

File No.: PL-DP-2025-0499

DATE OF MEETING: January 30, 2026

TO: North Pender Island Local Trust Committee

FROM: Bruce Belcher, Planner 2
Southern Team

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: PL-DP-2025-0499

Applicant: Budd Kerfoot
Location: 1325 Mackinnon Rd, North Pender Island

RECOMMENDATION

1. That the North Pender Island Local Trust Committee approve issuance of Development Permit PL-DP-2025-0499.

REPORT SUMMARY

The purpose of this report is to consider a Development Permit (DP) application for construction of two commercial vacation rental cottages and a parking lot within the **Commercial and Industrial Form and Character Development Permit Area (DPA)** on the property.

BACKGROUND

The application is preceding a building permit application, as 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 two identical commercial vacation rental cottages to be located at 1325 Mackinnon Rd, as part of The Tides Cottages commercial vacation rental business, which also operates on 1329 Mackinnon Rd. The two new cottages would each have a floor area of 900 ft² or about 83.6 m². Additional to the new cottages a new parking lot is also proposed with a capacity of six parking spaces.

Through conversations with staff the applicant has proposed to locate the eastern of the two cottages within the 6.1 metre interior side lot line setback to 1329 Mackinnon Rd. Since both properties operate under the same commercial business the applicant's rationale was to locate the new cottages closer to the existing commercial tourist accommodation operation and away from the neighbour to the west. Since the requested

variance would result in closer adherence to the guidelines in the DPA the variance is being included within the DP application.

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 involve the addition of two new commercial guest accommodation units. The proposal is generally unobtrusive and maintains consistency with the existing landscaping and design of the property.

The new construction is generally consistent with the landscaping guidelines in the OCP. The landscaping regulations within the DPA guidelines set out requirements with the purpose of softening the building mass and provide screening along lot lines. The proposed location of the two new tourist accommodation units provides existing screening to the western neighbour. The proposed buildings will not be visible from the roadway due to the existing development near the roadway, fencing, and natural slope away from the road towards the shoreline.

The applicant has provided a basic landscaping plan intending to mainly use planting containers around the two new buildings to provide additional screening and softening of the physical appearance. Due to the south facing property experiencing drought-like conditions during the summer months. The applicant wishes to use landscaping containers to ensure the proposed plantings can survive the intense heat with limited irrigation while conserving fresh water resources. No trees will be removed as a result of the proposed construction, and the existing trees and shrubs along the western property line will be maintained to ensure adequate screening to the neighbouring property.

The proposed parking would include a parking lot located along the eastern property providing six parking spaces. The LUB requirement for tourist accommodation units is one per unit, so the proposal exceeds the requirement by four spaces. The parking lot will be surfaced a permeable surface of crushed gravel.

There are no lighting or signage proposals included within the application.

Given the scale of the development, the existing screening between adjacent parcels, and the distance of the new tourist accommodation units from the roadway, staff consider that the proposed development and landscaping plans are sufficient and generally meets the guidelines within the OCP. Staff's review of the OCP DPA guidelines is included as Attachment 3.

Land Use Bylaw:

The property is zoned Commercial 2 – variant e - C2(e) 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 buildings, and structures. The site-specific zoning allows a maximum of three (3) tourist accommodation units on the property. Additional to the two proposed units there is an existing dwelling on the property which is permitted as an accessory dwelling for the use of a caretaker, owner, operator, or employee of the principal use.

The proposed siting of the eastern tourist accommodation cabin is within the 6.1m setback to the interior side lot line, specifically 2.4 metres from the lot line. The siting would allow the proposal to closer adhere to the DPA guidelines by reducing the impact on the neighbour to the west, since the property to the east shares ownership and is a part of the same business operation.

The variance to the interior lot line setback has been included within the draft DP (Attachment 4).

Draft Development Permit

The Draft DP includes site specific conditions for the proposed work with respect to the following:

- Siting
- Building Form and Character
- Landscaping
- Parking
- Landscaping security of \$2,500, based on 125% of the estimated \$2,000 planting cost
- Variance to the interior lot line setback to the east neighbour (same owner)

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 proposal has been designed to minimize impacts on the neighbouring property to the west, and includes the maintenance of all mature trees and shrubs to ensure screening is sufficient;
- The conditions within the draft DP ensure that the development meets the OCP guidelines for the new construction of tourist accommodation units within the Commercial and Industrial Form and Character DPA;
- 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 PLDP20250499 as presented does not meet guideline(s) _____ for the following reasons: _____.

Submitted By:	Bruce Belcher, Planner 2	January 21, 2026
Concurrence:	Robert Kojima, Regional Planning Manager	January 22, 2026

ATTACHMENTS

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

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	LOT 2, SECTION 17, PENDER ISLAND, COWICHAN DISTRICT, PLAN 8439, EXCEPT THAT PART IN PLAN 20404
PID	004-862-252
Civic Address	1325 MACKINNON RD, NORTH PENDER ISLAND
Lot Size	0.56 ha

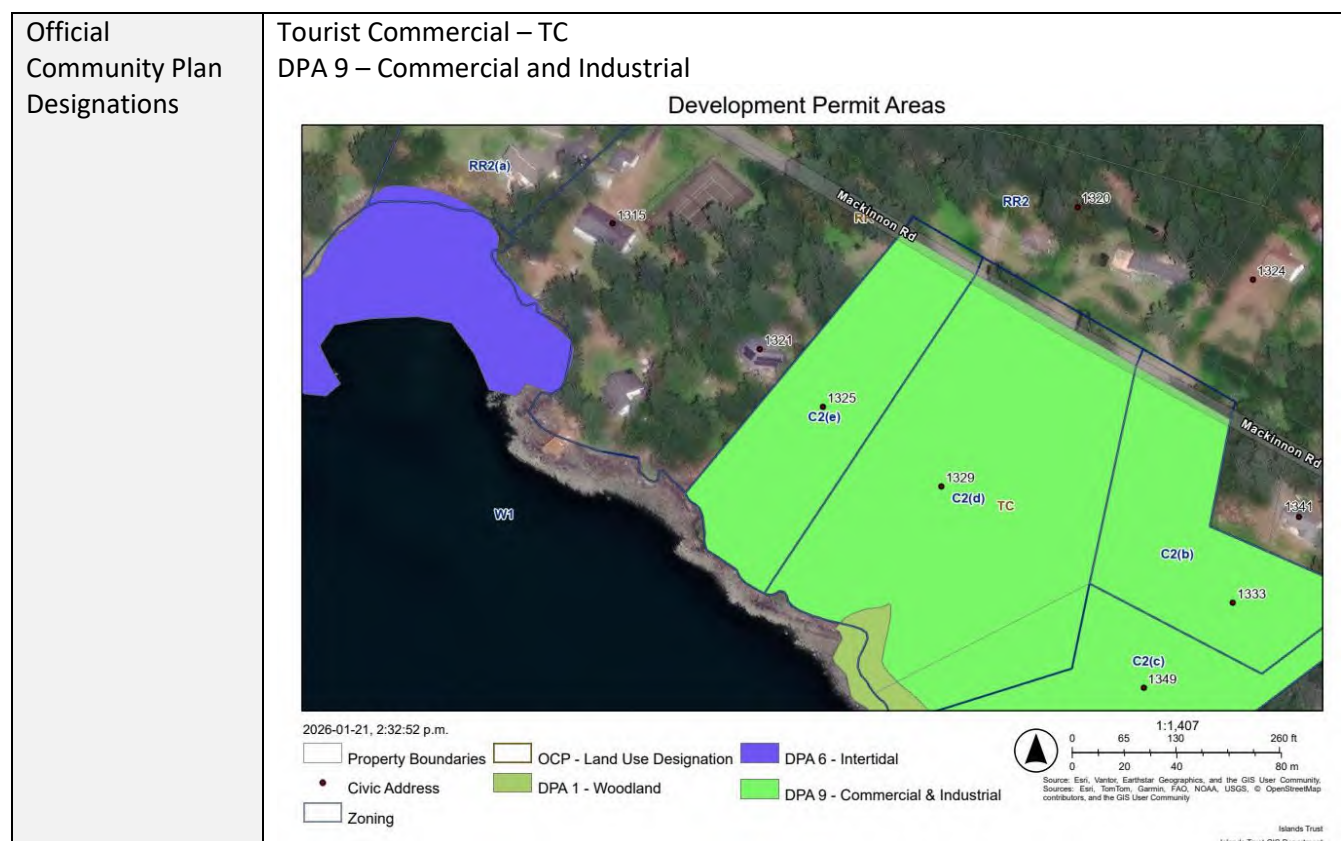
LAND USE

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

HISTORICAL ACTIVITY

File No.	Purpose
NP-BP-2016.6	BP to alter existing commercial building into a single-family dwelling.
NP-DVP-1995.5	unknown

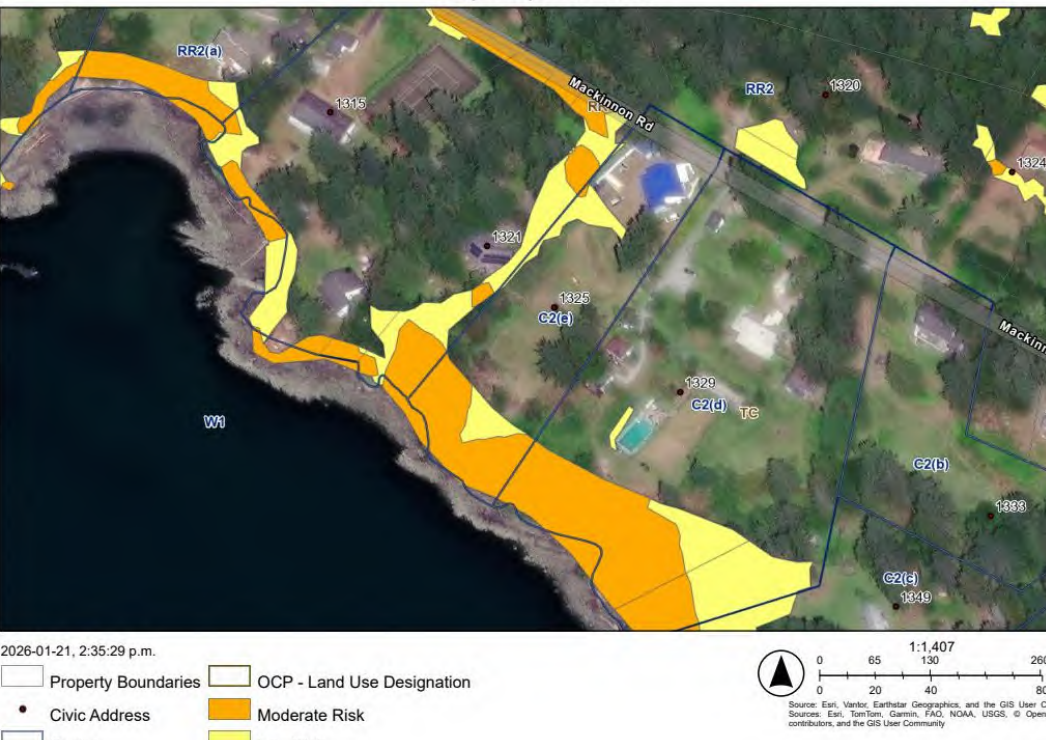
POLICY/REGULATORY



Land Use Bylaw	Commercial 2 – variant e
Other Regulations	none
Covenants	None
Bylaw Enforcement	None

SITE INFLUENCES

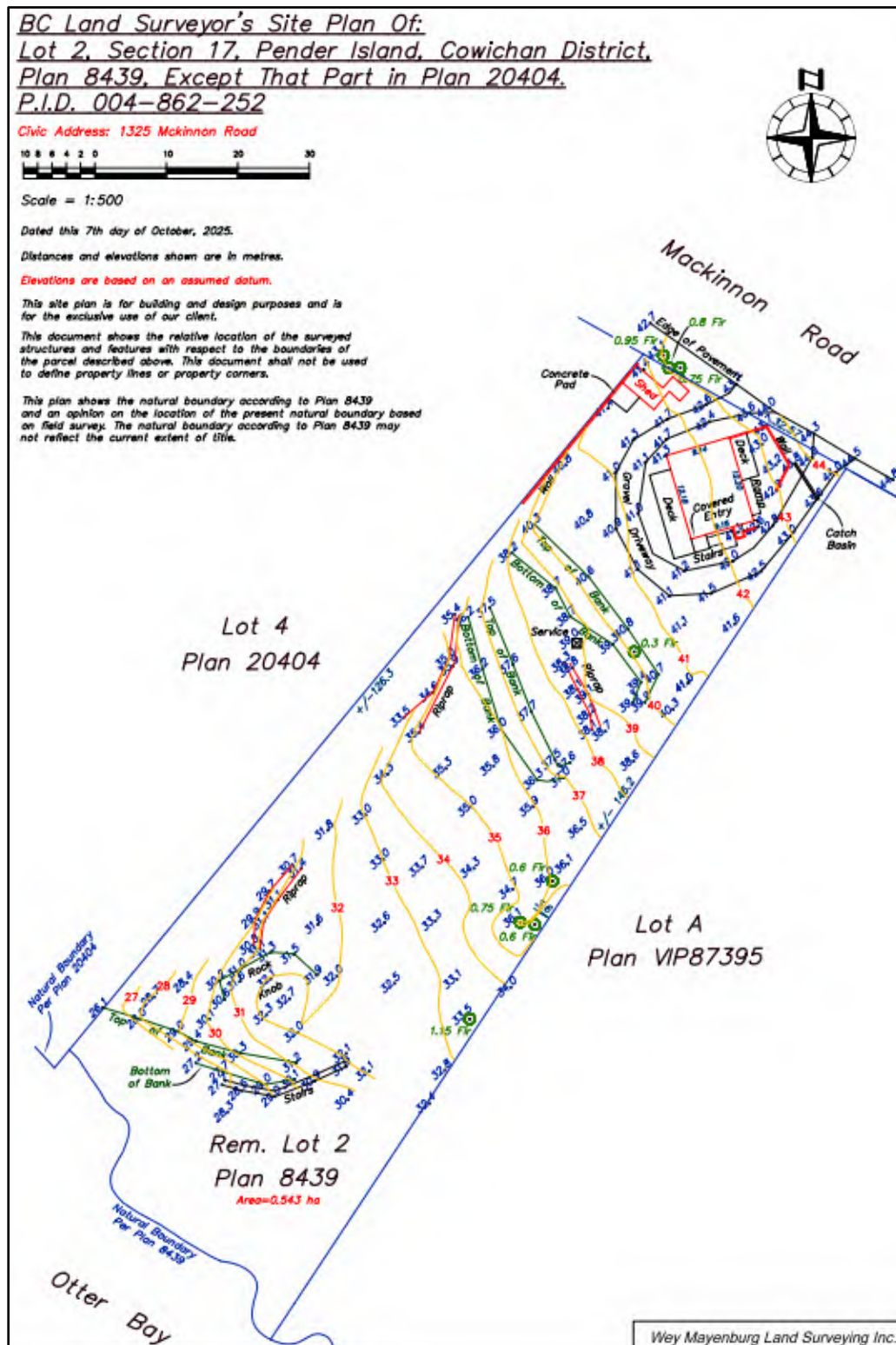
Islands Trust Conservancy	The application has no considerations for the Islands Trust Conservancy
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	Marbled Murrelet, Southern Resident Orca Whale Species at Risk  2026-01-21, 2:34:13 p.m. Property Boundaries Civic Address Zoning OCP - Land Use Designation Coastline Type Low Rock / Boulder Shoreline Type (Islands Trust) Low Rock/Boulder Eelgrass Shoreline Presence (2014) Flat, Continuous Eelgrass Meadows (2022) Moderate Ecosystems at Risk - CDC Species at Risk Critical Habitat - ECCO Marbled Murrelet Southern Resident Orca Whale - Critical Habitat - DFO Scale: 1:1,407 0 65 130 260 ft 0 20 40 80 m Source: Esri, Vantor, Earthstar Geographics, and the GIS User Community, Sources: Esri, TomTom, Garmin, FAD, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community Islands Trust Islands Trust GIS Department
Sensitive Ecosystems	Herbaceous, Woodland, Cliff

	Sensitive Ecosystems  2026-01-21, 2:33:35 p.m. Property Boundaries OCF - Land Use Designation Primary Class (Galiano, Mayne, North Pender) Civic Address Secondary Class (Galiano, Mayne, North Pender) Herbageous Zoning Cliff Woodland Source: Esri, Vantor, Earthstar Geographics, and the GIS User Community, Sources: Esri, TomTom, Garmin, FAD, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community Islands Trust Islands Trust GIS Department
Hazard Areas	Moderate to low-risk steep slopes Steep Slope Hazards  2026-01-21, 2:35:29 p.m. Property Boundaries OCF - Land Use Designation Civic Address Moderate Risk Zoning Low Risk Source: Esri, Vantor, Earthstar Geographics, and the GIS User Community, Sources: Esri, TomTom, Garmin, FAD, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community Islands Trust Islands Trust GIS Department
Archaeological Sites	Remote Access to Archaeological Data (RAAD) information indicates there are no archaeological sites on the property. However, there are areas of high archaeological potential mapped on the property and therefore the applicant has been sent the Islands

	Trust Chance Find Protocol and provincial guidance on archaeological sites. By copy of this report, the owners and applicant should be aware that unrecorded archaeological material 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

ATTACHMENT 2 – MAPS, PLANS, DRAWINGS, PHOTOGRAPHS

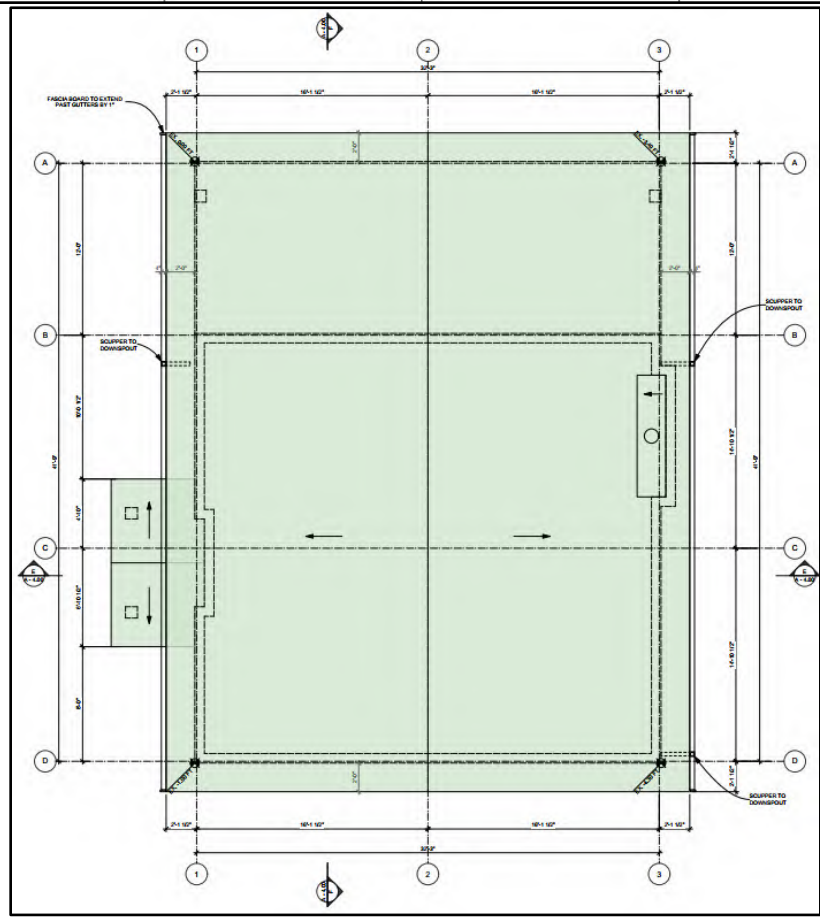
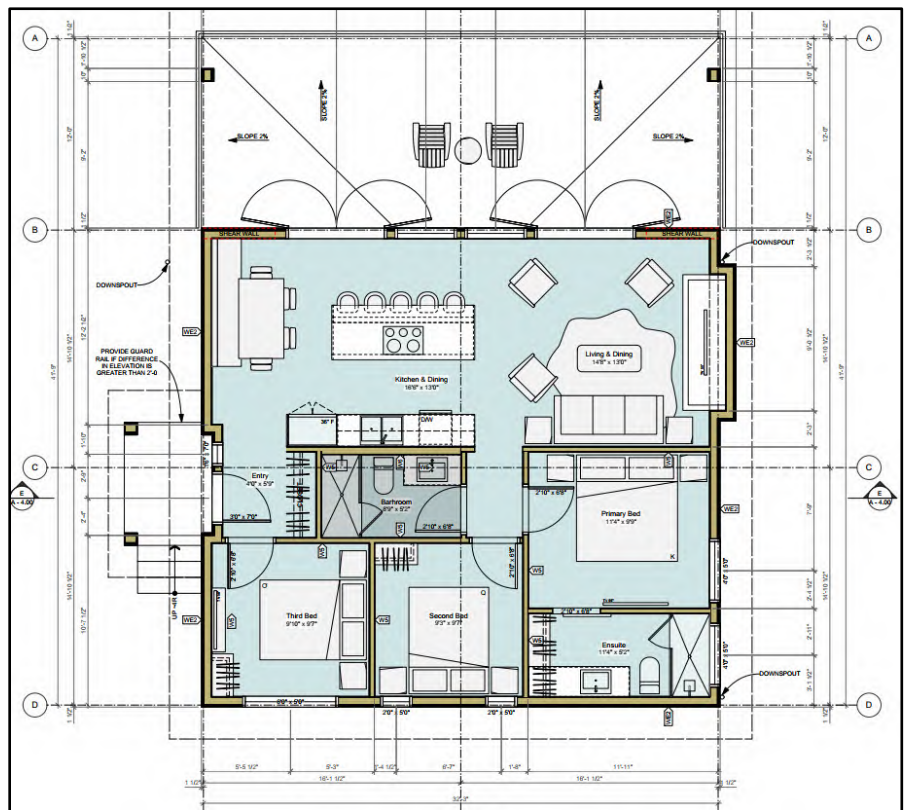
2.1 SURVEY PLAN



2.2 BUILDING ELEVATION PLANS

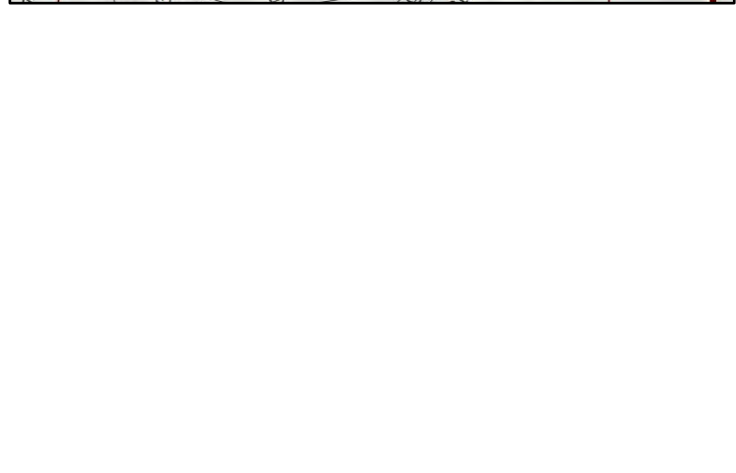


2.3 BUILDING FLOOR AND ROOF PLANS



The site plan for Lot 4 (Plan 20404) is oriented vertically. At the top, Mackinnon Road runs horizontally. The plan shows several key features:

- Top Left:** A 'PUMP-HOUSE & WELL HEAD' and '2 WATER CISTERNS SHED' are located near the road.
- Top Center:** The 'Edge of Precipitous' is marked with a dashed line.
- Top Right:** A 'Centre Stream' flows along the boundary.
- Center:** A 'PRIMARY RESIDENCE' is shown as a grey-shaded building. Below it is a 'NEW DRIVEWAY (100' x 15' x 15')' and a 'SEPTIC FIELD (CONFORM LOCATION ON-SITE)'.
- Bottom Center:** A 'GAMES AREA' is indicated by a pink-shaded rectangle.
- Bottom Right:** '6 PROPOSED PAVING LOTS' are shown as a blue-shaded area.
- Bottom Left:** Two green-shaded rectangular areas are labeled '100' x 150'' and '100' x 150''.
- Boundaries:** The plan is bounded by 'Mackinnon Road' at the top and 'Otter Bay' at the bottom. A 'Natural Boundary' is marked on the left and bottom edges.
- Other Labels:** 'Corner Post', 'Bottom of Back', 'Rem. Lot 2', and 'Plan 8459' are also present.



2.5 PHOTOS (SITE VISIT JAN 19TH, 2026)



VIEW OF PROPERTY FROM MACKINNON RD





VIEW OF PROPERTY LOOKING SOUTH FROM UPPER DRIVEWAY



EXISTING SCREENING ALONG WEST PROPERTY LINE, LOOKING SOUTH



EXISTING SCREENING ALONG WESTERN PROPERTY LINE, LOOKING WEST



EASTERN PROPERTY LINE, LOOKING EAST



PROPOSED CABIN LOCATIONS, LOOKING SOUTH





PROPOSED PARKING LOT LOCATION, LOOKING WEST

Attachment 3

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:	☒	☐	☐	Proposal to construct two new tourist accommodation cottages (900 sqft/ 83.6m ²)
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 cottages and parking lot to be constructed in generally open grass area of the property. No trees planned for removal.
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.	☒	☐	☐	Two new commercial guest accommodation units proposed. Buildings are the same design and are located adjacent to each other.
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.	☒	☐	☐	Building form and character appears consistent with cottages within the adjacent property.
d) Building mass should be limited to two storeys above grade.	☒	☐	☐	Complies, vaulted ceiling one storey buildings.
e) Building mass should be appropriately proportioned in comparison to building height by limiting building frontage length in relation to building height.	☒	☐	☐	Complies.
f) Natural materials should be incorporated into the design of buildings with construction materials and styles relating to the vernacular style of coastal architecture.	☒	☐	☐	White fibre cement siding, light grey metal roofing. Design appears consistent with coastal architecture styles.
g) Architectural variety should be provided through the use of pitched roofs, peaked roof lines, dormers and similar features.	☒	☐	☐	Both cottages are an identical design. Consistent with other cottages on the island.
h) New buildings should result in minimal disturbance to existing vegetation.	☒	☐	☐	New cottages and parking lot to be constructed in generally open grass area of the property. No trees proposed for removal.
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.	☐	☐	☒	

Guideline	Complies			Staff Comments
	Yes	No	N/A	
j) Development along the shoreline should be visually unobtrusive and conform to the existing contours of the shoreline.	☒	☐	☐	Complies
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 cottages are sited to minimize the impact on 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.	☐	☐	☒	No foreshore structures proposed
4. All applications should include landscaping adhering to the following guidelines:	☒	☐	☐	Considering that no development takes place adjacent to roadway and minimal vegetation or trees are disturbed with the proposed development the provided landscaping plan and information is sufficient.
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.	☒	☐	☐	i. Irrigation requirements: drip irrigation system for potted plants. Planting list: native grasses, lavender, annual flowers. Cost estimates/Total value of work: \$2,000 planting ii. Existing vegetation: Douglas fir, willow, himalayan blackberry, daphne iii. N/A iv. Proposal maintains existing native trees and shrubs along the western property line to maintain screening to neighboring properties. v. no plans to use any pesticides, herbicides, or fungicides
b) Existing site topography and landscape features should not be altered in order to create new landscaping.	☒	☐	☐	No existing landscape features or site topography to be altered.
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.	☒	☐	☐	Mature trees to be maintained in the setback areas.

