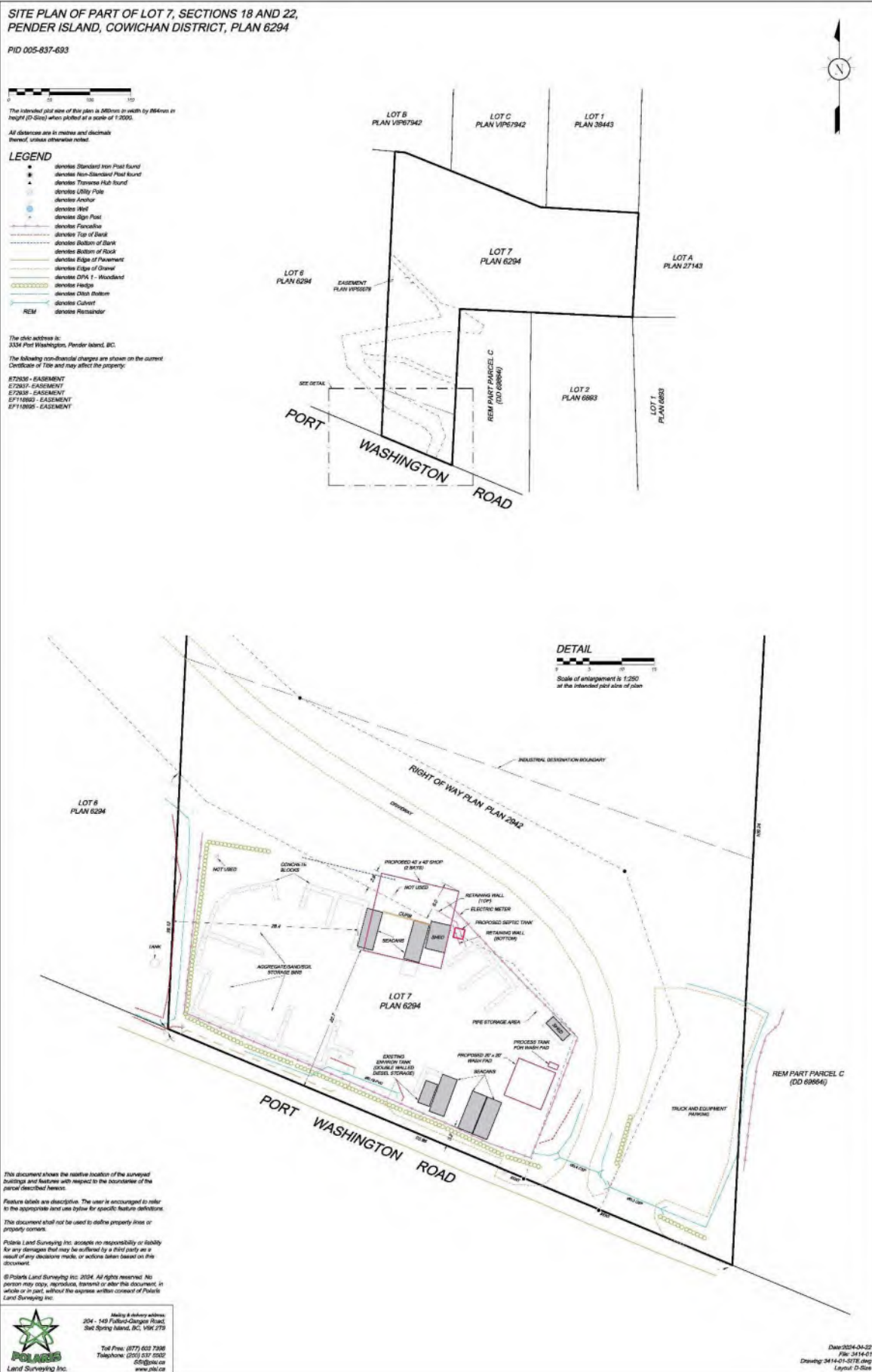


FIGURE 3
BIOPHYSICAL MAP



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FIGURE 3 – BIOPHYSICAL MAP (3334 PORT WASHINGTON ROAD)

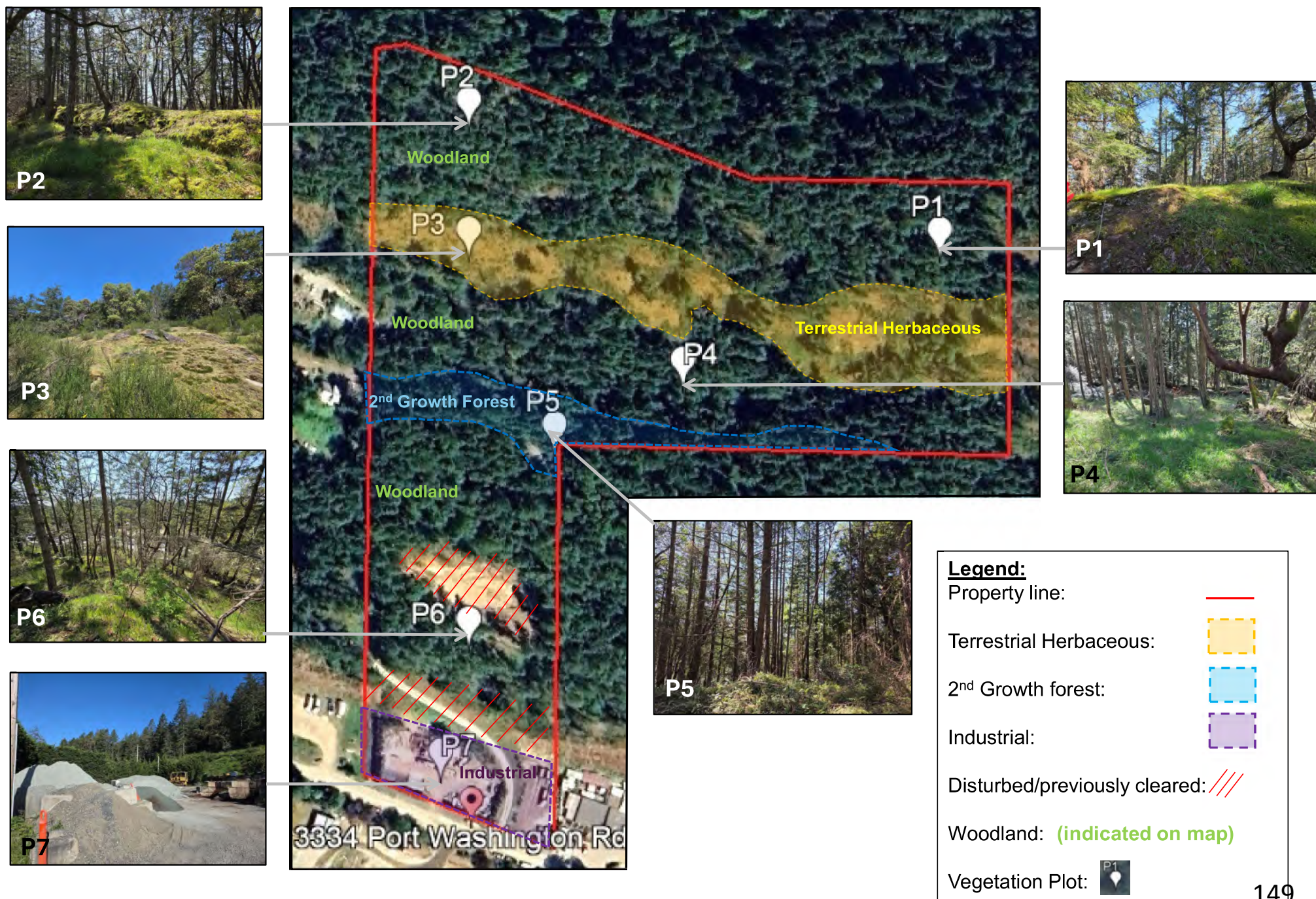


FIGURE 4
WILDLIFE TREE STEWARDSHIP MAP



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**FIGURE 4 – WILDLIFE TREE STEWARDSHIP MAP
(EAGLE NEST TREES)**



FIGURE 5
SENSITIVE ECOSYSTEM INVENTORY MAP



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FIGURE 5 – SENSITIVE ECOSYSTEMS INVENTORY (SEI)



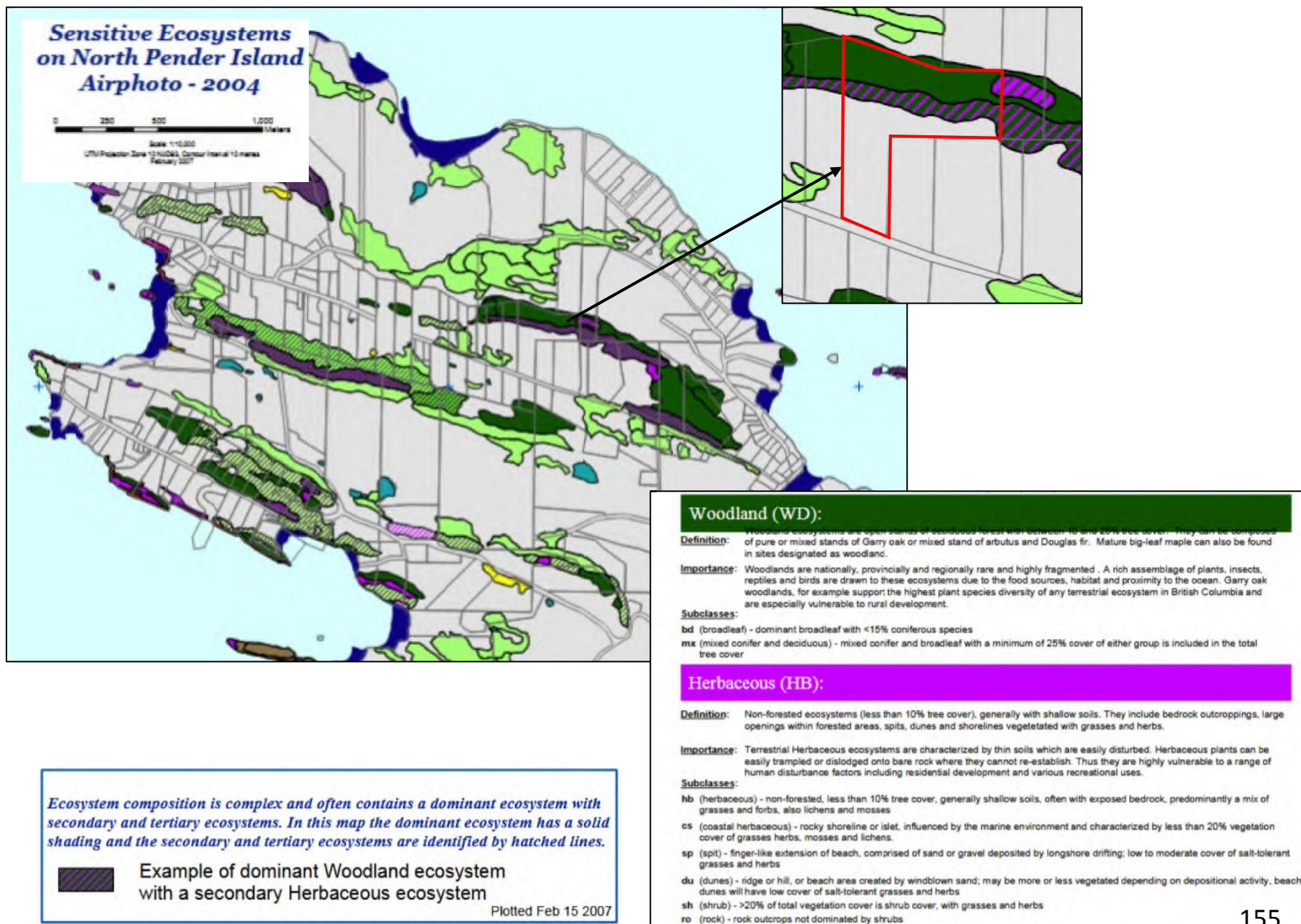
★ Subject Parcel

FIGURE 6
NORTH PENDER ISLAND SENSITIVE ECOSYSTEMS MAP



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FIGURE 6 – SENSITIVE ECOSYSTEMS OF NORTH PENDER MAP



APPENDIX A

SITE PHOTOGRAPHS



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APPENDIX A – SITE PHOTOGRAPHS



Photo 1: East side of industrial area used to store vehicles.



Photo 2: West side of industrial area used as Big Digem work yard. Photo shows piles of aggregates.



Photo 3: Soils are contained in lock block bins.



Photo 4: Showing two sea cans. New workshop planned to replace them.



Photo 5: Diesel storage in double walled container with full sized spill kit next to it.



Photo 6: Overlooking the west portion of the industrial area that comprises the Big Digem work yard. Photo facing southeast from slope behind work yard.



Photo 7: Looking northeast at slope behind work yard. The cleared slope is within the industrial designation.



Photo 8: Cleared slope has been overgrown with Himalayan blackberry and Scotch broom – invasive species.



Photo 9: Small cleared bench at top of driveway.



Photo 10: Above the cleared bench is a woodland slope.



Photo 11: Looking east across terrestrial herbaceous meadow in north portion of parcel.



Photo 12: Looking west across terrestrial herbaceous meadow in north portion of parcel.



Photo 13: Showing a thicket of invasive Scotch broom that has established in the terrestrial herbaceous meadow.



Photo 14: Woodland ridge along the north side of the parcel above the band of terrestrial herbaceous meadow.



Photo 15: The topography slopes steeply down beyond the north parcel boundary.

Photos 16-22: Photos of some of the species identified during the survey in woodland or terrestrial herbaceous habitat. In order: Pacific treefrog, fairy slipper, western saxifrage, wingstem monkeyflower, small-flowered woodland star, wholeleaf saxifrage, and giant blue-eyed Mary.





Photo 23: Clearing in south area above industrial portion looking east.



Photo 24: Clearing in south area above industrial portion looking north toward woodland habitat.



Photo 25: Dry second growth Douglas-fir forest habitat.

APPENDIX B

SITE ASSESSMENT VEGETATION PLOT DATA



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Appendix B
3334 Port Washington Drive, Pender Island BC
Summary of Vegetation Plots

Plot 1

Location: Northeast corner of parcel.

Coordinates: 48° 48' 34" N / 123° 17' 29" W

Description: Forested ridge peak, 30% canopy cover.

Environmentally Sensitive Area (ESA) Classification: Woodland.

Canopy species:			
Species	Scientific name	Proportion of canopy	Stem diameter range (diameter-at-breast-height (dbh))
Douglas-fir	<i>Pseudotsuga menziesii</i>	75%	18-50cm
Arbutus	<i>Arbutus menziesii</i>	25%	Up to 70cm
Understory species:			
Species		Scientific name	
Grasses & mosses (dominant)		Mixed spp.	
Red columbine		<i>Aquilegia canadensis</i>	
Fairy slipper		<i>Calypso bulbosa</i>	
Little western bittercress		<i>Cardamine oligosperma</i>	
Miner's lettuce		<i>Claytonia perfoliata</i>	
Fragile fern		<i>Cystopteris fragilis</i>	
Scotch broom (invasive)		<i>Cytisus scoparius</i>	
Sweet-scented bedstraw		<i>Galium triflorum</i>	
Dove's-foot crane's-bill		<i>Geranium molle</i>	
Rattlesnake plantain		<i>Goodyera oblongifolia</i>	
White hawkweed (invasive)		<i>Hieracium albiflorum</i>	
Nipplewort		<i>Lapsana communis</i>	
Small flowered woodland star		<i>Lithophragma parviflorum</i>	
Hairy honeysuckle		<i>Lonicera hispidula</i>	
Rose campion		<i>Lychnis coronaria</i>	
Dull Oregon-grape		<i>Mahonia nervosa</i>	
Wood forget-me-not		<i>Myosotis sylvatica</i>	
Frog's pelt		<i>Peltigera neopolydactyla</i>	
Goldback fern		<i>Pentagramma triangularis</i>	
Licorice fern		<i>Polypodium glycyrrhiza</i>	
Western buttercup		<i>Ranunculus occidentalis</i>	
Baldhip rose		<i>Rosa gymnocarpa</i>	
Pacific sanicle		<i>Sanicula crassicaulis</i>	
Common chickweed		<i>Stellaria media</i>	
Common dandelion (invasive)		<i>Taraxacum officinale</i>	
Rein orchid		Unidentified (not flowering)	

Plot 2

Location: Northwest corner of parcel

Coordinates: 48° 48' 36" N / 123° 17' 40" W

Description: Forested ridge peak, partial canopy opening, small meadow within forest

Environmentally Sensitive Area (ESA) Classification: Woodland / terrestrial herbaceous overlap

Canopy species:			
Species	Scientific name	Proportion of canopy	Avg stem diameter range (diameter-at-breast-height (dbh))
Douglas-fir	<i>Pseudotsuga menziesii</i>	78%	20-30cm
Arbutus	<i>Arbutus menziesii</i>	20%	30cm
Garry oak	<i>Quercus garryana</i>	2%	20-45cm
Understory species:			
Species	Scientific name		
Grasses	Mixed spp.		
Fairy slipper	<i>Calypso bulbosa</i>		
Miner's lettuce	<i>Claytonia perfoliata</i>		
Fragile fern	<i>Cystopteris fragilis</i>		
Sweet-scented bedstraw	<i>Galium triflorum</i>		
Alaska oniongrass	<i>Melics subulata</i>		
Juniper hair cap moss	<i>Polytrichum juniperinum</i>		
Rough goose neck moss	<i>Rhytidiadelphus triquetrus</i>		
Sheep sorrel	<i>Rumex acetosella</i>		
Pacific sanicle	<i>Sanicula crassicaulis</i>		
Rein orchid	Unidentified (not flowering)		

Plot 3

Location: West side of slope below ridge in northern portion of parcel

Coordinates: 48° 48' 34" N / 123° 17' 40" W

Description: Open terrestrial herbaceous meadow with thin soils over bedrock; 35% slope gradient; south-facing aspect; 5% exposed bedrock & 95% moss groundcover; dense patches of invasive Scotch broom (30-40% cover avg. up to >60%); many dead standing trees in canopy upslope of meadow.

Environmentally Sensitive Area (ESA) Classification: Terrestrial herbaceous

Terrestrial wildlife spotted: Pacific treefrog (*Pseudacris regilla*), northern alligator lizard (*Elgaria coerulea*)

Canopy species:			
Species	Scientific name	Proportion of canopy	Avg stem diameter range (diameter-at-breast-height (dbh))
Douglas-fir	<i>Pseudotsuga menziesii</i>	Edges only: 75%	20-30cm
Arbutus	<i>Arbutus menziesii</i>	Edges only: 25%	20-30cm
Understory species:			
Species	Scientific name		
Moss	Mixed spp.		
Sweet vernal grass	<i>Anthoxanthum odoratum</i>		
Giant blue-eyed Mary	<i>Collinsia grandiflora</i>		
Scotch broom (invasive)	<i>Cytisus scoparius</i>		
Wingstem monkeyflower	<i>Erythranthe alsinoides</i>		
Alaska oniongrass	<i>Melics subulata</i>		
Wholeleaf saxifrage	<i>Micranthes integrifolia</i>		
Western saxifrage	<i>Micranthes occidentalis</i>		

Sheep sorrel	<i>Rumex acetosella</i>
Wallace's spikemoss	<i>Selaginella wallacei</i>
Corn speedwell	<i>Veronica arvensis</i>

Plot 4

Location: Approx. centre of parcel

Coordinates: 48° 48' 32" N / 123° 17' 35" W

Description: Woodland band below terrestrial herbaceous meadow band

Environmentally Sensitive Area (ESA) Classification: Woodland

Canopy species:			
Species	Scientific name	Proportion of canopy	Stem diameter range (diameter-at-breast-height (dbh))
Douglas-fir	<i>Pseudotsuga menziesii</i>	85%	15-50cm
Arbutus	<i>Arbutus menziesii</i>	10%	20-50cm
Bigleaf maple	<i>Acer macrophyllum</i>	5%	20-30cm
Understory species:			
Species	Scientific name		
Red columbine	<i>Aquilegia canadensis</i>		
Yerba buena	<i>Clinopodium douglasii</i>		
Woodland strawberry	<i>Fragaria vesca</i>		
Rattlesnake plantain	<i>Goodyera oblongifolia</i>		
Nipplewort	<i>Lapsana communis</i>		
Purple peavine	<i>Lathyrus nevadensis</i>		
Western honeysuckle	<i>Lonicera ciliosa</i>		
Hairy honeysuckle	<i>Lonicera hispidula</i>		
Grasses & mosses	Mixed spp.		
Largeleaf sandwort	<i>Moehringia macrophylla</i>		
Sword fern	<i>Polystichum munitum</i>		
Baldhip rose	<i>Rosa gymnocarpa</i>		
Pacific sanicle	<i>Sanicula crassicaulis</i>		
Common chickweed (invasive)	<i>Stellaria media</i>		

Plot 5

Location: Inside elbow of property boundaries.