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.	☒	☐	☐	Minimal planting proposed, native, drought resistant shrubs, species list identified, attached to permit.
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.	☒	☐	☐	Condition in permit.
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.	☒	☐	☐	Condition in permit, \$2,000 estimate would result in \$2,500 security.
5. All applications should provide a parking layout plan, adhering to the following guidelines:	☒	☐	☐	

Guideline	Complies			Staff Comments
	Yes	No	N/A	
a) Large impervious and surfaced parking areas should be avoided. Parking should be provided through smaller parking areas evenly dispersed throughout the development and separated with planted landscaped areas. Porous or permeable surfaces should be used where practical and impervious surfaces should be minimized and swales and open ditches should be installed rather than curb and gutter systems.	☒	☐	☐	Parking surface is ¾" crushed gravel. One large parking area with 6 parking spaces is proposed. LUB only requires 1 parking space per tourist accommodation unit.
b) Visitor parking spaces should be clearly identified and provided within the development. Tree planting is encouraged in and around parking areas.	☒	☐	☐	Visitor parking is clearly identified off of main driveway. No planting proposed around parking area, trees to be retained along driveway.
c) Parking should be located at the sides or rear of buildings wherever feasible.	☒	☐	☐	Parking located along side yard setback line, to retain existing green space.
d) Development should provide for and clearly identify pedestrian circulation areas, preferably with different paving and/or landscaping treatment.	☐	☐	☒	
e) All significant paved parking areas should be included within the context of any stormwater water plan and incorporate oil/water separators.	☐	☐	☒	
f) The shared use of a common access between businesses is encouraged. The number of accesses should be limited to the number required for traffic safety.	☐	☐	☒	
g) All new development should include provision for bicycle parking or storage.	☐	☐	☒	
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:	☐	☐	☒	
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	☒	☐	☐	Variance within permit to allow siting within interior lot line setback, would lead to closer adherence to the DPA guidelines by reducing impact on the neighbour to the west.



**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT
PLDP20250499**

To: Leslee Kerfoot
c/o Budd Kerfoot

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

LOT 2, SECTION 17, PENDER ISLAND, COWICHAN DISTRICT, PLAN 8439, EXCEPT THAT PART IN PLAN 20404
PID: 004-862-252

2. This Development Permit PLDP20250499 authorizes the construction of two (2) new tourist accommodation cottages, and a parking lot within Development Permit Area Nine (DPA 9) – Commercial and Industrial Form and Character, subject to the following requirements and conditions:

Siting

- a. The siting and dimensions of the new tourist accommodation cottages and parking lot shall be substantially consistent with **Schedule ‘A’ - Site Plan** and **Schedule ‘B’ – Floor Plan** -attached to and forming part of this permit.

Building Form and Character

- b. The exterior form and architectural detail (materials and finish) of the tourist accommodation cottages shall be substantially consistent with **Schedule ‘C’ – Elevation Plans** attached to and forming part of this permit.

Landscaping

- c. Landscaping layout shall be substantially consistent with **Schedule ‘D’ - Landscape Plan** attached to and forming part of this permit.
d. Native plant species should be chosen from the attached **Schedule ‘E’ – Planting List** based on drought resistance, and deer resistance.
e. Ongoing maintenance of landscaped areas shall not use herbicides, pesticides or fungicides.
f. 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.
g. Mature trees shall be retained for natural screening.

Parking

- h. Parking layout shall be consistent with **Schedule ‘A’ – Site Plan**.
i. Parking shall use permeable surfacing, such as gravel.

3. Pursuant to Section 502 of the *Local Government Act*, the Local Trust Committee requires security to ensure that any conditions respecting new planting and other landscape elements are satisfied:
- a. Where the Local Trust Committee considers that a condition in the permit respecting landscaping has not been satisfied the Local Trust Committee may undertake and complete the works required to satisfy the landscaping condition, at the cost of the permit holder, and may apply the security in payment of the cost of the works with any excess to be returned to the permit holder.



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- b. Any interest earned on the security provided under Condition 4 shall accrue to the permit holder and be paid to them immediately on return of the security or, on default, become part of the amount of the security.
 - c. The security provided by the permit holder shall be in the form of:
 - I. An irrevocable letter of credit with a clause for automatic renewal, or cash equivalent.
 - II. Payable to the Islands Trust
 - III. In the amount of 125% of the quoted landscaping cost totalling \$2,500 based upon the cost estimate of \$2,000 as submitted by the applicant dated January 19, 2026.
4. North Pender Island Land Use Bylaw No. 224, 2022 is varied as follows:
 - a. Subsection 5.8 (6)(a) which states that *the minimum setback for any building or structure shall be 6.1 metres from any interior or exterior lot line* is varied to permit the siting of a tourist accommodation cabin within 2.4 metres of the interior side lot line.
5. Any further development within designated Development Permit Areas will require a new Development Permit, or a Development Permit Amendment.
6. 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.
7. 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 XX DAY OF XX

Deputy Secretary, Islands Trust

Date of Issuance

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

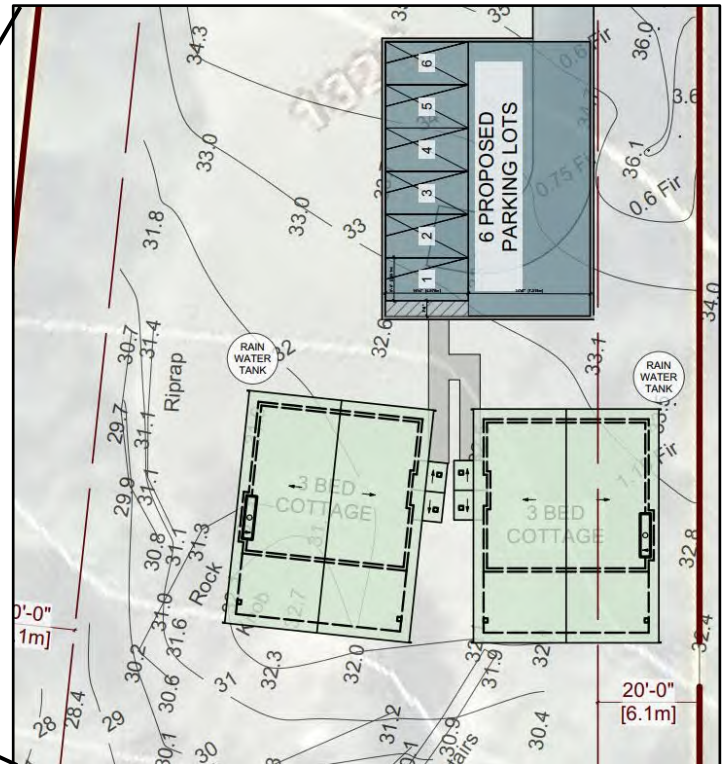
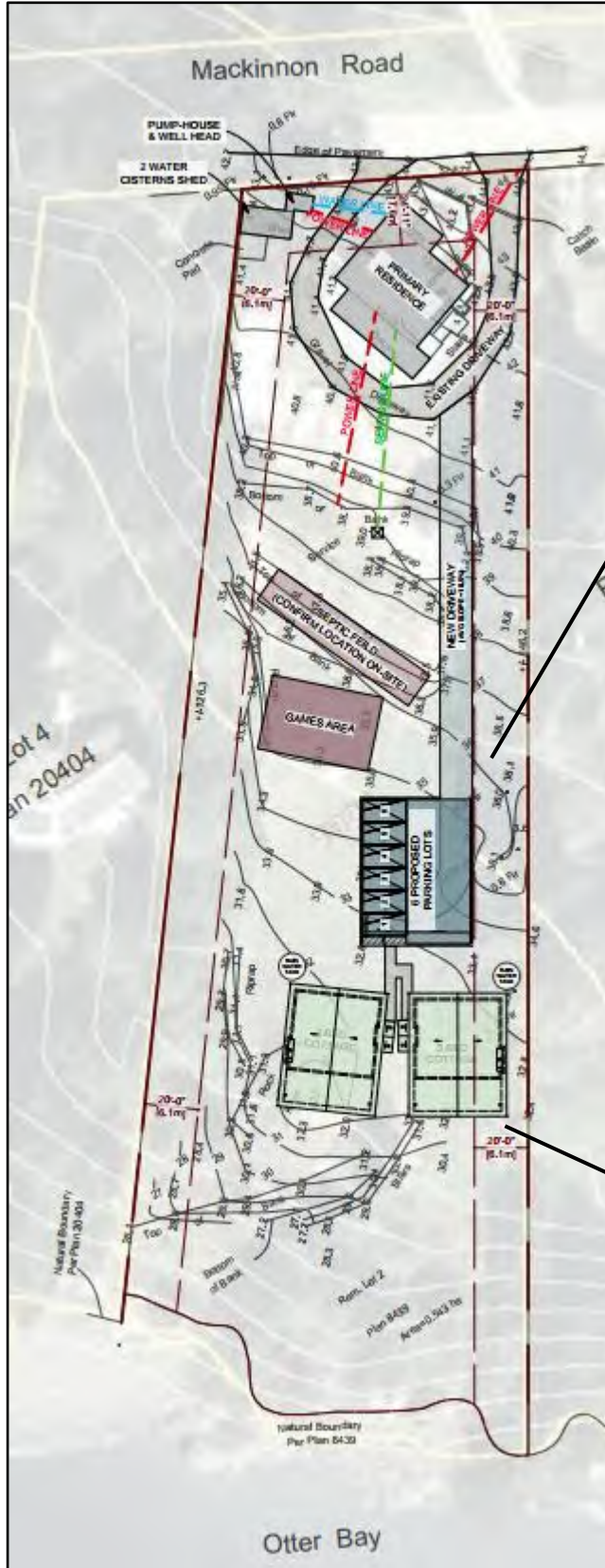


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NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

PLDP20250499

SCHEDULE 'A' – Site Plan



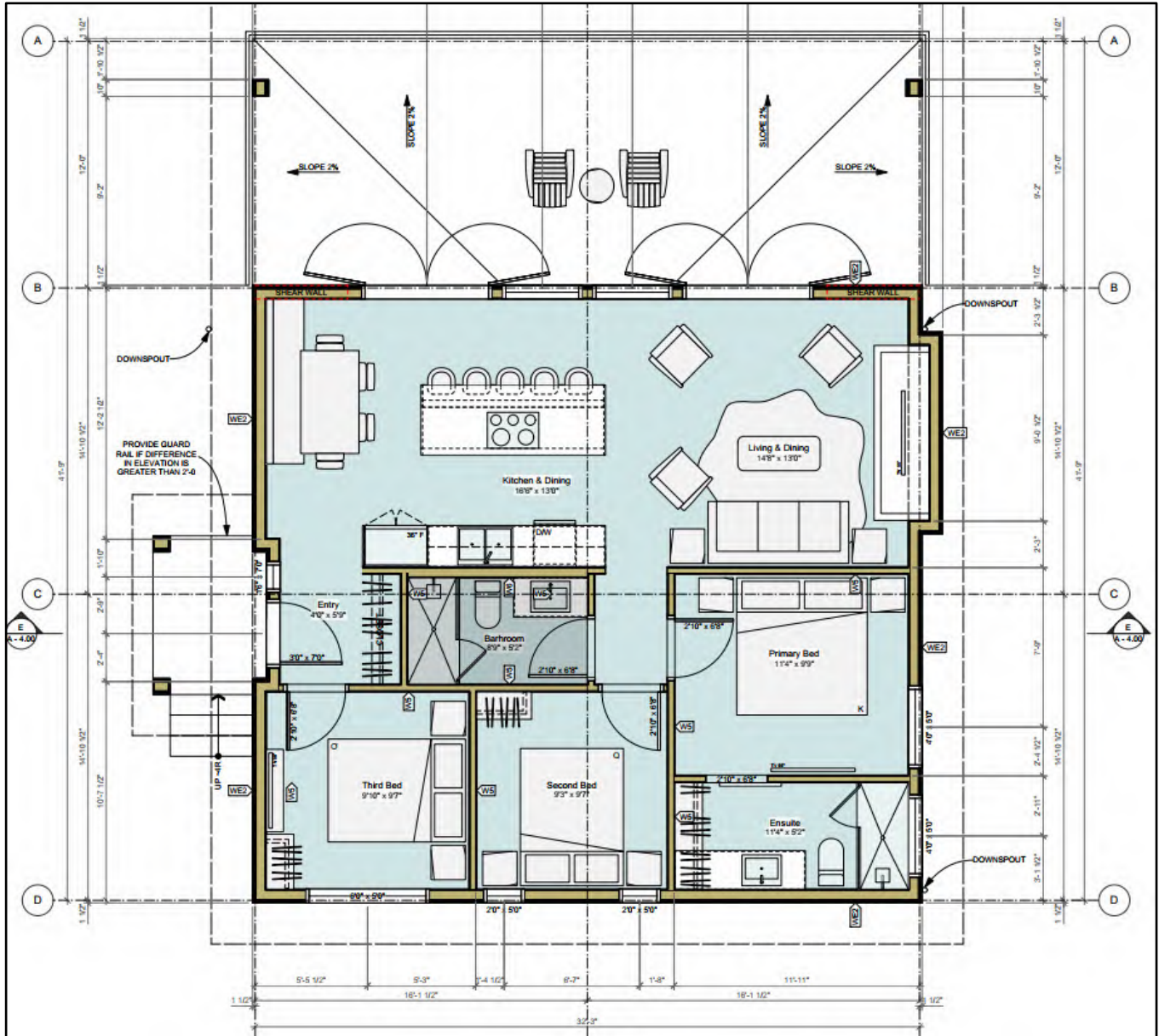


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PLDP20250499

SCHEDULE 'B' – FLOOR PLAN



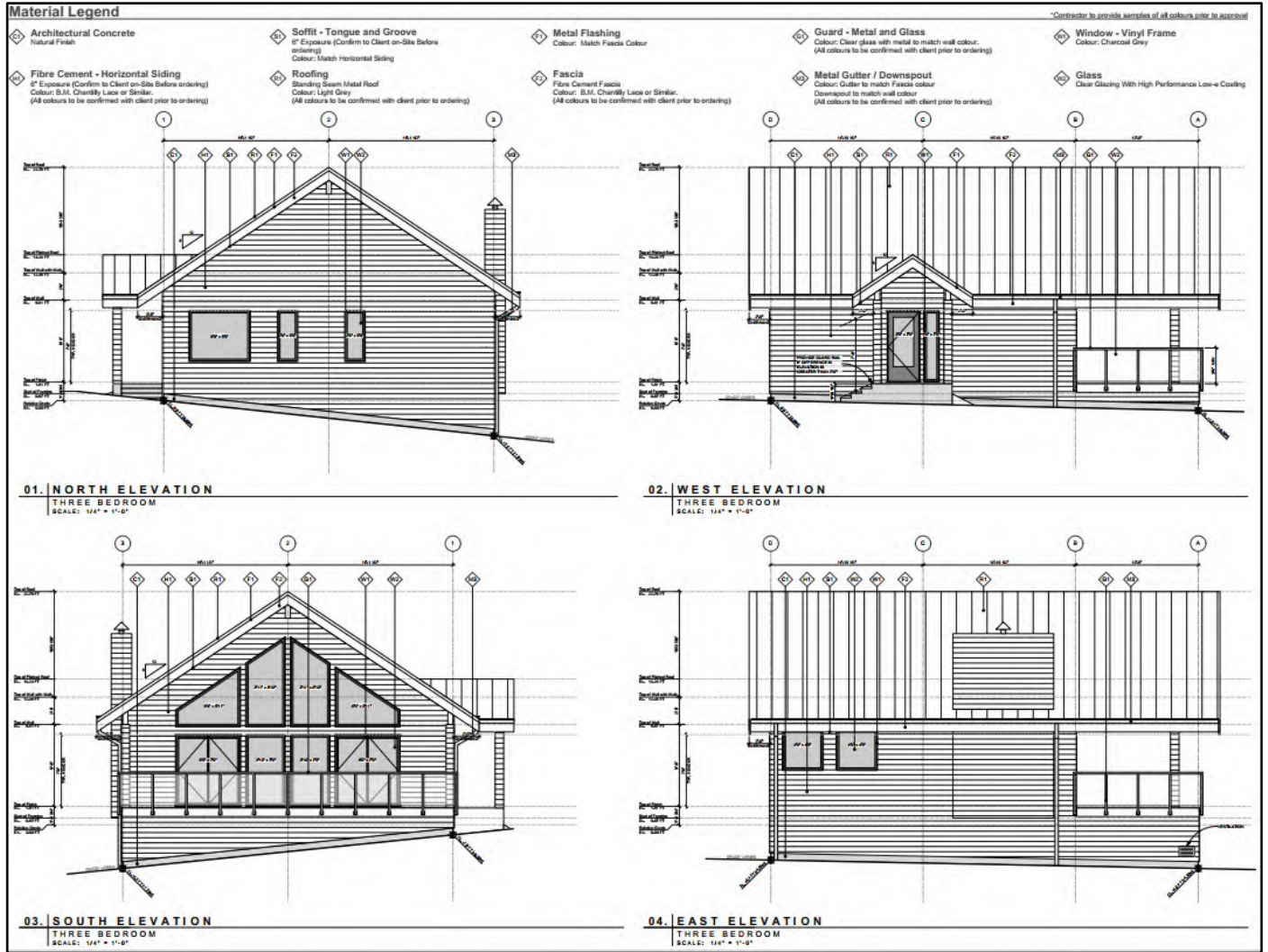


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PLDP20250499

SCHEDULE 'C' – ELEVATION PLAN



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
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 SCHEDULE 'D' – LANDSCAPE PLAN





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NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

PLDP20250499

SCHEDULE 'E' – PLANTING LIST (1 of 2)

	Common Name	Notes	Deer Resistant	Drought tolerant
TREES				
Acer griseum	Paperbark maple	fall colour, showy peeling red bark		X
Acer palmatum 'Bloodgood'	Japanese red maple	burgundy red foliage all season		
Albizia julibrissin	Silk tree	ferry foliage, showy summer flowers	X	X
Cercidiphyllum japonicum	Katsura	large shade tree, fall interest	X	
Cornus 'Eddies White Wonder'	White dogwood	white spring flowers, fall colour		X
Ginkgo biloba	Ginkgo	unique leaves, gold fall colour	X	X
Magnolia grandiflora 'Kay Parris'	Southern magnolia	evergreen, large summer flowers	X	X
Magnolia 'Butterflies'	Yellow magnolia	early spring flowers		
* lower branches of trees may get nibbled when young but will eventually grow out of reach of deer				
SHRUBS				
Berberis 'Concorde'	Burgundy barberry	foliage colour	X	X
Calluna 'Spring Torch'	Spring tips summer heather	evergreen, late summer flowers	X	X
Camellia sasanqua	Winter camellia	evergreen, winter flowers		X
Choisya ternata	Mexican orange	evergreen, white flowers late spring	X	X
Erica 'Kramer's Red'	Winter heather	evergreen, dark pink flowers	X	X
Euonymus 'Compacta'	Dwarf burning bush	amazing red fall colour		X
Hydrangea 'Ayesha'	Hortensia hydrangea	longlasting summer flowers		
Hydrangea paniculata 'Limelight'	PeeGee hydrangea	longlasting summer flowers		
Pieris 'Forest Flame'	Lily-of-the-Valley shrub	evergreen, spring flowers	X	X
Rhododendron various	Rhododendron	evergreen structure, spring flowers	X	
Rosa meidiland or Flower Carpet	Landscape roses	very longlasting blooms, easy care		X
Rosa rugosa 'Blanc de Coubert'	Rugosa rose	good for hedgerows, seaside planting		X
Skimmia japonica	Japanese skimmia	evergreen, spring flowers, shade	X	X
Syringa 'Miss Kim'	Korean lilac	late spring pink flowers	X	X
Viburnum 'Spring Bouquet'	Spring bouquet viburnum	evergreen, informal hedge/screen		X

	Common Name	Notes	Deer Resistant	Drought tolerant
SUN PERENNIALS				
Agastache Kudos hybrids	Hummingbird mint	summer-fall, coral/yellow/apricot/pink	X	X
Calamagrostis Karl Foerster	Feather reed grass	tall border grass	X	X
Coreopsis 'Moonbeam'	Threadleaf coreopsis	long lasting lemon yellow flowers		X
Echinacea purpurea	Purple coneflower	summer flowers, tall		X
Gaura linheimeri	Beeblossom	long lasting flowers, white or pink		X
Geranium 'Rozanne'	Hardy geranium	longlasting purple flowers		X
Helictotrichon sempervirens	Blue oat grass	evergreen, low mound	X	X
Lavandula 'Hidcote'	English lavender	summer colour & fragrance	X	X
Lithodora Grace Ward	Lithodora	evergreen, blue flowers, edging	X	X
Miscanthus 'Gracillimus'	Maiden grass	very tall specimen grass	X	X
Nepeta 'Junior Walker'	Catmint	longlasting blooms, fragrant	X	X
Panicum 'Shenandoah'	Switch grass	medium height, late summer-fall colour	X	X
Pennisetum 'Hameln'	Fountain grass	mounding, summer-fall interest	X	X
Perovskia 'Crazy Blue'	Russian sage	late summer flowers	X	X
Salvia 'Caradonna'	Perennial sage	early summer flowers, tall	X	X
Sedum 'Autumn Joy'	Stonecrop	succulent structure, late summer flowers		X
Stipa tenuissima	Feather grass	texture, filler	X	X
Thymus 'Coccineus'	Red creeping thyme	evergreen, groundcover, edging	X	X

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
PLDP20250499
SCHEDULE 'E' – PLANTING LIST (2 of 2)

	Common Name	Notes	Deer Resistant	Drought tolerant
SHADE PERENNIALS				
Asplenium scolopendrium	Hart's tongue fern	evergreen, bright fresh green	X	
Brunnera 'Looking Glass'	Siberian bugloss	silver foliage, spring flowers	X	
Epimedium sulphureum	Barrenwort	semi-evergreen groundcover	X	X
Polystichum polyblepharum	Tassel fern	evergreen, texture	X	
Helleborus orientalis	Lenton rose	evergreen, winter flowers	X	X
Hakonechloa macra 'Aureola'	Japanese forest grass	colour & texture, edging	X	
Ophiopogon 'Nigrescens'	Black mondo grass	groundcover, filler	X	X
Hosta 'Halcyon'	Blue hosta	foliage colour		X
Native plants for naturalizing				
Arctostaphylos 'Vancouver Jade'	Kinnikinnick	evergreen groundcover		X
Blechnum spicant	Deer fern	evergreen, shade	X	
Gaultheria shallon	Salal	evergreen, groundcover	X	X
Polystichum munitum	Western sword fern	evergreen, shade	X	X
Ribes sanguineum	Red flowered currant	native, spring, hummingbirds love	X	X
Vaccinium ovatum	Evergreen huckleberry	evergreen, flowers & berries	X	X
Bulbs				
Narcissus varieties	Daffodil bulbs	reliably return every year avoid doubles and fancies as they flop	X	X
Galanthus nivalis	Snowdrop bulbs	can be naturalized in the lawn areas	X	X
*tulips don't reliably return annually and get eaten by critters, money is better spent on Narcissus				

DATE OF MEETING: January 30, 2026
TO: North Pender Island Local Trust Committee
FROM: Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Rezoning Application – Draft amending Bylaw No. 236 and 237
Applicant: Aaron Grimmer – Gulf Excavating Ltd.
Location: 4415 Bedwell Harbour Rd.

RECOMMENDATION

1. That the North Pender Island Local Trust Committee receives draft bylaw No. 236, cited as "North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2024", and directs staff to initiate bylaw referrals, subject to submission of an updated site plan from the applicant with accurate proposed area of use map boundaries to include in the draft bylaw.
2. That the North Pender Island Local Trust Committee receives draft bylaw No. 237, cited as "North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2024", and directs staff to initiate bylaw referrals, subject to submission of an updated site plan from the applicant with accurate proposed area of use map boundaries to include in the draft bylaw.

REPORT SUMMARY

The purpose of this staff report is to provide an update on rezoning application NP-RZ-2024.1 (Grimmer) including the submission of septic approval and well monitoring construction reports, and to seek direction from the North Pender Island Local Trust Committee (LTC) on draft bylaw No. 236 and No. 237.

The above recommendations are supported as:

- The proposal is reasonable and consistent with policies of the North Pender Island Official Community Plan No. 171 (OCP) and Islands Trust Policy Statement (ITPS);
- The business provides an important community service and there have been no complaints or concerns raised with the operation under the current Temporary Use Permit (TUP);
- Draft maps attached to the bylaws still need to be updated to reflect accurate site boundaries for the proposed industrial use; and,
- Draft Bylaw No. 236 and No. 237 will facilitate First Nations and agency referrals and enable further public input.

BACKGROUND

The property owner and business operator have submitted a rezoning application to permit the continued operation of a concrete batch plant and associated uses on a portion of the subject property which is zoned Rural (R) and does not permit industrial uses.

At the April 5, 2024 meeting, the LTC passed the following resolution:

NP-2024-030

It was MOVED and SECONDED,

That North Pender Island Local Trust Committee directs staff to proceed with application NP-RZ- 2024.1 (Grimmer) and to prepare draft bylaws.

With progress being made on the submission of required terms of reference items to support the application, staff are now seeking direction on proceeding with Draft Bylaw No. 236 and No. 237, including agency and First Nation referrals.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

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

Official Community Plan

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

Rezoning of the portion of the property to permit the concrete plant requires a OCP amendment. If approved, draft Bylaw No. 236 would amend the OCP land use designation map (i.e. Schedule B) to change the designation of the portion of the lot proposed for the concrete plant from Rural to Industrial.

The Industrial Land Use Policies of the OCP need to be considered, including minimizing impacts on neighbouring properties and the environment. Staff are of the view that in general, the proposed uses are consistent with the Industrial Land Use policies of the OCP.

There are no Development Permit Areas designated on the subject property. However, if the amendment proceeds, the industrial zone would become designated as a Commercial and Industrial Form and Character DPA and the applicant would then be required to obtain a development permit consistent with the requirements of DPA 9 in the OCP prior to a building permit being issued for the proposed shop building and any other permitted structures.

Land Use Bylaw

A majority of the subject property is zoned as Rural (R) in the North Pender Island Land Use Bylaw (LUB) No. 224, 2022 (LUB). Rural zoning does not permit the industrial use currently authorized through TUP.

A portion of the parcel is also zoned General Industrial(e), which is a site specific zoning that permits a waste transfer facility commercial composting, and commercial recycling. The operation of this business on the same subject parcel is completely independent from the concrete plant business.

If approved, draft bylaw No. 237 would result in the following uses to be permitted through a site specific zoning map amendment in the portion of the subject lot zoned as General Industrial (g), or GI(g):

- a) *Contractor Yard;*
- b) *Concrete production facility; and,*
- c) *Accessory buildings and structures*

Concrete production facility is defined in the amending draft bylaw to mean “the use of the site, buildings and structures for the production, storage and handling of concrete products and associated materials including the handling, treatment and storage of waste materials”.

Draft Bylaw No. 237 also corrects a previous labelling error for site specific zone GI(e), changing it to GI(f) to correct and remove the currently existing double entry of GI(e) in Table 5.10 of the LUB.

Issues and Opportunities

Terms of Reference Requirements

A terms of reference was issued to the applicant in June 2024 (Attachment 3) requiring the following additional information to be submitted:

- 1) An updated site plan professionally prepared at an appropriate scale.
- 2) A septic disposal report, prepared by a registered onsite wastewater practitioner, for the septic servicing of the proposed shop building.
- 3) An updated Environmental Assessment report that includes:
 - a. A completed compliance monitoring checklist as shown on Schedule ‘E’ of NP-TUP-2033.5 to monitor adherence to the current ‘Environmental Management Plan’ including recommendations for mitigation of any issues identified on the checklist;
 - b. A review and update of the current Environmental Management Plan in consideration of any changes proposed through rezoning including recommendations for mitigation of any issues identified. The report must include sections on water management, chemical and petroleum hydrocarbon management, spill response and prevention, and monitoring and reporting; and an updated compliance monitoring checklist that captures any new/altered conditions for use in potential future monitoring.
- 4) Photographic or other proof that work is completed to install a groundwater monitoring well down gradient from the concrete batch plant and water management area for monitoring of groundwater quality.

The status of each submission is as follows:

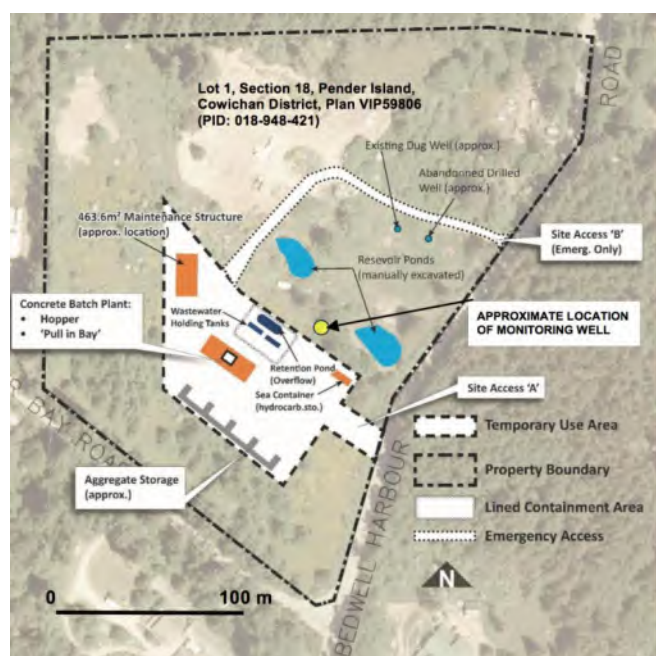
Site Plan – an updated site plan accurately delineating the proposed area of use has still not been submitted. Draft amending bylaw maps will need to be updated with the proposed area of rezoning that captures the

current operating footprint. The site plan that has been submitted does not completely align with this area of use.

Septic Report – the applicant has provided a septic report and record of filing with Island Health (Attachment 4). The report confirms that there is septic capacity at the site to service the proposed office and washroom use.

Environmental Monitoring Report – this report is still outstanding. The applicant indicates it is forthcoming as soon as possible. To date, there have been no concerns or complaints raised during the current TUP period in regards to the operation of the concrete plant. Staff will not proceed with seeking first reading of the draft bylaws until this report is submitted and reviewed by staff to identify any concerns with the current operation.

Water Quality Monitoring Well Report (Attachment 5) - A 6 inch diameter PVC monitoring well was installed on June 30, 2025 to a depth of approximately 5 metres, down gradient from the concrete batch plant as required under the conditions of the current TUP.



Section 219 Covenant

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

Consultation

Agency Referrals

Staff have identified the following agencies for bylaw referral; the LTC may direct staff to include other agencies:

- CRD – Planning and Protective Services, Building Inspection
- Island Health
- Ministry of Transportation and Transit
- Ministry of Water, Land and Resource Stewardship - Strategic Land Use - Coast Area South Coast Region

- Mayne Island Local Trust Committee
- South Pender Island Local Trust Committee
- Saturna Island Local Trust Committee
- Salt Spring Island Local Trust Committee

First Nation Referrals

Staff will initiate referrals to all identified First Nations consistent with the standardized list maintained by staff.

Statutory Requirements

In accordance with statutory requirements for an OCP amendment, a public hearing is required and it is normal practice to hold a Community Information Meeting (CIM) prior to that. 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.

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 m of the subject property.

Rationale for Recommendation

The recommendation on page 1 is supported as:

- The proposal is reasonable and consistent with policies of the North Pender Island Official Community Plan No. 171 (OCP) and Islands Trust Policy Statement (ITPS);
- The business provides an important community service and there have been no complaints or concerns raised with the operation under the current Temporary Use Permit (TUP);
- Draft maps attached to the bylaws still need to be updated to reflect accurate site boundaries for the proposed industrial use; and,
- Draft Bylaw No. 236 and No. 237 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-RZ-2024.1.

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 amending bylaws and issue a TOR to the applicant consistent with the DAI bylaw.

Submitted By:	Brad Smith, Island Planner	January 14, 2026
Concurrence:	Robert Kojima, Regional Planning Manager	January 21, 2026

ATTACHMENTS

1. Draft Bylaw No. 236
2. Draft Bylaw No. 237
3. Terms of Reference DAI Letter, June 2024
4. Septic Filing Report, Jan 2026
5. Monitoring Well report, July 2025

DRAFT

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 236

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

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

1. CITATION

This Bylaw may be cited for all purposes as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2024”.

2. SCHEDULES

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

3. SEVERABILITY

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

READ A FIRST TIME THIS	_____	DAY OF	_____	20____
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 236**

SCHEDULE 1

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

Schedule “B” – Land Use Designation Map, is amended by changing the land use designation of a portion of the land parcel legally described as Lot 1, Section 18, Pender Island, Cowichan District, Plan VIP59806 from Rural (R) to Industrial (I), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Land Use Bylaw No. 70 as are required to effect this change.

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 236**

Plan No. 1

Note: Updated map to be inserted when applicant submits updated site plan

DRAFT

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 237

A BYLAW TO AMEND NORTH PENDER ISLAND LAND USE BYLAW NO. 224, 2022

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

1. Citation

This bylaw may be cited for all purposes as “North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2024”.

2. North Pender Island Local Trust Committee Bylaw No. 224, cited as “North Pender Island Land Use Bylaw No. 224, 2022,” is amended as follows:

- 2.1. Part 1 Interpretation 1.1 Definitions is amended by adding a definition of *concrete production facility* such that it reads ““concrete production facility” means the use of the site, *buildings* and *structures* for the production, storage and handling of concrete products and associated materials including the handling, treatment and storage of waste materials”
- 2.2. Subsection 5.10(12) Table 5.10 - the second instance of site-specific zone number 5 lettered GI(e) that refers to the Portion of Lot 1, Section 18, Pender Island, Cowichan District, Plan VIP59806 is amended to renumber site-specific zone 5 to site-specific zone 6 and re-letter site-specific zone GI(e) to site-specific zone GI(f).
- 2.3. A new site-specific regulation is added to Table 5.10 in Subsection 5.10(12) following site-specific zone GI(f) that reads:

	Table 5.10		
	1	2	3
	Site-Specific Zone	Location Description	Site-Specific Regulations
7	GI(g)	Portion of Lot 1, Section 18, Pender Island, Cowichan District, Plan VIP59806	Despite Subsection 5.10(1), the only uses permitted in this location are: a) <i>Contractor Yard</i> ; b) <i>Concrete production facility</i> ; and, c) <i>Accessory buildings and structures</i>

- 2.4. Schedule “1” – Zoning Map, is amended by changing the zoning classification of a portion of Lot 1, Section 18, Pender Island, Cowichan District, Plan VIP59806 from General Industrial e (GI(e)), to General Industrial f (GI(f)), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “1” of Bylaw No. 224 as are required to effect this change.

- 2.5. Schedule "1" – Zoning Map, is amended by changing the zoning classification of a portion of Lot 1, Section 18, Pender Island, Cowichan District, Plan VIP59806 from Rural to General Industrial g (GI(g)), as shown on Plan No. 2 attached to and forming part of this bylaw, and by making such alterations to Schedule "1" of Bylaw No. 224 as are required to effect this change.

3. SEVERABILITY

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

READ A FIRST TIME THIS	_____	DAY OF	_____	20____
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 237**

Plan No. 1

INSERT MAP SHOWING CHANGE OF GI(e) to GI(f)

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 237**

Plan No. 2

**INSERT MAP SHOWING CHANGE OF RURAL TO GI (G)
NOTE: SITE BOUNDARY STILL NEEDS TO BE CONFIRMED VIA SITE PLAN SUBMISSION**





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

June 19, 2024

File Number: NP-RZ-2024.1 (Grimmer)

Attn: Aaron Grimmer
Via email:

Dear Aaron Grimmer

Re: Rezoning Application NP-RZ-2024.1 (Grimmer) - Terms of Reference - 4415 Bedwell Harbour Road, North Pender Island (PID 018-948-421).

The North Pender Island Local Trust Committee (LTC) received a preliminary report for rezoning application NP-RZ-2024.1 (Grimmer) at the April 5, 2024 LTC meeting. At that meeting, the LTC passed a resolution to proceed with the application, including the drafting of amending bylaws and 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 in your application package includes:

1. Completed application form
2. Letter of Intent
3. Survey plan depicting area proposed for rezoning
4. Preliminary site plan drawings
5. Statement of Title Certificate
6. Site Disclosure Plan
7. Water License approval documentation

Additional information required to proceed with your application includes:

- 1) A **site plan** professionally prepared at an appropriate scale, based on the existing legal survey, delineating the proposed area for rezoning and all existing and proposed buildings and structures, roads and driveways, topographic features, and any significant sensitive habitat features.
- 2) **Conditional Water License NO. 504995** has been submitted by the applicant. This license was approved on May 8, 2023 and permits up to a maximum quantity of 3 cubic metres per day for the commercial concrete plant enterprise. As such, at this time, there are no further submission requirements to demonstrate adequate water supply. However, an updated **Water Management Plan** will be required, as further described in the Environmental Assessment section below.
- 3) A **septic disposal report**, prepared by a registered onsite wastewater practitioner, for the septic servicing of the proposed shop building consistent with section 8.13 of the LUB.

- 4) An updated **Environmental Assessment** report that includes:
 - a. A completed **compliance monitoring checklist** as shown on Schedule 'E' of NP-TUP-2033.5 to monitor adherence to the current 'Environmental Management Plan' including recommendations for mitigation of any issues identified on the checklist;
 - b. A review and update of the current **Environmental Management Plan** in consideration of any changes proposed through rezoning including recommendations for mitigation of any issues identified. The report must include sections on water management, chemical and petroleum hydrocarbon management, spill response and prevention, and monitoring and reporting; and an updated compliance monitoring checklist that captures any new/altered conditions for use in potential future monitoring.
- 5) Photographic or other proof that work is completed to install a **groundwater monitoring well** down gradient from the concrete batch plant and water management area for monitoring of groundwater quality. This is also a condition of NP-TUP-2023.5.

Groundwater Monitoring

dd) A groundwater monitoring well shall be installed down gradient from the concrete batch plant and water management area within one (1) year of the issuance of this permit to allow for monitoring of groundwater quality resulting from TUP activities.

- 6) **Development Permit Areas** - There are currently no development permit areas (DPAs) affecting the area proposed for rezoning. However, the applicant should be aware that if this area of the property is rezoned to an Industrial zone, the requirements of **DPA 9 - Commercial and Industrial Form and Character** will then apply and a Development Permit will be required for the commercial operation of the concrete plant. DPA 9 guidelines start on p. 85 of the [OCP](#).
- 7) **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, environmental monitoring and reporting obligations, and other limits on the proposed land use and development.
- 8) **Archaeological Material** - The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. In this case, there is a portion of a registered archaeological site located on the subject property near the proposed area of rezoning, and archaeological potential identified on other areas of the subject property.

To provide the applicant with awareness regarding potential archaeological sites, including what to do if archaeological materials are encountered during development, staff include the Islands Trust Chance Find Protocol and the provincial Archaeological Branch *Heritage Act* guidelines as attachments to this TOR.

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. Islands Trust Chance Find Protocol
Attachment 2. Provincial Archaeological Branch *Heritage Act* guidelines

pc: Robert Kojima, Regional Planning Manager

Archaeological sites are the physical remains of past human activity. There are over 61,000 known archaeological sites in British Columbia representing thousands of years of human history. The **Heritage Conservation Act (HCA)** recognizes the historical, cultural, scientific, and educational value of archaeological sites to First Nations, local communities, and the general 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 disclaimer below.¹

Your property or project area falls into the selected category:

☒ **Direct overlap with protected archaeological site(s):** _____

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 an alteration permit usually requires archaeological expertise. It is also possible that further archaeological study will be required before the Archaeology Branch will approve an alteration permit. 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 and the Archaeology Branch contacted for direction; significant development delays may result while permit requirements are established.
- 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 or low potential for archaeological sites**

Provincial records do not indicate known archaeological sites or areas of 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 immediately halted, and the Archaeology Branch contacted for direction at 250-953-3334 or archaeology@gov.bc.ca.

¹ **Provincial Disclaimer:** The Archaeology Branch of the Province of B.C. is responsible for the administration of the *Heritage Conservation Act*. It is not administered by local governments. In completing this form, local government staff rely on information provided by the Archaeology Branch. 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 B.C. that are unknown and not recorded. 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 most situations where small-scale development plans overlap 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.

If your property or project area contains a protected archaeological site:

You must obtain a s. 12.4 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.

The archaeologist may conclude, after a desktop review or a preliminary walk-over, 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, provided they don't change.

In other cases, the archaeologist and/or the Archaeology Branch may conclude that an alteration permit cannot be issued because archaeological records contain insufficient information on the nature, extent, integrity, and significance of the archaeological site. It is important that this information be on record before your activities irreparably alter the site. You may therefore be required to furnish additional archaeological site information. It might be possible to obtain the required information via a more in-depth review of the existing archaeological records. Alternatively, you may need to arrange for an archaeological impact assessment (AIA) to collect the necessary data.

If an Archaeological Impact Assessment is recommended:

An 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.

The Archaeology Branch will review the AIA recommendations and determine next steps. **Note that the application process for all Archaeology Branch permits takes a minimum of 8-12 weeks from the date the application is submitted.** Contact an eligible consulting archaeologist for time and cost estimates. The Archaeology Branch does not charge a fee for processing and issuing permits.

Contact an eligible consulting archaeologist:

An eligible consulting archaeologist is in good standing to hold a Heritage Conservation Act permit for archaeological studies in that Culture Area. Ask the archaeologist if they can hold a permit or contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Archaeologist may be found through the B.C. Association of Professional Archaeologists (www.bcapa.ca) or business directories.

Contact the B.C. Archaeology Branch:

B.C. Archaeology Branch, Ministry of Forests

Email: archaeology@gov.bc.ca

Telephone: 250-953-3334

Web: www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/private-commercial-or-development-property

Submit a Data Request Form to inquire about archaeological sites within your property or project area:

www.archdatarequest.nrs.gov.bc.ca



Chance Finds – Instructions for reporting findings of archaeological artifacts or human remains

The following provides important information from the British Columbia's Ministry of Forests Archaeology Branch¹ on how to respond if you discover an archaeological artifact or human remains on your property.

The most important step is to STOP WORK and not disturb any archaeological artifact or human remains that you may encounter. Then, please follow the instructions provided below depending on the nature of your discovery.

Report finding possible sites or artifacts

If you think you have discovered an archaeological site or artifact:

- Stop work. Do not disturb the site or artifacts. Please contact the B.C. Archaeology Branch via email at archpermitapp@gov.bc.ca (or archaeology@gov.bc.ca; 250-953-3334)

Report finding possible human remains

If you think you have discovered human remains:

- Stop work. Do not disturb the remains and please contact the B.C. Archaeology Branch immediately via email at archpermitapp@gov.bc.ca (or archaeology@gov.bc.ca; 250-953-3334)
 - The B.C. Archaeology Branch will notify the BC Coroners Service and the local policing authority. The BC Coroners Service will determine if the human remains are of archaeological significance. The B.C. Archaeology Branch may also arrange for a qualified anthropologist or archaeologist to provide an assessment of the remains and reach out to Local First Nations. Additional steps are taken from there.

Heritage Conservation Act obligations

Archaeological sites on both public and private land are protected under the Heritage Conservation Act, whether they are known or not, and must not be altered without a permit².

Suspected contraventions of the Heritage Conservation Act are investigated by Natural Resource Compliance and Enforcement. If you witness or are aware of a Natural Resource Violation, please fill out a Report of Natural Resource Violation form³ or call 1-877-952-7277, (Option 2) toll-free, or #7277 on a cellphone.

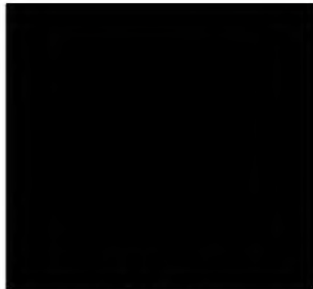
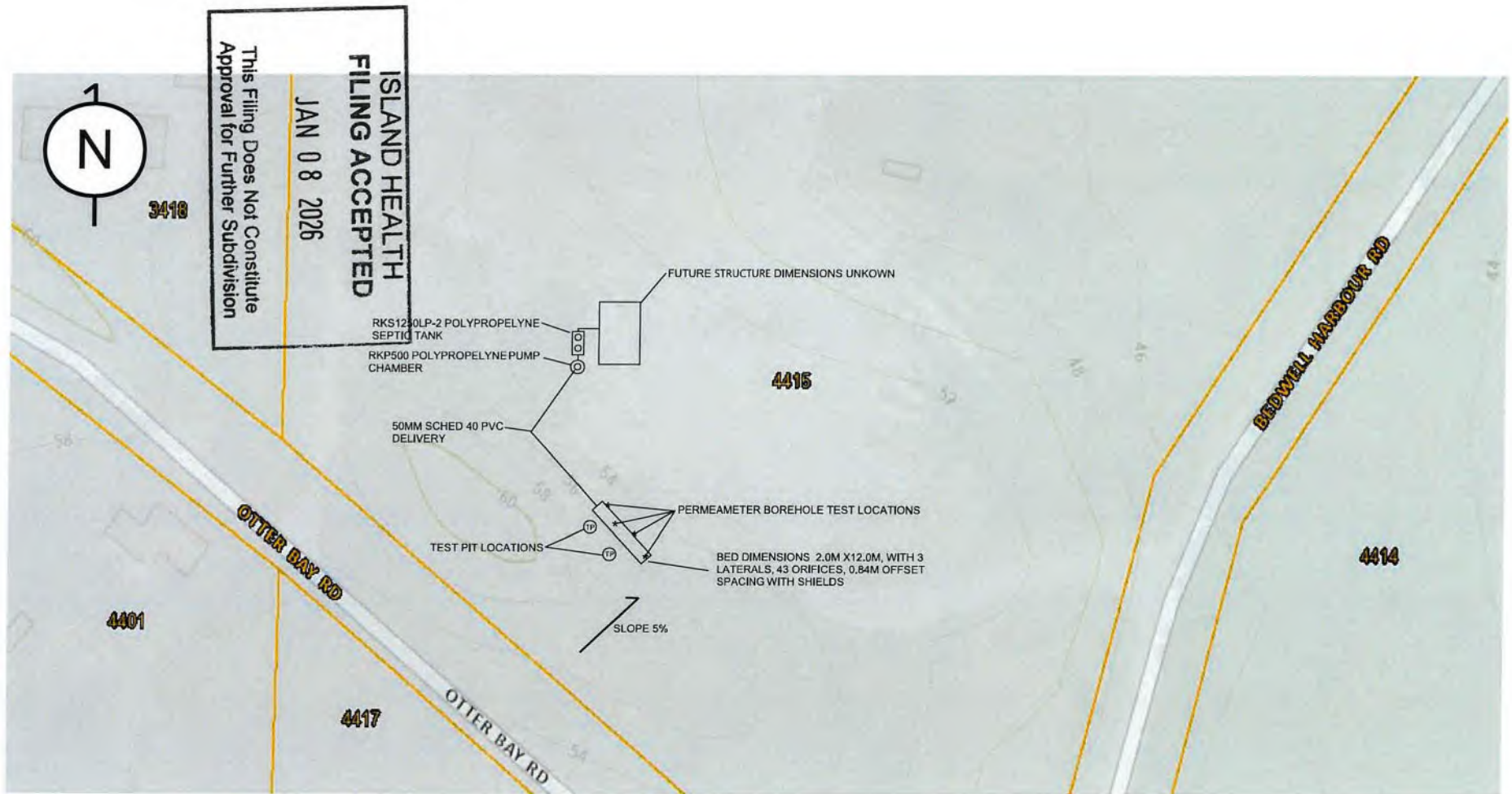
¹ <https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/report-a-find>

² see <https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/permits>

³ <https://forms.gov.bc.ca/industry/report-a-natural-resource-violation>

RECORD OF SEWERAGE SYSTEM

		Filing # (OFFICE USE ONLY) GV26/005	
1. Property Information	☒ New Construction ☐ Alteration ☐ Repair ☐ Amendment – Original Filing #		
	Tax Assessment Roll #		PID # 018-948-421
	Legal Description (Plan, Lot, District Lot, Block Numbers) LOT 1, SECTION 18, PENDER ISLAND, COWICHAN DISTRICT, PLAN VIP59806		
	Street (Civic) Address or General Location 4415 Bedwell Harbour Rd.		City Pender Island
2. Owner Information	Name of Legal Owner BARBARA JEAN GRIMMER		Mailing Address [REDACTED]
	Phone [REDACTED]	City Pender Island	Prov BC Postal Code V0N2M1
3. Authorized Person Information	Name of Authorized Person Christopher Carrier		Mailing Address 2202 Clam Bay Rd.
	Phone 778-688-9165	City Pender Island	Prov BC Postal Code V0N2M1
	Registration # ow0691		Email ecosourcesepctic@gmail.com
4. Structure Information	Sewerage System Will Serve:		
	☐ Single Family Dwelling ☒ Other Structure (specify) <u>Office</u> ☐ Other Dwelling (specify) _____		
5. Site Information	The sewerage system is designed for an estimated minimum daily domestic sewage flow of (check one)		
	☒ Less than or equal to 9,100 litres ☐ More than 9,100 litres but less than 22,700 litres		
	Depth of native soil to seasonal high water table or restrictive layer (cm) 45CM		Information respecting the type, depth and porosity of the soil is attached ☒ Yes ☐ No
	GPS Location of System (decimal degrees) Latitude <u>48.79602</u> Longitude <u>-123.28461</u>		Horizontal Accuracy (m) <u>CRD WebMap</u> ☒ Recreational GPS ☐ Differential GPS
6. Drinking Water Protection	Will the sewerage system be located less than 30 m from a well? ☐ Yes ☒ No		
	If yes, attach a professional's report and specify the intended distance _____ (m)		
	Distance of proposed sewerage system to the closest body of surface water <u>>30M</u> (m)		
7. System Information	Sewerage treatment method ☒ Type 1 ☒ Type 2 ☐ Type 3		
8. Legal or Regulatory Considerations	☒ Construction of the proposed sewerage system will not conflict with legal instruments registered on the property.		Is this filing submitted as the result of an order from the Health Authority? ☐ Yes (attach a copy of the order) ☒ No
9. Plot Plan and Specifications	Plot Plan (to scale) and specifications are attached ☒ Yes ☐ No		
	☒ The plans and specifications are consistent with Standard Practice Source of Standard Practice: ☒ Ministry of Health Standard Practice Manual ☐ Other _____		
10. Authorized Person's Signature	Signature Christopher Carrier -- ROWP - ASTTBC		OFFICE USE ONLY
	Date January 7, 2026		Filing Accepted Date Jan 8/26
	Digitally signed by Christopher Carrier -- ROWP - ASTTBC Date: 2026.01.07 10:49:30 -08'00'		Receipt Number 2601CMC-7566



AP SEAL

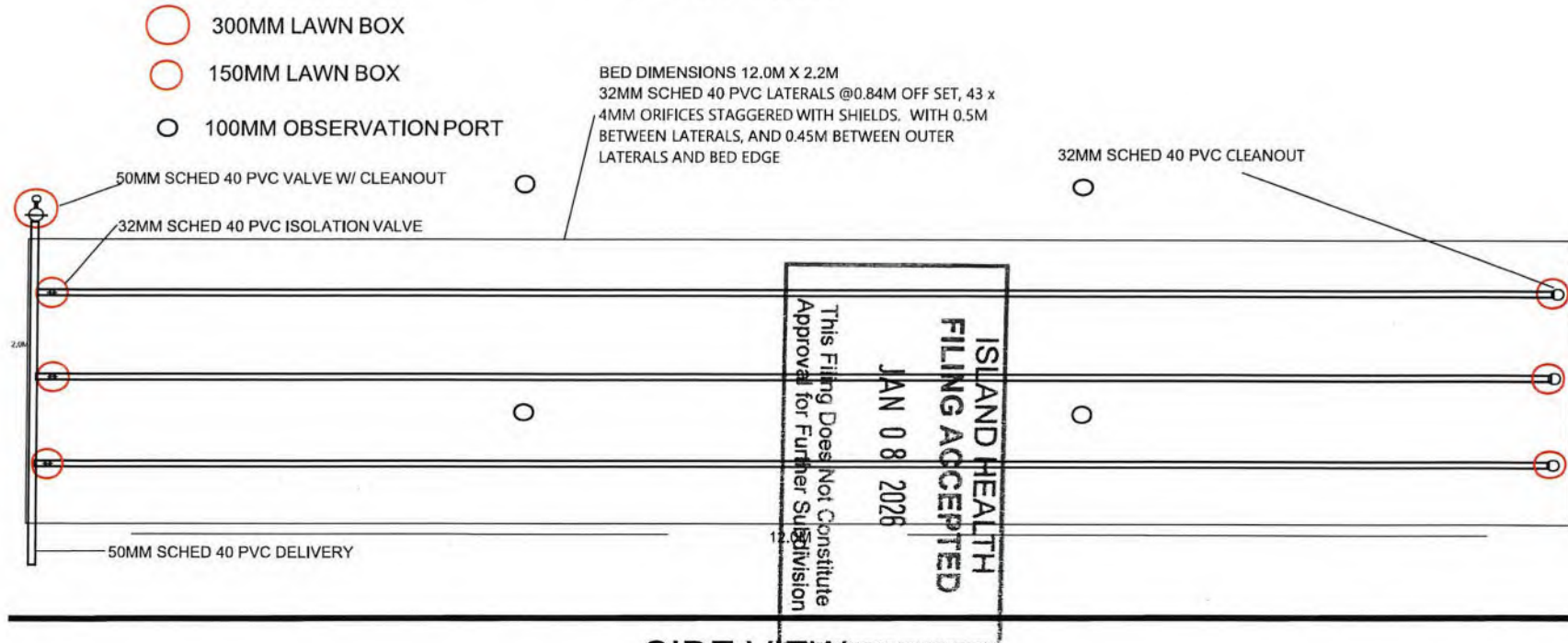
Plan-VIP59806, Lot-1,
Section-18, District-Cowichan
Land
PID 018-948-421

4415 Bedwell Harbour Rd,
Pender Island, BC V0N 2M1

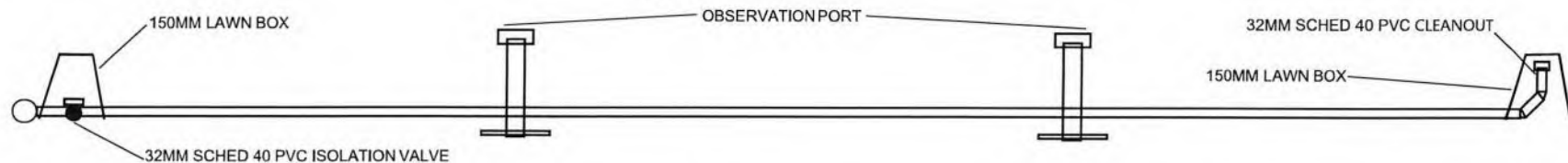
ECO SOURCE SEPTIC
AND
GULF EXCAVATING LTD
PO BOX 85 PENDER ISLAND BC
V0N2M1
office@gulfexcavating.com

JOB NAME
GULF EX-4415 BEDWELL HARBOUR RD
DRAWING TYPE
SITE PLAN
PROPERTY OWNER
BARBARA JOHNSTONE GRIMMER
DATE
OCTOBER 8, 2025

PLAN VIEW



SIDE VIEW



AP SEAL

Plan-VIP59806, Lot-1, Section-18,
District-Cowichan Land
PID 018-948-421

4415 Bedwell Harbour Rd, Pender
Island, BC V0N 2M1

ECO SOURCE SEPTIC
AND
GULF EXCAVATING LTD
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office@gulfexcavating.com

JOB NAME

GULF-4415 BEDWELL HARBOUR

DRAWING TYPE

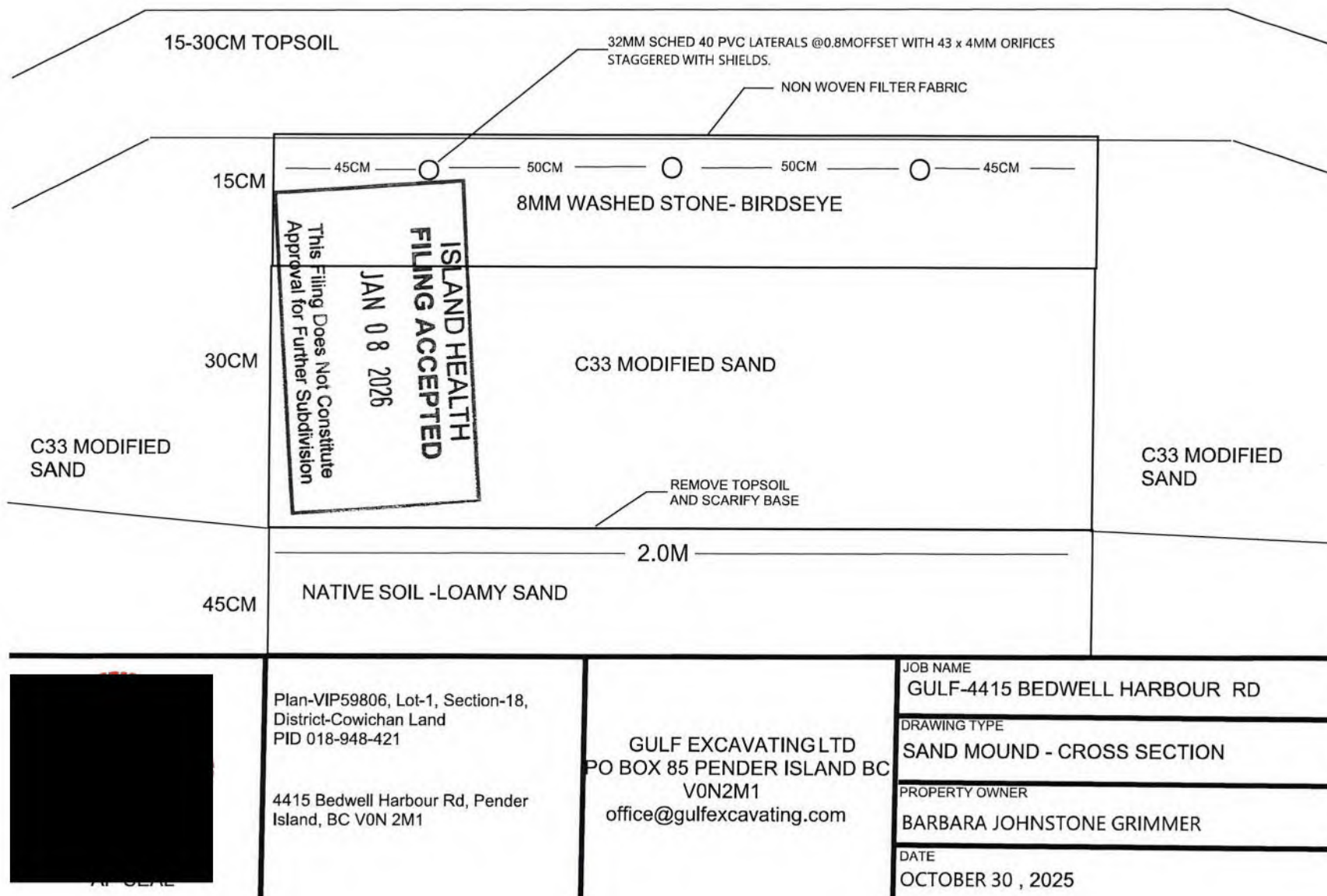
SITE PLAN-FIELD-PROFILE

CLIENT NAME

BARBARA JOHNSTONE-GRIMMER

DATE

OCTOBER 30 2025



EcoSource Septic and Gulf Excavating Ltd.