Coordinates: 48° 48' 31" N / 123° 17' 38" W

Description: Second growth dry Douglas-fir forest bisected by access road shared with 3330 Port Washington Rd; understory has 99% shrub cover.

Environmentally Sensitive Area (ESA) Classification: Second growth dry Douglas-fir forest

Canopy species:			
Species	Scientific name	Proportion of canopy	Stem diameter range (diameter-at-breast-height (dbh))
Douglas-fir	<i>Pseudotsuga menziesii</i>	90%	20-40cm
Arbutus	<i>Arbutus menziesii</i>	5%	20-25cm
Western redcedar	<i>Thuja plicata</i>	5%	20-25cm
Understory species:			
Species	Scientific name		
Dull Oregon-grape (89% cover)	<i>Mahonia nervosa</i>		
Salal (10% cover)	<i>Gaultheria shallon</i>		

Cleavers	<i>Galium aparine</i>
Western honeysuckle	<i>Lonicera ciliosa</i>
Moss	Mixed spp.
Bracken fern	<i>Pteridium aquilinum</i>
Trailing blackberry	<i>Rubus ursinus</i>
Pacific sanicle	<i>Sanicula crassicaulis</i>
Starflower	<i>Trientalis borealis</i>

Plot 6

Location: Upslope from work yard and downslope from a recently cleared, flat, forested area in the central south end of the property.

Coordinates: 48° 48' 28" N / 123° 17' 40" W

Description: Woodland band below terrestrial herbaceous meadow band along moderate to steep slope.

Environmentally Sensitive Area (ESA) Classification: Woodland

Canopy species:			
Species	Scientific name	Proportion of canopy	Stem diameter range (diameter-at-breast-height (dbh))
Douglas-fir	<i>Pseudotsuga menziesii</i>	60%	20-40cm
Arbutus	<i>Arbutus menziesii</i>	40%	20-30cm
Understory species:			
Species	Scientific name		
Canada thistle (invasive)	<i>Cirsium arvense</i>		
Scotch broom (invasive)	<i>Cytisus scoparius</i>		
Foxglove (invasive)	<i>Digitalis purpurea</i>		
Western honeysuckle	<i>Lonicera ciliosa</i>		
Grasses	Mixed spp.		
Himalayan blackberry (invasive)	<i>Rubus armeniacus</i>		
Black cap raspberry	<i>Rubus occidentalis</i>		
Common dandelion (invasive)	<i>Taraxacum officinale</i>		

Plot 7

Location: Southernmost end of parcel adjacent to Port Washington Road extending up a cleared slope to the extent of the industrial use apportion of the parcel.

Coordinates: 48° 48' 26" N / 123° 17' 41" W

Description: Work yard used for Big Digem industrial activity.

Environmentally Sensitive Area (ESA) Classification: Disturbed Areas

Understory species:	
Species	Scientific name
Scotch broom (invasive)	<i>Cytisus scoparius</i>
Grasses	Mixed spp.
Himalayan blackberry (invasive)	<i>Rubus armeniacus</i>
Ornamental cedar perimeter hedge	<i>Thuja</i> sp.

APPENDIX C

BC CDC SEARCH RESULTS
(IMAP, SPECIES/ECOSYSTEM SUMMARY REPORTS & ECOSYSTEM
EXPLORER RESULTS)

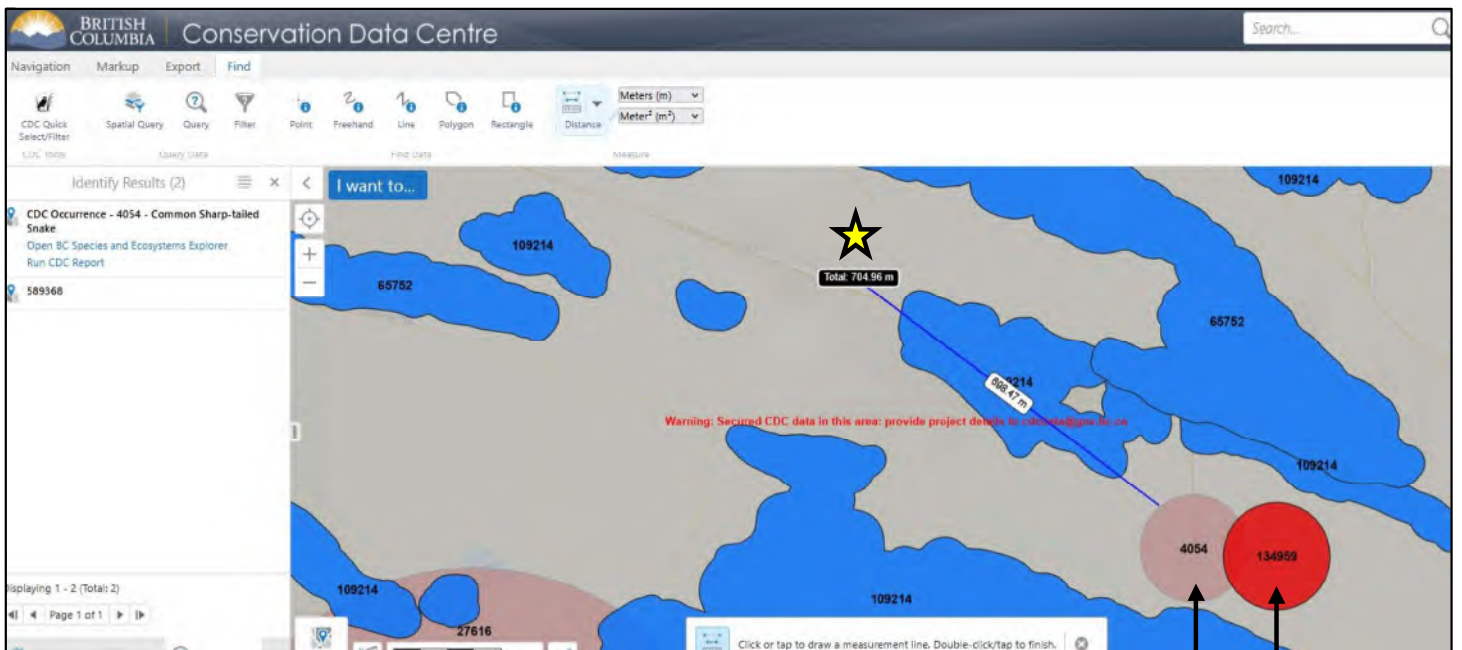


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BC CDC iMAP



Douglas-fir / Alaska Oniongrass ecological community



Western screech-owl,
kennicottii subsp.

Sharp-tailed snake

★ = Subject Parcel

Species Potential Ranking (Low/Moderate/ High)	Justification for Species Potential Ranking	Scientific Name	English Name	BC List	SARA Schedule	SARA Status	SARA Date	Habitats (Type / Subtype / Dependence)	Global Habitat Comments	Provincial Habitat Comments
High	habitat features present	<i>Cercyonis pegala incana</i>	Common Wood-nymph, <i>incana</i> subspecies	Red				Agriculture / Pasture/Old Field / Facultative - frequent use ; Forest / Conifer Forest - Dry / Facultative - frequent use ; Grassland/Shrub / Grassland / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Cliff / Facultative - occasional use		Habitat keywords copied from species record.
High	habitat features present	<i>Platanthera ephemerantha</i>	white-lip rein orchid	Blue				Forest / Conifer Forest - Dry / Facultative - frequent use ; Forest / Garry Oak Woodland / Facultative - frequent use	This species is found in chaparral, as well as conifer and mixed evergreen forests, occasionally on serpentine soils, within 150 kilometers of the coast, at elevations ranging from 0 to 1,500 meters (Ackerman and Morgan, 2020).	
High	habitat features present	<i>Sericocarpus rigidus</i>	white-top aster	Blue	1	Special Concern	Jun-03	Forest / Garry Oak Woodland / Facultative - frequent use ; Forest / Mixed Forest (deciduous/coniferous mix) / Facultative - frequent use ; Grassland/Shrub / Meadow / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Rock/Sparsely Vegetated Rock / Facultative - frequent use	<i>Sericocarpus rigidus</i> occurs in open grassland habitats in the Willamette-Puget Trough. A majority of the occurrences occur in gravelly, glacial outwash soils. However, in the southern and northern portions of its range, it occurs in the clayey and exposed bedrock habitats, respectively. The general requirement appears to be open, non-forested habitats that are seasonally mesic but somewhat moisture stressed during late summer. Trees such as <i>Quercus garryana</i> and <i>Arbutus menziesii</i> are often present, but do not form a closed overstory. Possible associates of the understory of shrubs are <i>Cytisus scoparius</i> , <i>Holodiscus discolor</i> , and <i>Symphoricarpos albus</i> . Dense thickets are not formed by these shrubs because soils are too shallow. The ground tends to be dominated by a mixture of introduced grasses including <i>Aira praecox</i> , <i>Dactylis glomerata</i> , <i>Poa</i> spp., <i>Cynosurus echinatus</i> , and <i>Anthoxanthum odoratum</i> (Douglas and Hingworth 1994).	In British Columbia, <i>Aster curtus</i> occupies level to sloping, seasonally xeric microsites with shallow soil over bedrock. Exposure is full sun to partial shade. Rock outcrops are frequently present. Habitat is open <i>Quercus garryana</i> - <i>Arbutus menziesii</i> - <i>Pseudotsuga menziesii</i> forest or woodland, or open shrub stands of <i>Cytisus scoparius</i> , <i>Holodiscus discolor</i> , <i>Mahonia aquifolium</i> , <i>Symphoricarpos albus</i> , <i>Lonicera hispidula</i> , <i>Arctostaphylos uva-ursi</i> , <i>Rosa gymnocarpa</i> , <i>Daphne laureola</i> , and <i>Pachistima myrsinites</i> . Native species in the herb layer include <i>Camassia leichtlinii</i> , <i>Elymus glaucus</i> , <i>Erythronium oregonum</i> , <i>Polystichum munitum</i> , <i>Triteleia hyacinthina</i> , <i>Danthonia californica</i> , <i>Sanicula crassicaulis</i> , <i>Fragaria virginiana</i> , <i>Carex inops</i> , <i>Melica subulata</i> , <i>Dodecatheon pulchellum</i> , <i>Zygadenus venenosus</i> , <i>Eriophyllum lanatum</i> , and <i>Luzula multiflora</i> . Exotic species often dominate the herb layer and include <i>Aira praecox</i> , <i>Dactylis glomerata</i> , <i>Poa pratensis</i> , <i>Cynosurus echinatus</i> , and <i>Anthoxanthum odoratum</i> , with <i>Anthoxanthum</i> typically the dominant in sites with <i>Aster curtus</i> . Soils vary from shallow dark brown brunisols to brownish-

Low	site lacks old growth features	<i>Accipiter atricapillus laingi</i>	American Goshawk, <i>laingi</i> subspecies	Red	1	Threatened	Jun-03	Agriculture / Cultivated Field / Facultative - occasional use ; Agriculture / Hedgerow / Facultative - occasional use ; Agriculture / Pasture/Old Field / Facultative - occasional use ; Alpine/Tundra / Krummholtz / Facultative - occasional use ; Forest / Conifer Forest - Dry / Facultative - occasional use ; Forest / Conifer Forest - Mesic (average) / Facultative - frequent use ; Forest / Conifer Forest - Moist/wet / Facultative - frequent use ; Forest / Mixed Forest (deciduous/coniferous mix) / Facultative - frequent use ; Grassland/Shrub / Meadow / Facultative - occasional use ; Other Unique Habitats / Estuary / Facultative - occasional use ; Riparian / Riparian Forest / Facultative - frequent use	Extensive forests with large stands of mature trees and dense canopies, but with an open understory. Large trees are important in providing nesting and perching platforms, in allowing ample flight space between the trunks for the goshawks to maneuver while hunting, and in providing for greater productivity of preferred prey. Closed forest canopy is believed to provide an optimal microclimate for nesting and also possibly may inhibit open-forest and forest-edge raptor predators (Crocker-Bedford 1992). BREEDING: Closely associated with mature and old-growth forests (Crocker-Bedford 1990, 1991, 1992; ADF&G 1996; McClaren 1999; Chytyk and Cooper 1999; Chytyk et al. 1999; Cooper and Chytyk 2000). On Vancouver Island, 62 per cent of 56 nests were in contiguous old-growth forests, 25 per cent in contiguous second-growth forests over 50 years old, and 13 per cent in fragmented old-growth forests (McClaren 1999). On the Queen Charlotte Islands, four active nests were found in contiguous old-growth forest, while a fifth was found in an old-growth forest bordered by mature forest that	Queen Charlotte Goshawks tend to nest in maturing-to-old mesic, coniferous stands (Manning et al. 2004). On Vancouver Island, these stands are typically dominated by Douglas-fir (<i>Pseudotsuga menziesii</i>) and western hemlock (<i>Tsuga heterophylla</i>) (McClaren 2003), while on the Queen Charlotte Islands, western hemlock is dominant (Chytyk and Dhanwant 1999b). In general, nest stands are characterized by: 1) >45 years old (structural stages 5-7); 2) multi-layered canopies; 3) structurally diverse; 4) canopy closure 50-85%; 5) in areas of larger sized trees; 6) on the lower 2/3 of slopes; 7) on slopes with gradients <40 degrees; 8) where snags and coarse woody debris are present; 9) typically not along "hard edges"; and 10) not near urban areas (Iverson et al. 1996; Daw et al. 1998; McClaren 2003; BC Minist. of Water, Land and Air Protection 2004; Manning et al. 2004).
Low	site lacks stonecrop (obligate host)	<i>Callophrys mossii mossii</i>	Moss' Elfín, <i>mossii</i> subspecies	Red				Forest / Deciduous/Broadleaf Forest / Facultative - frequent use ; Grassland/Shrub / Grassland / Facultative - frequent use ; Grassland/Shrub / Shrub - Natural / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Cliff / Obligate ; Rock/Sparsely Vegetated Rock / Rock/Sparsely Vegetated Rock / Obligate ; Rock/Sparsely Vegetated Rock / Talus / Obligate		Habitat keywords copied from species record.

Low	site lacks vernal pools and seeps	<i>Epilobium torreyi</i>	brook spike-primrose	Red	1	Endangered	Dec-07	Forest / Conifer Forest - Dry / Facultative - occasional use ; Forest / Garry Oak Woodland / Facultative - occasional use ; Other Unique Habitats / Garry Oak Vernal Pool / Facultative - frequent use		In BC, <i>Epilobium torreyi</i> occurs in vernal pools in moist grassland and open slopes associated with <i>Quercus garryana</i> ecosystems in the lowland Coastal Douglas-fir biogeoclimatic zone. Habitat is clay-rich sediments in pools that are flooded in winter and dry in summer. Associated native species include <i>Epilobium densiflorum</i> , <i>Lotus unifoliolatus</i> , <i>Madia</i> spp., and <i>Navarretia intertexta</i> . Fluctuations in hydroperiod suppress establishment of competing woody plants and herbs from uplands, maintaining open vegetation at both sites. There are no records of vegetation composition at the McTavish Road site, but prior to its extirpation the occurrence at Craigflower Meadow was dominated by a mix of native and exotic herbs along with a sparse cover of invasive species such as <i>Agrostis capillaris</i> , <i>Anthoxanthum odoratum</i> , <i>Cytisus scoparius</i> , <i>Crataegus monogyna</i> , <i>Hypochaeris radicata</i> , and <i>Rubus armeniacus</i> . Historically, the oak habitat surrounding the vernal pools was probably maintained by periodic fire (COSEWIC 2006d; Klinkenberg and Klinkenberg 2006).
Low	site lacks cliff faces, bluffs, fissures, slight seepages, but has some associated species	<i>Lomatium papilioniferum</i>	butterfly bearing lomatium	Red	1	Threatened	Feb-11	Forest / Conifer Forest - Dry / Facultative - occasional use ; Forest / Garry Oak Woodland / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Cliff / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Rock/Sparsely Vegetated Rock / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Talus / Facultative - frequent use		
Low	site lacks vernal seeps	<i>Meconella oregana</i>	white meconella	Red	1	Endangered	Aug-06	Forest / Deciduous/Broadleaf Forest / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Garry Oak Coastal Bluffs / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Rock/Sparsely Vegetated Rock / Facultative - frequent use	This is a species of open ground at low elevations, usually in places that are wet in the spring, including Coastal Prairie and Coastal Scrub. Associated species include Narcissus Shooting Star (<i>Dodecatheon poeticum</i>), Bulbiferous Fringecup (<i>Lithophragma bulbifera</i>), and Grass-widows (<i>Sisyrinchium douglasii</i>).	Note Palustrine: 'temporary pool' was selected for habitat in the list provided, since it was the only available choice, whereas 'seepage' is more appropriate. In British Columbia, <i>Meconella oregana</i> occurs mainly on open, south-facing slopes of rocky hillsides. Soils are extremely shallow, sometimes to the extent that they support fewer vascular plants than bryophytes. Sites occur on volcanic, metamorphic and sedimentary (conglomerate) bedrock types. Nearly all stands of <i>Meconella</i> were found on or adjacent to early-season seepage sites. However, plants were observed to do poorly without adequate drainage. Its habit of growing close to seepage sites may be related to survival strategy for exceptionally dry years. Sites were either fully exposed to the sun or, rarely, in dappled shade of <i>Quercus garryana</i> or deciduous shrubs. Based on 17 stands of <i>Meconella</i> , the ten most frequently associated vascular plants were <i>Aira praecox</i> , <i>Aphanes occidentalis</i> , <i>Saxifraga integrifolia</i> , <i>Triteleia hyacinthina</i> , <i>Bromus hordeaceus</i> , <i>Selaginella wallacei</i> , <i>Silene gallica</i> , <i>Brodiaea coronaria</i> , <i>Montia</i>