PO box 85 Pender Island BC V0N2M1
office@gulfeexcavating.com

Health Authority Initial Filing For Construction of Sewerage System: Site investigation report, record of design and specifications

Date: October 30, 2025

Legal Land Description: Plan-VIP59806, Lot-1, Section-18, District-Cowichan Land
PID 018-948-421

Street Address: 4415 Bedwell Harbour Rd, Pender Island, BC V0N 2M1

GPS: LAT. 48.79602 LONG. -123.28461

Property Owner: Barbara Johnstone Grimmer



Summary of Proposed Works: (also see attached site plan)

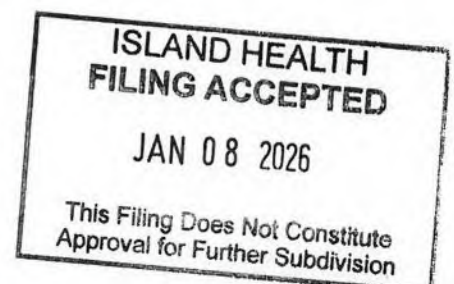
New onsite wastewater system to accommodate the continued use of an industrial area currently using portable toilets as means of sanitary controls. The system will be oversized and able to accommodate a bathroom from the neighbouring industrial parcel.

Proposed Wastewater System:

- * Daily Design Flow (DDF) 960 L/day
- * Type 1 Effluent
- * Will install a new 5682L RKS1250LP/2 - 2 chamber polypropylene septic tank, A Polylok effluent filter with check ball will be installed on the outlet.
- * New Canwest Tanks 2273L RKP500 pump chamber
- * Pressure Distribution with timed dosing using a Shinmaywa effluent pump (3/4HP/115V manual) using a C-Level transducer and Rhombus Simplex control panel
- * Pressure dispersal to a sand mound measuring 2.2m x 12.0m with a 0.30m layer of Mound Sand and 0.15m of 8mm pea gravel.

Site Information:

Total parcel size: 56731.4748m
Potable Water Source: Drilled Well



Topography:

The proposed dispersal area is on contour, with a 5% slope to the bed center line.

General Description:

The proposed dispersal field will be situated at the top of an undisturbed slope to the south of the industrial area, and the septic tank and pump chamber will be located on the border of the two industrial parcels to accommodate shared use.

Horizontal Separation

There are no HS restrictions associated with the proposed dispersal field.



Site/Soil Evaluation: (see attached drawings for test pit locations) Native Soil in area of dispersal field:

Test pit #1:

0-7 cm	Dark brown loamy sand with high organic content (topsoil) Moderate Granular structure with friable consistence, moist and with 20% coarse fragments
8-52 cm	Light brown loamy sand, Strong Granular with friable consistence and with 20% coarse fragments
53 cm	Shale

The limiting condition in test pit #1 is Shale at 49cm

Test pit #2:

0-5 cm	Dark brown loamy sand with high organic content (topsoil) Moderate Granular structure with friable consistence, moist and with 20% coarse fragments
6-64 cm	Light brown loamy sand, Moderate Granular with friable consistence, moist and with 15% coarse fragments
65 cm	Shale

The limiting condition in test pit #2 is Shale at 65 cm

Hydraulic soil conductivity of the 'B' horizon in KFS is 7980mm/day

Vertical Separation (VS) Design Limit

The VS design limit elevation is selected based on the shallowest limiting condition within the proposed dispersal area, indicated by Test Pit #1

*After topsoil is removed from the dispersal area 45cm of Native Soil remains

45 cm Native Soil + 30cm Mound Sand = 75 cm as constructed VS

Key Constraints and Design Rationale**Constraints**

- * Sand to 49cm depth with strong structure and friable consistence in the infiltrative area

Mitigating Strategies

Soil allows for Microdosing with 75cm VS which exceeds minimum VS as per table II-17 SPM v3 of 60cm for Loamy Sand

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DDF (Daily Design Flow):

DDF is determined using SPM v3 table III-11, Non-residential Average Daily Flow Rate Guide. Under "Open Site (e.g. quarry) without canteen" at 60L per day per person at 16 employees (currently only 8 employees combined between the two industrial parcels.)

$$16 \times 60 = 960 \text{ L DDF}$$

HLR (Hydraulic Loading Rate)

The HLR for type 1 will be applied to the mound sand and the loamy sand. The infiltrative surface is size based on an HLR of 40L/day/m² for type 1 effluent applied to Mound Sand as per SPM table II-23. The basal area is sized based on type 1 effluent applied to Loamy Sand at 30L/day/m²

AIS (Area of Infiltrative Surface)

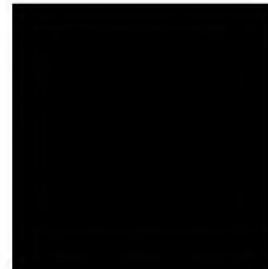
calculation of

$$960 \text{ L DDF} / 40\text{L/day/m}^2 = 24.0\text{m}^2$$

Basal AIS

calculation of

$$960 \text{ L DDF} / 30\text{L/day/m}^2 = 32.0\text{m}^2$$



LLR (Linear Loading Rate) calculation of Minimum System Contour Length (MCL) The minimum system length on contour, based on an LLR of 85L/m for 5 % slope, 45cm depth of Sand with favourable structure category as per SPM v3table II-27 is

$$960 \text{ L DDF} / 85 \text{ L/m} = 11.29 \text{ MCL}$$

Configuration of Dispersal System

2.0m x 12.0m x 0.3m Mound Sand with 10cm pea gravel under and 5cm over laterals providing 24.0m² AIS, meeting the minimum required area.

With 3 Laterals, 12m long, end feed manifold with 0.5m separation between laterals, and 0.45m from outer laterals to bed edge.

Total length of laterals for calculation of orifice spacing:

$$12.0\text{MCL} \times 3 \text{ Laterals} = 36.0\text{m}$$

Number Of Orifices:

Based on SPM standard (table II-43) of 0.56m² effective AIS per orifice

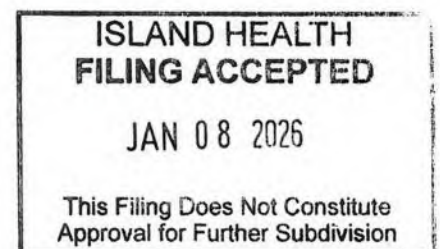
$$24.0\text{m}^2 \text{ AIS} / 0.56\text{m}^2/\text{orifices} = 43 \text{ orifices}$$

to be divided by 3 laterals ... with 14 orifices per each 12m outer lateral sections, and 15 orifices in the center lateral.

Orifice Spacing:

Total length of laterals / total number of orifices ...

$$42\text{m} / 50 \text{ orifices} = 0.84\text{m orifice spacing}$$



Dosing Volume:

Soil dose frequency check, to meet SPM Table II-12 'Micro Dosing' dose category: Type 1 effluent applied to 30cm Mound Sand is 28 Doses per Day. As the DDF is low, and Average Daily Flow is used to determine dose volumes, this would result in a dose volume of 17.8L, which is insufficient volume for even distribution. As such, 18 DPD will be used, still strongly reflecting with Table II-12, yet with sufficient volume to attain uniform distribution.

$$480\text{L ADF} / 18\text{DPD} = 26.7\text{L dose}$$

Reserve Volume

$$67\% \text{ of DDF, } 960\text{ L} \times 0.67 = 643\text{ L}$$

Alarm Reserve volume

$$50\% \text{ of DDF, } 960\text{ L} \times 0.5 = 480\text{ L}$$

Transducer Settings

Alarm setting

To provide 50% DDF alarm reserve above alarm on. **49cm**

Pump on setting:

To provide 67% DDF reserve volume **25cm**

Total Dynamic Head (TDH) and pump sizing

Required pump flow based on 4.0mm orifices is 2.44LPM (from Module 109A - Friction Loss Tables -Table A.1.B2 per WACOWMA) for desired 1.5m squirt height.

$$(43 \text{ lateral orifices} + 1 \text{ pump chamber orifice}) \times 2.44 \text{ LPM/orifice} = 107.4 \text{ LPM}$$

Total Dynamic Head:

The friction loss is determined per Module 109A Friction Loss Table A.1.C.2, and Table A.1.C.6 per WACOWMA

Friction loss of 0.523m per 30.5m length sched 40 PVC x total length of equivalent pipe for friction loss

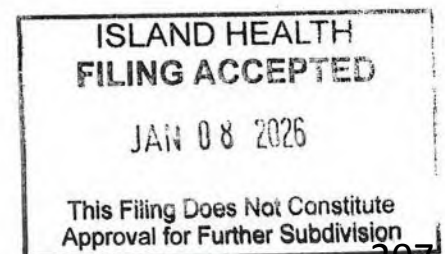
Lift Head is approximately = 5m

51mm force main allowance, 100m/30.5m = 3.28m

51mm fitting allowance, 25.5m/30.5m = 0.84m

Orifice pressure loss total = 0.3m

= 9.42m TDH



Pump required for 107LPM to 9.42m head based on manufacturers pump curve is a Shinmaywa 3/4 hp effluent pump.

Duty point is approximately equivalent to minimum required performance, 107LPM, resulting in squirt height of approximately 1.5 m from lateral elevation.

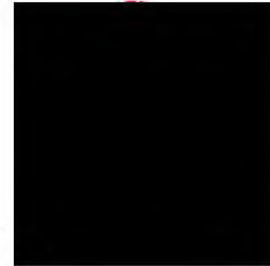
Construction Specifications: _____ (also see attached drawings)

Sand Mound

- * Minimum Bed Dimensions are 2.0m x 12.0m ... 3 laterals, an end feed manifold, 0.5m between laterals, with outer laterals 0.45m from bed edge.
- * Excavate bed to design soil level and add 0.3m layer of Mound Sand.
- * Cover with 10 cm depth of 8mm birdseye.

Install four 100mm PVC infiltrative surface observation ports within the bed

- * One port at either end of the bed, approximately 6m from the end. *
- * Install two ports in the receiving area in the same orientation as above.
- * Place the bottom of the ports at a depth approximately 5 cm below the infiltrative surface.
- * Drill several holes at bottom of solid PVC pipe to a height of 15cm above infiltrative surface.



Install the dispersal piping network:

- * With 3 - 32mm diameter laterals, 12.0m long, and an end feed manifold.
- * Manifold requires vertical 51mm cleanout at the distal end of the manifold ... using 2 x 45-degree fittings with a short stub to bring the c/o threaded cap to slightly below surface grade, with access provided by 15cm lawn box.
- * Install 3 - 32mm diameter ball valves at the manifold for isolation of each lateral section. For each valve, provide an irrigation box allowing hand access to the valves.
- * At the far end of each lateral, install vertical cleanouts, using 2 - 45-degree elbows or long radius sweeps, extended to about 5 cm below finished grade, with lawn boxes for access.
- * Ensure 0.5m separation between laterals
- * Lowest orifice on each lateral to be positioned 180 degrees opposed to the rest to drain the laterals to prevent freezing.
- * Laterals drilled with 4mm holes at 12 o'clock orientation, 0.84m spacing between orifices, with the first and last (staggered between laterals 1 and 2) orifice at approximately 40 cm spacing from either end of each lateral section ... ensure exactly 14 orifices per outer lateral section, and 15 in the center lateral, total of 43 orifices in the dispersal area.
- * Install dispersal piping as level as possible (level within 2.5cm) to minimize draining volume and to ensure timely pressurization
- * Include an orifice shield for every orifice used

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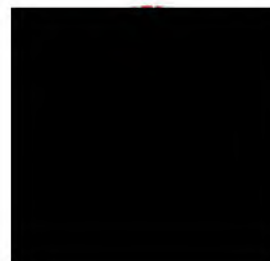
- * Place minimum 5 cm 8mm round birdseye over the laterals and orifice shields
- * Cover gravel with hydrophilic geotextile fabric.
- * Place cover soil
- * Cover the fabric with 15cm - 30cm soil
- * Achieve a well graded, sloped surface with positive drainage and no potential ponding on surface.

Aggregates:

- * Birdseye gravel must be <8mm round and thoroughly washed with minimal silt
- * Cover soil should be "topsoil" or lawn sand suited for grass growth.
- * Bedding material under the tanks must be free of coarse fragments larger than 25mm. Care must be taken to avoid large rock in the native soil from contacting the tanks.

Pipe

- * 100mm sewer connections must be CSA PVC drain line or better.
- * Ensure minimum 1% fall from sewer service to septic tank and to pump chamber
- * Force main and manifold to be 50mm PVC sched 40
- * Laterals to be 32mm PVC sched 40



Septic tank

- * Install a new RKS1250LP/2 - 2 chamber polypropylene septic tank
- * Select the excavation to ensure at least 1% fall from the outlet of the tank AND with consideration of riser heights to ensure the lids are flush with the desired finished grade.
- * In the new tank, install an outflow effluent filter with handle extended to within 15 cm of access lid.

Pump Chamber

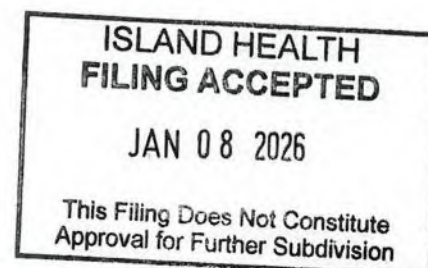
- * New Canwest Tanks RKP500 pump chamber
- * Select an excavation elevation to ensure at least 1% fall from the outlet of the new septic tank AND in consideration of riser height to ensure lids are flush with desired finished grade.

Pump, Alarm, Transducer Settings

- * Shinmaywa 3/4 hp effluent pump
- * Extend the vertical pump discharge pipes upwards into the access riser to bring the valves and unions within 15cm below the lid height, elbowed back down to the discharge point.
- * Include 50mm valve union and check valve at the top of the force main within the pump chamber (on the horizontal leg no more than 15 cm below the lid height) to allow easy removal of pump.
- * Be sure to include a pump lifting rope.
- * Drill a 4mm hole in the vertical pipe to act as an air removal

orifice

- * Install a transducer
 - * Set transducer levels as follows
- | | |
|----------------|------|
| Redundant off | 17cm |
| Timer on | 25cm |
| Alarm on | 49cm |
| Timer override | 50cm |



Electrical

- * All electrical work is to be performed by a qualified electrician, as per applicable codes.
- * Provide two separate electrical circuits, one for the alarm (115V), and a second circuit for the pump (115V). This will prevent power failure to the control alarm if there is a pump failure or other condition that trips the pump power breaker.
- * A junction box must be installed at surface within 30 cm of pump chamber access lid.
- * The wiring from the pump chamber to the junction box must be encased in conduit with adequate size to enable easy replacement of transducer wiring or pump power supply.
- * Any conduit used for wiring from the pump chamber to the junction box must be sealed to prevent corrosive gases and moisture passing from the pump chamber.
- * There must be no electrical connections or junctions inside the pump chamber.

Miscellaneous Specifications

- * Prevent excessive disturbance, compaction and smearing of the original soil in the dispersal area, do not back trucks onto area, scarify to a shallow depth only 10 cm max. Take care to protect the receiving down grade area of the dispersal area from compaction. Do not install in wet conditions.
- * Install all tanks level, with consistent support, with no coarse fragments larger than 25mm.
- * All piping is to be adequately bedded with 12mm minus (hydro sand). compacted thoroughly to prevent distortion or misalignment by settling.
- * Flush all lines prior to performing squirt test, start with the force main, then each lateral individually. * Perform squirt test with all laterals open and confirm minimum 1.5 m squirt height from all laterals.
- * Ensure owner promptly or at soonest practical opportunity seeds the dispersal area with grass or similar shallow rooted cover.
- * Ensure The dispersal area and tanks are protected from traffic, heavy loads, surface and subsurface flows of water. This may require fencing, rock barriers or other suitable means to restrict access, and may require drainage systems such as swales and/or interceptor drains.

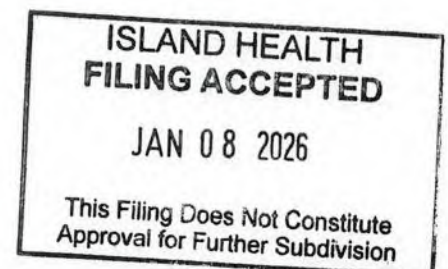
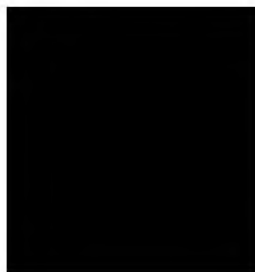
Declaration

These plans and specifications are consistent with standard practice with regard to the Sewerage System Regulation and the Sewerage Systems Standard Practices Manual v3(2015) of the B.C. Ministry of Health. I have conducted a site evaluation and exercised due diligence.



Prepared by Aaron Grimmer

Approved by



File: 2501141

July 14, 2025

Barbara Johnstone and Aaron Grimmer
Pender Island BC

Attention: Barbara Johnstone and Aaron Grimmer

Re: Installation of Groundwater Monitoring Well at Concrete Plant, 4415 Bedwell Harbour Road, Pender Island

As requested, Hy-Geo Consulting has prepared the following report on the recent installation of a groundwater monitoring well located down gradient from the concrete batch plant. The installation of a monitoring well was a requirement for property under the Temporary Use Permit, NP-TUP-2023.5 (Grimmer) issued by the North Pender Island Local Trust Committee (2023).

Site Location

The monitoring well was constructed on June 30, 2025 on a portion of Lot 1, Section 18, Pender Island, Cowichan District, Plan VIP59806 (PID: 018-948-421) as shown in Figure 1. The location and proposed depth of the well was previously discussed with Brad Smith, Islands Trust Planner on January 29, 2025.

Monitor Well Construction

The monitoring well was constructed by Gulf Excavating Ltd., to a depth of 15 feet (4.6 m) utilizing an excavator (Photo 1, Appendix A). The excavation encountered 1 foot of organic topsoil underlain by 2 feet of buff stiff clay followed by 12 feet of grey clay and shale (Photos 2 and 3, Appendix A). Groundwater was observed below a depth of 11 feet (3.4 m) on some of the fracture surfaces in the shale. After completing the excavation to a depth of 15 feet (4.6 m), a 20 foot (6.1 m) length of 6 inch diameter PVC thermoplastic casing with the bottom 5 feet (1.5 m) slotted was set in the excavation (Photo 4, Appendix A). Water as observed coming at the bottom of the excavation (Photo 5, Appendix A). Clean gravel with sand (Photo 6, Appendix A), was backfilled around the slotted portion of the casing to within 8 feet of the ground surface and the remainder of the excavation was initially filled in with the excavated materials to within 3.5 feet (1.1 m) of the ground surface. A temporary 8 inch diameter surface casing 4 feet (1.2 m) in length was then set over the 6 inch diameter well casing and the annular space between the casings filled with medium-sized bentonite pellets (Photo 7, Appendix A). The area around the 8 inch diameter casing was

then backfilled in stages with more of the excavated materials while the 8 inch diameter casing was being pulled back until the excavation was completely filled leaving the monitor well casing sticking up 25 inches above the ground surface. Figure 2 shows the design of the monitor well as completed prior to pulling the temporary surface casing. Photo 8, Appendix A, shows the temporary surface casing being removed and Photo 9, Appendix A shows the completed monitor well with 25 inch stick-up.

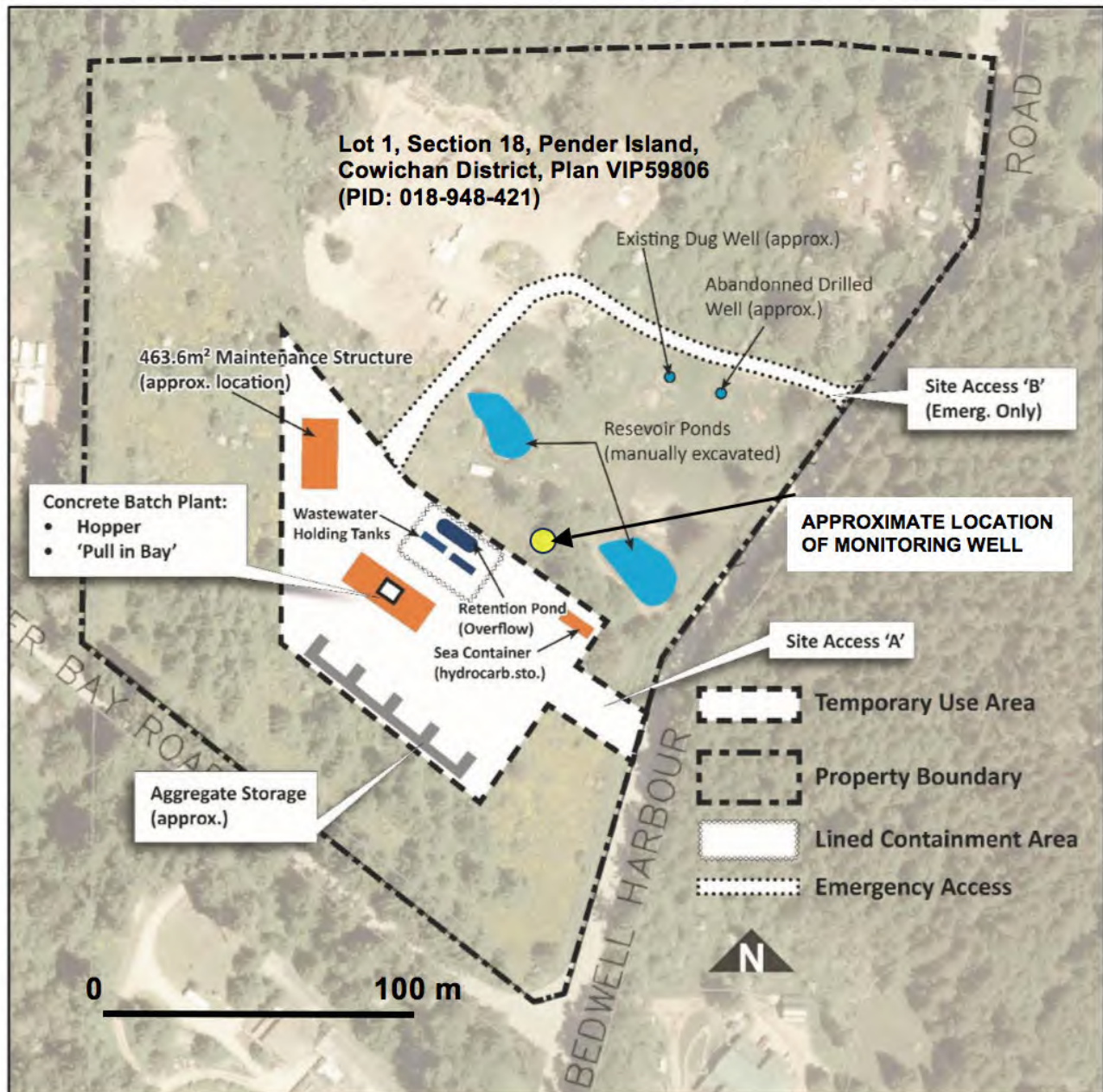


Figure 1. Approximate location of monitoring well constructed on June 30, 2025. Basemap from North Pender Island Local Trust Committee (2023).

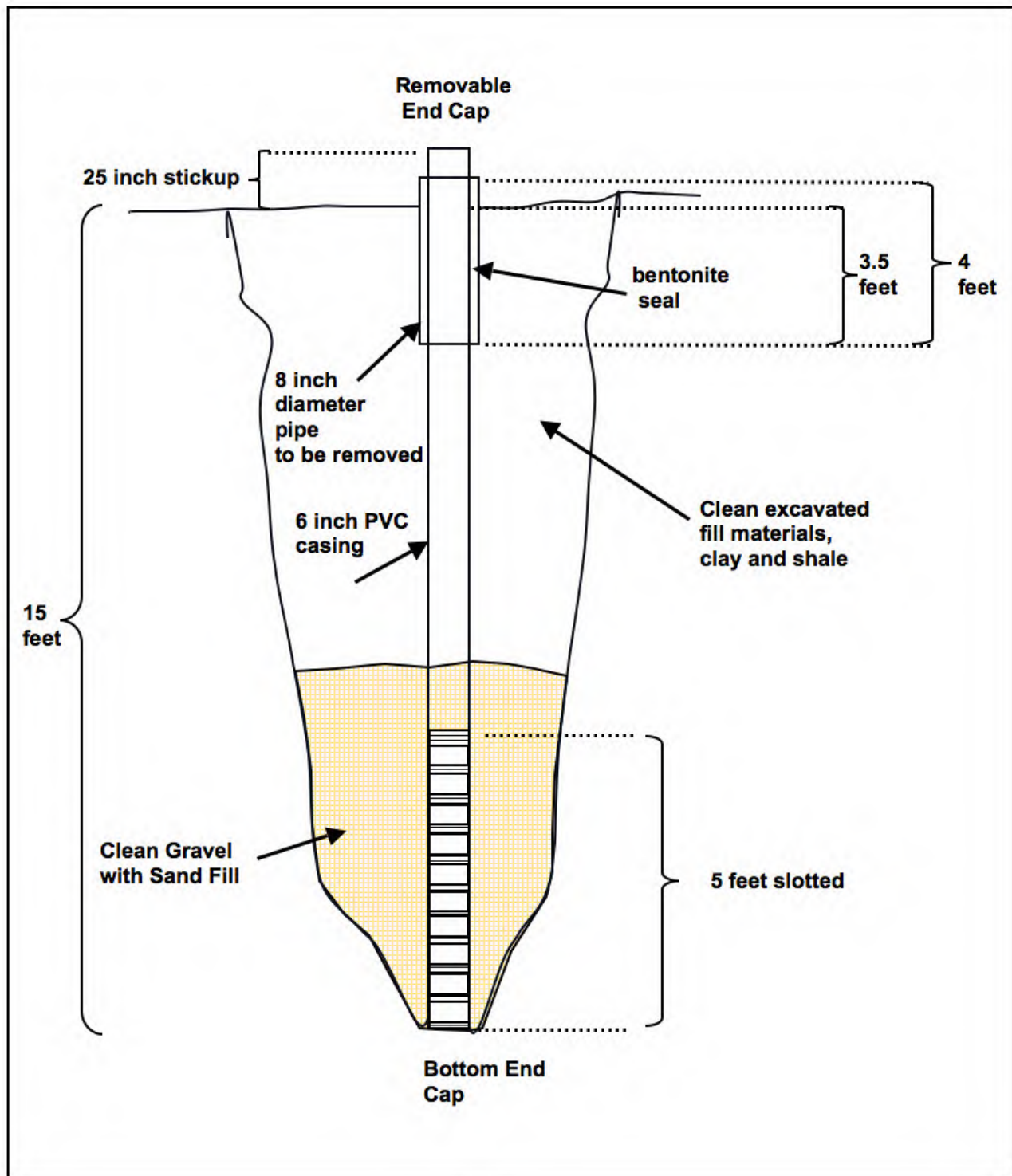


Figure 2. Schematic of monitor well installation, not to scale.

Conclusions

Based on the above, the following relevant conclusions can be made:

1. A 6 inch diameter PVC monitor well was successfully completed on June 30, 2025 to a depth of 15 feet, down gradient from the concrete batch plant as required under the Temporary Use Permit, NP-TUP-2023.5 (Grimmer) issued by the North Pender Island Local Trust Committee (2023).
2. The excavation encountered 1 foot of organic topsoil underlain by 2 feet of buff stiff clay followed by 12 feet of grey clay and shale.
3. Groundwater was observed along fractures and bedding planes within the clay and shale materials encountered at the site below a depth of 11 feet (3.4 m) and groundwater was present in the excavation when the well casing was installed.
4. The monitor well was constructed by excavation and completed in accordance with requirements under the *Groundwater Protection Regulation* (Province of British Columbia, 2025), including Section 20 Casings and liners, Section 22 Surface seal, Section 33 Casing stick-up, Section 35 Slope of surface of ground around wellhead, Section 38 Well caps, and Section 77 Well construction reports submitted to well owner only. A copy of the well construction report is provided in Appendix B.

Recommendations

The following recommendations are provided for implementation.

1. As the monitor well was completed with PVC thermoplastic casing it would be important to protect the casing from future damage by installing a larger diameter steel casing with a lockable well cap over the plastic casing. This would be in compliance with Section 34 Protection of thermoplastic casings under the *Groundwater Protection Regulation*. Care should be taken not to excavate the bentonite seal around the plastic casing when installing the steel casing. The stick-up of the plastic casing could also be reduced to 12 inches if necessary.
2. Prior to any groundwater sampling of the monitor well it would be prudent to bail several well volumes from the well before sampling.

Closure

This report was prepared in accordance with generally accepted engineering, hydrogeological and consulting practices. It is intended for the prime use of Barbara Johnstone and Aaron Grimmer in connection with its purpose as outlined under the scope of work for this project. This report is based on data and information available to the author from various sources at the time of its preparation and the findings of this report may therefore be subject to revision. Data and information supplied by others has not been independently confirmed or verified to be correct or accurate in all cases. Any errors, omissions or issues requiring clarification should be brought to the attention of the author. The author retains full copyright of the material contained in this report. The author and Hy-Geo Consulting accepts no responsibility for damages suffered by any third party as a result of any unauthorized use of this report.

Respectfully submitted,



Alan P. Kohut PEng.
Principal and Senior Hydrogeologist

HY-GEO CONSULTING
Permit to Practice Number: 1001034

References

North Pender Island Local Trust Committee. 2023. *Temporary Use Permit, NP-TUP-2023-5 (Grimmer), 4415 Bedwell Harbour Road.*

Province of British Columbia. 2025. *Groundwater Protection Regulation, Water Sustainability Act.* Consolidated to November 29, 2022. Internet website https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/39_2016

Appendix A

Photographs taken June 30, 2025.



Photo 1. Excavator employed to install monitor well, June 30, 2025.



Photo 2. Exposed upper portion of soils in excavation for monitor well, June 30, 2025.



Photo 3. Excavated material comprised of soft grey clay and alternating harder layers of grey mudstone and shale, June 30, 2025.



Photo 4. 6 inch diameter PVC well casing set in excavation to depth of 15 feet (4.6 m), June 30, 2025. Casing was subsequently cut to provide a 25 inch (63.5 cm) stick up above ground level.



Photo 5. Monitor well casing set in excavation. Note water in bottom of excavation, June 30, 2025.



Photo 6. Gravel with sand material for backfill around slotted section of well casing, June 30, 2025.



Photo 7. Pouring bentonite pellets between 6 inch diameter well casing and temporary 8 inch diameter surface casing, June 30, 2025.



Photo 8. Pulling out 8 inch temporary surface casing, June 30, 2025.



Photo 9. Completed 6 inch diameter monitoring well, June 30, 2025.

Appendix B

Well Construction Report

DATE OF MEETING: January 30, 2026
TO: North Pender Island Local Trust Committee
FROM: Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Rezoning Application – Draft Amending Bylaw No. 242
Applicant: Braedon Bigham - Big Digem Contracting
Location: 3334 Port Washington Road, Pender Island

RECOMMENDATIONS

1. That the North Pender Island Local Trust Committee receives draft bylaw No. 242, cited as "North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 2, 2025", and directs staff to initiate bylaw referrals.

REPORT SUMMARY

The purpose of this staff report is to provide an update on rezoning application PL-RZ-2024-0110 (Bigham), and to seek direction from the North Pender Island Local Trust Committee (LTC) on draft bylaw No. 242.

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,
- Draft Bylaw No. 242 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 21, 2025 meeting, the LTC passed the following resolution:

NP-2025-071

It was **MOVED** and **SECONDED**,

That the North Pender Island Local Trust Committee directs staff to prepare a draft bylaw for rezoning application PL-RZ-2024-0110 (Bigham).

Staff are now seeking direction on proceeding with Draft Bylaw No. 242, including agency and First Nation referrals.

Regulatory

Land Use Bylaw

If approved, draft bylaw No. 242 would result in the following uses to be permitted through a site specific zoning amendment in the portion of the subject lot designated as Industrial:

- a) *Contractor Yard;*
- b) Storage, handling and wholesale of aggregates, soils and mulches up to a maximum of 460 cubic metres;
- c) Storage of empty propane tanks up to a maximum of 5 tanks;
- d) Storage of diesel fuel up to a maximum of 10,000 litres; and,
- e) *Accessory buildings and structures.*

The 'Schedule 1 Zoning Map' of the LUB would also be amended to change the zoning classification of a portion of the lot from Rural to General Industrial h (GI(h)), as shown on Plan No. 1 attached to draft bylaw No. 242.

Islands Trust Policy Statement

The proposed rezoning to permit the site-specific industrial uses listed in draft Bylaw No. 242 on the portion of the lot designated for industrial use does not appear to be contrary or at variance with any Policy Statement directive policies; however a more comprehensive review with a checklist would be provided at consideration of First Reading, should the application proceed to that stage.

Official Community Plan

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



Issues and Opportunities

Wastewater/Stormwater Management Plan

The terms of reference for the application requires that a Wastewater/Stormwater Management Plan be submitted that considers 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 that indicates a stormwater management 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 the plan will be ready to bring the LTC at the next LTC 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

Agency Referrals

Staff have identified the following agencies for bylaw referral; the LTC may direct staff to include other agencies:

- CRD – Planning and Protective Services, Building Inspection
- Island Health
- Ministry of Transportation and Transit
- Islands Trust Conservancy
- Ministry of Water, Land and Resource Stewardship - Strategic Land Use - Coast Area South Coast Region
- Mayne Island Local Trust Committee
- South Pender Island Local Trust Committee
- Saturna Island Local Trust Committee
- Salt Spring Island Local Trust Committee

First Nation Referrals

Staff will initiate referrals to all identified First Nations consistent with the standardized list maintained by staff.

Statutory Requirements

In this case, as there is no required OCP amendment, the LTC will need to provide direction on whether to hold a public hearing. 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:

- 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,
- Draft Bylaw No. 242 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-PLRZ20240110 (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 bylaw referrals.

Submitted By:	Brad Smith, Island Planner	January 13, 2026
Concurrence:	Robert Kojima, Regional Planning Manager	January 14, 2026

ATTACHMENTS

1. Draft Bylaw No. 242

DRAFT

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 242

A BYLAW TO AMEND NORTH PENDER ISLAND LAND USE BYLAW NO. 224, 2022

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

1. Citation

This bylaw may be cited for all purposes as “North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 2, 2025”.

2. North Pender Island Local Trust Committee Bylaw No. 224, cited as “North Pender Island Land Use Bylaw No. 224, 2022,” is amended as follows:

- 2.1. A new site-specific regulation is added to Table 5.10 in Subsection 5.10(12) following site-specific zone GI(g) that reads:

Table 5.10			
	1	2	3
	Site-Specific Zone	Location Description	Site-Specific Regulations
7	GI(h)	Lot 7, Sections 18 And 22, Pender Island, Cowichan District, Plan 6294	Despite Subsection 5.10(1), the only uses permitted in this location are: a) <i>Contractor Yard</i> ; b) Storage, handling and wholesale of aggregates, soils and mulches up to a maximum of 460 cubic metres; c) Storage of empty propane tanks up to a maximum of 5 tanks; d) Storage of diesel fuel up to a maximum of 10,000 litres; and, e) <i>Accessory buildings and structures</i>

- 2.2. Schedule “1” – Zoning Map, is amended by changing the zoning classification of a portion of Lot 7, Sections 18 And 22, Pender Island, Cowichan District, Plan 6294 from Rural to General Industrial h (GI(h)), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “1” of Bylaw No. 224 as are required to effect this change.

3. SEVERABILITY

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

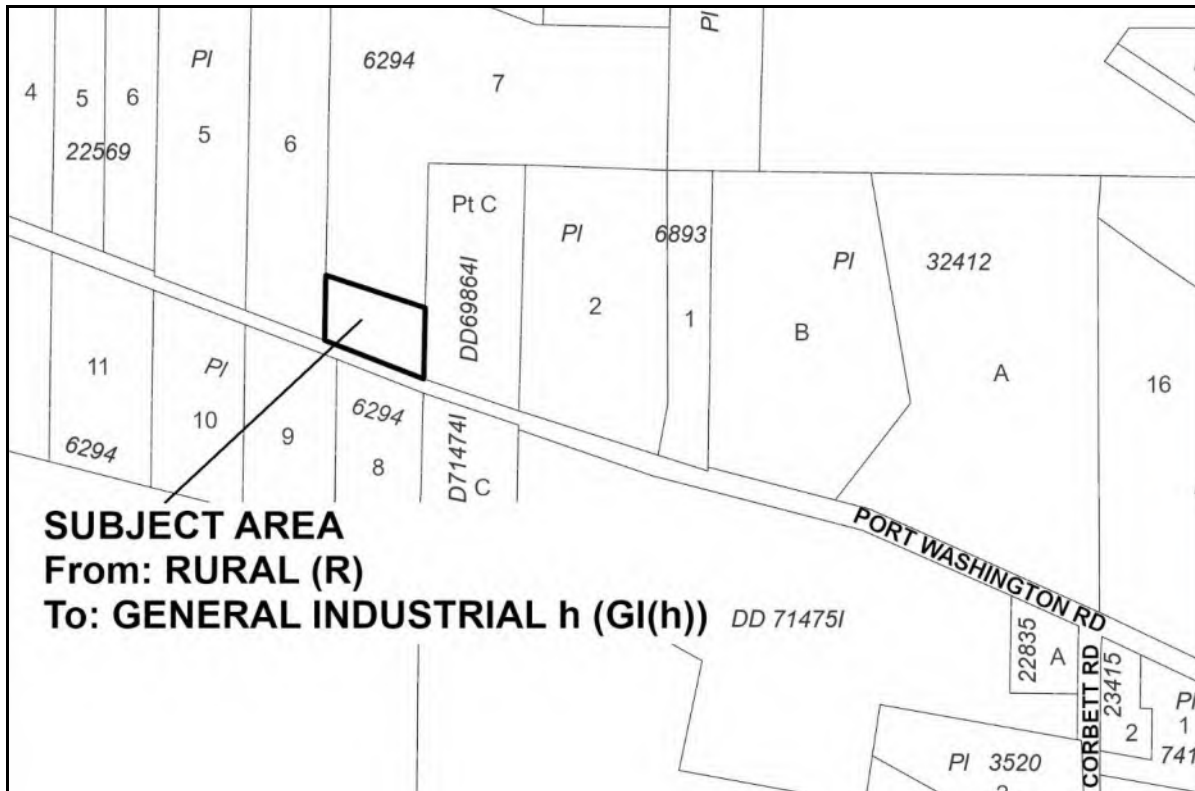
READ A FIRST TIME THIS	_____	DAY OF	_____	20____
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 242

Plan No. 1



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

DATE OF MEETING: January 30, 2026
TO: North Pender Island Local Trust Committee
FROM: Brad Smith, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Housing Access and Affordability Project – Project Update and Direction for CIM

RECOMMENDATIONS

- 1) **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 mid-April and mid-May, 2026, and to advertise the meeting in the Pender Post.**

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.

The recommendation above is supported as:

- Staff are still working through proposed draft bylaw amendments and will present draft bylaws for further direction at the next LTC meeting; and,
- A Community Information Meeting (CIM) in April-May will align well with the LTC regular meeting schedule and allow an opportunity to present mapping results and the draft bylaws prior to consideration of first reading.

BACKGROUND

The LTC endorsed the Housing Action Plan at the May 30, 2025 Meeting. Since the November 21, 2025 meeting, the following has been accomplished:

- Build-out analysis- draft maps and summary table complete – see below
- Land Information Screening Tool (LIST) - draft mapping tool available internally – see below
- The APC has met to review build-out and LIST mapping products with staff and will be providing a recommendations report based on this mapping for any additional bylaw changes
- Island wide mail-out postponed - will be updated with new CIM date when confirmed and sent out
- Follow-up letter to First Nations has been drafted with details of the endorsed [HAP](#), will be sent shortly
- As the current APC terms ends March 1, staff have initiated advertisement for membership for a new one-year term. All current APC members have been encouraged to apply.
- Staff have been invited to attend PIHS open house on February 10, 2026 to discuss housing matters.

An updated project status table is included at Attachment 1 with an update on each Plan Action.

Issues and Opportunities

Proposed Bylaw Amendments

Based on the direction of the LTC at the November 21, 2025 meeting, staff are proposing the following bylaw amendments for each motion that was passed as follows:

LTC Direction	Proposed Bylaw Amendments
Permit accessory worker housing in appropriate community service zones and commercial zones	Permit up to two units of employee housing in site specific Community Service zones for both firehalls, police station and school property No C1 site specific zones deemed appropriate for employee housing, up to three units of rental housing added as a general permitted use Where appropriate, C2 and C3 zones already permit up to two units of accessory dwellings that could be used for employee housing
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	Amend Seniors and Affordable Housing policies in OCP to permit by rezoning in Rural Residential, Rural Community Service, and Commercial land use designations Amend language for the need for a housing agreement to be determined at the time of rezoning rather than an outright requirement. Note: Build-out and LIST mapping may help identify additional parcels for consideration of higher density zoning
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	Permit three units of second-storey rental housing with a maximum floor area of 80m² per unit in Commercial 1 zone – could then also apply to future C1 zoned lots – currently only applies to Driftwood Mall Add definition of Rental Housing: <i>means residential use of dwelling units that are limited to residential rental tenure</i>
Enable flexible zoning to create the potential for additional housing units on lots zoned	1) Permit flexible housing by amending <i>Density</i> in Rural and Residential 2 zones as follows: Density

Rural Residential 2 and Rural	(2) → There may not be more than one (1) dwelling and one (1) secondary suite or accessory dwelling unit on lots less than 0.4 hectares, and one (1) cottage on any lot.¶ (2.1) → On lots with an area of 0.4 ha or greater but less than 1.2 ha there may not be more than two (2) dwellings and one (1) secondary suite.¶ (3) → On lots with an area of 1.2 hectares or greater there may not be more than three (3) dwellings, one (1) cottage and one (1) secondary suite. One (1) cottage is permitted on each lot with an area of 1.2 hectares or larger.¶ (4) → Despite Subsection 5.2(2), in those instances where a dwelling of 56.0 m² or less in floor area existed on September 23, 1999 on a lot 0.6 hectares or larger, one additional principal dwelling is permitted.¶ Reduce the maximum floor area of all buildings and dwelling units by making changes to the maximum floor area table as follows: <table><tr><th colspan="3">The maximum floor area per lot:¶</th></tr><tr><th>Lot Area¶</th><th>The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed:¶</th><th>The floor area of all dwelling <u>units</u> may not exceed:¶</th></tr><tr><td>Less than 0.4 ha.¶ (Less than 1 acre)¶</td><td>500 m² (5382 ft²)¶</td><td>325 m² (3500 ft²)¶</td></tr><tr><td>0.4 ha to < 1.2 ha.¶ (1 to 3 acres)¶</td><td>1000 m² (10,764 ft²)¶</td><td>372 m² (4000 ft²)¶</td></tr><tr><td>1.2 ha or greater¶ (3 acres or greater)¶</td><td>3000 m² (32,292 ft²)¶</td><td>418 m² (4500 ft²)¶</td></tr></table> Add definition of Accessory Dwelling Unit (ADU): <i>means an additional detached dwelling unit on a residential parcel with a limited floor area</i> Add Section on ADUs in General Regulations after Secondary Suites: 3.10.1 Accessory Dwelling Units (1) The maximum <i>floor area</i> for an <i>accessory dwelling unit</i> is 60m² (645 ft²). (2) An <i>accessory dwelling unit</i> must not be subdivided from the <i>principal dwelling</i> under the <i>Land Title Act</i> or the <i>Strata Property Act</i>. (3) An <i>accessory dwelling unit</i> may not be used as a <i>short term vacation rental</i> or a <i>bed and breakfast home business</i>. (4) A building permit for a <i>lot</i> outside a <i>community water system</i> shall not be issued for an <i>accessory dwelling unit</i> unless a freshwater catchment and storage system having a capacity of at least 18,000 litres is installed on the lot. Amend OCP residential and rural land use policies to permit flexible zoning and ADUs	The maximum floor area per lot:¶			Lot Area¶	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed:¶	The floor area of all dwelling <u>units</u> may not exceed:¶	Less than 0.4 ha.¶ (Less than 1 acre)¶	500 m ² (5382 ft ²)¶	325 m ² (3500 ft ²)¶	0.4 ha to < 1.2 ha.¶ (1 to 3 acres)¶	1000 m ² (10,764 ft ²)¶	372 m ² (4000 ft ²)¶	1.2 ha or greater¶ (3 acres or greater)¶	3000 m ² (32,292 ft ²)¶	418 m ² (4500 ft ²)¶
The maximum floor area per lot:¶																
Lot Area¶	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed:¶	The floor area of all dwelling <u>units</u> may not exceed:¶														
Less than 0.4 ha.¶ (Less than 1 acre)¶	500 m ² (5382 ft ²)¶	325 m ² (3500 ft ²)¶														
0.4 ha to < 1.2 ha.¶ (1 to 3 acres)¶	1000 m ² (10,764 ft ²)¶	372 m ² (4000 ft ²)¶														
1.2 ha or greater¶ (3 acres or greater)¶	3000 m ² (32,292 ft ²)¶	418 m ² (4500 ft ²)¶														
Permit ADUs as an alternative to secondary suites in the Rural Residential 1 zone in consultation with CRD	Amend RR1 zoning to permit ADUs as an alternative to secondary suites in Magic Lake Estates (Note: consultation with CRD staff in respect of CRD water system requirements is ongoing). “dwelling unit” means a building or portion of a building including a principal or secondary dwelling, cottage, secondary suite, and accessory dwelling unit which is used as a residence for a single household and containing a single set of facilities for food preparation and eating, sleeping and living areas.															

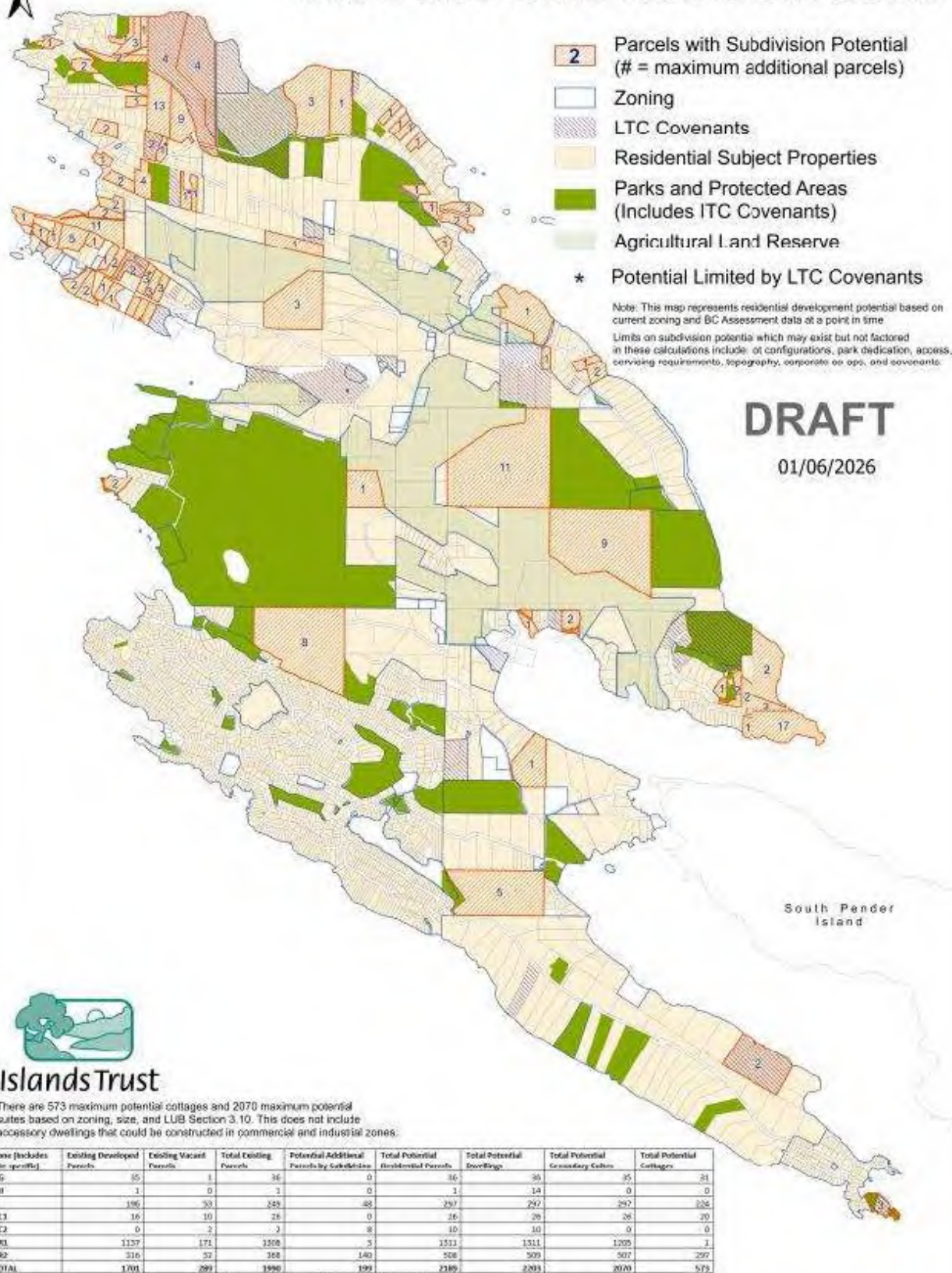
Rezone the Anglican Church diocese property to allow for affordable housing as a permitted use;	Amend site specific Anglican Church diocese property to permit affordable housing as a permitted use up to 20 dwelling units Definition of Affordable Housing: <i>means rental housing that can be acquired without exceeding 30 per cent of the median gross income of low to moderate income families on the Southern Gulf Islands</i>												
Add policies that consider the potential development of a Tiny Home on Wheels or other small footprint manufactured home community;	Amend residential policies to consider a Small Footprint Home Community in suitable locations through rezoning in suitable locations with shared services and amenities and subject to: a) being constructed to the appropriate CSA standard Z240MH or A277 or equivalent or constructed to the BC Building Code, b) secured to the ground, subject to building inspection approval for anchoring; c) connected to potable water, and approved wastewater disposal, subject to building inspection approval for servicing.												
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	Amend maximum floor area tables for RC1, RC2 and Agricultural Zones consistent with proposed changes to tables for Rural, RR1 and RR2 zones to reduce maximum building and dwelling unit floor area Amend LUB parking regs to include following changes: <table border="1"> <thead> <tr> <th colspan="2">Table 7.1 : Number of Off-Street Parking Spaces</th></tr> <tr> <th>Use of Building or Lot</th><th>Minimum Number of Parking Spaces Required</th></tr> </thead> <tbody> <tr> <td>Dwelling</td><td>2 per <u>principal dwelling</u>, <u>1 per additional dwelling</u></td></tr> <tr> <td>Cottage</td><td>1 per <i>cottage</i></td></tr> <tr> <td>Secondary Suite</td><td>1</td></tr> <tr> <td><u>Accessory dwelling unit</u></td><td><u>1 per unit</u></td></tr> </tbody> </table> Amend home business, general height and cistern regulations to consider ADUs Update population, demographic and build-out statistics in OCP introduction	Table 7.1 : Number of Off-Street Parking Spaces		Use of Building or Lot	Minimum Number of Parking Spaces Required	Dwelling	2 per <u>principal dwelling</u> , <u>1 per additional dwelling</u>	Cottage	1 per <i>cottage</i>	Secondary Suite	1	<u>Accessory dwelling unit</u>	<u>1 per unit</u>
Table 7.1 : Number of Off-Street Parking Spaces													
Use of Building or Lot	Minimum Number of Parking Spaces Required												
Dwelling	2 per <u>principal dwelling</u> , <u>1 per additional dwelling</u>												
Cottage	1 per <i>cottage</i>												
Secondary Suite	1												
<u>Accessory dwelling unit</u>	<u>1 per unit</u>												

Build Out Analysis Mapping

Work is complete on a first public draft of build-out mapping for North Pender Island, as shown below (higher definition version also included as Attachment 2):



North Pender Island Subdivision Potential



Islands Trust

There are 573 maximum potential cottages and 2070 maximum potential suites based on zoning, size, and LUB Section 3.10. This does not include accessory dwellings that could be constructed in commercial and industrial zones.