Low	site too dry and not a ravine	<i>Pristiloma johnsoni</i>	Broadwhorl Tightcoil	Blue				Forest / Conifer Forest - Dry / Unknown ; Forest / Conifer Forest - Mesic (average) / Unknown ; Forest / Conifer Forest - Moist/wet / Unknown ; Forest / Deciduous/Broadleaf Forest / Unknown ; Forest / Mixed Forest (deciduous/coniferous mix) / Unknown ; Rock/Sparsely Vegetated Rock / Talus / Unknown	This species is found in lower elevation coniferous forests with moist riparian ravines, valleys, or talus sites, and under fallen wood, ferns, bushes, and leaf litter (Foltz Jordan, 2010).	In leaf litter of deciduous, coniferous and mixed-wood forests to an elevation of over 1300 m in the subalpine (Cameron 1986, cited by Forsyth 2004; Branson and Branson 1984, cited by Forsyth 2004). It has also been reported from vegetated rockslide habitats (Forsyth 2004).
Low	steep slopes and lacks moisture	<i>Silene scouleri</i> ssp. <i>scouleri</i>	coastal Scouler's catchfly	Red	1	Endangered	Jan-05	Forest / Garry Oak Woodland / Unknown ; Grassland/Shrub / Garry Oak Maritime Meadow / Unknown ; Rock/Sparsely Vegetated Rock / Garry Oak Coastal Bluffs / Unknown	This subspecies is found on grassy, rocky slopes, coastal bluffs, dry prairies, and woodlands at elevations ranging from 0 to 3,800 meters (Morton, 2020).	<i>Silene scouleri</i> ssp. <i>grandis</i> is found in dry to mesic maritime meadows and mesic, open, deciduous woodlands in the sub-Mediterranean climate caused by the rain shadow of the Olympic and Vancouver Island mountains. Habitat occurs on nearly level to gentle slopes with various aspects. Meso-slope position is usually level but may include upper and middle slopes. Sites are well to rapidly drained, and are dry in summer and moist in winter. Habitat occurs on shallow soils to bedrock, or in locations with severe exposure to wind and/or salt spray. There may be no root restricting layer. Trees are generally not present. Shrubs, including <i>Rosa nutkana</i> or <i>Symphoricarpos albus</i> , are occasionally present. A mix of native and introduced plant species dominate the herbaceous layer.
Low	site lacks vernal pools and seeps	<i>Trifolium depauperatum</i> var. <i>depauperatum</i>	poverty clover	Blue				Grassland/Shrub / Grassland / Facultative - frequent use ; Grassland/Shrub / Meadow / Facultative - frequent use ; Other Unique Habitats / Garry Oak Vernal Pool / Facultative - frequent use ; Other Unique Habitats / Vernal Pools/Seasonal Seeps / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Rock/Sparsely Vegetated Rock / Facultative - frequent use		
High	south-facing site, rock piles for hide	<i>Contia tenuis</i>	Common Sharp-tailed Snake	Red	1	Endangered	Jun-03	Forest / Conifer Forest - Dry / Facultative - frequent use ; Grassland/Shrub / Meadow / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Garry Oak Coastal Bluffs / Unknown ; Rock/Sparsely Vegetated Rock / Rock/Sparsely Vegetated Rock / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Talus / Facultative - frequent use ; Subterranean / Caves / Obligate ; Subterranean / Sub-soil / Obligate	Habitat includes moist situations in pastures, meadows, oak woodlands, broken chaparral, and the edges of coniferous or hardwood forests (Stebbins 2003); also shrubby rabbitbrush-sagebrush (Weaver, 2004, Herpetol. Rev. 35:176). This snake generally is found under logs, rocks, fallen branches, or other cover. It retreats underground during dry periods.	There is no unifying description of Sharp-tailed Snake habitat. They seem to occur in a variety of habitats from relatively open Garry Oak meadows to relatively open Douglas-fir stands. Egg-laying sites are thought to be on protected south facing slopes. The size of the slope can vary from the base of a stump to larger talus slopes. It appears that the snakes are moving into the forest in the winter (Engelstoft and Ovaska 1999), but little else is known about their winter habitat.

High	habitat features present	<i>Corynorhinus townsendii</i>	Townsend's Big-eared Bat	Blue				Anthropogenic / Industrial / Facultative - frequent use ; Anthropogenic / Urban/Suburban / Facultative - frequent use ; Forest / Conifer Forest - Dry / Facultative - frequent use ; Forest / Conifer Forest - Mesic (average) / Facultative - frequent use ; Forest / Conifer Forest - Moist/wet / Facultative - frequent use ; Forest / Deciduous/Broadleaf Forest / Facultative - frequent use ; Forest / Mixed Forest (deciduous/coniferous mix) / Facultative - frequent use ; Grassland/Shrub / Grassland / Facultative - occasional use ; Grassland/Shrub / Shrub - Logged / Facultative - occasional use ; Grassland/Shrub / Shrub - Natural / Facultative - occasional use ; Riparian / Riparian Forest / Facultative - occasional use ; Subterranean / Caves / Obligate	Throughout much of the known range, these bats commonly occur in mesic habitats characterized by coniferous and deciduous forests (Kunz and Martin 1982), but they occupy a broad range of habitats (e.g., see Handley 1959). Generally they are uncommon in prairies and extreme desert, although they occur in the lower elevations of the arid plateau and desert ranges of northcentral Mexico and the arid valleys south of the transverse volcanic belt. They are known in Mexico mostly from relatively arid regions (e.g., grassy hills with nearby pine-oak woodland) but also from more humid localities with oak, pine, juniper, cypress, madrone, and manzanita (Handley 1959). Ozark and Appalachian populations inhabit caves mostly in oak-hickory forest (Handley 1959). On the West Coast, Townsend's big-eared bats are found regularly in forested regions and buildings, and in areas with a mosaic of woodland, grassland, and/or shrubland. In California and Washington, they are known from limestone caves, lava tubes, and human-made structures in coastal lowlands,	
High	habitat features present	<i>Eurybia radulina</i>	rough-leaved aster	Red				Forest / Conifer Forest - Dry / Facultative - frequent use ; Forest / Garry Oak Woodland / Facultative - occasional use ; Rock/Sparsely Vegetated Rock / Rock/Sparsely Vegetated Rock / Facultative - frequent use	Roughleaf Aster (<i>Eurybia radulina</i>) occurs in "dry rock outcrops, edges of forests, open forests, mostly on slopes, foothill oak woodlands, oak, oak-fir, yellow pine forests" (Flora of North America Editorial Committee 2006).	
High	habitat features present	<i>Plagiobothrys tenellus</i>	slender popcornflower	Red	1	Threatened	Feb-11	Forest / Conifer Forest - Dry / Facultative - occasional use ; Forest / Garry Oak Woodland / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Garry Oak Coastal Bluffs / Facultative - frequent use		Across its North American range, <i>Plagiobothrys tenellus</i> is found on dry slopes in grassland, scrub, woodland, or forest. British Columbia populations are found in, or near, Garry oak and associated ecosystems in the dry Coastal Douglas-fir zone of southeastern Vancouver Island and adjacent Gulf Islands. Here it is found on dry, grassy slopes and coastal bluffs. Sites are generally steep, south- or southwest-facing, open and often with exposed gravelly soils or rocks (COSEWIC 2008). Associated species include <i>Cerastium arvense</i> , <i>Lotus micranthus</i> , <i>Poa secunda</i> , <i>Stipa lemmonii</i> , <i>Trifolium microcephalum</i> , <i>T. oliganthum</i> , <i>T. microdon</i> , <i>Thysanocarpus curvipes</i> , <i>Aphanes occidentalis</i> , and <i>Vulpia microstachys</i> . Associated non-native species include <i>Aira caryophyllea</i> , <i>A. praecox</i> , <i>Athysanus pusillus</i> , <i>Bromus sterilis</i> , <i>B. rigidus</i> , <i>Silene gallica</i> , <i>Torilis japonica</i> , <i>Veronica arvensis</i> , <i>Cynosurus echinatus</i> , <i>Vulpia bromoides</i> , <i>Erodium cicutarium</i> , and <i>Hypochaeris radicata</i> .

Low	no vernal seeps/pools	<i>Allium amplexans</i>	stimleaf onion	Blue				Forest / Garry Oak Woodland / Facultative - frequent use ; Grassland/Shrub / Meadow / Facultative - frequent use ; Other Unique Habitats / Vernal Pools/Seasonal Seeps / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Garry Oak Coastal Bluffs / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Rock/Sparsely Vegetated Rock / Facultative - frequent use		
Low	site lacks limestone, old forest, cedar trees and shell middens	<i>Cephalanthera austini</i>	phantom orchid	Red	1	Endangered	Feb-19	Forest / Conifer Forest - Mesic (average) / Facultative - frequent use ; Forest / Mixed Forest (deciduous/coniferous mix) / Facultative - frequent use ; Forest / Old Forest / Facultative - frequent use	Dense moist coniferous forests especially in the mountains.	In our region in BC, <i>Cephalanthera austini</i> occurs naturally in mature mixed woods, or woods with strong deciduous or coniferous components. In most locations, although not all, the orchids occur in sites with little to no ground cover. Occurrence also appears to be strongly correlated with limestone (Klinkenberg 2005). Residual populations persist in areas of human habitation, presumably in areas where no serious disturbance to the ground surface has occurred.
Low	site lacks bluffs	<i>Falco peregrinus anatum</i>	Peregrine Falcon, <i>anatum</i> subspecies	Red				Agriculture / Cultivated Field / Facultative - frequent use ; Agriculture / Hedgerow / Facultative - frequent use ; Agriculture / Pasture/Old Field / Facultative - frequent use ; Anthropogenic / Urban/Suburban / Facultative - occasional use ; Grassland/Shrub / Antelope-brush Steppe / Facultative - frequent use ; Grassland/Shrub / Grassland / Facultative - frequent use ; Grassland/Shrub / Meadow / Facultative - frequent use ; Grassland/Shrub / Sagebrush Steppe / Facultative - frequent use ; Grassland/Shrub / Shrub - Natural / Facultative - occasional use ; Lakes / Lake / Facultative - frequent use ; Lakes / Pond/Open Water / Facultative - frequent use ; Other Unique Habitats / Alkali Ponds/Salt Flats / Facultative - occasional use ; Other Unique Habitats / Beach / Facultative - occasional use ; Riparian / Gravel Bar / Facultative - occasional use ; Riparian / Riparian Herbaceous / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Cliff / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Rock/Sparsely Vegetated Rock / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Talus /	See files for FALCO PEREGRINUS.	Anatum Peregrine Falcons typically nest on rock cliffs above lakes or river valleys where abundant prey is nearby. Interior populations are typically associated with wetland habitats that support a sufficient prey base. In the Okanagan valley, aeries have been reported as low as 6 m above a lake and high on cliffs that towered >260 m above the valley floor (Cannings et al. 1987). In the Lower Mainland, nests are on rock cliffs well back but above the Fraser River. In the Gulf Islands, nests are found on seaside cliffs (Cooper and Beauchesne 2003b).

Low	site lacks bluffs	<i>Falco peregrinus pealei</i>	Peregrine Falcon, <i>pealei</i> subspecies	Blue	1	Special Concern	Jun-03	Agriculture / Cultivated Field / Facultative - occasional use ; Agriculture / Hedgerow / Facultative - occasional use ; Agriculture / Pasture/Old Field / Facultative - occasional use ; Anthropogenic / Urban/Suburban / Facultative - occasional use ; Grassland/Shrub / Meadow / Unknown ; Lakes / Lake / Facultative - occasional use ; Lakes / Pond/Open Water / Facultative - occasional use ; Ocean / Intertidal Marine / Facultative - frequent use ; Ocean / Marine Island / Facultative - frequent use ; Ocean / Sheltered Waters - Marine / Unknown ; Other Unique Habitats / Beach / Unknown ; Other Unique Habitats / Estuary / Unknown ; Other Unique Habitats / Mudflats - Intertidal / Facultative - frequent use ; Riparian / Gravel Bar / Unknown ; Riparian / Riparian Herbaceous / Unknown ; Rock/Sparsely Vegetated Rock / Cliff / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Rock/Sparsely Vegetated Rock / Unknown ; Stream/River / Stream/River / Facultative - occasional use ; Wetland / Marsh / Facultative - occasional use	Coastal beaches, tidal flats, reefs, islands, marshes, estuaries and lagoons. Nests mostly found on ledges of vertical rocky cliffs in the vicinity of seabird colonies; some nests on grassy benches of rocky bluffs. Heights of nests range from 12 to 366 meters. Many nests sheltered by overhanging grass, sods, rocks, tree roots, salal or mosses (Beebe 1960, Campbell et al. 1990, Nelson 1990).	Peale's Peregrine Falcon typically nests on ledges of rocky island cliffs, usually near seabird colonies. Occasionally, nests occur on mainland headland cliffs. A few nests occurred on grassy ledges on rock bluffs. More rarely, old nests of Pelagic Cormorants (<i>Phalacrocorax pelagicus</i>), Bald Eagles and Common Ravens have been used (Campbell et al. 1990).
Low	site lacks moisture	<i>Marah oregana</i>	coast manroot	Red				Agriculture / Hedgerow / Facultative - occasional use ; Agriculture / Pasture/Old Field / Facultative - frequent use ; Forest / Garry Oak Woodland / Facultative - frequent use ; Grassland/Shrub / Meadow / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Rock/Sparsely Vegetated Rock / Facultative - frequent use		
Low	site lacks several of the habitat features	<i>Nuttallanthus texanus</i>	Texas toadflax	Blue				Other Unique Habitats / Sand Dune / Facultative - occasional use ; Other Unique Habitats / Vernal Pools/Seasonal Seeps / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Cliff / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Garry Oak Coastal Bluffs / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Rock/Sparsely Vegetated Rock / Facultative - frequent use		On steep rock with seepage, rocky ledges, coastal bluffs, grassy slopes.
Low	site may be too dry	<i>Ranunculus californicus</i>	California buttercup	Red	1	Endangered	Feb-11	Grassland/Shrub / Garry Oak Maritime Meadow / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Garry Oak Coastal Bluffs / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Rock/Sparsely Vegetated Rock / Facultative - frequent use		In British Columbia, <i>Ranunculus californicus</i> is associated with Garry oak ecosystems, and it has been described as an indicator species for coastal prairies, which typically occur on islands and adjacent coastlines along the Pacific coast from California northwards (Denton 1978; Klinkenberg and Klinkenberg 2002). Typical habit is "open, south- to southwest-facing grassy bluffs or rocky slopes just above the seacoast at elevations up to 150 feet" (Klinkenberg and Klinkenberg 2002).

Low	site lacks vernal pools and seeps	<i>Tonella tenella</i>	small-flowered tonella	Blue	1	Endangered	Jul-05	Forest / Conifer Forest - Dry / Facultative - frequent use ; Forest / Garry Oak Woodland / Facultative - frequent use ; Other Unique Habitats / Vernal Pools/Seasonal Seeps / Obligate ; Rock/Sparsely Vegetated Rock / Rock/Sparsely Vegetated Rock / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Talus / Facultative - frequent use		<i>Tonella tenella</i> occurs on west-facing slopes on thin soils over gravelly rock outcrops or stable talus. At the single known locality on Saltspring Island, it occurs in a narrow band extending up the mountainside for approximately 425 m (Douglas and Penny 2003). The talus slope occurs in open <i>Acer macrophyllum</i> - <i>Arbutus menziesii</i> - <i>Quercus garryana</i> forest in the dry coastal Douglas-fir zone. Associated species include <i>Galium aparine</i> , <i>Cardamine oligosperma</i> , <i>Claytonia perfoliata</i> , <i>Bromus sterilis</i> , <i>Collinsia grandiflora</i> , <i>Melica harfordii</i> , and <i>Torilis japonica</i> . Conspicuous mosses include <i>Eurhynchium oregonum</i> and <i>Dicranum</i> species.
Low	site lacks shale slopes	<i>Trifolium dichotomum</i>	branched clover	Red				Grassland/Shrub / Meadow / Facultative - occasional use ; Rock/Sparsely Vegetated Rock / Cliff / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Garry Oak Coastal Bluffs / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Rock/Sparsely Vegetated Rock / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Talus / Facultative - frequent use	Dry rocky or sandy slopes and fields, coastal prairie, mixed evergreen forest below 3500 feet (Munz 1959).	
Low	site lacks vernal pools and seeps	<i>Triphysaria versicolor</i> ssp. <i>versicolor</i>	bearded owl-clover	Red	1	Endangered	Jun-03	Grassland/Shrub / Meadow / Facultative - frequent use ; Other Unique Habitats / Garry Oak Vernal Pool / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Rock/Sparsely Vegetated Rock / Facultative - frequent use		<i>Triphysaria versicolor</i> ssp. <i>versicolor</i> is found in wet meadows and vernal pool margins within 30 m of the shoreline in the sub-Mediterranean climate caused by the rain shadow of the Olympic and Vancouver Island mountains. Habitat occurs on nearly level sites with a range of aspects (most sites have a southern aspect but a few have eastern or northeastern aspects). Meso-slope position is a depression. Sites are imperfectly to poorly drained and remain wet through the winter months but dry up by mid summer. Habitat occurs on shallow soils to bedrock. Trees are absent. Shrubs, including <i>Cytisus scoparius</i> or <i>Ulex europaeus</i> , are occasionally present at the edges of habitat. A mix of native and introduced plant species dominate the herbaceous layer (M. Fairbairns, pers. comm. 2005).

Low	site lacks vernal pools or seeps	<i>Zeltnera muehlenbergii</i>	Muhlenberg's centaury	Red	1	Endangered	Feb-10	Forest / Garry Oak Woodland / Facultative - frequent use ; Grassland/Shrub / Garry Oak Maritime Meadow / Facultative - frequent use ; Grassland/Shrub / Meadow / Facultative - frequent use ; Other Unique Habitats / Vernal Pools/Seasonal Seeps / Facultative - frequent use	Moist, open forest;	<i>Centaurium muhlenbergii</i> is currently found in two distinct habitat types in B.C.: a vernal pool within a large meadow in a Garry oak woodland, and along the margins of a tidal saltgrass marsh (Miller and Miles 2003; B.C. CDC Element Occurrence Data 2005). Both habitat types are characterized by a sub-Mediterranean-like climate with dry, warm summers and mild, wet winters, and in which most precipitation falls during the winter months. Both habitat types also experience seasonal flooding by rainwater or by the ocean. Vernal pools and depressions in B.C. typically form on relatively level sites underlain by bedrock or by an impervious hardpan soil layer, and they experience winter and spring inundations followed by complete drying in late spring (Miller 2003). Salt marshes are the upper vegetated portions of intertidal mudflats, often in sheltered locations, which undergo varying frequency of inundation. <i>C. muhlenbergii</i> occurs in a drier part of a saltmarsh, which likely only occasionally experiences tidal inundation. The species occurs in patches of open, bare, moist soil within the habitat types. The habitats of <i>C. muhlenbergii</i> occur
Low	not old growth	<i>Brachyramphus marmoratus</i>	Marbled Murrelet	Blue	1	Threatened	Jun-03	Forest / Conifer Forest - Mesic (average) / Facultative - occasional use ; Forest / Conifer Forest - Moist/wet / Facultative - frequent use ; Lakes / Lake / Facultative - occasional use ; Ocean / Kelp Bed / Facultative - frequent use ; Ocean / Sheltered Waters - Marine / Facultative - frequent use ; Ocean / Subtidal Marine / Facultative - frequent use ; Riparian / Riparian Forest / Facultative - frequent use ; Rock/Sparsely Vegetated Rock / Rock/Sparsely Vegetated Rock / Facultative - occasional use ; Stream/River / Stream/River / Facultative - occasional use	Coastal areas, mainly in salt water within 2 km of shore (Marshall 1988), including bays and sounds; not uncommon up to 5 km offshore; occasionally also on rivers and lakes usually within 20 km of ocean (but up to 75 km), especially during breeding season (Carter and Sealy 1986). In Alaska, marine habitats mostly are offshore of large tracts of old-growth coastal coniferous forest, especially Sitka spruce and hemlock (Piatt and Ford 1993). In central California, visited old-growth forest nesting areas (8-9 km from ocean) year-round; fall and winter visitation of nesting areas occurs regularly in other areas of North America as well; perhaps attendance in nonbreeding season is important in maintenance of pair bonds and nest sites (Naslund 1993). Nests often are in mature/old growth coniferous forest near the coast: on large mossy horizontal branch, mistletoe infection, witches broom, or other structure providing a platform high in mature conifer (e.g., Douglas-fir, mountain hemlock). Most nesting occurs in large stands of old growth. Nest sites generally have good	



BC Conservation Data Centre: Species Occurrence Report

Shape ID: 134959

Scientific Name: *Megascops kennicottii kennicottii*
English Name: Western Screech-Owl, *kennicottii* subspecies

Identifiers

Occurrence ID: 16897
Shape ID: 134959
Taxonomic Class: birds
Element Group: Vertebrate Animal

Status

Provincial Rank: S2S3
BC List: Blue
Global Rank: G4G5T4
COSEWIC: T (MAY 2012)
SARA Schedule: 1

Locators

Survey Site: PENDER ISLAND
Directions: North Pender Island, South Pender Island and Greenburn Park.
Biogeoclimatic Zone:
Ecosection: SGI;SOG

Area Description

General Description:

Vegetation Zone:

Min. Elevation (m): **Max. Elevation (m):**

Habitat: TERRESTRIAL: Cropland/Hedgerow, Roadside, Forest Mixed

Occurrence Information

First Observation Date: 2002-02-22

Last Observation Date: 2021-03-12

Occurrence Data:

A nesting pair of Western Screech-owls, including their nest in an arbutus tree, were detected in 2021 (J. Hobbs, pers. comm. 2021). In 2007, a Western Screech-owl was heard during the Great Backyard Bird Count (via Hobbs 2017b) and another in 2002 as part of the Nocturnal Owl Survey (via Hobbs 2017b).