Zone (includes all specific)	Existing Developed Parcels	Existing Vacant Parcels	Total Existing Parcels	Potential Additional Parcels by Subdivision	Total Potential Residential Parcels	Total Potential Dwellings	Total Potential Secondary Cottages	Total Potential Cottages
AG	55	1	56	0	56	56	55	51
CH	1	0	1	0	1	14	0	0
R	195	53	248	48	297	297	297	226
RC1	16	10	26	0	26	26	26	20
RC2	0	2	2	8	10	10	0	0
RM1	1137	171	1308	3	1311	1311	1205	1
RS2	316	52	368	140	508	509	507	297
TOTAL	1701	289	1990	199	2189	2203	2070	573

Note: Data source - BC Assessment and Public Use Outlets and Viewing

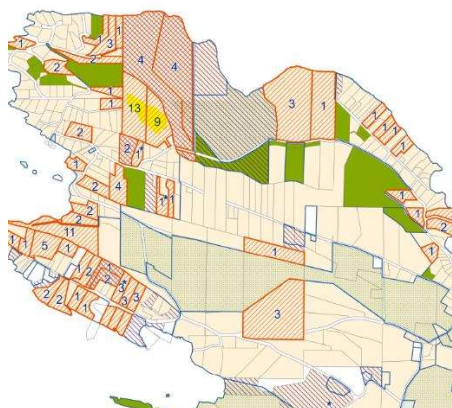
A summary table of maximum potential density is provided:

There are 573 maximum potential cottages and 2070 maximum potential suites based on zoning, size, and LUB Section 3.10. This does not include accessory dwellings that could be constructed in commercial and industrial zones.

Zone (Includes site specific)	Existing Developed Parcels	Existing Vacant Parcels	Total Existing Parcels	Potential Additional Parcels by Subdivision	Total Potential Residential Parcels	Total Potential Dwellings	Total Potential Secondary Suites	Total Potential Cottages
AG	35	1	36	0	36	36	35	31
CH	1	0	1	0	1	14	0	0
R	196	53	249	48	297	297	297	224
RC1	16	10	26	0	26	26	26	20
RC2	0	2	2	8	10	10	0	0
RR1	1137	171	1308	3	1311	1311	1205	1
RR2	316	52	368	140	508	509	507	297
TOTAL	1701	289	1990	199	2189	2203	2070	573

Note: Data source - BC Assessment Actual Use Codes and Vacancy

It is noted the two highlighted parcels below have recently been acquired by the CRD to create a new park. While rezoning will be required to formally remove the potential densities, staff will adjust the build-out map and summary accordingly to remove these 22 potential new lots and underlying dwelling unit densities. As these are newly released draft maps, other inconsistencies may also be noted that need correction.



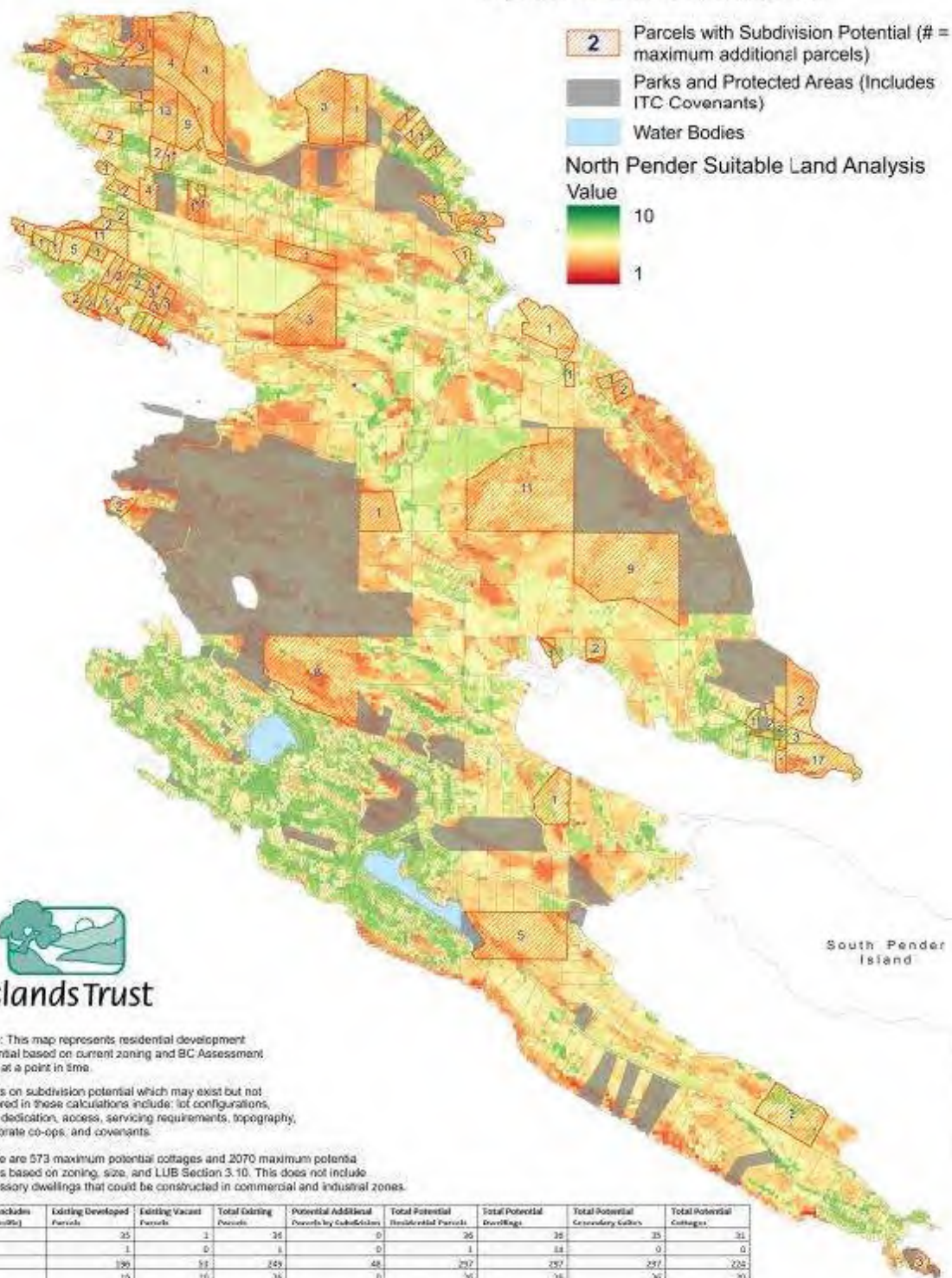
Land Information Screening Tool/Build-Out Mapping Overlay

The Land Information Screening Tool is a web based mapping tool currently accessible internally only by staff. A summary map of LIST results is shown below with build-out mapping overlaid on top (higher definition version also included as Attachment 3).

The APC has been asked to review these maps and provide recommendations for any additional potential changes to zoning or other bylaw amendments. Staff will bring this report forward at the next LTC meeting, and seek direction at that time for any amendments based on APC and staff recommendations.



North Pender Island Subdivision Potential Suitable Land Analysis



Islands Trust

Note: This map represents residential development potential based on current zoning and BC Assessment data at a point in time.

Limits on subdivision potential which may exist but not factored in these calculations include: lot configurations, park dedication, access, servicing requirements, topography, corporate co-ops, and covenants.

There are 573 maximum potential cottages and 2070 maximum potential suites based on zoning, size, and LUB Section 3.10. This does not include accessory dwellings that could be constructed in commercial and industrial zones.

Zone (includes site specific)	Existing Developed Parcels	Existing Vacant Parcels	Total Existing Parcels	Potential Additional Parcels by Subdivision	Total Potential Residential Parcels	Total Potential Dwellings	Total Potential Secondary Units	Total Potential Cottages
AG	35	3	38	0	38	38	35	31
CH	1	0	1	0	1	1	0	0
R	190	11	201	48	249	252	252	225
RC1	15	16	31	0	31	31	31	30
RC2	0	2	2	8	10	10	10	0
RHS	1137	171	1308	7	1315	1311	1305	1
RH2	310	52	362	140	502	509	507	297
TOTAL	1701	285	1986	156	2142	2169	2159	573

Note: Data size is - BC Assessment Parcel Use Codes and Zoning

01/14/2026

Project Timelines and Consultation

Staff will bring a first draft of amending bylaws to the LTC at the next regular meeting currently scheduled for March 27 and will initiate bylaw referrals after that.

Staff recommend a CIM to be held to present the draft bylaws and mapping results following the March 27 meeting and before the next scheduled meeting in late May, where bylaws would ideally be presented for first reading and direction sought to schedule 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.

RECOMMENDATION

The recommendation on page 1 is supported as:

- Staff are still working through proposed draft bylaw amendments and will present draft bylaws for further direction at the next LTC meeting; and,
- A Community Information Meeting (CIM) in April-May will align well with the LTC regular meeting schedule and allow an opportunity to present mapping results and the draft bylaws prior to consideration of first reading.

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 continue to prepare draft bylaws and confirm a date to schedule a CIM.

Submitted By:	Brad Smith, Island Planner	January 21, 2026
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Concurrence:	Robert Kojima, Regional Planning Manager	January 21, 2026
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1. Housing Action Plan Status Table, November 2025
2. Draft Build Out Analysis Map
3. Land Information Screening Tool Build-Out Map overlay

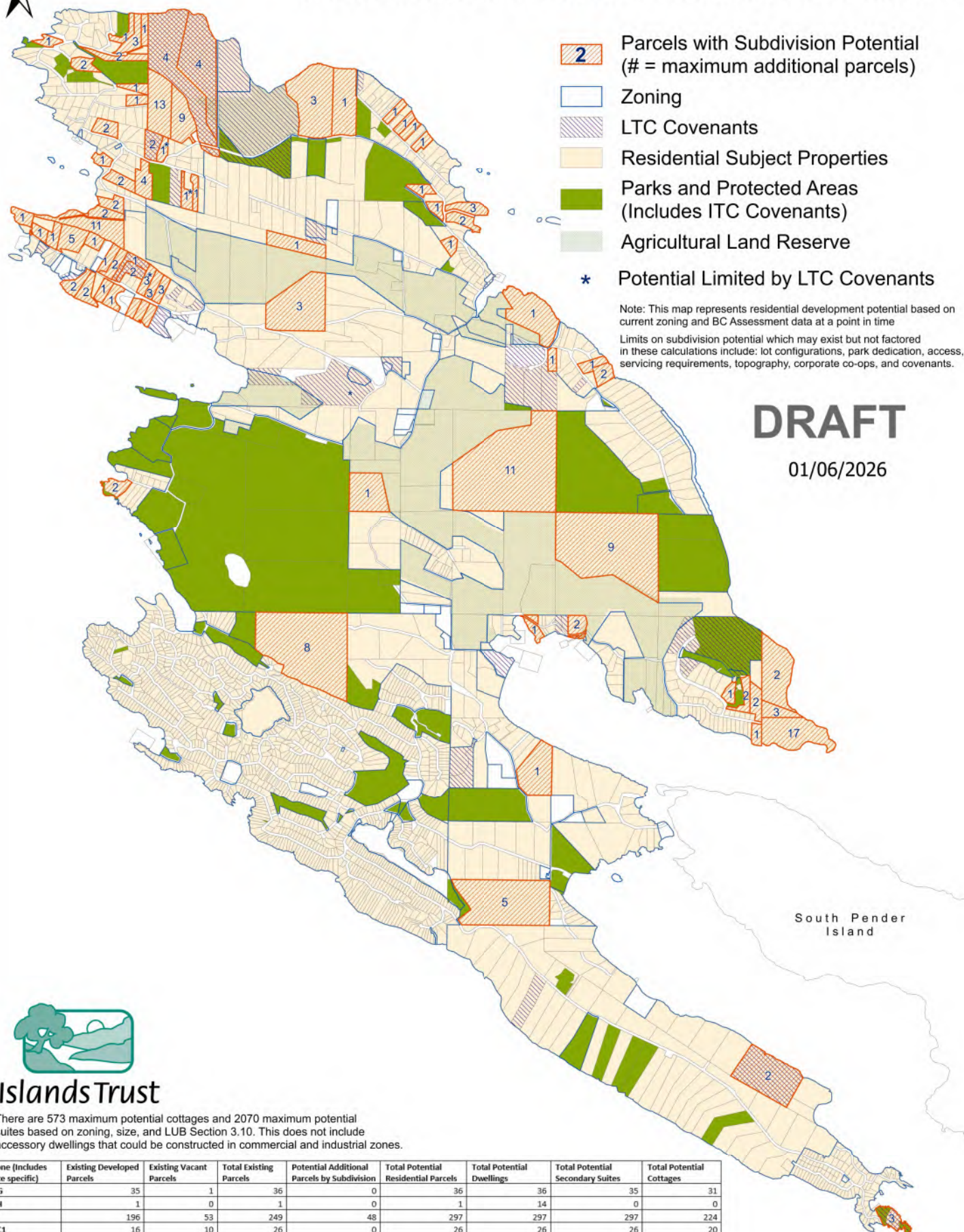
North Pender Island Housing Action Plan Implementation Tracking Table – January 2026

#	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	Draft mapping available to LTC and APC
2	Complete island-wide build-out analysis	Completion – Summer/Fall 2025 Roll-out – Fall/Winter 2025	Draft mapping available to LTC and APC
3	Present results of 1 and 2 at a Community Information Meeting (CIM)	Fall/Winter 2025	Staff seeking direction for CIM in April/May 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-	Draft bylaw amendments in progress
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	- Draft bylaw amendments in progress - 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.)		Draft bylaw amendments in progress
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		Draft bylaw amendments in progress
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	SLA and build-out mapping with APC to provide recommendations report
11	Explore rezoning of a portion of Anglican Church lands to permit affordable housing.	Fall/Winter 2025	Draft bylaw amendments in progress

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 participate in PIHS meeting Feb 10
14	Engage with community members to increase participation in community housing initiatives and non-profit community housing organizations.	Ongoing	Work ongoing
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	No actions recommended. Mark as Complete
19	Collaborate with the Capital Regional District (CRD) and other levels of government on harmonization of compatible housing projects and programs.	Ongoing	Staff engaging with CRD planning re proposed zoning changes
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



North Pender Island Subdivision Potential



Islands Trust

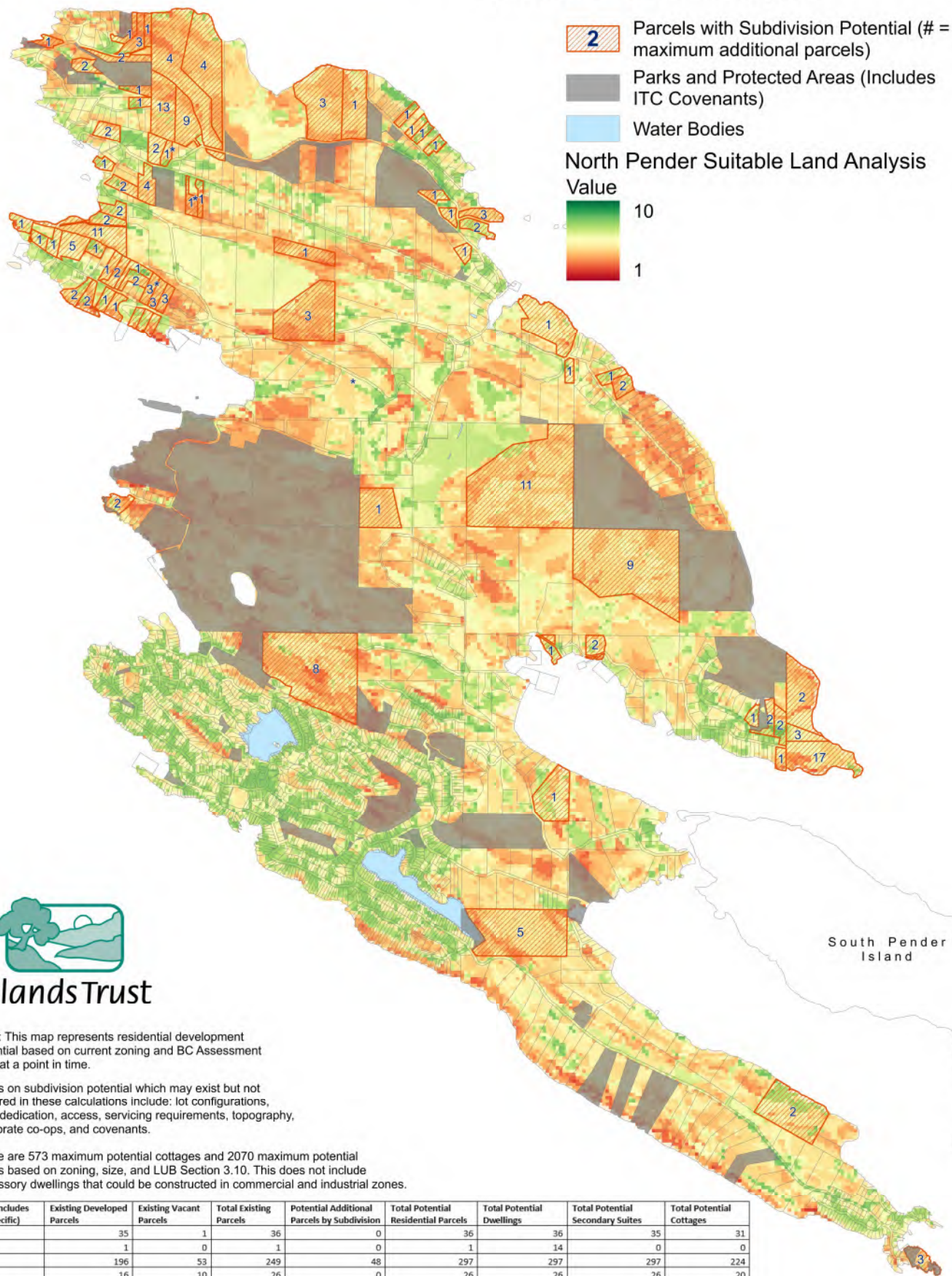
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North Pender Island Subdivision Potential Suitable Land Analysis



Islands Trust

Note: This map represents residential development potential based on current zoning and BC Assessment data at a point in time.

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CH	1	0	1	0	1	14	0	0
R	196	53	249	48	297	297	297	224
RC1	16	10	26	0	26	26	26	20
RC2	0	2	2	8	10	10	0	0
RR1	1137	171	1308	3	1311	1311	1205	1
RR2	316	52	368	140	508	509	507	297
TOTAL	1701	289	1990	199	2189	2203	2070	573

Note: Data source - BC Assessment Actual Use Codes and Vacancy

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: January 22, 2026

Development Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLDP20250483	Andrew MacLean A	12/8/2025	4715 BUCCANEERS RD, PENDER	A riparian DP to construct a house where a mobile home was on a lakefront lot on Magic Lake.
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Local Trust Committee	Email Applicant of LTC Meeting	

Application Number	Applicant Name	Date Received	Address	Purpose
PLDP20250499	Budd Kerfoot; LESL	12/17/2025	1325 MACKINNON RD, PENDER IS	Application for a DP for development of two new cottages and parking in a commercial form and character DPA
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Local Trust Committee	Email Applicant of LTC Meeting	

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

Development Variance Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLDVP20260026	Mark Heieis	1/21/2026	1604 STORM CRES, PENDER ISLA	Application for a variance for the height of an Accessory Building
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Under Review	Generate Complete Application Letter	

Application Number	Applicant Name	Date Received	Address	Purpose
PLDVP20250489	Michael Mcdonald	12/12/2025	3722 RUM RD, PENDER ISLAND, B	Variance for secondary suite.
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Local Trust Committee	Email Applicant of LTC Meeting	

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	

North Pender

Temporary Use Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLTUP20260001	Bryan Vermeeren	1/2/2026	3812 CUTLASS CRT, PENDER ISLA	Current Temporary use permit NP - TUP- 2023.1-3812 Cutlass court, Pender Island
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Under Review	Generate Complete Application Letter	

Application Number	Applicant Name	Date Received	Address	Purpose
PLTUP20250430	Pauline O'Malley	10/30/2025	1603 SCHOONER WAY, PENDER I	Application for the renewal of a temporary use permit for a short-term vacation rental.
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Local Trust Committee	Email Applicant of LTC Meeting	

Application Number	Applicant Name	Date Received	Address	Purpose
PLTUP20250511	Leslie Hepburn	12/30/2025	1602 SCHOONER WAY, PENDER I	TUP application for a vacation rental to replace expiring permit
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Local Trust Committee	Email Applicant of LTC Meeting	

Islands Trust

LTC EXP SUMMARY REPORT F2026

Invoices posted to Month ending November 2025

650 North Pender	Invoices posted to Month ending November 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	287.42	912.58
65210-650	LTC - Local Exp - APC Meeting Expenses	1,550.00	1,351.68	198.32
TOTAL LTC Local Expense		<u>3,266.00</u>	<u>1,834.45</u>	<u>1,431.55</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	2,222.63	5,777.37
TOTAL Project Expenses		<u>13,000.00</u>	<u>2,910.70</u>	<u>10,089.30</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

BRIEFING

To: Local Trust Committees **For the Meeting of:** January 2026
From: Executive Committee **Date Prepared:** January 16, 2026
SUBJECT: Short Term Rental Accommodation – Principal Residence Opt-In

PURPOSE:

To forward a briefing received by the Executive Committee, regarding opting in to the provincially regulated principal residence requirement for short term rental accommodations (STRA), to local trust committees. The briefing is a reminder that the deadline to opt-in to the provincial's principal residence requirement for STRAs is March 31, 2026.

BACKGROUND:

On September 3, 2025, the Executive Committee (EC) requested staff to forward the attached briefing which provided an update to EC that the Ministry of Housing and Municipal Affairs had informed the Salt Spring Island Local Trust Committee that their request to opt-in to the principal residence requirement had been approved by BC Order in Council 277/2025, and would come into effect November 1, 2025.

The attached briefing reminds local trust committees that should they choose to opt in to the provincially regulated principal residence requirements for short term rental accommodations, they must pass a resolution to do so by March 31st in order for the request to come into force by November of the same year. The attached briefing includes some brief background information and draft resolutions to assist local trust committees. The attached briefing includes the ministry's letter to the Salt Spring Island Local Trust Committee and a copy of the approved Order-in-Council.

ATTACHMENT(S):

1. Short Term Rental Accommodation – Principal Residence Opt-In Update - Briefing

FOLLOW-UP: Staff will forward local trust committee resolutions to the Ministry of Housing and Municipal Affairs, Housing Policy Branch.

Prepared By: Stefan Cermak , Director, Planning Services

To: Executive Committee **For the Meeting of:** August 6, 2025
From: Planning Services **Date Prepared:** July 29, 2025
SUBJECT: Short Term Rental Accommodation – Principal Residence Opt-In Update

PURPOSE: To provide the Executive Committee with an update that the Ministry of Housing and Municipal Affairs, Housing Policy Branch, has informed staff that the Salt Spring Island Local Trust Committee request to opt-in to the principal residence requirement has been approved by BC Order in Council 277/2025, and will come into effect November 1, 2025.

BACKGROUND:

The *Short Term Rental Accommodation Act* (STRA Act) Received Royal Assent on October 26, 2023. The *Short Term Rental (STR) Accommodation Regulations* (Order in Council) were adopted December 7, 2023. The STRA Act and regulations create a framework including key considerations relating to principal residence requirements, time period regulations, legal non-conforming use, business licensing updates and enforcement. The province has provided information in an easy to read [STR Policy Guidance Document](#).

Properties in the Islands Trust Area are exempt from the requirement to have STRs operated by a principal residence of the subject property. However, a local trust committee or Bowen Island Municipality may pass a resolution requesting to be removed from the list of exempt land in order to “opt-into” the principal residence requirement. Opting in means the provincial restriction on short-term rental accommodations will over-ride any schemes that the local trust committee or island municipality has enacted (where there is a conflict between them).

Both the Bowen Island Municipality and Gabriola Island Local Trust Committee “opted-in” and are currently reflected in the current STR regulations. The Salt Spring Island Local Trust Committee requested “opting-in” earlier this year. The attached communications confirm that the request to opt-in to the principal residence requirement has been approved and will come into force effective November 1, 2025.

Remaining Local Trust Committees (LTC) may also “opt-in” via resolution submitted to the Minister of Housing and Municipal Affairs by March 31 each year. A sample LTC resolution to opt-in may read:

That the [XX Local Trust Committee] request that the Minister of Housing and Municipal Affairs, on behalf of the Lieutenant Governor in Council, apply the principal residence requirement to the [XX Local Trust Area] and that the [XX Local Trust Area] be removed from the exempt land as per S. 15 of the Short-Term Rental Accommodation Act.

Requests should include appropriate background information that describes the area and jurisdiction. The request must be submitted to the Minister of Housing by March 31, and the prescribed period of time starts on November 1, of the same year. If the Province grants a change

to exempt land status, that change remains in effect indefinitely unless a subsequent request to reverse the exemption is made by March 31 of a future year.

ATTACHMENT(S):

1. Ministry of Housing and Municipal Affairs, Letter dated July 25, 2025

FOLLOW-UP: Staff will place the correspondence from the Ministry on their next regular business meeting agenda. Staff will update the legislative monitoring spreadsheet.

Prepared By: **Stefan Cermak, Director, Planning Services**

Reviewed By/Date: **CAO / July 30, 2025**



July 25, 2025

Reference: 187606

Chris Hutton
Regional Planning Manager, Salt Spring Island
Islands Trust
Email: chutton@islandstrust.bc.ca

Dear Chris Hutton:

This is to confirm your community's request to opt-in to the principal residence requirement has been approved by BC [Order in Council 277/2025](#), and will come into effect November 1, 2025.

Please find a copy of the approved Order-in-Council attached.

Your truly,

A handwritten signature in blue ink, appearing to read "H. Rabinovitch".

Hannah Rabinovitch
Director, Housing Policy Branch
Ministry of Housing and Municipal Affairs

Attachment:

- Order-in-Council 277-2025

CC: Trevor Lammie, Registrar, Short-Term Rentals Branch (Trevor.Lammie@gov.bc.ca)
Islands Trust, Salt Spring Island (ssinfo@islandstrust.bc.ca)
Stephen Henderson, General Manager, CRD (shenderson@crd.bc.ca)

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 277, Approved and Ordered June 9, 2025



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the Short-Term Rental Accommodations Regulation, B.C. Reg. 268/2023, is amended as set out in the Schedule.