Occurrence Rank and Occurrence Rank Factors

Rank: E : Verified extant (viability not assessed)

Rank Date: 2021-03-12

Rank Comments:

Few data to provide a rank. Seemingly persistent over time, though uncertain if there are years in which the species is not present.

Condition of Occurrence:

Size of Occurrence:

Landscape Context:

Version

Version Date: 2021-03-14

Version Author: Davis, H.

Mapping Information

Estimated Representation Accuracy: Medium

Estimated Representation Accuracy Comments:

Confident that full extent is represented by Occurrence: N

Confidence Extent Definition: Confident full extent of EO is NOT known

Additional Inventory Needed: Y

Inventory Comments: First detection of breeding was in 2021.

Documentation

References:

Hobbs, J. 2017b. Electronic databases of Western Screech-owl (*kennicottii*) detections in British Columbia.

Hobbs, J. Personal communication.

Specimen:

Suggested Citation:

B.C. Conservation Data Centre. 2014. Occurrence Report Summary, Shape ID: 134959, Western Screech-Owl, *kennicottii* subspecies. B.C. Ministry of Environment. Available: <http://maps.gov.bc.ca/ess/hm/cdc>, (accessed May 26, 2025).



BC Conservation Data Centre: Species Occurrence Report

Shape ID: 4054

Scientific Name: Contia tenuis
English Name: Common Sharp-tailed Snake

Identifiers

Occurrence ID: 3120
Shape ID: 4054
Taxonomic Class: reptiles
Element Group: Vertebrate Animal

Status

Provincial Rank: S1S2
BC List: Red
Global Rank: G5
COSEWIC: E/T (DEC 2021)
SARA Schedule: 1

Locators

Survey Site: NORTH PENDER ISLAND
Directions: "North Pender Island": On Corbet Road, about halfway between Hope Bay and Port Washington and "Port Washington": end of Upper Terrace Road, very north tip of North Pender Island.
Biogeoclimatic Zone:
Ecosection: SGI;SOG

Area Description

General Description:

Areas at the base of dry, south-facing, rocky slopes characterized by open stands of Douglas-fir, arbutus and Garry oak.

Vegetation Zone:

Min. Elevation (m): 12
Max. Elevation (m):
Habitat: TERRESTRIAL: Suburban/Orchard, Woodland Mixed

Occurrence Information

First Observation Date: 1949-07-05

Last Observation Date: 1951-05-15

Occurrence Data:

Five historical observations of Sharp-tailed Snakes reported from Port Washington (Spalding 1991; Species Inventory Database 2012).

Occurrence Rank and Occurrence Rank Factors

Rank: H : Historical

Rank Date: 1951-05-15

Rank Comments:

Condition of Occurrence:

Size of Occurrence:

5 historical sightings of Sharp-tailed Snakes from 1949-1951 (Spalding 1991; Species Inventory Database 2012).

Landscape Context:

Version

Version Date: 2012-09-24

Version Author: Davis, H.

Mapping Information

Estimated Representation Accuracy: Low

Estimated Representation Accuracy Comments:

Confident that full extent is represented by Occurrence: N

Confidence Extent Definition: Confident full extent of EO is NOT known

Additional Inventory Needed: Y

Inventory Comments:

Documentation

References:

Brown, G. Personal communication. Volunteer warden for Chilliwack River ER (#98).

Royal British Columbia Museum. 675 Belleville Street, Victoria, BC. V8V 1X4.

SPI database - incidental sightings. Extract from Ministry of Environment's Species Inventory database, Incidental Sightings table. Project 0. Ecosystems Information Section, Victoria, BC. Available from <http://a100.gov.bc.ca/pub/siwe/details.do?id=0>

Spalding, D.J. 1991. The sharptail snake (*Contia tenuis*) in British Columbia: a status report. Unpubl. rep. submitted to B.C. Environ., Wildl. Branch, Victoria.

Spalding, D.J. 1993. Status of the Sharp-tailed Snake in British Columbia. B.C. Minist. Environ., Lands and Parks, Wildl. Branch. Working Rep. WR-57. 15pp.

Specimen: Brooks, M. 1949. PMV.; Brooks, M. 1950. PMV.; McGusty, B.J. 1949. PMV.

Suggested Citation:

B.C. Conservation Data Centre. 2014. Occurrence Report Summary, Shape ID: 4054, Common Sharp-tailed Snake. B.C. Ministry of Environment. Available: <http://maps.gov.bc.ca/ess/hm/cdc>, (accessed May 26, 2025).



BC Conservation Data Centre: Ecological Community Summary

Pseudotsuga menziesii / *Melica subulata* Douglas-fir / Alaska oniongrass

Scientific Name:	<i>Pseudotsuga menziesii</i> / <i>Melica subulata</i>
English Name:	Douglas-fir / Alaska oniongrass
Scientific Name - Concept Reference:	Meidinger, D. 1992. Vegetation classification hierarchy: DBASE September 1992. B.C. Minist. For. Res. Branch, Victoria.
Ecosystem Group:	Terrestrial Realm - Forest: Coniferous - dry

Conservation Status / Legal Designation

Global Status:	G1
Provincial Status:	S1 (Feb 2018)
BC List:	Red
Provincial FRPA list:	Y (Jun 2006)
Notable Species:	

Ecology & Dynamics

Environmental Summary:	This ecological community occurs on dry sites, from 0 to 150 m elevation, which typically have a southerly aspect. These sites are rapidly- to well-drained and are often composed of inactive colluvial and sometimes morainal parent materials. They occur on middle to upper slopes on all aspects. Slopes are gentle to steep, and are often adjacent to rock outcrops. The soils are classified as Sombric or Dystric Brunisols and are often shallow to bedrock (<1 metre), mostly with a sandy loam texture with moderate coarse fragment content. The soil nutrient regime is rich to very rich and the soil moisture is rated as very dry (Roemer 1972, Flynn and Cadrin 2004, Reid and Cadrin 2012, NatureServe 2005).
Vegetation Summary:	This mixed coniferous and deciduous ecosystem occurs on southeastern Vancouver Island and the southern Gulf Islands. It is characterized by a moderately open canopy of <i>Pseudotsuga menziesii</i> (Douglasfir) with some interspersed <i>Quercus garryana</i> (Garry oak), especially in canopy gaps. <i>Arbutus menziesii</i> (Arbutus) is occasionally present, but other conifer species are absent. The shrub layer is sparse to absent, and consists of <i>Lonicera hispidula</i> (hairy honeysuckle), <i>Symphoricarpos albus</i> (common snowberry) and <i>Mahonia aquifolium</i> (tall Oregon-grape). Other shrubs that are occasionally present may include <i>Amelanchier alnifolia</i> (Saskatoon), <i>Gaultheria shallon</i> (salal), <i>Holodiscus discolor</i> (oceanspray) and <i>Rosa gymnocarpa</i> (baldhip rose). The diverse and well-developed herb layer is often dominated by <i>Melica subulata</i> (Alaska oniongrass) and may also include <i>Carex inops</i> (long-stoloned sedge) and <i>Sanicula crassicaulis</i> (Pacific sanicle) and usually with <i>Satureja douglasii</i> (yerba buena). Other herbs usually present in small amounts include <i>Elymus glaucus</i> (blue wildrye), <i>Festuca occidentalis</i> (western fescue), <i>Moehringia macrophylla</i> (big-leaved sandwort), <i>Dodecatheon hendersonii</i> (broad-leaved shootingstar) and <i>Galium aparine</i> (cleavers). The moss layer is characterized by <i>Rhytidiadelphus triquetrus</i> (electrified cats-tail moss) with a minor component of <i>Eurhynchium oreganum</i> (Oregon beaked moss) (Roemer 1972, Green and Klinka 1994, Reid and Cadrin 2012, NatureServe 2005).
Dynamic Processes Summary:	This is a late-successional (mature and climax) climatic forest ecosystem. The natural disturbance regime is described as infrequent stand-initiating events, through medium to high-intensity crown fires every 150 to 200 years and covering 5 to 50 ha (Biodiversity Guidebook 1995). Occasionally windthrow was the stand-initiating event, with regeneration occurring in the resulting canopy gaps. Stand-maintaining surface fires helped maintain an open forest canopy by killing understory regeneration. Death of individual or small groups of trees may be caused by root rot, drought, defoliating insects and windthrow. Succession rates are very slow, and it takes a long time to develop large, old trees, snags and coarse woody debris (Pojar 2004, NatureServe 2005).
Spatial Pattern:	Small patch

Distribution

Endemic:	Y
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Authors / Contributors

Author:	de Groot, A., Cadrin, C.M., H.K. Yearsley, I. Ronalds and D.S. McLennan
Last updated:	Feb 22, 2012

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Please visit the website [Conservation Status Ranks](#) for definitions of the data fields used in this summary report.

Suggested Citation:

B.C. Conservation Data Centre. 2012. Ecological Community Summary: *Pseudotsuga menziesii* / *Melica subulata*. B.C. Minist. of Environment. Available: <https://a100.gov.bc.ca/pub/eswp/> (accessed Feb 4, 2025).

APPENDIX D

INVASIVE SPECIES COUNCIL OF BC FACT SHEETS SCOTCH BROOM & HIMALAYAN BLACKBERRY

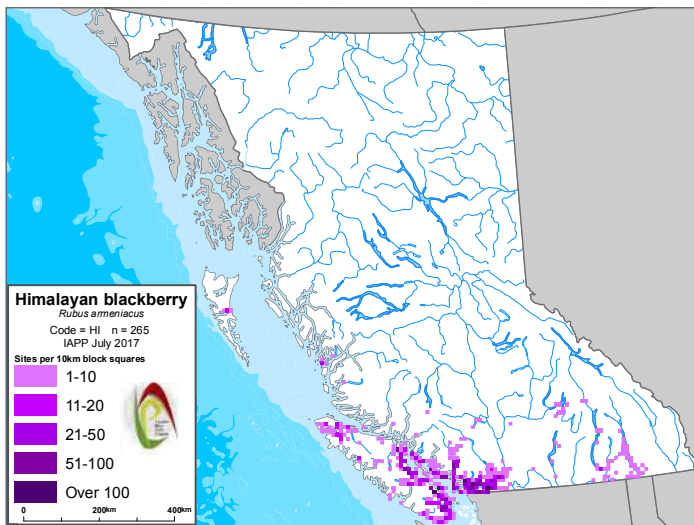


203- 321 Wallace Street, Nanaimo, BC V9R 5B6
SARAH BONAR 250-714-8446 CHRIS ZAMORA 250-714-8864

Himalayan Blackberry *Rubus armeniacus*

Legal Status

Community Charter



Distribution

Currently in BC in the Lower Mainland, Sunshine Coast, Fraser Valley, Gulf Islands, Central to Southern Vancouver Island.

Identification

Flowers: Small (2.5 cm diameter), white to pinkish, stalked, 5-petaled, arranged in clusters of 5-20; flower stalks are wooly and prickly.

Stems: Robust, stiff, 5-angled stems (canes) that support large, flattened, and hooked or straight prickles. Canes grow to 3 m in height and up to 12 m in length. First year canes produce leaves only and can root at the tips, producing daughter plants. Second year canes grow from the axils of first year canes and produce flowers and fruits.

Leaves: Evergreen, predominantly large, rounded or oblong, toothed leaflets radiate from the end of the leaf stem. Leaves are generally grouped in fives on first-year canes and threes on flowering (second-year) canes.



Fruits: Fruits (drupelets) are up to 2 cm in diameter, oblong to spherical, black and shiny, and hairless. They form on second year canes and ripen from mid-summer to fall. Each berry produces numerous seeds that have a hard, impermeable coat.

Similar Native Species: (i) Trailing blackberry (*Rubus ursinus*) is a smaller and less robust trailing plant with a smaller stem size (0.5 cm), white waxy stem coating, deciduous leaves found in groups of three, and a tendency to lie on the ground; (ii) salmonberry (*Rubus spectabilis*) has smaller zigzagged stems, red-pink flowers, and reddish or yellowish edible berries.

Similar Non-Native Species: Cut-leaf or evergreen blackberry (*Rubus laciniatus*) has deeply incised leaflets. Note: Himalayan blackberry is a variable species with several cultivars, thus making identification difficult.

Ecological Characteristics

Habitat: Found on disturbed sites, along roadsides and right-of-ways, in pastures, along river and stream banks, freshwater wetlands, riparian areas, forest edges, and wooded ravines. Prefers rich, well-drained soils, but can grow well on a variety of barren, infertile soil types, a wide range of soil pH and textures, and is tolerant of periodic flooding by brackish or fresh water. Prefers full sunlight, but can survive in varied light conditions.



Rubus discolor
© The Illustrated Flora of BC

Reproduction: Reproduces by seed and vegetatively by rooting at stem tips to form daughter plants, and sprouts from root buds. Plants begin flowering in spring with fruit ripening in midsummer to late August. Thickets can produce 7,000-13,000 seeds per square meter, and seeds can remain viable in the soil for several years. Fruiting stems generally die back at the end of the season, but non-fruiting stems may persist for several years before producing fruit.

Dispersal: Primarily dispersed by root and stem fragments. Birds and omnivorous mammals, such as foxes, bears, and coyotes can consume berries and disperse seeds. Humans also contribute to blackberry spread by purposefully planting canes.

Impacts

Ecological: Outcompetes low growing native vegetation through shading and build-up of leaf litter and dead stems. Can prevent the establishment of shade intolerant trees such as Garry oak and ponderosa pine. Himalayan blackberry forms large, dense, impenetrable thickets that limit the movement of large animals, takes over stream channels and stream banks, and reduces sight lines along right-of-ways. Thickets increase flooding and erosion potential by preventing the establishment of deep-rooted native shrubs that would otherwise provide bank stability.

Integrated Pest Management

IPM is a decision-making process that includes identification and inventory of invasive plant populations, assessment of the risks that they pose, development of well-informed control options that may include a number of methods, site treatment, and monitoring.

Prevention

- » Monitor for Himalayan blackberry on both disturbed and undisturbed areas.
- » Do not purchase, trade, or grow Himalayan blackberry. Instead, grow regional native plants as they are naturally adapted to the local environment and are non-invasive.
- » Ensure soil, gravel, and other fill material are not contaminated.
- » Avoid unloading, parking, or storing equipment and vehicles in infested areas.
- » Remove plants, plant parts, and seeds from personal gear, clothing, pets, vehicles, and equipment. Wash vehicles, including tires and undercarriage, and equipment at designated cleaning sites before leaving infested areas.
- » Bag or tarp plants, plant parts, and seeds before transporting to a designated disposal site (e.g. landfill).
- » Take special care when controlling Himalayan blackberry near streams or ditch lines, to prevent the movement of plant parts downstream.
- » Maintain or establish healthy plant communities that are resistant to invasion by invasive plants.

Mechanical Control

- » Mowing, including the use of riding mowers and tractor-mounted mowers, can be very effective, but can also harm desirable species. If roots are not manually removed, mowing several times per year over several years is necessary to exhaust root reserves. If mowing or cutting is only done once per year, it should be done when the plants begin to flower. Do not mow where soil is highly susceptible to compaction or erosion, or where soil is very wet.

- » Persistent cultivation (tillage) or cutting in combination with mowing can be very effective. Because mechanical control can stimulate strong regrowth, follow-up with either spot applications of herbicide or hand digging to remove the entire root system.
- » Grazing by goats has proven effective.
- » Monitor controlled infestations during growing season.
- » Disposal: If plants are cut, all plant material must be collected in bags or tarps and incinerated or bagged and deeply buried at a landfill. Care should be taken to ensure that plant parts are not distributed during transport.

Biocontrol

- » There are no biocontrol agents for Himalayan blackberry. The release of herbivorous insects has not been undertaken due to the risk these insects may pose to closely related, commercially important *Rubus* species.

Chemical Control

Herbicide recommendations and use must consider site characteristics and be prescribed based on site goals and objectives. Herbicide labels and other sources of information must be reviewed before selecting and applying herbicides.

- » Ensure that chemical treatments do not injure or kill susceptible, non-target vegetation.
- » The following herbicides provide effective control for Himalayan blackberry: dicamba, glyphosate, triclopyr or metsulfuron methyl alone. Triclopyr + aminopyralid is also effective.
- » Application of pesticides on Crown land must be carried out following a confirmed Pest Management Plan (Integrated Pest Management Act) and under the supervision of a certified pesticide applicator. <https://www2.gov.bc.ca/gov/content/environment/pesticides-pest-management/managing-pests>

References/Links

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- » E-Flora BC, an Electronic Atlas of the Plants of BC. www.eflora.bc.ca/
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Thank you to the BC Ministry of Environment and the BC Ministry of Transportation and Infrastructure for providing project funding, and to those who advised the development of these management recommendations

Scotch Broom

Cytisus scoparius

TIPS

Updated July 2014

Legal Status

Invasive Plants Regulation,
Forest and Range Practices Act.

Distribution

Currently distributed on the Pacific and Atlantic coasts of North America. It is common west of the Coast-Cascade Mountains in southwest BC and is concentrated at the southern end of Vancouver Island. It has also been reported on the Queen Charlotte Islands and in parts of the Kootenays and North Okanagan-Shuswap areas.

Distribution in BC
(IAPP Aug. 2013)



E. Coombs, bugwood.org

Identification

Flowers: Yellow and pea-like; may have a red marking in the middle.

Stems: Woody and 5-angled; 1–3 m tall shrub.

Leaves: Stalked lower leaves are composed of three leaflets; un-stalked upper leaves are simple.

Fruits: Flat, hairy seedpods that are initially green, turn brown to black in color.

Similar Species: Spanish broom flowers grow at the tips of stems (crowning the plant), whereas Scotch broom flowers grow along stems.



E. Coombs, bugwood.org

Ecological Characteristics

Habitat: This escaped garden ornamental invades exposed, well-drained mineral soil, and is shade-intolerant.

Reproduction: Perennial species that reproduces by seed and lateral bud growth. Mature plants can produce up to 3500 pods, each containing 5–12 seeds.

Dispersal: As seedpods dry they split and spiral, expelling the contained seeds up to 5 metres. The plant can also spread to new disturbed areas through seed transport by vehicles and machinery. Due to its affinity for light-dominated, disturbed areas, any disturbance activity, such as road construction near infested areas, can enhance spread.



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Flora of BC



Invasive Species Council
of Metro Vancouver

Impacts

Economic: Invades rangeland, replacing forage plants, and can be a serious competitor to conifer seedlings. Douglas fir plantation failures in Oregon and Washington have been credited to infestations by this plant. High density infestations can: (i) increase wildfire fuel loads, thereby escalating wildfire intensity; and (ii) obstruct sight lines on roads, resulting in increased maintenance costs for removal.

Ecological: Can produce dense, impenetrable thickets that may be impacting Garry oak woodlands in southwestern BC and limiting the movement of large animals, wild or domestic. Possesses photosynthetic stems to enable year-round growth, leading to displacement of native plant species.



Integrated Pest Management

IPM is a decision-making process that includes identification and inventory of invasive plant populations, assessment of the risks that they pose, development of well-informed control options that may include a number of methods, site treatment, and monitoring.

Prevention

- Minimize soil disturbance in areas directly adjacent to existing infestations and contain or localize seed spread.
- Remove broom before it flowers (late winter, early spring) to prevent seed maturation.
- After mechanical treatment, promptly re-vegetate with an appropriate seed mix, followed by an application of phosphorous-rich fertilizer and wood mulch. Contact local seed suppliers to determine an appropriate seed mix.
- Promptly establish competitive shrubbery, including snowberry, salmonberry, thimbleberry, and Oregon grape, as well as red alder trees for shading and competition for nitrogen, to reduce broom growth.

Mechanical Control

- Minimizing soil disturbance, cut larger plants below ground level before flowering and seed set. Plants with stems less than 1.5 cm in diameter may be hand pulled, preferably in late spring when the plant is directing its energy into flower and seed production.
- Due to enormous 'seed banking' and re-sprouting potential (stumps and roots), mechanical treatments may need to be repeated over a 3 to 5 year period.
- Mechanical control is most effective if all of the plant is removed, no seeds are dropped and soil disturbance is minimized.
- Hand pulling may encourage broom growth due to the high level of soil disturbance. If pulling will result in soil disturbance, plants can be cut as close to the ground as possible.
- Burning is not an effective control method as broom seeds germinate following a burn.

Biocontrol

- There are currently no approved biocontrol agents for BC; however, seed-feeding beetles released in Washington State have moved north adventitiously, and two other agents released in the US are close to our border and suspected to have arrived in BC. Further surveys will seek to confirm their existence.
- Grazing by goats and consumption of seeds by chickens have been shown to reduce broom infestations.

Chemical Control

Herbicide recommendations and use must consider site characteristics and be prescribed based on site goals and objectives. Herbicide labels and other sources of information must be reviewed before selecting and applying herbicides.

- Herbicides containing 2,4-D, triclopyr, picloram, glyphosate, and hexazinone have some success of control, but long seed viability in the soil requires repeated treatments over many years.
- Selective spot spraying, basal stem injection, or cut surface application methods are recommended to minimize non-target damage.
- Application of pesticides on Crown land must be carried out following a confirmed Pest Management Plan (*Integrated Pest Management Act*) and under the supervision of a certified pesticide applicator.
www.env.gov.bc.ca/epd/ipmp/

References/Links

- BC Ministry of Forests, Lands, and Natural Resource Operations, Invasive Alien Plant Program (IAPP).
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Thank you to the BC Ministry of Environment for providing project funding, and to those who advised the development of these management recommendations.

Review of Environmental Impact Assessment for Rezoning Application PLRZ20240110 (Bigham)

The application is to rezone a portion of the site on 3334 Port Washington Road, North Pender Island (PID 005-837-693) from Rural to Industrial. The area proposed for rezoning has been used as Industrial under Temporary Use Permits since 2011. Construction of a workshop with a kitchen and bathroom facility is also being proposed; it is understood that construction of a wash pad is no longer part of the proposed development.

Please note: the areal calculation results of 0.09% and 0.06% (page 11; also 0.06% on page 27) appear to be incorrect; they should be corrected to 9% and 6% according to the information provided in the report.

The QEP states that the proposed industrial zone has been completely disturbed/impacted, no development is proposed elsewhere on the site, and there are no plans to expand the work yard. The QEP also states that rezoning is not expected to have additional impact on the site conditions. Recommendations include the removal of invasive plant species and revegetation with native species.

After a review of this report:

- There does not appear to be additional loss of habitat or connectivity with the proposed rezoning and construction of a workshop. There will be an increase in impermeable area with the construction of the structure. Please note that the site map should be updated to include the proposed construction of the office and remove the wash pad.
- Sharp-tailed snakes are present on an adjacent parcel and could potentially use the site: snakes may be attracted to edge habitats and gravel banks on roadsides; soil disturbance due to removal of invasive plants has also been identified as a potential threat. More information on mitigation to ensure that any existing and proposed uses on the site do not result in harm to sharp-tailed snakes or other amphibians and reptiles should be provided (one option might be fencing or other barriers to prevent access by snakes to the industrial area – please refer to [Guidelines for Amphibian and Reptile Conservation](#) 2014).
- Species listed as Special Concern on Schedule 1 of Canada's *Species at Risk Act* have been identified on neighbouring parcels; please include information on whether the proposed rezoning and uses of the lot will have any negative impacts on these species and any mitigative measures that will be in place.
- As per the terms of reference, please provide more information on potential cumulative impacts, measures to reduce impacts to neighbouring properties and

ecosystems during construction and operation, and future site monitoring requirements.

- It is understood that this application is only for rezoning of a portion of the site from Rural to Industrial (as stated in the OCP) and construction of a workshop and office. This review does not consider any potential future uses of the site. However, it is important to note that maintaining intact ecosystems in the northern, Rural zoned portion of the lot would provide additional protection to the existing Nature Reserves and would provide habitat connectivity between them.

File No.: NP-6500-20-2023: Housing
Access and Affordability
Project

DATE OF MEETING: November 21, 2025
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 – Preliminary APC recommendations

RECOMMENDATIONS

- 1) That the North Pender Island Local Trust Committee directs staff to prepare a draft land use and Official Community Plan bylaw for the Housing Access and Affordability Project that considers land use policy and zoning provisions to:
 - a. Permit accessory worker housing in appropriate community service zones and commercial zones;;
 - b. Consider rezoning for seniors and affordable housing in all appropriate land use designations, with a mix of non-market and market rentals, and that the need for housing agreements be determined at the time of rezoning;
 - c. Permit up to three units of second–storey rental housing with a limited floor area as part of proposed buildings 5, 6 and 7 at the Driftwood Mall property, subject to proof of water and demonstration of septic capacity;
 - d. Enable flexible zoning to create the potential for additional housing units on lots zoned Rural Residential 2 and Rural;
 - e. Permit ADUs as an alternative to secondary suites in the Rural Residential 1 zone in consultation with the Capital Regional District;
 - f. Rezone the Anglican Church diocese property to allow for affordable housing as a permitted use;
 - g. Add policies that consider the potential development of a Tiny Home on Wheels or other small footprint manufactured home community;
 - h. Make any other amendments that are required to ensure affordable housing and other policy objectives and criteria align with proposed changes to zoning including any administrative or definition updates to ensure consistency.

- 2) That the North Pender Island Local Trust Committee directs staff to schedule a special Community Information Meeting for the Housing Access and Affordability project to be held between early February and mid-March, 2026, and to advertise the meeting in the Pender Post.
- 3) That the North Pender Island Local Trust Committee requests that the special Advisory Planning Commission on Housing report back with analysis, options and recommendations for potential further bylaw amendments based on suitable land analysis and built out analysis mapping, and to support the ongoing development and review of proposed amending bylaws.
- 4) That the North Pender Island Local Trust Committee appoints Ken Rempel to the Special Advisory Planning Commission on Housing for the remainder of the current term ending March 1, 2026.
- 5) That the North Pender Island Local Trust Committee continues with the special Advisory Planning Commission on Housing and directs staff to advertise for membership for a new one year term commencing March 1, 2026.

REPORT SUMMARY

This report is to provide an update to the North Pender Island Local Trust Committee (LTC) on the LTC's Housing Access and Affordability Project and to seek direction on next steps for drafting potential bylaw amendments.

The recommendations above are supported as:

- There are several recommendations of the APC and staff that will require bylaw amendments;
- Having draft bylaws prepared will allow for further additions, refinements and amendments based on further community, agency and LTC dialogue;
- A Community Information Meeting (CIM) in Feb-March will align well with the LTC regular meeting schedule and allow an opportunity to present mapping results and the draft bylaws; and,
- There is room on the APC for additional members and APC terms are only for one year. All current APC members are encouraged to apply.

BACKGROUND

The LTC endorsed the Housing Action Plan at the May 30, 2025 Meeting. Since the October 3, 2025 meeting, the following has been accomplished:

- Suitable Land Analysis - timelines impacted by BCGEU strike, plan to have draft maps by Jan 30 meeting
- Build-out analysis- timelines impacted by BCGEU strike, plan to have draft maps by Jan 30 meeting
- October 25 CIM cancelled due to BCGEU strike – staff recommendation to reschedule for Feb-Mar 2026
- Island wide mail-out postponed due to BCGEU and Canada Post strikes – will be updated with new CIM date when confirmed and sent to households
- Meeting held with Tsawout Housing Department Manager and APC Chair – very informative and collaborative discussion – with limited capacity and existing needs on North Pender, it was agreed no further action needed in respect of housing project
- Follow-up letter to First Nations has been drafted with details of the endorsed [HAP](#), will be sent shortly (was waiting to meet with Tsawout before sending letter)
- The APC has provided a final report with recommendations as requested by the LTC for potential policy and legislative amendment options for HAP Action #s 4-9, 12 and 18 (Attachment 1).

- Ken Rempel has requested to be added to the APC. As the current APC terms ends March 1 and there is still project work to be supported, staff recommend the LTC continue with the APC for another one-year term and direct staff to advertise for membership. All current APC members are encouraged to apply.

Additional project information, including previous staff reports, is available here:

<https://islandstrust.bc.ca/island-planning/north-pender/projects/>

An updated project status table is included at Attachment 2 with an update on each Plan Action.

Issues and Opportunities

Proposed Bylaw Amendments

Based on the significant work of the APC and other information sources including the community survey and three CIMs, staff provide the following recommendations for bylaw amendments related to the housing project. Staff are of the view that having a draft bylaw to work with will provide a good starting point for further bylaw development and community dialogue.

#	Action Item	Staff Recommendations
7	Explore opportunities to permit worker accommodation	Draft amending bylaws to permit accessory worker housing in appropriate community service zones and commercial zones. Reduce obstacles to affordable housing projects by amending OCP policies to allow consideration of seniors and affordable housing rezonings in all appropriate land use designations, that the requirement for a housing agreement to be determined at time of rezoning, and allowing a mix of non-market and market rental housing to reflect current funding models.
4	Expand opportunities to create secondary suites and permit Accessory Dwelling Units (ADU).	Draft amending bylaws to enable flexible zoning to create the potential for additional housing units on lots zoned Rural Residential 2 and Rural. Draft amending bylaws to consider allowing ADUs as an alternative to secondary suites in Magic Lake Estates, and further consult with CRD staff in respect of CRD water system requirements.
5	Explore opportunities for zoning changes to permit higher density Multi-Unit Development	Draft amending bylaws to: 1) Rezone the Anglican Church diocese property to allow for multi-unit affordable housing as a permitted use 2) Permit three units of second-storey rental housing with a limited floor area as part of future building expansion at the Driftwood Mall property, subject to proof of water and septic capacity (letter and draft plans included as Attachment 3) Use Suitable Land Analysis and Build-out Analysis to identify additional potential properties where higher density zoning may be appropriate.

18	Review guidelines for Short Term Vacation Rentals	Staff request direction from the LTC with respect to issuance of TUPs for STVRs. Options: 1) Keep as is and retain ability to consider each request individually – could also pass a standing resolution to not consider approval of any new TUPs or renewals 2) Remove TUP guidelines for STVRs altogether from OCP and restrict outright 3) Amend TUP guidelines to make them more restrictive eg. limit number of total permits further Option 1 could be implemented at any time with the next LTC having discretion to amend in the next term. Options 2 and 3 would require OCP amendments.
6	Explore legalizing the use of RVs	No changes recommended to current bylaws that do not permit RVs to be used as dwellings. Mark action as complete. The APC further recommends that the LTC reconsider the current moratorium on enforcing the use of RVs as dwellings and to re-commence enforcement.
8	Explore permitting the use of Tiny Homes as wheels as ADUs	Amend OCP to include policies that consider the potential development of a Tiny Home on Wheels (THoWs) or other small footprint manufactured home community.
9	Explore permitting non-market housing in all residential land use zones and in some public land use zones	Has been considered through Actions 5 and 7. Mark action as complete.
12	Explore options at time of subdivision to increase opportunities for affordable housing	No recommendations for bylaw amendments. Address as opportunities arise through site specific rezoning or subdivision applications. Mark action as complete.

Project Timelines and Consultation

In respect of timelines, staff will target bringing a first draft of amending bylaws to the LTC at the proposed January 30, meeting, followed by a CIM to present the draft bylaws and mapping results, and then potentially back to the LTC in late March for consideration of First Reading. Additional process steps would follow, including the completion of bylaw referrals and the holding a public hearing prior to consideration of third reading.

Following third reading, Islands Trust Executive Committee approval would be required and, in this case, as there are OCP amendments, Minister of Municipal Affairs and Housing approval is also required prior to LTC adoption.

ALTERNATIVES

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

1. Give direction to exclude specific recommendations or include others

The LTC may give direction to exclude specific recommendations or include others. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee directs staff to exclude/include_____ in a draft land use and Official Community Plan bylaw for the Housing Access and Affordability Project.

2. Request further information

The LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are that 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...

3. Receive for information

The LTC may receive the report for information.

NEXT STEPS

With direction from the LTC, staff will prepare draft bylaws, initiate APC advertisements, and confirm a date to schedule a CIM.

Submitted By:	Brad Smith, Island Planner	November 6, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	November 12, 2025

1. APC Final Recommendations Report, November 2025
2. Housing Action Plan Status Table, November 2025
3. Driftwood Housing Units request letter and site plans

NORTH PENDER ADVISORY PLANNING COMMITTEE

Analysis, options and recommendations to the LTC for increasing Housing Options on North Pender Island

November 21, 2025

Background:

The focus of the North Pender Island [Housing Access and Affordability Project](#) is to increase the diversity of housing on North Pender Island. Since Magic Lake Estates, which historically provided opportunity for smaller lots at a lower cost, is now almost built out, new options to create lower cost housing elsewhere on the Island are being explored. Options need to ensure that the unique natural environment and rural character of North Pender island remain protected and that any future developments are sustainable.

With increasing property costs, affordable housing is unattainable for many low- and middle-income residents of North Pender. Changes in the Official Community Plan “OCP” and Land Use Bylaws (“LUBs”) have the potential to increase the opportunity for more rental, subsidized, and affordable smaller unit dwellings to be built. Part of the project is for the North Pender Local Trust Committee (“NP LTC”) to engage the Community by liaising with a Special Advisory Committee (“APC”) on housing. In response the APC has submitted two reports to the NP LTC in [November 2024](#) and [January 2025](#) and a Housing Action Plan in the summer of 2025.

Some of the content of these reports were incorporated into the [Housing Action Plan](#), consisting of 5 goals and 22 Actions.

The five goals of the Housing Action Plan:

1. Updating and using available data

Inform where additional density and intensity of land use will likely have the least negative impact on the land

2. Diversifying housing options through zoning

Provide a broader diversity of housing options on North Pender Island through amendments to land use zoning and associated OCP policies

3. Increasing opportunities for affordable non-profit housing

Increase opportunities for land to be made available for affordable subsidized housing by a not-for-profit organization, and to generate greater community interest and capacity to support this development

4. Increasing community education and outreach

Increase community education and outreach in respect to housing initiatives, improve the information available to the public, and make it more accessible to a broader audience in order to raise awareness of existing challenges and options to address or otherwise ameliorate the current status.

5. Incorporating First Nations interests in land use decision making

Foster collaborative working relationships with local First Nations who have an interest in housing initiatives on North Pender Island, and to address housing needs of First Nations on the island.

The LTC has subsequently asked the APC to:

“report back with analysis, options and recommendations for Housing Action Plan Numbers 4-9, 12 and 18.”

These Actions items are:

4. Expand opportunities to create secondary suites and permit Accessory Dwelling Units (ADU).
5. Explore opportunities for zoning changes to permit higher density Multi-Unit Development in areas with which have a concentration of community amenities.

6. Explore legalizing the use of RVs in appropriate areas considering set-backs, parking, access, septic, available water, visual aesthetics, and fire safety.
7. Explore opportunities to permit worker accommodation (e.g. at community firehalls, Driftwood Center etc.).
8. Explore permitting the use of Tiny Homes as ADUs or establishing zones for higher density tiny homes (e.g. modular home villages) in appropriate areas considering, set-backs, parking, access, septic, available water, visual aesthetics and fire safety.
9. Explore permitting non-market housing in all residential land use zones and in some public land use zones, where appropriate (e.g. school properties, community service).
12. Explore options at time of subdivision to increase opportunities for affordable housing (e.g. land donation in exchange for rezoning to permit subdivision, allowing smaller lot sizes for affordable housing).
18. Review guidelines for Short Term Vacation Rentals (could include consideration of removal or amendment of Temporary Use Guidelines from OCP) and develop educational materials.

In developing recommendations regarding these Action Items, the APC has reviewed the Islands Trust Mandate, the existing and proposed new Trust Policy Statement. and the existing NP OCP and LUBs, in addition to the documents listed in the bibliography at the end of this report.

Any recommended changes in the NP OCP and/or LUBs related to housing should be in accordance with the Islands Trust's Object which is to preserve and protect this region for the benefit of residents of the Islands and of all British Columbians, and concordant with the Trust Policy Statement, which states that the Trusts mandate is to, **"support the preservation and protection of unique island character and aim to foster sustainable, inclusive, rural and resilient island communities".**

North Pender's existing OCP recognizes these overarching principals in its broad Community Goals with the statement, ***"... land use decision-making should be based on the precautionary principle that when an activity raises threats of harm to the natural environment or human health, precautionary measures should be taken even if some cause and effect relationships are not fully established scientifically."*** (NP OCP – Part 1: 1.1)

The need for the possible expansion of the housing stock on Pender Island has also been informed by the Housing Survey which identified as priorities worker housing, seniors housing, and affordable housing.

The recommendations in this report are preliminary and await completion and study of the Suitable Land and Build Out Analyses, which are vital tools to identify possible locations for zoning, LUB, or OCP changes, to allow additional housing units.

It is also important to note when considering expanding density to accommodate more housing units, that Pender Island already has the highest per capita density of any of the Southern Gulf Islands. Based on the 2021 census, the number of residents per square kilometer on Salt Spring Island is 63, on Mayne Island is 62, on Galiano is 23, on Saturna is 15 and on North Pender Island is 90.5.¹

Related to housing issues the goals listed in the NP OCP includes:

“To encourage a more compact, complete and connected community, in a manner that ensures that overall development potential and density are not increased unless authorized elsewhere in the plan.”

With respect to Residential Land Uses the present OCP lists the following objectives:

- 1) To encourage a housing pattern that is appropriate to the rural character of the Island.***
- 2) To provide for a range of housing options that serve the needs of all residents and property owners of North Pender Island.***
- 3) To plan for a land use pattern which ensures the sustainable use of natural resources and minimizes greenhouse gas emissions.***
- 4) To promote use of indigenous vegetation for plantings in residential lot use.***
- 5) To protect the island's visual and ecological amenities.***
- 6) To preserve and enhance the scenic quality along roadways.***

¹ The density is based on the area of North Pender set out in the North Pender OCP and the population obtained from the 2021 census.

In keeping with these objectives, the OCP states the following Residential Policies

2.1.D Except where specifically authorized elsewhere in this plan, consideration may not be given to applications to rezone land within the Rural Residential and Rural designations to a higher density without amendment to this plan.