Minister of Housing and Municipal Affairs



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Short-Term Rental Accommodations Act, s. 38

Other: O.C. 679/2023

R10897624

SCHEDULE

- 1** *Section 13.1 (4) is amended by striking out “on the application programming interface specified by the registrar” and substituting “through the application programming interface specified by the registrar or in another electronic format in the form required by the minister”.*
- 2** *Section 13.1 (5) (c) of the Short-Term Rental Accommodations Regulation, B.C. Reg. 268/2023, is repealed and the following substituted:*
 - (c) on a monthly basis.
- 3** *Section 13.2 is amended*
 - (a) by repealing subsection (2) (b) and substituting the following:*
 - (b) subject to subsection (2.1), the validity of the relevant registration number is confirmed in accordance with section 13.1 of this regulation. , **and**
 - (b) by adding the following subsections:*
 - (2.1) A platform service provider is not prohibited from providing platform services in respect of a platform offer if,
 - (a) for the reasons described in subsection (2.2), the platform service provider is unable to confirm the validity of a registration number in respect of the platform offer in the time frame described in section 13.1 (4) or (5), as applicable, and
 - (b) the platform service provider meets the requirements of subsection (2.3).
 - (2.2) For the purposes of subsection (2.1) (a), the platform service provider must be unable to confirm the validity of a registration number because
 - (a) there is a temporary disruption of a platform, an application programming interface, an electronic portal or any other electronic system or means required for the platform service provider to
 - (i) access the information required to confirm the validity of the registration number, or
 - (ii) confirm the validity of the registration number, and
 - (b) there are no commercially reasonable steps the platform service provider can take, despite the disruption described in paragraph (a), to confirm the validity of the registration number in the time frame described in section 13.1 (4) or (5), as applicable.
 - (2.3) For the purposes of subsection (2.1) (b), if a disruption described in subsection (2.2) (a) occurs, the platform service provider must
 - (a) within one business day of first becoming aware of the disruption and in the manner determined by the registrar,
 - (i) notify the registrar of the failure, and
 - (ii) provide details on the nature of the disruption to the registrar;
 - (b) if possible, attempt to confirm the validity of the registration number at the following intervals:

- (i) if the platform service provider is a major platform service provider, within one hour of first becoming aware of the disruption and within 24 hours of each subsequent failed attempt;
- (ii) if the platform service provider is a medium platform service provider or a minor platform service provider, within 24 hours of first becoming aware of the disruption and within 24 hours of each subsequent failed attempt;
- (c) take all commercially reasonable steps to resolve the disruption in cooperation with the registrar;
- (d) as soon as reasonably possible after the disruption ends, confirm the validity of the registration number.

4 The following division is added to Part 4:

Division 4 – Information Sharing

Prescribed person or entity

- 27.1** (1) The minister responsible for the administration of the *Financial Administration Act* is prescribed for the purpose of section 34 (5) of the Act.
- (2) The purposes described in section 33 (2) (b) (i) to (iii) of the Act are prescribed for the purpose of section 34 (5) (b) of the Act.

5 Schedule 1 is amended

- (a) in paragraph (a) by striking out “Town of Creston”,
- (b) in paragraph (b) by adding “District of Tofino”,
- (c) in paragraph (c) in Table 1 by repealing items 4, 6, 9, 10 and 14 and substituting the following items:

Item	Column 1 Geographic Area	Column 2 Description of Map	Column 3 Map Date
1.1	Baldy Mountain Resort	Baldy Mountain Resort	December 2, 2024
4	Crystal Mountain Ski Resort	Crystal Mountain Ski Resort	December 2, 2024
6	Hudson Bay Mountain Resort	Hudson Bay Mountain Resort	December 2, 2024
10	Panorama Mountain Resort	Panorama Mountain Resort	December 2, 2024
14	Saddle Mountain Resort	Saddle Mountain Resort	December 2, 2024

,

(d) in paragraph (d) in Table 2 by repealing items 2, 3, 4, 5, 6 and 15 and substituting the following items:

Item	Column 1 Geographic Area	Column 2 Description of Map	Column 3 Map Date
2	Fairmont Hot Springs Ski Area	Fairmont Hot Springs Ski Area	December 2, 2024
3	Harper Mountain Ski Hill	Harper Mountain Ski Hill	December 2, 2024
4	Hudson's Hope Ski Hill	Hudson's Hope Ski Hill	December 2, 2024
5	Mount Cain Ski Hill	Mount Cain Ski Hill	December 2, 2024
6	Mount Timothy Ski Resort	Mount Timothy Ski Resort	December 2, 2024
15	Wapiti Ski Hill	Wapiti Ski Hill	December 2, 2024

,

(e) in paragraph (g) by adding the following subparagraph:

(iii) Saltspring Island; ,

(f) in paragraph (i) (i) by striking out “Electoral Area E,” and “, Electoral Area G”, and

(g) in paragraph (i) by adding the following subparagraph:

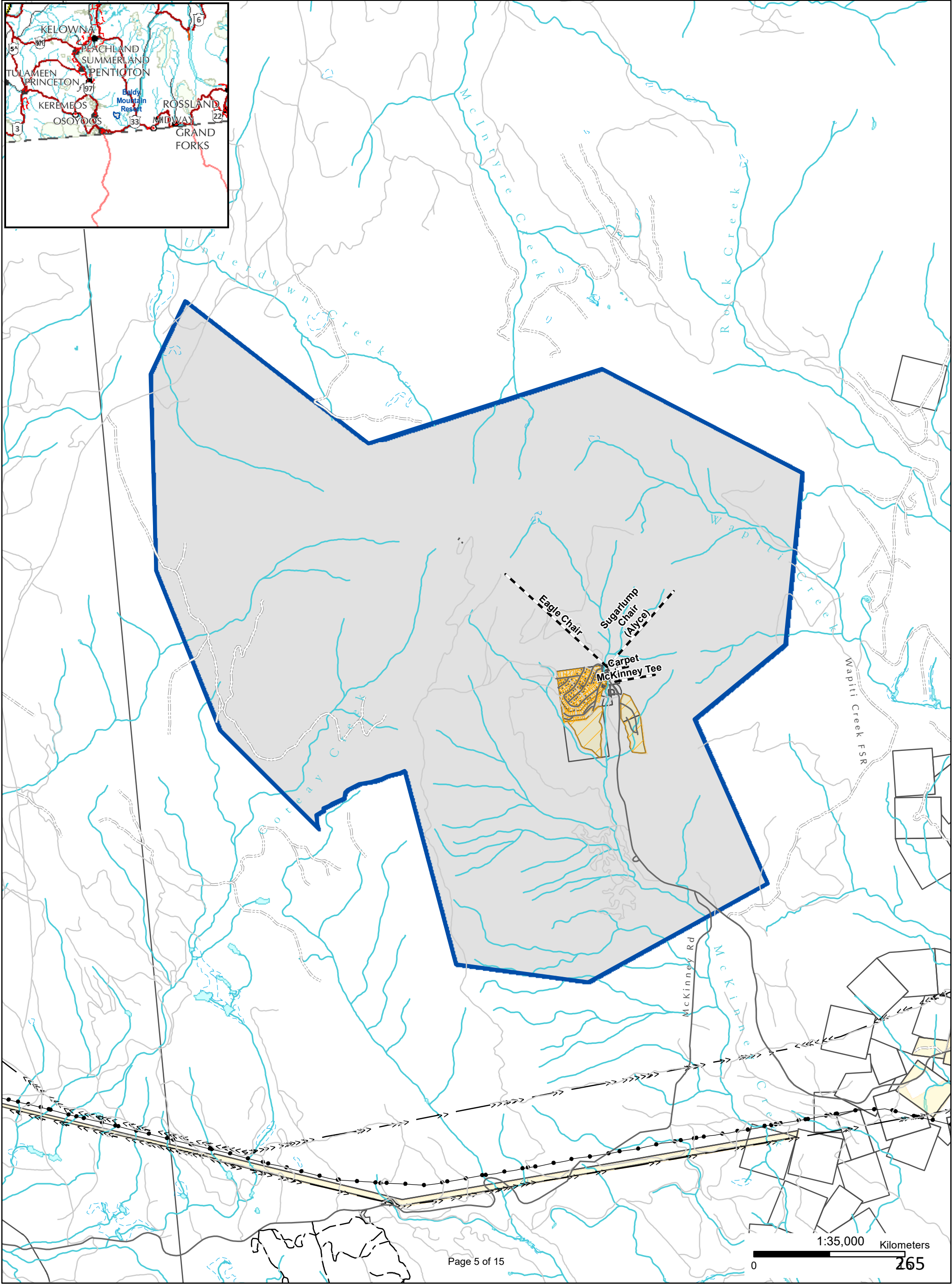
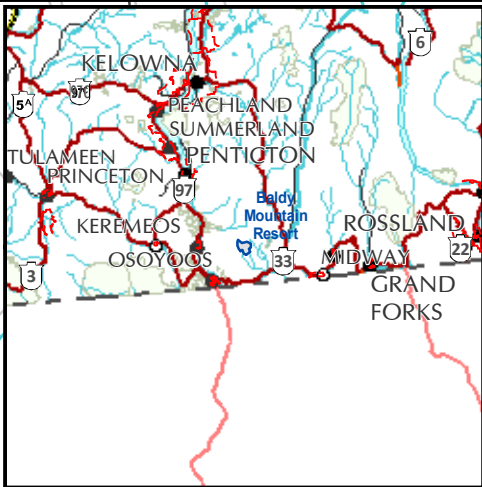
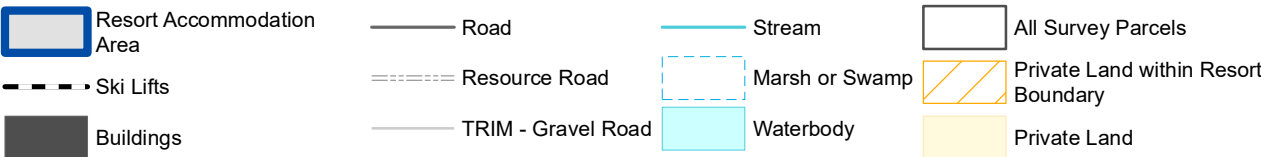
(v) Electoral Area B of the Columbia-Shuswap Regional District.

Short-Term Rental Accommodations Regulation
Schedule 1: Exempt Land (c,d,e,f)

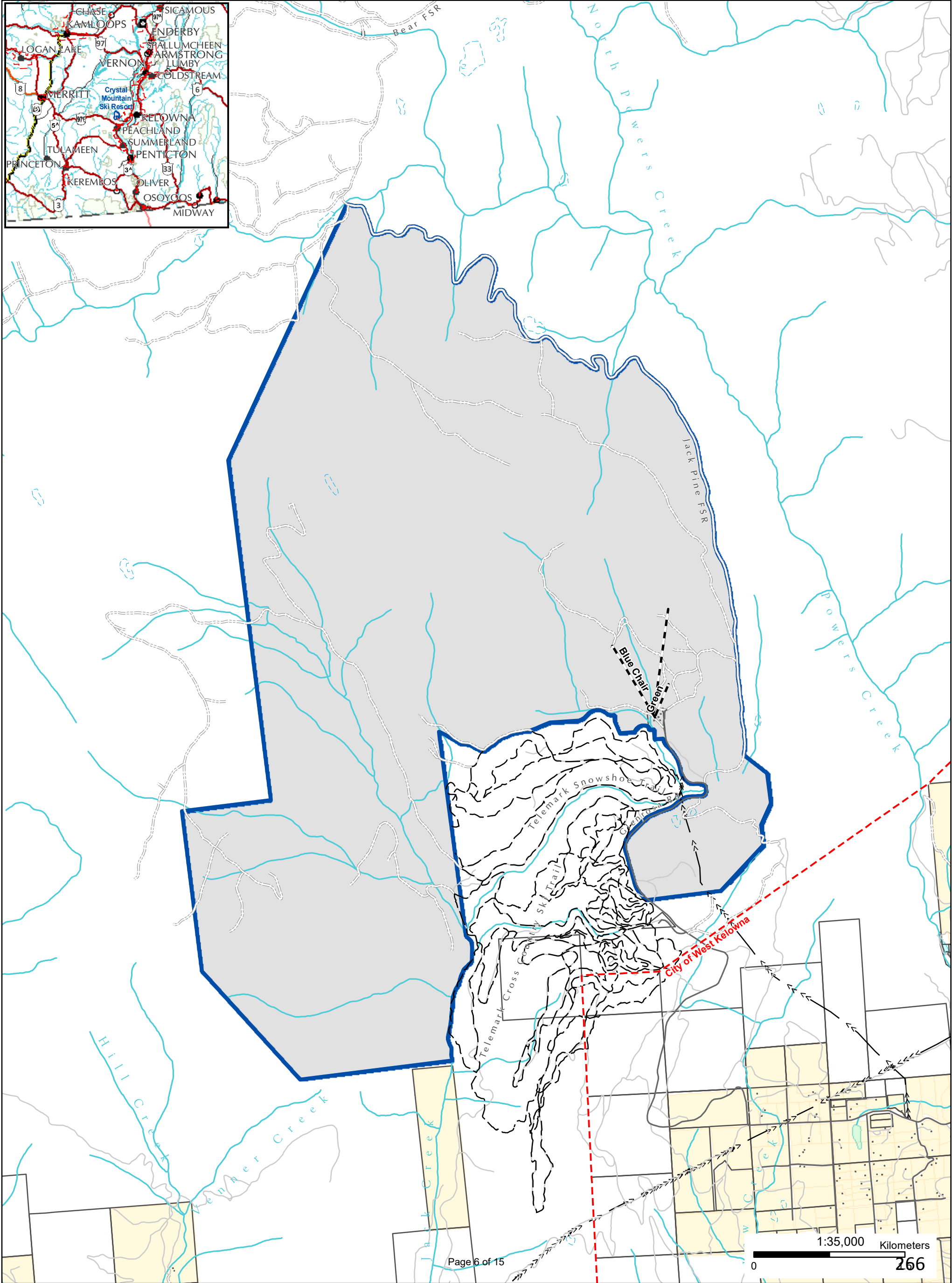
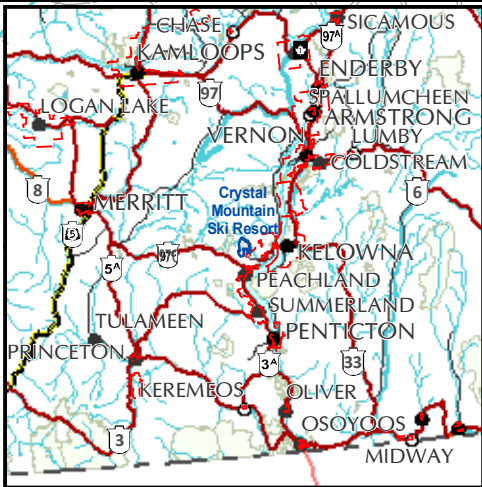
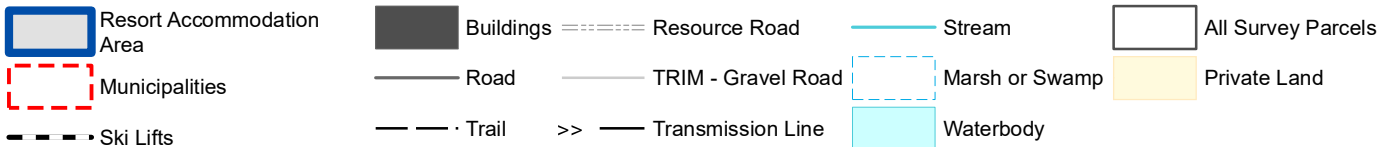
Baldy Mountain Resort



Date: 2024-12-02
Coord. Sys: PCS Albers



Short-Term Rental Accommodations Regulation
Schedule 1: Exempt Land (c,d,e,f)
Crystal Mountain Ski Resort

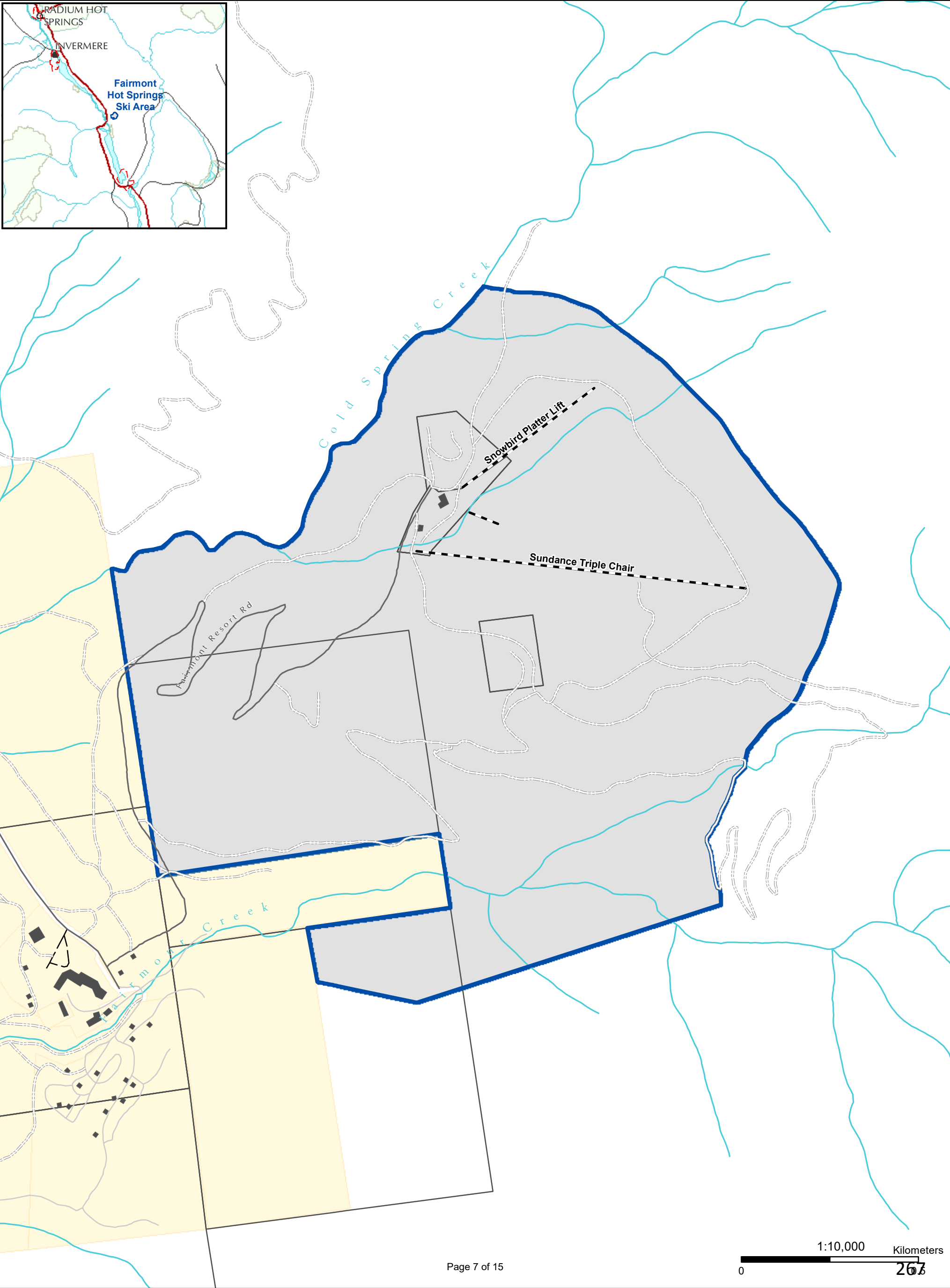
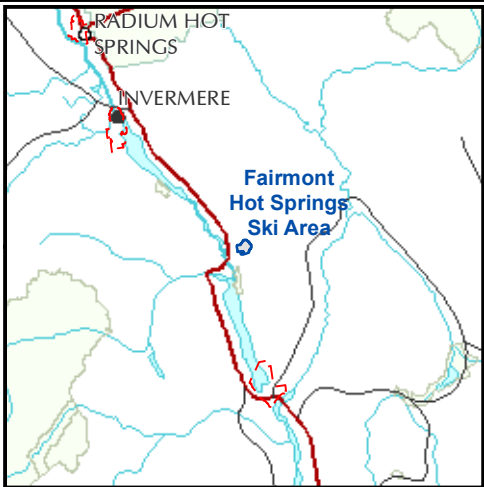


Short-Term Rental Accommodations Regulation
Schedule 1: Exempt Land (c,d,e,f)
Fairmont Hot Springs Ski Area



Date: 2024-12-02
Coord. Sys: PCS Albers

- | | | |
|---------------------------|--------------------|--------------------|
| Resort Accommodation Area | Road | Stream |
| Ski Lifts | Resource Road | All Survey Parcels |
| Buildings | TRIM - Gravel Road | Private Land |



Short-Term Rental Accommodations Regulation
Schedule 1: Exempt Land (c,d,e,f)
Harper Mountain Ski Hill



Date: 2024-12-02
Coord. Sys: PCS Albers

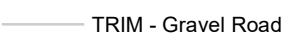
- 

Resort Accommodation Area
- 

Ski Lifts
- 

Buildings
- 

Road
- 

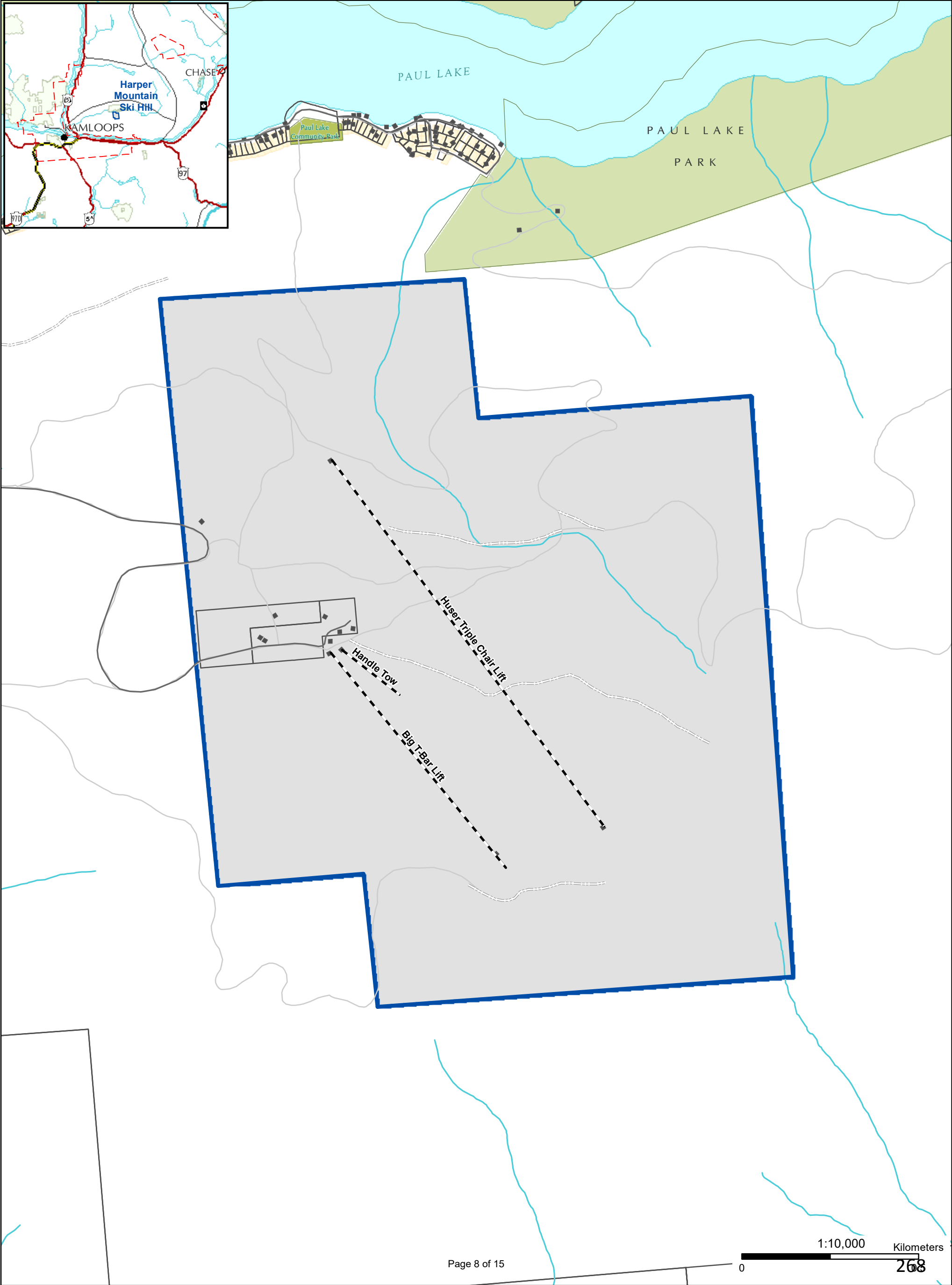
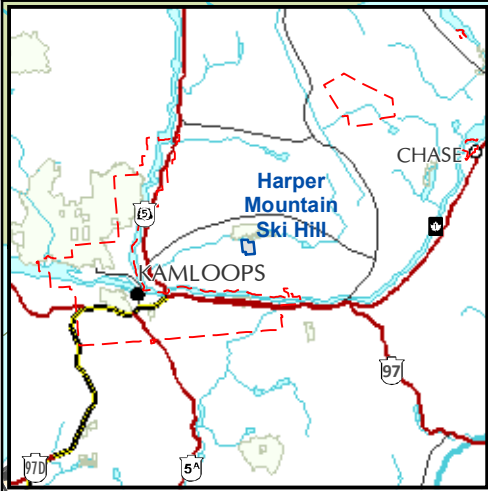
Resource Road
- 

TRIM - Gravel Road
- 

Stream
- 

All Survey Parcels
- 

Private Land

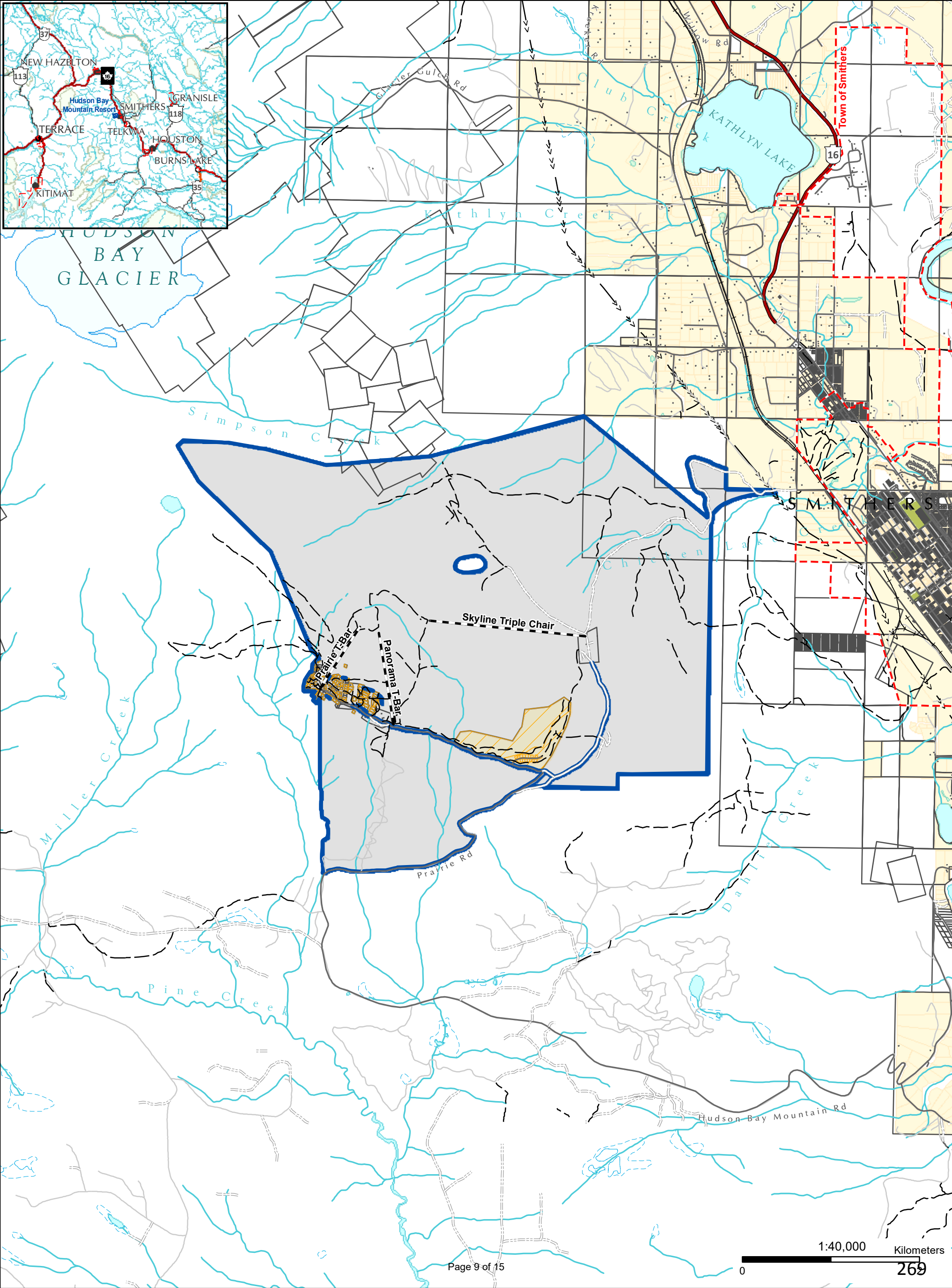
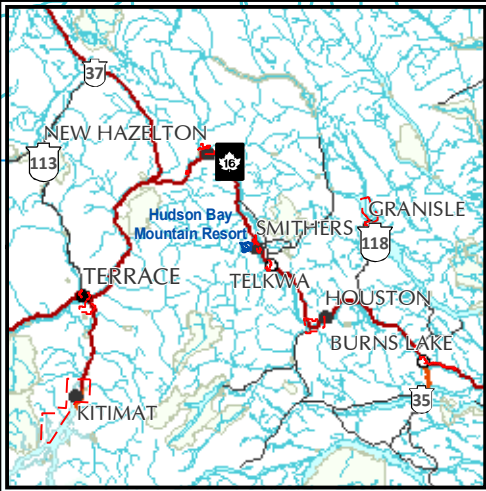