2.1.E No consideration may be given to applications to rezone land within the Rural Residential and Rural designations that would result in the transfer of density without amendment to this plan.

However, the OCP offers considerable flexibility with respect to these policies as it relates to seniors and affordable housing:

2.1.F Subject to policies in Subsection 2.3 of this plan (Seniors and Affordable Housing policies) consideration may be given to applications to rezone land within the Rural Residential and Rural designations to a higher density where the additional density takes the form of seniors and affordable housing.

A proposed modification of this statement that the APC is recommending is the addition of workers' housing. In our report we note additional changes in the OCP that would be required if some of the APC's recommendations were adopted.

With respect to the potential rezoning of RR and R land, the different subclasses of RR zoning on Pender need to be considered. RR1 refers to the Magic Lake Estates where density has been maximized (to the extent that formation of Magic Lake Estates was a major driver of the formation of the Islands Trust.) Thus, any change in the OCP or zoning which could increase density on North Pender should be limited to RR2 and R. **Potential exceptions could be considered for larger lots within RR1.**

Any proposed rezoning decisions need to consider the potential for increasing Wildfire Risk. Pender Island is a forested, rural area and as such the effects of adding residential units into the forested areas must be considered. Consideration for access for emergency vehicles, water supply for fire suppression, and safe setbacks from other structures and combustible materials should be a priority.

All of the recommendations which follow assume that sufficient resources will be put in place to ensure adequate enforcement so that any additional housing units approved under these new criteria are used for their intended purposes.

The recommendations of the APC with respect to the action items that were proposed for review are contained in the attached Table 1.

ANALYSIS, OPTIONS AND SPECIFIC RECOMMENDATIONS REGARDING ACTION ITEMS 4-9, 12 + 18):

4. Expand opportunities to create secondary suites and permit Accessory Dwelling Units (ADU).

ANALYSIS AND OPTIONS

Flexible Housing Zoning

Flexible Housing Zoning allows for additional dwelling units on a lot provided that the combined floor area of all dwellings does not exceed specified limits.

Mayne Island has developed a [Flexible Housing Zoning proposal](#). The number of permitted dwellings and cottages on flexible housing zoned lots are limited by lot's size and combined total floor area.

The location of lots appropriate for Flexible Zoning would be:

- close to amenities (preferred but not required)
- where additional density is unlikely to increase the vulnerability of groundwater resources or involve archeological sites or Development Permit Areas.

Bylaws for Flexible housing zoning would need to incorporate appropriate setbacks, parking, access, septic, visual aesthetics and fire safety for the ADUs.

The development of a map indicating which lots fall within the Flexible Housing Zones is dependent on study of the Suitable Land and Build Out Analyses for North Pender Island (in preparation).

In addition, the revised zoning on Mayne includes requirement for a cistern for freshwater catchment and storage with a minimum cistern capacity of 13,640 litres per unit for each secondary suite, cottage, or additional dwelling.

Possible zoning changes could be:

- Lots 0.4 hectares (1.0 acre) to 0.6 hectares (1.5 acres): one secondary suite and one additional dwelling with a maximum combined floor area: 232 m² (2,500 ft²)
- Lots 0.6 to 1.2 hectares (1.5 to 3 acres): one secondary suite, and two additional dwellings with a maximum combined floor area: 325 m² (3,500 ft²)
- Lots 1.2 to 5 hectares (3 to 12.35 acres): one secondary suite, and three additional dwellings with a maximum combined floor area: 418 m² (4500 ft²)

As mentioned above flexible zoning could be limited to RR2 and R zoned lots and preference would be for lots closer to amenities to encourage active transport and limit environmental impact. Large RR1 lots in Magic Lake Estates could be considered as exceptions although the capacity of the Magic Lake Water and Sewage system would have to be considered.

One factor that will need to be considered in this regard is the Agricultural Land Reserve. Many of the lots close to the Driftwood Centre, which might qualify for Flexible Housing Zoning, are in the ALR. The APC does not support removal of land from the ALR.

Adopting flexible housing zoning would require modification of the existing LUBs and OCP for North Pender.

Ideas for Broader Flexible Housing:

In addition to consideration of allowing ADUs in Flexible Zoned areas the APC suggests considering broader flexibility. This would include the possible development of duplexes, triplexes or fourplexes. Such units have a lesser cost and environmental impact because of shared infrastructure such as wells, septic and solar. They would appeal to multigeneration families and allow elders to age in place. In addition, renting of one or more of the units would represent a revenue source for the owner making the cost of construction less daunting.

As for zoning for additional ADUs, the development of such units could be governed by a sliding scale. For example, a duplex allowed on lots 0.4 hectares (1.0 acre) to 0.6 hectares (1.5 acres), a triplex on lots 0.6 to 1.2 hectares (1.5 to 3 acres) and a fourplex on 1.2 to 5 hectares (3 to 12.35 acres). As with the addition of ADUs, multiplex units would be constrained by presently permitted, or potential reduced, total square foot requirement.

A concern about flexible housing zoning would be that the additional ADUs would be used for short term rentals. This could be prevented by requiring a housing agreement, even for ADUs permitted on individual lots.

The locations for introduction of flexible housing zoning will be informed by the Suitable Land and Build Out Analyses and should be considered in the context of the Islands Trust mandate to preserve and protect the natural environment and rural character of the island.

While the provincial legislation related to enabling small-scale multi-unit housing (SSMUH) does not pertain to properties on North Pender (lands in a local trust area under the Islands Trust Act are specifically exempted), the guidance issued by the Province, as well as the associated work already undertaken by a variety of municipalities as part of implementing the new requirements, could provide a suitable source of policy language/ideas/approaches related to the introduction of expanded opportunities to create secondary suites and permit Accessory Dwelling Units - noting the need to appropriately customize some of the elements to better align with the local context.

According to the Province, Small Scale Multi-Unit Housing includes secondary suites, detached accessory dwelling units and du/tri-plexes (amongst other forms) and is meant to provide options that are ground-oriented and compatible in scale and form to the surrounding area. “Ground oriented” means that the units can be entered from ground level, unlike some apartment buildings.

The APC recognizes that this is not a simple, straight forward linkage to the community needs of North Pender Island (and is not advocating to have the legislation amended to include the Islands Trust) but notes that there are sufficient comparable elements that would help to facilitate further analysis of the flexible zoning concept and how it might be part of the solution in the future, while still respecting the existing natural and rural character of the island.

RECOMMENDATION

The APC recommends that the NP LTC consider adopting Flexible Housing Zoning as has been done on Mayne Island, and the broader flexible options such as multiplexes. The intention of such Flexible Housing Zoning is to support the creation of smaller, more affordable housing units to meet the

housing needs of the community. Flexible housing zoning has the potential to increase options for smaller unit housing and non-market housing to be built in ways that balance housing needs with preserving and protecting the environment on North Pender Island. Flexible housing zoning would allow for the creation of additional housing units to accommodate family members, caregivers, workers and low-income families and seniors. These units would predominantly be rental units as the recommendation does not contemplate the subdivision of these properties. A housing agreement to ensure that the ADUs are not used for short term rentals should be considered.

5. Explore opportunities for zoning changes to permit higher density Multi-Unit Development in areas with a concentration of community amenities

Analysis: At present there is only one such cluster of dwellings on Pender Island, Plum Tree Court (<https://www.penderhousing.ca/>). Plum Tree Court is a low-density, non-market housing complex, owned and operated by the Pender Islands Housing Society (PIHS). Land for the complex was originally donated. The complex includes six 550 square foot units. Although PIHS has Zoning approval to double the number of units on the present site there is no funding in place for expansion and the subsidized rental agreement for existing tenants is under threat. When the current funding agreement with BC Housing expires PIHS will have to charge market rental rates.

PIHS is looking for additional sites for subsidized multiunit housing in order to better serve a business case for a housing provider.

Options:

1. Rezoning Anglican Church Property: The Anglican Church on Pender has already explored the possibility of allowing non-market housing on their property. Their land is zoned Community Service (CS) and is large enough to situate multiple small units or a larger multiunit dwelling and the site is in fairly close proximity to amenities at Driftwood.

The Anglican Church and the Diocese are open to having the whole, or part of their property re-zoned to allow multi-unit subsidized dwellings. The LTC could rezone the property and facilitate discussions between the PIHS and the Church. Of course, re-zoning does not make such a development happen but makes it possible for PIHS and/or another agency to explore the possibility of situating such a development there. To ensure that such rezoning would meet the

goals of this project any expansion should be subject to a housing agreement which ensures affordable (subsidized) housing.

2. Proactively re-zone properties (preferably close to amenities) that are presently zoned RR2 or R for multiple dwellings as has been done on Mayne Island. There are presently a number of properties within fairly close proximity to amenities that are for sale. Proactively re-zoning these properties as suitable for multiple dwellings might attract community groups or individuals to purchase and develop them as such. This option is subject to the same issue that some of them are ALR. A housing agreement would be needed to ensure units are affordable. Any decision on this issue needs to be informed by the Suitable Land and Build Out analyses. The OCP map would have to indicate this designation.

RECOMMENDATION

- The APC recommends that the NP LTC go ahead with rezoning all or part of the Anglican Church property and further consider the wider rezoning of appropriate lots for multiple unit dwellings. Any such rezoning should include the stipulation that the new dwellings are affordable subsidized housing and that a housing agreement would be required.
- This recommendation would not require any modification of the present NP OCP since it is provided for, as mentioned above, although it would require altering the OCP designation map.

6. Explore legalizing the use of RVs in appropriate areas considering set-backs, parking, access, septic, available water, visual aesthetics, and fire safety.

Analysis:

At present the [NP LUBs](#) state that a recreational vehicle (ADU) may only be used as a temporary residence during the construction of a permitted dwelling on the same lot. The RV or ADU can be ***“.....placed and occupied as a temporary dwelling prior to the construction of a principal building or structure on the same lot provided that a building permit has been issued for the principal building or structure and the water supply and sewage disposal facilities for the principal building or structure have been installed.”***

A "recreational vehicle" is defined as a tent trailer, travel trailer, motor home or other self-propelled vehicle containing sleeping, cooking and sanitary facilities. The bylaw does not include a mobile home or manufactured home. RVs are not approved for primary dwellings by the CRD and there are no standards or inspections for such units serving as ADUs.

The bylaw makes no mention of fire safety. Fire safety is of particular concern for RVs as summarized by the Pender Island Fire Chief:

“Recreational Vehicles were not designed or constructed for full time residential occupancy. They were specifically designed for short term recreational use. They are constructed from light weight construction materials meant for easy transportation. The ventilation, heating, electrical and plumbing systems are intended for short term use and much less robust than their residential construction type counter parts. The use of recreational vehicles for full time residential occupancy strains all of their operational systems to their maximum therefore placing them at the top end of Fire and Life Safety risk to the occupants and to the surrounding community.

The materials that RV’s are constructed of are more volatile than regular residential construction material. They ignite more easily, spread more quickly, burn more intensely and give off more deadly gasses. Ultimately this combination of factors results in a higher incidence of fires and a higher fatality rate than exists in regular residential construction types.

Although recreational vehicles are initially built to a safety standard, designed for their intended recreational use, they are seldom maintained to that standard. Because the systems were intended for short term use, they often are augmented and modified using additional space heaters, refrigeration units, and other devices. All of which further increases the Fire and Life Safety hazards.

Despite the existing NP bylaw RVs are increasingly being used as primary dwellings on North Pender and the LTC has stated that the bylaw will not be enforced except in response to complaints. This leaves those dwelling in RVs in a permanent state of uncertainty. Most of the RVs are placed on lots that already have a dwelling, although some are the sole dwelling on the property. It

is likely that most of the RVs are not plumbed for drinking water or sewage disposal although there is no way of determining this since there is no process for approval or inspection.

A similar situation on other Gulf Islands has resulted in altered bylaws. Saturna Island permits RVs to be used as primary dwellings.

While Mayne Island bylaws presently allow RV's as primary residences the recommendation is to allow RVs as dwellings by issuing Temporary Use Permits provided that there is sewage and water. These TUPs would be time limited to six years. It is unclear whether the TUPs will only be issued if a RV was being used while a permanent home was being built.

Options, pros and cons:

1. **Do nothing.** The LTC could leave the bylaw as is (maybe alter it to include fire safety inspection) and leave the moratorium on enforcement in place. The rationale would be that the other zoning changes could enable affordable housing and that those in RVs would take advantage of these more permanent, legal options and the use of RVs would decrease. A downside of this course of action is that the number of people living in unsafe conditions in RVs would likely increase before it decreases. Maintaining the status quo has the potential for bad outcomes. An RV on Pender recently burnt down, fortunately without injury to anyone.
2. **Institute TUPs for RVs, accompanied by mandated inspections.** This is similar to what Mayne has done. The advantage is that the inspections would increase safety. However, the CRD is presently not prepared to adopt standards or inspect RV's. Who would do the inspections and to what standards? In addition, TUPs are time limited to a maximum of six years or "until" a situation is normalized. What would be that normalization in this case? If it is the construction of a permanent CRD-permitted home, then this reverts to the present bylaw which has a 4-year window.
3. **Re-examine the present moratorium on enforcement of the bylaw prohibiting use of RVs and permanent residences.**
This is a difficult issue. The present moratorium may be contributing to increased occupancy of RVs as permanent residences. The moratorium

empowers landlords to provide a venue for substandard living without having to meet fire, safety or building code regulations.

However, enforcement raises the question of what happens to individuals who would be forced out of the recreational vehicles in which they are currently living full-time. Since there are at present no fall-back options they would become un-housed.

RECOMMENDATION:

1. Make changes to the wording of the existing bylaw re the use of RV's during home construction to include a mandatory inspection for Fire Safety.
 2. RVs should not be allowed as primary residences or ADUs until proper standards, inspection and enforcement are in place.
 3. Reexamine the present moratorium on enforcement of the existing RV Bylaw. Does maintaining the moratorium promote the expansion of unsafe housing?
- 7. Explore opportunities to permit worker accommodation (e.g at community firehalls, Driftwood Center etc.).**

Analysis:

Lack of affordable accommodation for permanent and temporary workers represents an important problem on North Pender island. This could be addressed by allowing Public Service and commercial entities to build worker accommodation on their property. For example, ADUs could be built at Browning, Driftwood, Poet's and Woods. Other potential locations could be The Fire stations, the Health Centre, the Community Hall and the School. In addition to rezoning to allow for worker ADUs on existing commercial and other sites the LTC could consider measures to increase worker housing on future commercial sites.

Critical to this re-zoning would be the development of a housing agreement that would legally bind the commercial entity to use the housing for Pender workers at their facilities. Such ADUs would be subject all of the other zoning regulations for ADUs on RR2 and R lots.

A pro of such rezoning would be to develop much needed on-site housing for critical workers on whom the smooth functioning of the Island Community depends. By limiting the occupancy of such units to workers at the specific location of the rezoning reduces the environmental impact of the increased density (i.e. the workers would not travel to work and the dwellings would be serviced by water and septic already in place).

A con would be if the housing agreement was not honored and the ADUs were used as market housing thus increasing density without benefit to workers. This would breach the Housing Agreement and could be remedied by enforcement.

RECOMMENDATION:

The APC recommends that the LTC develop zoning, Bylaws and modifications of the OCP to enable such worker housing and in parallel establish a template for a Housing Agreement to accommodate these changes. As in all cases such zoning would be subject to the Suitability and Build Out Analyses.

8. Explore permitting the use of Small Footprint Homes (as ADUs or establishing higher density home zones (e.g. modular home villages) in appropriate areas considering, set-backs, parking, access, septic, available water, visual aesthetics and fire safety.

Analysis, Pros and Cons:

- One possible development to alleviate the present lack of affordable housing might be clustered, small unit housing; higher density “villages” of small footprint homes (sometimes termed Tiny Homes). Advantages include: the cost per unit of such dwellings would be lower; the infrastructure (water, sewage and fire protection) could be shared among units and the environmental impact per unit would be lower than a traditional detached single-family dwelling.
- We have used “small footprint homes” throughout this report to clearly differentiate dwellings primarily designed for permanent residence from those designed to be moved. The terminology is confusing, especially the term “tiny home on wheels” which does not necessarily imply a unit designed for, and meeting standards for, permanent residence.
- Small footprint homes promote more efficient land use and help reduce rural sprawl. Environmentally, smaller homes require fewer resources to build and maintain, reducing material and utility costs.

- Clusters of small footprint homes [close to amenities] encourage a simpler, more community-focused lifestyle.
- Such a concept does not include a trailer park but refers to small units that are constructed to the BC Building Code, or CSA standards for manufactured homes, or equivalent.
- Such developments could be for market housing or for subsidized affordable housing. For subsidized affordable housing developments, a Housing Agreement, similar to that for a multiunit affordable housing development would be implemented.
- Units could be on wheels for transport but once in situ would need to be anchored to the ground, connected to a source of potable water, and connected to an approved sewage and wastewater system.
- Zoning could stipulate that the total floor area of units does not exceed the maximal dwelling floor area for that zone, or could stipulate that the total floor area is less than the maximal dwelling floor area for that zone.
- The location of such zoning would preferably be near amenities and subject to the results of the Suitable Land Analysis with respect to water, environmental impact, etc.
- Such a change would require new bylaws and modifications to the present NP OCP. Wording for such a change in the OCP is being considered by other Trust Councils and represents a template for such additions on North Pender Island. Possible wording for such changes is attached.
- A disadvantage of such a change would be an increase in density (people per square kilometer). As mentioned above North Pender already has, by far, the highest population density of the Southern Gulf Islands.
- A major concern is that at the present time the CRD has not approved or adopted building standards for the construction or inspection of most small footprint homes.

RECOMMENDATIONS:

1. Small footprint manufactured homes with an area of 250 square feet or more which meet CSA standards (Z240MH or A277) or BC building code requirements should be approved as ADU's.
2. Do not approve Small Footprint homes on wheels, which do not meet CSA or building code standards, for use as ADU's or in clustered villages.

3. Consider stipulating height restrictions for small footprint homes.

9. Explore permitting non-market housing in all residential land use zones and in some public land use zones, where appropriate (e.g. school properties, community service).

RECOMMENDATION:

1. Much of this action item has been addressed in the response to action items 5 and 7 above. Such changes are heavily dependent on the results and study of the Suitable Land and Build out analyses.

12. Explore options at time of subdivision to increase opportunities for affordable housing (e.g. land donation in exchange for rezoning to permit subdivision, allowing smaller lot sizes for affordable housing).

Options:

1. Do nothing
2. Deal with applications on a case by case basis ensuring that common law and regulatory requirements are met.

Analysis: Recommendation 12 suggests exploring options, at the time of subdivision, to increase opportunities for affordable housing and notes the possibility of land donation "in exchange for" rezoning to permit subdivision or allowing smaller lot sizes for affordable housing. While there may be elements of this concept worth exploring further, the APC notes the need to be careful as to how such approaches are constructed in order to meet the provincial legislation, and associated regulatory requirements, that govern land use decision making as well as the common law traditions that relate to such practices. As such, the focus of future work in this regard would need to carefully consider the creation and use of voluntary agreements / developer agreements in order to ensure that a clear legal framework is put in place to govern such arrangements - agreements that would almost necessarily be structured on a case by case basis.

As the Union of BC Municipalities states in its Fact Sheet #25 (Land Use Regulation):

The process of responding to an application for a rezoning frequently involves negotiation regarding the nature of the development that the owner intends to build. If the council or board believes that it is in a strong bargaining position it might anticipate that the owner will be willing to voluntarily offer to include design features or contribute amenities to the community that are not legally required if that might help ensure a "yes" vote on the rezoning application. Great care must be taken in the wording of these discussions with developers. There is no provision in the legislation for "selling zoning," and common law tradition forbids the practice. If the provision of voluntary amenities is a consideration in rezoning separate legal contractual arrangements may be required to ensure that they are provided.