1:10,000 Kilometers

0 268

Short-Term Rental Accommodations Regulation
Schedule 1: Exempt Land (c,d,e,f)
Hudson Bay Mountain Resort

-  Resort Accommodation Area
-  Municipalities
-  Ski Lifts
-  Buildings
-  Road
-  Trail
-  Resource Road
-  TRIM - Gravel Road
-  Transmission Line
-  Stream
-  Waterbody
-  All Survey Parcels
-  Private Land within Resort Boundary
-  Private Land

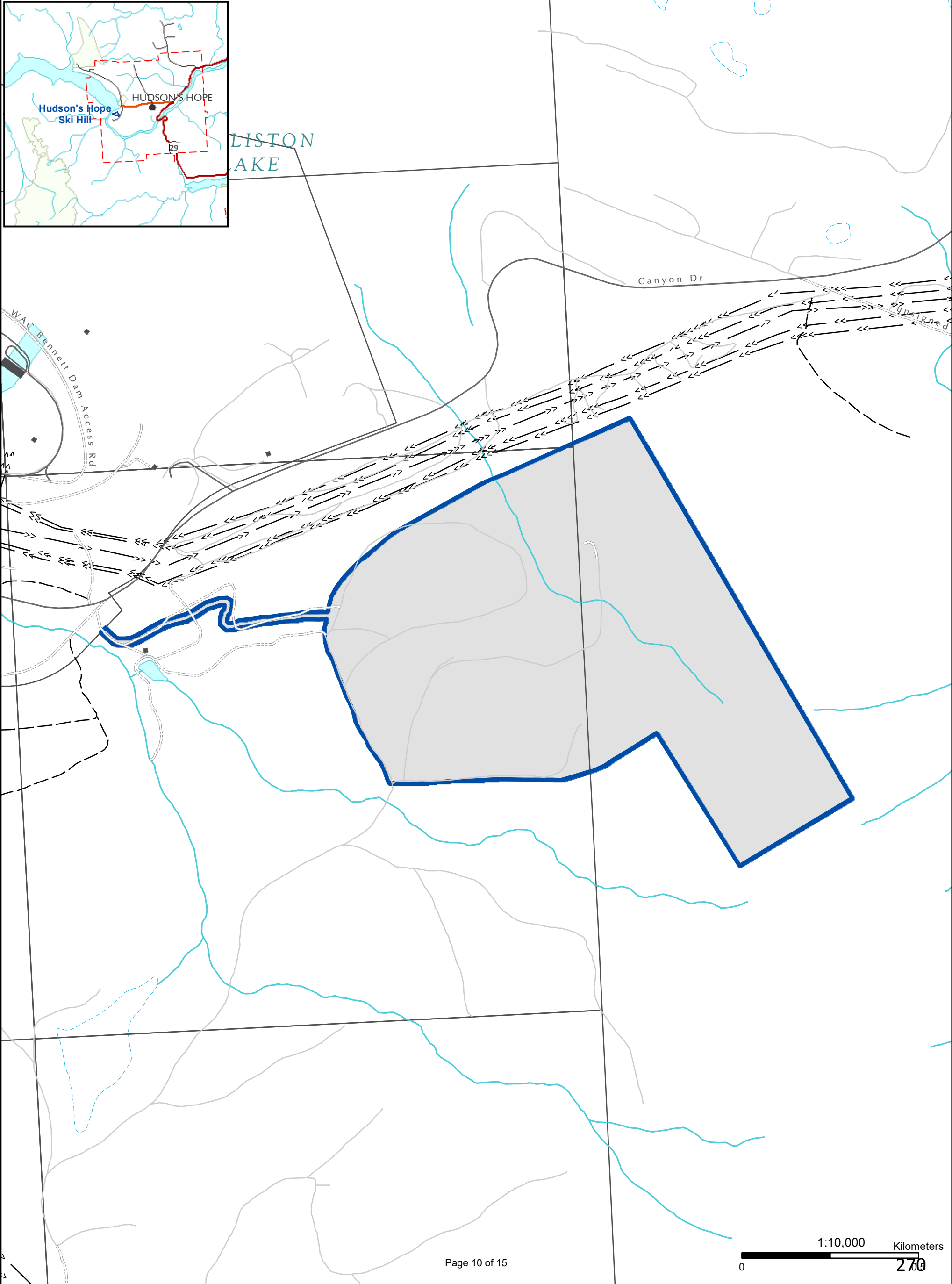
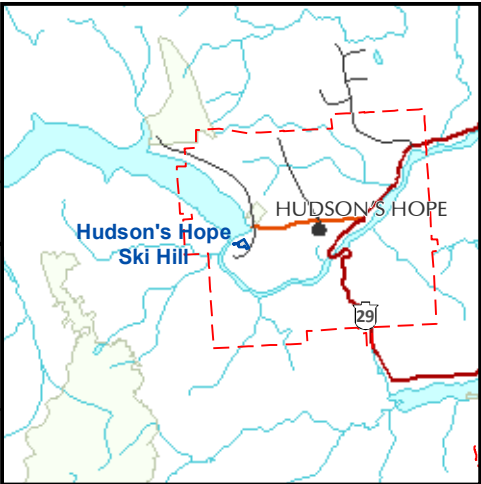


Short-Term Rental Accommodations Regulation
Schedule 1: Exempt Land (c,d,e,f)
Hudson's Hope Ski Hill



Date: 2024-12-02
Coord. Sys: PCS Albers

-  Resort Accommodation Area
-  Municipalities
-  Resource Road
-  TRIM - Gravel Road
-  Stream
-  All Survey Parcels

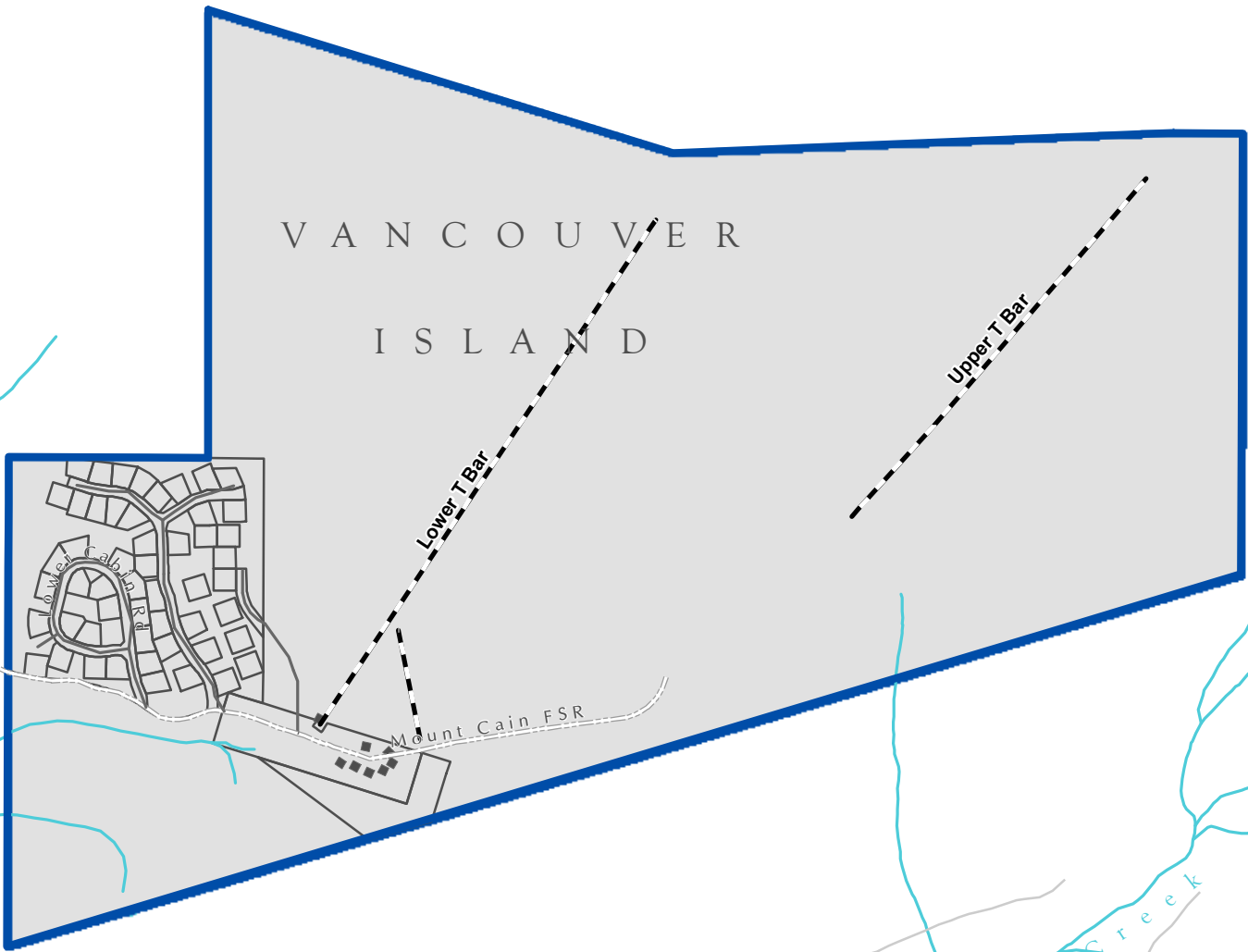
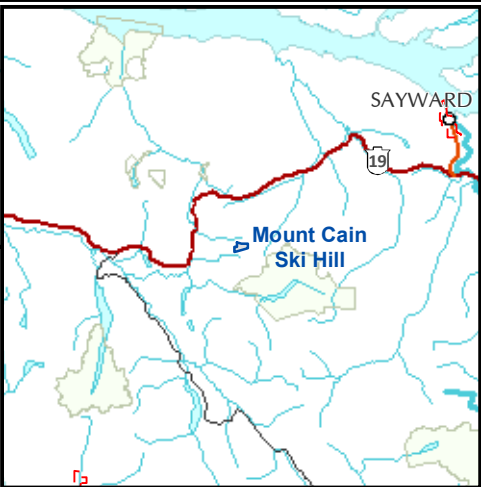


Short-Term Rental Accommodations Regulation
Schedule 1: Exempt Land (c,d,e,f)
Mount Cain Ski Hill



Date: 2024-12-02
Coord. Sys: PCS Albers

- | | | | | | |
|--|---------------------------|--|--------------------|--|--------------------|
| | Resort Accommodation Area | | Road | | Stream |
| | Ski Lifts | | Resource Road | | Waterbody |
| | Buildings | | TRIM - Gravel Road | | All Survey Parcels |



Short-Term Rental Accommodations Regulation
Schedule 1: Exempt Land (c,d,e,f)
Mount Timothy Ski Resort

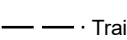


Date: 2024-12-02
Coord. Sys: PCS Albers

- 

Resort Accommodation Area
- 

Ski Lifts
- 

Buildings
- 

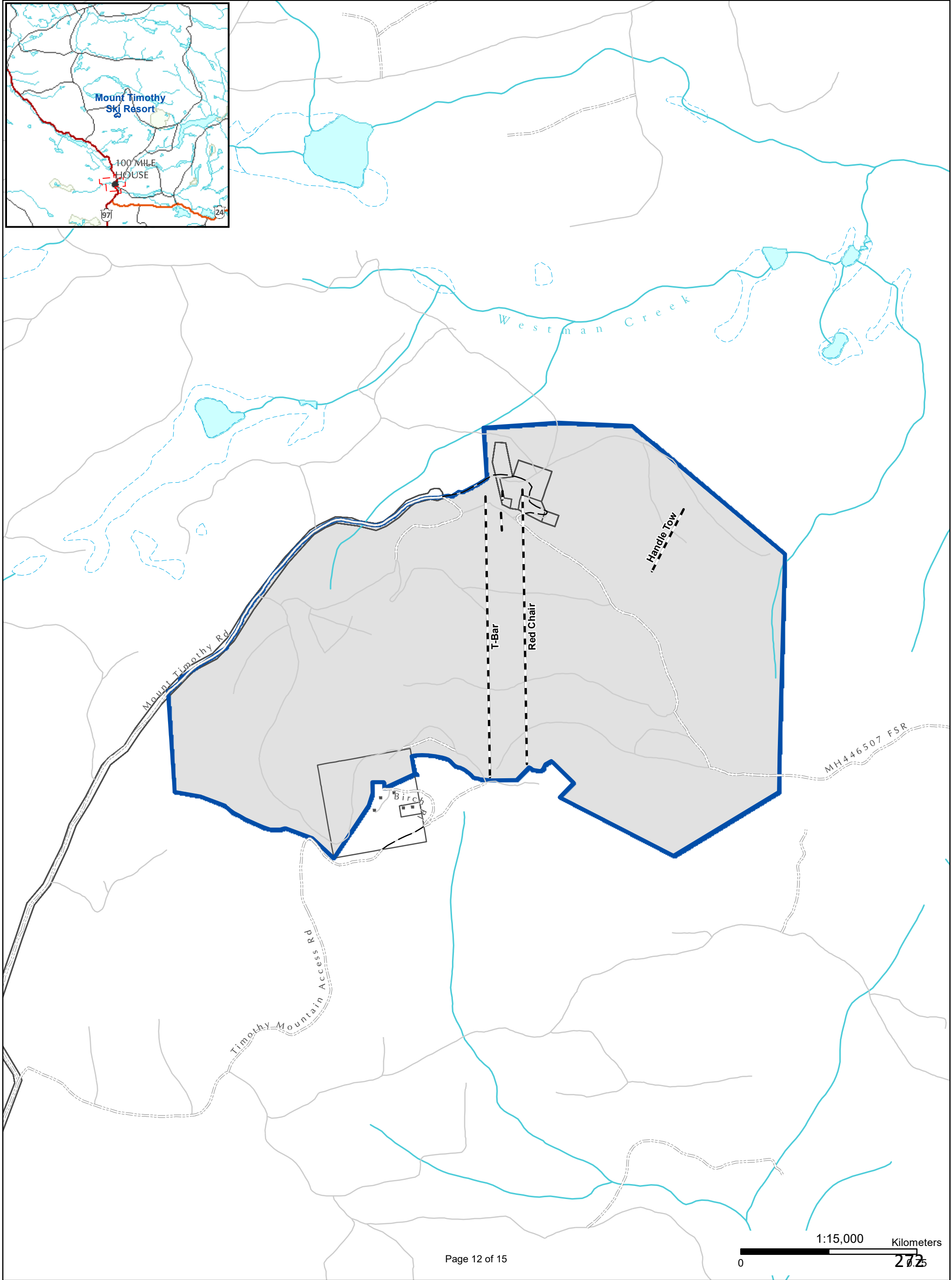
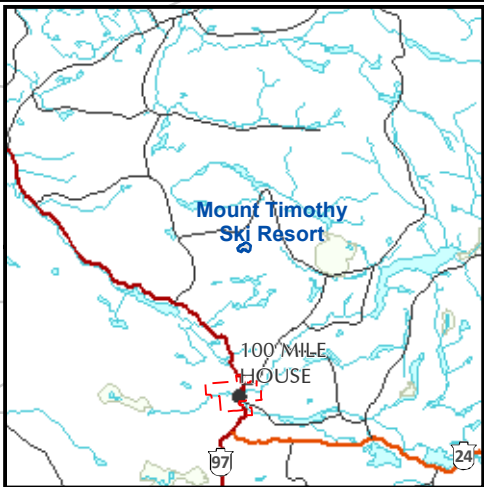
Trail
- 

Resource Road
- 

TRIM - Gravel Road
- 

Stream
- 

All Survey Parcels

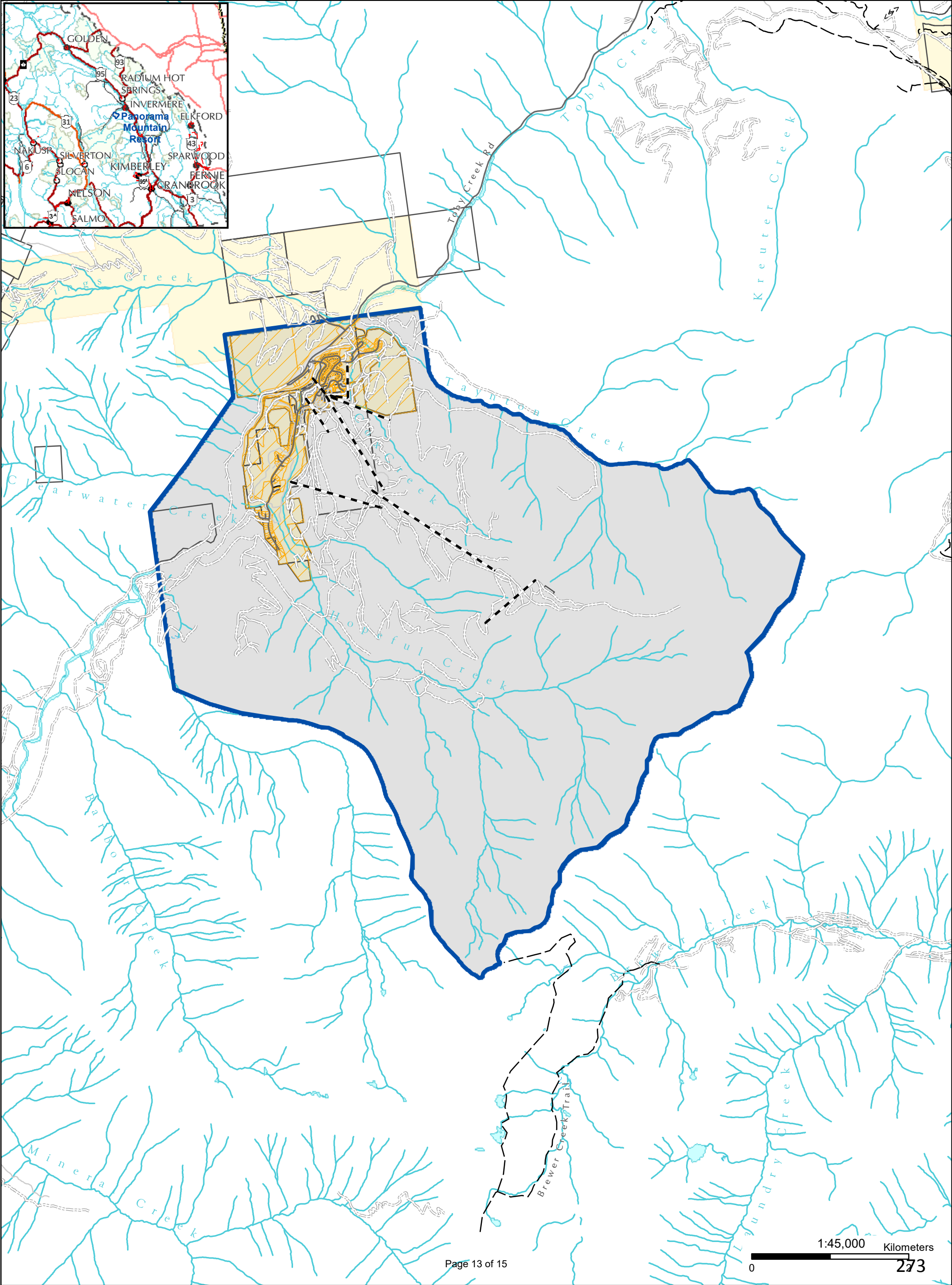
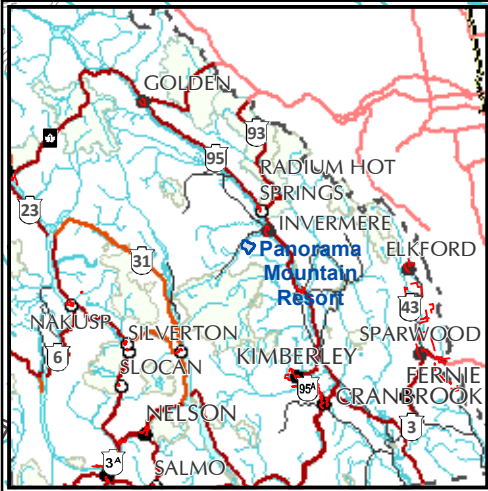
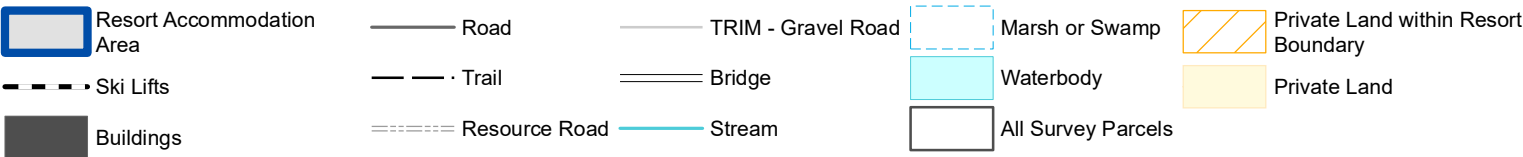


Short-Term Rental Accommodations Regulation
Schedule 1: Exempt Land (c,d,e,f)

Panorama Mountain Resort



Date: 2024-12-02
Coord. Sys: PCS Albers

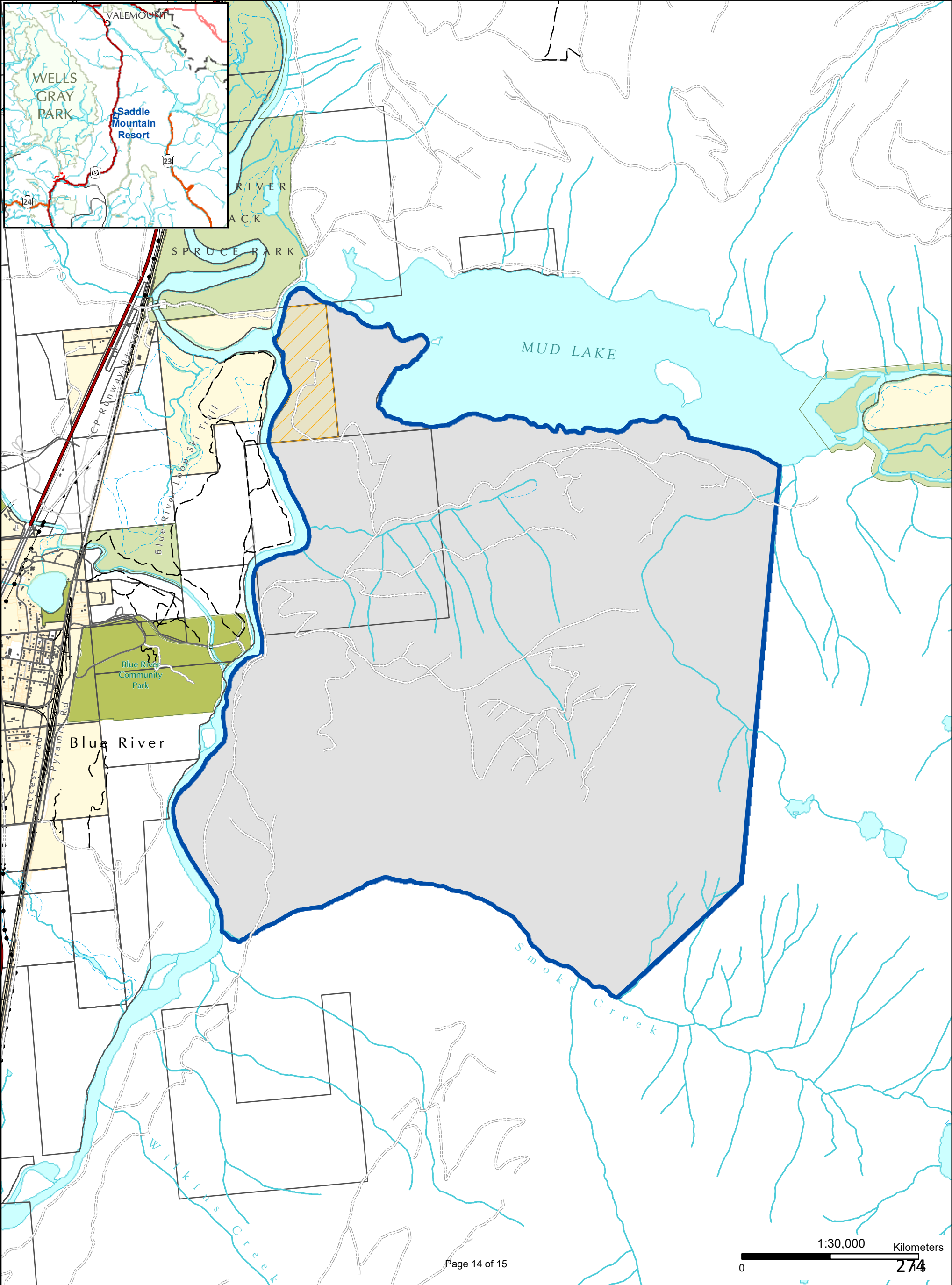
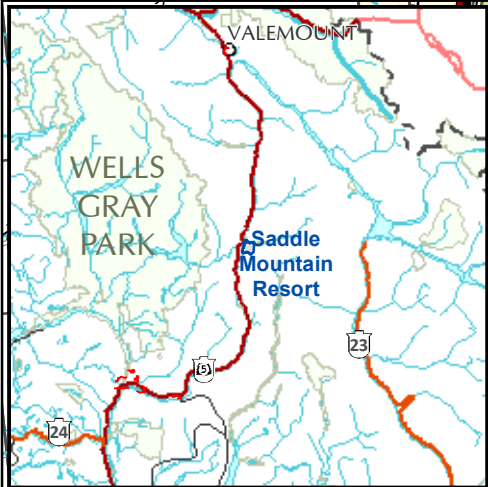


Short-Term Rental Accommodations Regulation
Schedule 1: Exempt Land (c,d,e,f)
Saddle Mountain Resort



Date: 2024-12-02
Coord. Sys: PCS Albers

- | | | |
|---------------------------|----------------|-------------------------------------|
| Resort Accommodation Area | Stream | All Survey Parcels |
| Resource Road | Marsh or Swamp | Private Land within Resort Boundary |
| TRIM - Gravel Road | Waterbody | Private Land |



Short-Term Rental Accommodations Regulation
Schedule 1: Exempt Land (c,d,e,f)

Wapiti Ski Hill



Date: 2024-12-02
Coord. Sys: PCS Albers

- | | | | |
|---------------------------|-----------|--------------------|--------------------|
| Resort Accommodation Area | Buildings | Resource Road | All Survey Parcels |
| Municipalities | Road | TRIM - Gravel Road | Private Land |
| Ski Lifts | Trail | Stream | |