To enter into such agreements, the LTC would need to consider the creation and use of voluntary developer agreements in order to ensure that clear legal framework is in place. As this would need to be done with the assistance of counsel on a case by case basis no action at this time is required.

RECOMMENDATION:

Do not increase population density on N Pender for any further subdivision for market housing

18. Review guidelines for Short Term Vacation Rentals (could include consideration of removal or amendment of Temporary Use Guidelines from OCP) and develop educational materials.

PROS

Provides housing for tourists creating a viable industry on N Pender.

CONS

Takes away from long term market rental accommodation for middle income families, seniors and workers.

OPTIONS:

- a. Keep as is and retain ability to consider each request individually - could also pass a standing resolution to not approve STVRs for now

- b. Remove TUP guidelines for STVRs altogether from OCP and restrict outright
- c. Amend TUP guidelines to make them more restrictive e.g. limit number of total permits further

RECOMMENDATIONS

1. Prohibit any new STVR's and let lapse any current SUPs.
2. Do 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 STVRs time to adjust to the change.
3. Study what happens on Gabriola and Salt Spring, which have adopted the Provincial statute. A comprehensive report back from staff on the impacts on these islands would inform a decision on the next anniversary for inclusion.

Bibliography of Documents and Links referred to in the creation of this report:

- North Pender Zoning Map
- North Pender OCP
- North Pender Land Use Bylaws
- Draft of New Trust Policy Statement
- NP-LTC_Housing Needs Survey Data Rollup_Nov 2024.xlsx
- North Pender Island Housing Action Plan
- Island Trust Housing Strategic Action Plan
(<https://islandstrust.bc.ca/document/trust-council-housing-strategic-action-plan/>)
- Island Trust Housing Affordability Plan
(<https://islandstrust.bc.ca/programs/housing-affordability/>)
- ISLANDS TRUST HOUSING OPTIONS TOOLKIT
(<https://islandstrust.bc.ca/document/housing-options-toolkit-tools-1-10/>)
- Southern Gulf Islands Housing Needs Assessment (2018)
- Mayne island housing action plan (draft may 2024)
- Mayne Island - Housing Review – Flex housing Expansion-Staff Report

- Mayne island -Housing Options – Identifying properties for additional density-Staff Report
- Mayne island -Housing Related Bylaw Amendment Options-Staff Report
- Mayne island-Draft Suitable Land Analysis
- RVs An Alternative Housing Option. BC RV Housing Alliance
- Gabriola Housing Advisory Planning Commission Report
- Denman Island Housing Advisory Planning Commission Final Report (November 3, 2023)
- Denman Island Housing Action Implementation Plan
- A Guide to the Denman Island Housing Advisory Planning Commission’s Final Report
- Positively Forward: Pathways to Affordable Housing on Salt Spring Island
- SMALL FOOTPRINT HOMES:
 - Island Trust Steering Committee and Technical Panels to Explore Tiny Home Enablement in the Islands Trust Area
 - Tiny Homes on Wheels “Sandbox” Conceptual Proposal
 - Tiny Homes In British Columbia: Everything You Need To Know
 - <https://www.smartmod.ca/homes-for-sale>
 - <https://cottage.life.com/realestate/canadas-best-builders-for-tiny-prefab-homes/>
 - sustain.ca
 - murchtechcorp.com
 - nomadmicrohomes.com
 - <https://www.rewildhomes.com/about>

Table 1. Preliminary Recommendations of the APC ordered by Priority Action

#	ACTION ITEM	OPTIONS	RECOMMENDATIONS	RATIONALE
7	Explore opportunities to permit worker accommodation	1. Do nothing 2. Amend the OCP to allow worker housing as well as seniors and affordable housing with a housing agreement in community service zones and commercial zones	That the LTC develop Bylaw zoning and OPC modifications to enable worker housing in both commercial and community service sites such as the Fire hall, Driftwood, and the School. Critical to this rezoning would be the development of a housing agreement that would ensure that these housing units would be used for workers.	Lack of affordable accommodation for permanent and temporary workers on NP has been identified as a critical housing issue. Such rezoning and modification of the OCP to include worker housing as well as senior and affordable housing, as an exception to the density requirement, would help address this shortage. Such ADUs would be subject to all of the other zoning regulations for ADUs on RR2 and R lots with the exception of square foot restrictions.

#	ACTION ITEM	OPTIONS	RECOMMENDATIONS	RATIONALE
4	Expand opportunities to create secondary suites and permit Accessory Dwelling Units (ADU).	1. Do nothing 2. Adopt Flexible zoning as contemplated by Mayne Island. 3. Add multiplexes as alternatives to the creation of ADUs. For example a duplex on 0.4 to 1.2 hectare lots, and a triplex on 1.2 to 5 hectare lots.	That the LTC consider adopting flexible zoning to create additional housing units on RR2 and R lots and modify the OCP to accommodate these changes. RR1 lots with a lot size of 0.4 hectares or larger could be considered on a case by case basis. Possible flexible zoning could be: • Lots 0.4 hectares (1.0 acre) to 0.6 hectares (1.5 acres): one secondary suite and one additional dwelling with a maximum combined floor area: 232 m² (2,500 ft²) • Lots 0.6 to 1.2 hectares (1.5 to 3 acres): two dwellings, one secondary suite, and one cottage with a maximum combined floor area: 325 m² (3,500 ft²) • Lots 1.2 to 5 hectares (3 to 12.35 acres): three dwellings and one cottage with a maximum combined floor area: 436 m² (4,500 ft²) The APC also recommends exploring the option of adding multiplexes as an alternative to ADUs.	Flexible housing zoning would allow for the creation of smaller unit housing and non-market housing to be built in a manner that would balance preserving and protecting the environment with the creation of additional housing units which could be used to house family members, caregivers workers, low income families and seniors. These ADUs could be rental units as the recommendation does not contemplate subdivision of these properties. Minimum square footage for ADUs would be 250 square feet. Minimum lot size for flexible zoning would be 0.4 hectares (one acre) to balance preserving the rural character of the island with the creation of more affordable housing. The APC does not consider it consistent with these recommendations to allow ADU's on RR1 lots in Magic Lake, smaller than one acre, as an alternative to secondary suites.

#	ACTION ITEM	OPTIONS	RECOMMENDATIONS	RATIONALE
5	Explore opportunities for zoning changes to permit higher density Multi-Unit Development	1. Do nothing. 2. Rezone Anglican Church lands for higher density multi unit affordable housing 3. Rezone further additional lots for low income multiunit affordable housing.	Rezoning the Anglican Church lands to allow multi unit affordable housing. The number of units would be dependant on the usual process for determining capacity. The APC further recommends the determination of whether or not other lots are suitable for multiunit affordable housing after the Suitable Land and Build Out Analyses are complete.	Zoning for not for profit affordable housing is already contemplated by the NP Bylaws and the OCP. Currently funding for further expansion of the existing facility Plumtree Court is not available. The Pender Island Housing Society ("PIRS") is prepared to consider other suitable sites for the possible development of low income housing. The Anglican Church and the Diocese are open to having their property rezoned to accommodate additional multiunit low income housing. Other suitable lots for multi-unit low income housing could be identified when the Suitable Land and Build Out Analyses are completed. The rezoning of such properties would not guarantee the development of low income housing but would facilitate it if and when funds for such developments becomes available.

#	ACTION ITEM	OPTIONS	RECOMMENDATIONS	RATIONALE
18	Review guidelines for Short Term Vacation Rentals	1. Do nothing 2. Keep as is and consider each application individually 3. Enact a standing resolution suspending applications for now 4. Remove TUP guidelines for STVR's from the OCP and restrict outright 5. Amend TUP guidelines to make them more restrictive e.g. placing lower limits on the number of permits 6. Allow existing Temporary Use Permits ("TUPs") for Short Term Vacations Rentals ("STVRs") to lapse and issue no new TUPs for STVRs. 7. Opt in to Bill 35 by which the Province regulates STVRs.	Allow existing Temporary Use Permits ("TUPs") for Short Term Vacations Rentals ("STVRs") to lapse at the end of their six year term (assuming renewal raises no issues) and issue no new TUPs for STVRs. The APC further recommends that the NP LTC not opt in to Bill 35 at this time."	Allowing existing TUPs for STVRs to lapse while not issuing further TUPs for STVRs would allow more housing for long term rentals. It would also be fair to those who have gone through the process of applying and met the criteria of the current OCP for STVRs. It is unclear whether Bill 35 will provide improved enforcement of STVRs over the current regime. As Gabriola and Salt Spring Islands have opted into Bill 35 waiting to see how the Bill works there, before considering adoption after the current STVR's lapse, seems prudent.
6	Explore legalizing the use of RVs	1. Do nothing 2. Modify the existing bylaws to allow RVs as ADUs 3. Allow RVs as primary residences 4. Issue TUPs for Recreational Vehicles ("RVs")	No change in the existing bylaws which allow the temporary use of RVs during home construction. RVs should not be permitted to be used as ADUs or primary residences unless standards and inspection regimes are in place to ensure that they are safe for year round occupancy. The APC further recommends that the	RVs are not approved for primary dwellings by the CRD and there is no standards or inspections for such units as ADUs. The bylaw makes no mention of fire safety. Fire safety is of particular concern as summarized by the Pender Island Fire Chief: "Recreational Vehicles were not designed or constructed for full time residential occupancy. They were specifically designed for short term recreational use.

#	ACTION ITEM	OPTIONS	RECOMMENDATIONS	RATIONALE
			LTC reconsider the current moratorium on enforcing the use of RVs outside of the currently permitted use. At present the non compliant RV's are generally providing substandard unsafe accommodation to the benefit the landlords. Enforcing the bylaw would ensure the safety of the occupants.	They are constructed from light weight construction materials meant for easy transportation. The ventilation, heating, electrical and plumbing systems are intended for short term use and much less robust than their residential construction type counter parts. The use of recreational vehicles for full time residential occupancy strains all of their operational systems to their maximum therefore placing them at the top end of Fire and Life Safety risk to the occupants and to the surrounding community".
8	Explore permitting the use of Tiny Homes as wheels as ADUs	1. Do nothing 2. Modify the existing bylaws and OCP to allow Small Footprint Homes (i.e. Tiny Homes on Wheels) as ADUs	Small foot print homes on wheels (tiny homes on wheels) of 250 square feet or larger, built to CAS standards Z240MH or A277 or equivalent installed on a permanent foundation compliant with the BCBC should be approved. Small footprint homes on foundations built to the BCBC should also be approved. This does not apply to any small footprint homes of wheels which do not meet the CSA standards. The necessary OCP and bylaw changes to enable the use of CSA compliant small footprint homes on wheels use as ADU's should be enacted.	Manufactured or modular small footprint homes on wheels (tiny homes on wheels) if designed to meet CSA standards Z204MH or A277 of 250 square feet or larger are suitable for full time occupancy if installed on a foundation compliant with the BCBC.

#	ACTION ITEM	OPTIONS	RECOMMENDATIONS	RATIONALE
9	Explore permitting non-market housing in all residential land use zones and in some public land use zones	1. Do nothing 2. Wait until the Suitable Land Analysis and Build Out Study are done before proceeding on this action item.	The APC does not recommend any action on this item. As the need for such changes to current zoning to create affordable housing are adequately covered by action items 5 and 7.	The need for such changes to current zoning to create affordable housing are adequately covered by action items 5 and 7.
12	Explore options at time of subdivision to increase opportunities for affordable housing	1. Do nothing 2. Deal with applications on a case by case basis ensuring that common law and regulatory requirements are met.	The APC does not recommend exploring this option.	The APC does not consider it consistent with the preserve and protect mandate of the Islands Trust to approve any subdivision which would increase density. In addition any such application would face significant legal hurdles.

North Pender Island Housing Action Plan Implementation Tracking Table – October 2025

#	Action	Timeline - Adjusted	Status/Comments
Goal 1: Updating and Using Available Data to Inform Housing Projects			
1	Finalize Suitable Land Analysis and make results publicly accessible	Completion – Summer/Fall 2025 Roll-out – Fall/Winter 2025	BCGEU strike disrupted workflow, targeting January 30 meeting for preliminary mapping
2	Complete island-wide build-out analysis	Completion – Summer/Fall 2025 Roll-out – Fall/Winter 2025	BCGEU strike disrupted workflow, targeting January 30 meeting for preliminary mapping
3	Present results of 1 and 2 at a Community Information Meeting (CIM)	Fall/Winter 2025	BCGEU strike disrupted Oct 25 CIM, staff seeking direction for CIM in Feb/March 2026
Goal 2: Diversifying Housing Options through Zoning			
4	Expand opportunities to create secondary suites and permit Accessory Dwelling Units (ADU)	Community engagement – Remainder of 2025 Legislative process – Winter-	Recommendations provided in staff report
5	Explore opportunities for zoning changes to permit higher density Multi-Unit Development in areas with a concentration of community amenities	Summer 2026 Implementation – Fall 2026	- Recommendations provided in staff report - Identification of additional potential parcels to be supported by Suitable Land and Build Out Analyses
6	Explore legalizing the use of RVs in appropriate areas considering set-backs, parking, access, septic, available water, visual aesthetics, and fire safety.	No further action recommended	No actions recommended. Mark as Complete
7	Explore opportunities to permit worker accommodation (e.g at community firehalls, Driftwood Center.)		Recommendations provided in staff report
8	Explore permitting the use of Tiny Homes as ADUs or establishing higher density tiny home zones (e.g. modular home villages) in appropriate areas considering set-backs, parking, access, septic, available water, visual aesthetics, fire safety		Recommendations provided in staff report
9	Explore permitting rezoning for non-market housing in all residential land use designations and also in some public land use designations (e.g. school properties, community service)	No further action recommended	No actions recommended. Mark as Complete
Goal 3: Increasing Opportunities for Non-Profit Housing			
10	Identify areas that may be appropriate for higher density community housing and explore rezoning	Fall/Winter 2025	- Dependent on completion of Suitable Land Analysis - Any bylaw amendments would follow same timelines as Goal 2.

11	Explore rezoning of a portion of Anglican Church lands to permit affordable housing.	Fall/Winter 2025	Recommendations provided in staff report
12	Explore options at time of subdivision to increase opportunities for affordable housing (e.g. land donation in exchange rezoning to permit subdivision, allowing smaller lot sizes for affordable housing)	Community engagement – Remainder of 2025 Legislative process – Winter - Summer 2026 Implementation – Fall 2026	No actions recommended. Mark as Complete
13	Engage in advocacy and collaboration with other levels of government on island-based affordable housing initiatives including potential expansion of Plum Tree Court.	Winter 2025	Staff to invite CRD to fall APC meeting to discuss various program initiatives
14	Engage with community members to increase participation in community housing initiatives and non-profit community housing organizations.	Ongoing	Work ongoing, APC Chair seeking new members for PIHS board, will be further supported by mail out (Action 16)
Goal 4: Increasing Community Education and Outreach			
15	Increase awareness of secondary suite incentives and other housing programs (e.g. templates of house plans pre-approved by the province).	Winter 2025	Will include links in future communications
16	Initiate island wide mail out describing project goals and objectives and opportunities to become involved in housing initiatives	Spring/Summer 2025	Delayed due to strike. Will be sent with updated CIM date when determined.
17	Develop educational materials to inform the public of changes to zoning and results of project deliverables	Development – Summer 2026 Roll-out - Fall 2026	Dependent on completion of bylaw amendments
18	Review Short Term Vacation Rental guidelines (could include consideration of removal or amendment of Temporary Use Guidelines from OCP) and develop educational materials.	Roll-out of Educational Materials – Fall 2026	Requires input from the LTC
19	Collaborate with the Capital Regional District (CRD) and other levels of government on harmonization of compatible housing projects and programs.	Ongoing	Staff to invite CRD to APC meeting in fall
Goal 5: Incorporating First Nations Interests in Land Use Decision Making			
20	Send follow-up letter to initiate further collaborative engagement with local First Nations on housing needs and opportunities.	Winter 2025	Letter drafting underway
21	Initiate direct collaborative engagement with Tsawout First Nation Housing Department	Planning staff met with Tsawout Nov 6, no further actions required	Planning staff met with Tsawout Nov 6, no further actions required – Mark as Complete
22	Ensure that known registered archeological site and archeological potential information is considered when developing housing related bylaw amendments	Winter 2025 – Spring 2026	Will be further considered when site specific options are explored

Hardal Management Inc.

150 – 3751 Jacombs Road, Richmond, BC V6V 2R4

Tel: (604) 269-0030
Email: hardal@hardal.ca

27th February, 2025

Brad Smith
Planner
Islands Trust North Pender

Dear Brad

It has been a while since we spoke regarding the possibility of putting housing units above buildings 5, 6 and 7 under our Development Permit for Driftwood Centre.

I did speak to both North Pender Trustees, who did indicate they would be supportive of this plan, due to the housing shortage on Pender Island.

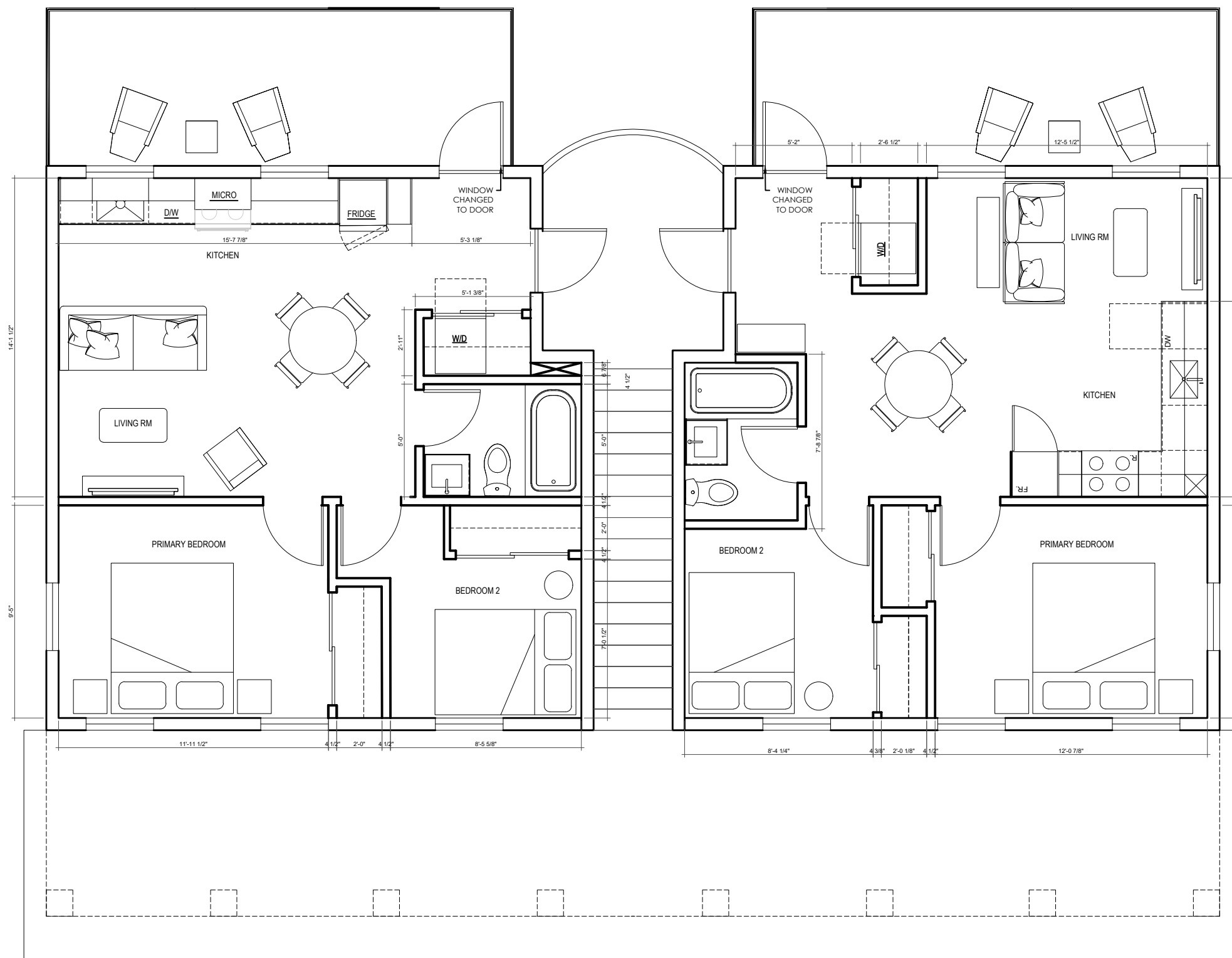
At this time, the owner, Davie Rae, would like to know what steps need to be taken to pursue this plan. Would it be a variance to the Development Permit, or a total rezoning application?

Could you advise what the next steps would be to proceed. I have copied Phil Testemale, as I believe he still looks after Driftwood Centre?

I look forward to hearing from you.

Dorothy Murdoch
Property manager

driftwoodcentre@shaw.ca
250 516 3877



1. CONTRACTOR TO VERIFY ALL SITE MEASUREMENTS PRIOR TO COMMENCEMENT OF WORK
2. MILLWORK PAINT COLOR, FINISH, STAIN TO BE SPECIFIED BY DESIGNER
3. ALL TRIM TO BE PAINT GRADE, COLOR TO BE SPECIFIED BY DESIGNER
4. CEILING AND WALL COLOR TO BE SPECIFIED BY DESIGNER
5. DRAWER PULL STYLES TO BE SPECIFIED BY DESIGNER
6. CONTRACTOR TO ENSURE THAT ALL WORK IS DONE TO MEET CURRENT BUILDING CODE REQUIREMENTS

NOTE USE OF OTHER SPECIALTY HARDWARE AS PER PLAN

REVISIONS

Sarah-Marie Interior Designs
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E sarah@sarahmarieinteriors.com

JOB TITLE

DAVIE RAE
SECHLT, BC

DRAWING UPPER FLOOR RESIDENTIAL LAYOUT PLAN 2-BEDROOM OPTIONS

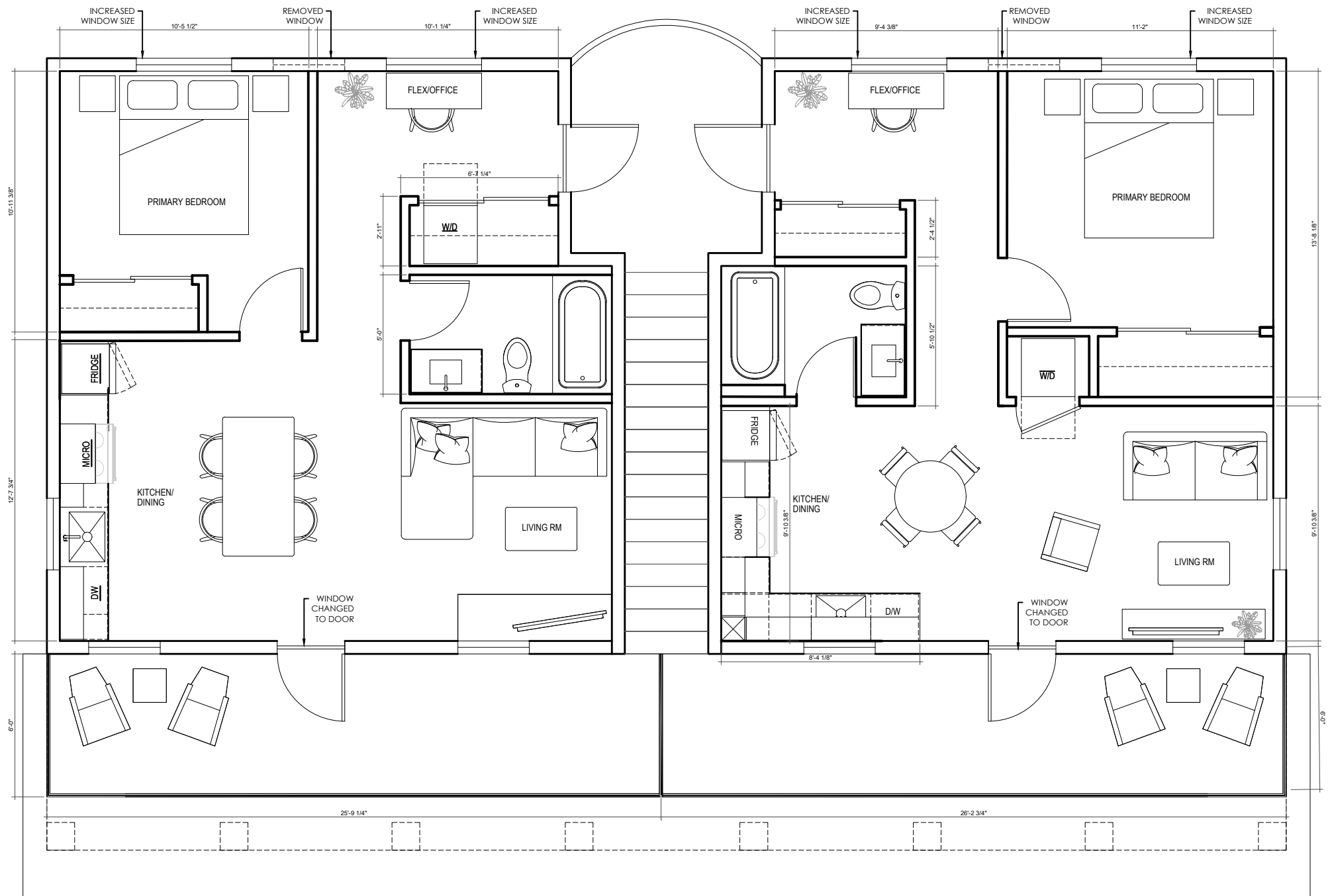
DRAWN	W. HOWARTH
CHECKED	
DATE	JANUARY 19, 2024
SCALE	3/16"=1'-0"

DRAWING NO.:

ID1.0

1 2 - BEDROOM LAYOUT PLANS
ID-1.0 SCALE:3/16" = 1'-0"

* WINDOW SIZES AND LOCATIONS NEED TO BE CONFIRMED



- 1. CONTRACTOR TO VERIFY ALL SITE MEASUREMENTS PRIOR TO COMMENCEMENT OF WORK
- 2. MILLWORK PAINT COLOR, FINISH, STAIN TO BE SPECIFIED BY DESIGNER
- 3. ALL TRIM TO BE PAINT GRADE, COLOR TO BE SPECIFIED BY DESIGNER
- 4. CEILING AND WALL COLOR TO BE SPECIFIED BY DESIGNER
- 5. DRAWER PULL STYLES TO BE SPECIFIED BY DESIGNER
- 6. CONTRACTOR TO ENSURE THAT ALL WORK IS DONE TO MEET CURRENT BUILDING CODE REQUIREMENTS

NOTE USE OF OTHER SPECIALTY HARDWARE AS PER PLAN

REVISIONS

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JOB TITLE

DAVIE RAE
SECHLT, BC

DRAWING

UPPER FLOOR
RESIDENTIAL LAYOUT PLAN
1-BEDROOM OPTION 1

DRAWN	W.HOWARTH
CHECKED	
DATE	JANUARY 19, 2024
SCALE	3/16"=1'-0"

DRAWING NO.:

ID2.0

1 - BEDROOM LAYOUT PLANS
ID-2.0 SCALE:3/16" = 1'-0"

* WINDOW SIZES AND LOCATIONS NEED TO BE CONFIRMED

Active Projects Report

North Pender Island

0. Major project - Housing Access and Affordability Project

Responsible

Dates

Activity:

Brad Smith

Rec'd: 26-May-2023

Pre-project phase: establish project scope and submit business case for Trust Council approval - Completed

Target: 26-Jun-2026

Consultation - special APC to review issues and provide recommendations - Completed

Direction to draft bylaws

0. Minor project - Update of Raptors Nest DPAs

Responsible

Dates

Activity:

Brad Smith

Rec'd: 26-May-2023

To review and update DPA mapping, DPA provisions, undertake consultation and legislative process to adopt OCP amendment

Target: 31-Mar-2026

Future Projects Report

North Pender Island

1. *Coastal Douglas Fir Ecosystem*

Responsible

Date Received

Consider implementation of toolkit and mapping
- LPC to develop model bylaw in 2021-22

01-Feb-2019

2. *Accessory Dwelling Units*

Responsible

Date Received

Review options for accessory dwelling units on North Pender.

26-May-2022

3. *Review DPAs*

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

4. *Browning to Driftwood Corridor Plan*

Responsible

Date Received

Coordination on a transportation plan for the Driftwood to Port Browning corridor.

11-Aug-2022

5. *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

Future Projects Report

North Pender Island

6. *Public engagement on groundwater data*

Responsible

Date Received

Project to present information on groundwater project to public and educate landowners

26-May-2023

7. *Fire Inspection requirements for STVRs*

Responsible

Date Received

05-Apr-2024



North Pender Local Trust Committee

Open Applications

Report

Print Date: November 13, 2025

Development Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLDP20250399	Heath CW Lansdow	10/1/2025	1346 MACKINNON RD, PENDER IS	An application for a Development Permit Amendment to NP-DP-2023.6 for development in a sensitive ecosystem DPA
Planner		Status	Most Recent Completed Activity	
Brad Smith		Local Trust Committee	Email Applicant of LTC Meeting	

Application Number	Applicant Name	Date Received	Address	Purpose
PLDP20250384	Budd Kerfoot	9/20/2025	1329 MACKINNON RD, PENDER IS	Addition of pool deck with cold plunge and hot-tub. Removal of invasive Himalayan blackberry.
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Local Trust Committee	Generate Staff Report	

Application Number	Applicant Name	Date Received	Address	Purpose
NP-DP-2024.3	Robert Gamel	2/16/2024	385 EVERGREEN LANE	GAMEL - 385 EVERGREEN LANE: Application for a DP for development in the Sidney Island Geotechnical Area B DPA.
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Local Trust Committee	Planning Review	

North Pender

Rezoning

Application Number	Applicant Name	Date Received	Address	Purpose
NP-RZ-2024.1	Aaron Grimmer	1/8/2024	4415 BEDWELL HARBOUR RD, PE	Application for rezoning to amend the land use bylaw and OCP to permit Gulf Excavating to continue operations as established under the temporary use permit. Bylaws 236 and 237.
Planner		Status	Most Recent Completed Activity	
Brad Smith		Local Trust Committee	Record LTC Decision/Update FUAL	

Application Number	Applicant Name	Date Received	Address	Purpose
PLRZ20240110	Braedon Bigham	6/27/2024	3334 PORT WASHINGTON RD, PEN	Amend zoning to bring BDE into zoning compliance
Planner		Status	Most Recent Completed Activity	
Brad Smith		Local Trust Committee	Email Applicant of LTC Meeting	

North Pender

Subdivision				
Application Number	Applicant Name	Date Received	Address	Purpose
NP-SUB-2023.1	Brent Mayenburg	9/22/2023		2218 Clam Bay Road - Edgewood Estates - Re-activated subdivision for 12 lot bare land strata
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Waiting for Conditions	Determine Next Steps - PL	
Application Number	Applicant Name	Date Received	Address	Purpose
NP-SUB-2023.2	Greg Atkins	10/18/2023	0 JAMES ISLAND	Lots 1-5, James Island: Referral of a subdivision application for 79 new lots
Planner		Status	Most Recent Completed Activity	
Brad Smith		Administrative Review	Record and File PLR	
Application Number	Applicant Name	Date Received	Address	Purpose
NP-SUB-2020.1	Bradford Gilbert	3/5/2020	1610 SCHOONER WAY, PENDER I	A subdivision referral for a boundary adjustment subdivision.
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Administrative Review	Record and File PLR	

Islands Trust
LTC EXP SUMMARY REPORT F2026
Invoices posted to Month ending September 2025

650 North Pender	Invoices posted to Month ending September 2025	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
LTC Local				
65050-650	LTC "Executive Expense on LTC's"	516.00	195.35	320.65
65200-650	LTC - Local Exp - LTC Meeting Expenses	1,200.00	280.16	919.84
65210-650	LTC - Local Exp - APC Meeting Expenses	1,550.00	711.48	838.52
TOTAL LTC Local Expense		<u>3,266.00</u>	<u>1,186.99</u>	<u>2,079.01</u>
Projects				
73001-650-4132	North Pender Raptor Nest DPA update	5,000.00	688.07	4,311.93
73001-650-4137	North Pender Housing Access & Affordability	8,000.00	2,159.77	5,840.23
TOTAL Project Expenses		<u>13,000.00</u>	<u>2,847.84</u>	<u>10,152.16</u>

Standing Resolutions Log

North Pender Island

Resolution Number	Action	Date
2025-026 (Standing) Short Term Vacation Rentals that North Pender Island Local Trust Committee pass a Standing Resolution to not consider approving Temporary Use Permits for short-term vacation rentals in respect of the Local Trust Committee's Housing Accessibility and Affordability project.	Carried	30-May-2025
2023-040 (Standing) Proposed Bylaws 224 & 229 - 4606 Razor Point Rd 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.	Carried	11-Mar-2023
2020-010 (Standing) 15.1 Policy options for Bylaw Enforcement Compliance on unlawful uses that the North Pender Island Local Trust Committee adopt the following policy on unlawful land uses and planning applications: 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.	Carried	30-Jan-2020

Standing Resolutions Log

North Pender Island

Resolution Number	Action	Date
2019-074 (Standing) 13.3 Model Cell Tower Strategy - Staff Briefing that the North Pender Island Local Trust Committee adopt the model cell tower strategy for future review and consideration of proposals.	Carried	04-Jul-2019
2019-072 (Standing) 13.2 Standing Resolution - Reconciliation Report 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.	Carried	04-Jul-2019
2019-061 (Standing) 16.2. Rise and Report 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.	Carried	30-May-2019

Standing Resolutions Log

North Pender Island

Resolution Number	Action	Date
2019-030 (Standing) 13.2 Advisory Planning Commission - Staff Memo 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.	Carried	28-Feb-2019
2018-070 (Standing) 12.2 Retail Cannabis Licensing - Staff Report 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.	Carried	06-Sep-2018
2006-080 (Standing) Communications Policy 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.	Carried	25-May-2006



REQUEST FOR DECISION

To: North Pender Island Local Trust Committee
For the Meeting of: November 21, 2025

From: Meeting Administrator
Date Prepared: October 30, 2025

SUBJECT: Draft 2026/27 North Pender Island Local Trust Committee Annual Meeting Schedule

RECOMMENDATION: THAT North Pender Island Local Trust Committee approve their April, 2026 to March, 2027 Meeting Schedule.

DIRECTOR COMMENTS: The work of developing the proposed 2026/27 fiscal year 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

The proposed meeting dates for 2026/27 (attached) were selected based on guidance from senior staff to avoid scheduling meetings between the general election date and the swearing-in of trustees, as well as to minimize meetings during the election campaign period.

1 PURPOSE:

To approve the North Pender Island Local Trust Committee Business Meeting Schedule from April 1, 2026 to March 31, 2027

2 BACKGROUND:

Each Local Trust Committee (LTC) is asked to endorse, by resolution, its regular annual business meeting schedule for 2026/27.

The proposed meeting dates for 2026/27 (attached) were selected based on guidance from senior staff to avoid scheduling meetings between the general election date and the swearing-in of trustees, as well as to minimize meetings during the election campaign period.

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:

- Islands Trust fiscal year timeframe;
- General local elections year and legislative meeting requirements;
- LTC's preferred meeting days and times;

- Historical number of meetings held per year;
- Anticipated project commitments and application volumes;
- Trust Council meeting dates;
- Chair and trustee availability and conflicts with Executive Committee and Trust Council Standing Committee meeting dates including Accessibility, Financial Planning and Audit, Governance, Regional Planning, and 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 staff capacity 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: [Local Trust Committees' Meeting Procedure Bylaw No. 197, 2024](#)

IMPLEMENTATION/COMMUNICATIONS: Dates and locations of meetings will be posted immediately following adoption and as per LTC Meeting Procedures Bylaw.

FIRST NATIONS RELATIONS: Not applicable.

OTHER:

4 **RELEVANT POLICY(S):** [Trust Council Bylaw No. 197, 2024](#)

5 **ATTACHMENT(S):** [NP LTC April/26 to March/27 Proposed Meeting Dates](#)
[2026/27 LTC Meeting Scheduling Calendar](#)
[2026/27 Council Standing Committees Scheduling Calendar](#)

RESPONSE OPTIONS

Recommendation: THAT North Pender Island Local Trust Committee approve their April, 2026 to March, 2027 Business Meeting Schedule.

Alternative: The North Pender Island Local Trust Committee may suggest alternative meeting dates.

Prepared By: Lisa Millard, Meeting Administrator

Reviewed By/Date: Director Planning Services / Oct. 31, 2025



North Pender Island Local Trust Committee April, 2026 to March, 2027 Regular Meetings

The North Pender Island Local Trust Committee will be meeting to consider land use applications, bylaws, correspondence, and various community planning topics.

Meetings are subject to change. Please visit the Islands Trust website for up-to-date schedule information.

DATE		TIME	MEETING TYPE	LOCATION
Friday	May 29, 2026	10:00 a.m.	Regular	TBD
Friday	July 17, 2026	10:00 a.m.	Regular	TBD
Friday	September 4, 2026	10:00 a.m.	Regular	TBD
Friday	November 20, 2026	10:00 a.m.	Regular	TBD
Friday	January 29, 2027	10:00 a.m.	Regular	TBD

Updated: November 3, 2025

The proposed meeting agenda is generally available one week prior to the meeting and may be obtained at the Islands Trust office or on www.islandstrust.bc.ca.

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

Receive Islands Trust meeting notifications, news, events, and important notices to your email inbox.

Sign up at islandstrust.bc.ca/subscribe.



SCAN ME

2026/27 Draft Meetings Calendar LTCs

APRIL

S	M	T	W	T	F	S
			1	2	3	4
5	6	GL	8	SS	10	11
12	13	14	15	16	17	18
19	20	21	22	GB	24	25
26	MA	TH	29	SA		

MAY

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3	LA	5	6	7	SP	9
10	11	DE	13	SS	15	16
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24	25	GM	27	28	NP	30
31						

JUNE

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28	MA	DE				

JULY

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AUGUST

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SEPTEMBER

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NOVEMBER

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DECEMBER

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AVICC: APR 24-26
 UBCM: SEP 14-18
 WRIT: SEP 19
 ELECTION: Oct 17
 SWEAR IN: NOV 12-14

2026/27 Draft Meetings Calendar – Trust Council & Committees

APRIL (AVICC)

S	M	T	W	T	F	S
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JUNE (LGMA)

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SEPTEMBER (UBCM)

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OCTOBER

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NOVEMBER

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JANUARY/27

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FEBRUARY/27

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MARCH/27

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AVICC: APR 24-26

UBCM: SEP 14-18

LGMA: JUN 9-11

PIBC: JUN 2-5

MIABC: APR 8/9 & MAR 31/APR 1, 2027

Legend:

Accessibility Committee
Bowen Island Municipality
Executive Committee
Financial Planning Committee
Governance Committee
Islands Trust Conservancy Board
Regional Planning Committee
Chief Administrative Officer Select Committee
Trust Council/Committee of the Whole
Trust Programs Committee