



North Pender Island Local Trust Committee

Regular Meeting Agenda

Date: May 29, 2026
Time: 10:00 am
Location: Anglican Parish Hall
4703 Canal Road, RR#1, North Pender Island, BC

	Pages
1. CALL TO ORDER	10:00 AM - 10:25 AM
“Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change.”	
2. TERRITORIAL ACKNOWLEDGEMENT	
3. RISE AND REPORT - In-Camera Meeting of April 10, 2026	
North Pender Island Local Trust Committee in-camera meeting minutes of January 30, 2026 were adopted.	
4. APPROVAL OF AGENDA	
5. TRUSTEE REPORT	
6. CHAIR'S REPORT	
7. ELECTORAL AREA DIRECTOR'S REPORT	
8. PUBLIC PARTICIPATION PERIOD	10:25 AM - 10:40 AM
9. COMMUNITY INFORMATION MEETING - None	
10. PUBLIC HEARING - None	
11. MINUTES	10:40 AM - 10:50 AM
11.1 Local Trust Committee Minutes Dated April 10, 2026 (for Adoption)	4 - 15
11.2 Local Trust Committee Record of Public Hearing Dated April 10, 2026 (for Receipt)	16 - 18
11.3 Local Trust Committee Minutes Dated May 2, 2026 (for Adoption)	19 - 22
11.4 Section 26 Resolutions-without-meeting Report - None	
11.5 Advisory Planning Commission Minutes Dated April 23, 2026 (for Receipt)	23 - 25

12.	BUSINESS ARISING FROM THE MINUTES	
12.1	Follow-up Action List Dated May 2026	26 - 27
13.	DELEGATIONS	
14.	CORRESPONDENCE	10:50 AM - 10:55 AM
	<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	
14.1	Marty Proctor re 7943 Plumper Way	28 - 30
15.	APPLICATIONS AND REFERRALS	10:55 AM - 1:00 PM
15.1	Salt Spring Island Local Trust Committee Referral for Proposed Bylaw No. 551 (for Response) (attached)	31 - 34
15.2	Salt Spring Island Local Trust Committee Referral for Proposed Bylaw No. 552 (for Response) (attached)	35 - 38
15.3	Salt Spring Island Local Trust Committee Referral for Proposed Bylaw No. 553 (for Response) (attached)	39 - 44
15.4	Salt Spring Island Local Trust Committee Referral for Proposed Bylaw No. 554 (for Response) (attached)	45 - 49
15.5	NP-PL-DVP-2026-0112 (Hall) - Staff Report (attached)	50 - 67
15.6	NP-PL-DVP-2026-0126 (Telford) - Staff Report (attached)	68 - 84
15.7	NP-PL-TUP-2026-0167 (Fleming) - Staff Report (attached)	85 - 103
15.8	NP-PL-RZ-2024-0110 (Bigham) – Staff Report (attached)	104 - 140
15.9	NP-PL-RZ-2026-0178 (Litke) – Staff Report (attached)	141 - 154
15.10	Delegation of Development Permits - Staff Report (attached)	155 - 161
16.	LOCAL TRUST COMMITTEE PROJECTS	1:00 PM - 1:30 PM
16.1	Housing Access and Affordability Project – Staff Report (attached)	162 - 183
17.	REPORTS	1:30 PM - 1:40 PM
17.1	Work Program Report (attached)	
17.1.1	<u>Active Projects Report Dated May 2026</u>	184 - 184
17.1.2	<u>Future Projects Report Dated May 2026</u>	185 - 186
17.2	Applications Report Dated May 2026 (attached)	187 - 194

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|------|---|-------------------|
| 17.3 | Trustee and Local Expense Report Dated March 2026 (attached) | 195 - 195 |
| 17.4 | Adopted Policies and Standing Resolutions (attached) | 196 - 198 |
| 17.5 | Local Trust Committee Webpage | |
| 17.6 | Islands Trust Conservancy Report Dated March 2026 | 199 - 205 |
| 18. | NEW BUSINESS | |
| 19. | UPCOMING MEETINGS | |
| 19.1 | Next Regular Meeting Scheduled for July 17, 2026 at the St. Peter's Anglican Church Hall, Pender Island | |
| 20. | PUBLIC PARTICIPATION PERIOD | 1:40 PM - 1:55 PM |
| 21. | CLOSED MEETING - None | |
| 22. | ADJOURNMENT | 1:55 PM - 1:55 PM |

North Pender Island Local Trust Committee Minutes of Regular Meeting

Date: April 10, 2026
Location: Anglican Parish Hall
4703 Canal Road, RR#1, North Pender Island, BC

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

Staff Present: Mary Storzer, Regional Planning Manager
Brad Smith, Island Planner
Bruce Belcher, Planner 2 (electronic)
Lisa Millard, Meeting Administrator/Recorder (electronic)

Others Present: There were 17 members of the public present.

1. CALL TO ORDER

Chair Maude called the meeting to order at 10:00 a.m.

2. TERRITORIAL ACKNOWLEDGEMENT

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

3. RISE AND REPORT - In-Camera Meeting of January 30, 2026

Chair Maude reported adoption of the November 21, 2025 in-camera meeting minutes and the appointment of Peter Pare, Joyce Thayer, Ken Rempel, Theresa Barker, Michael Dine, and Jay Gilbert to the North Pender Island Special Advisory Planning Commission, commencing immediately for a term ending March 1, 2027. Jack Ferguson has also been added to the APC via Resolution without Meeting.

4. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

5. TRUSTEE REPORT

Trustee Campbell reported the following:

- Increased community questions and concerns regarding housing
- He is receiving comments and questions regarding October elections

Trustee Morrison did not provide a report.

6. CHAIR'S REPORT

Chair Maude reported the following:

- Trust Council passed the budget and the effect of non discretionary expenditure increases were detailed
- The Trust Policy Statement project will not complete this term and Trust Council will be integrating feedback and referral responses during an upcoming Committee of the Whole meeting in May

Trustee Morrison arrived to the meeting at 10:09 a.m.

7. ELECTORAL AREA DIRECTOR'S REPORT - None

8. PUBLIC PARTICIPATION PERIOD

A member of the public stated that it was Dark Sky week and they are hoping to educate residents about keeping the sky dark at night to minimize impacts to wildlife.

9. COMMUNITY INFORMATION MEETING

9.1 Raptor Nest Mapping Development Permit Area Project - Proposed Bylaw No. 235

Island Planner Smith introduced the proposed bylaw, noted the community information meetings that had been held regarding the project to date, and spoke to the raptor and heron nest locations detailed on a map available for viewing during the meeting. He invited members of the public to ask questions for clarification prior to the Public Hearing.

The following questions and answers were recorded:

What is a nest tree?

A nest tree is identified as one that has been used in the past and demonstrates characteristics that support nesting in the future, or trees that have been identified with an actual nest.

In Ladner, many eagle nests surround industrial areas, BC Ferries' works yard, and areas of high-density housing and the eagles are thriving. Why is there need to increase buffer zones?

The guidance is based on provincial best practices for raptor management, considers all raptors and the scale of ability to tolerate disturbance.

Why aren't there different buffer areas for different species?

Buffer areas do vary by species type. The buffer zone is based on provincial best practices and there can be both a year-round buffer and seasonal buffer. There are a number of exemptions in the draft bylaw where a development permit would not be required in a raptor DPA.

There is no law that requires best practices be followed. Will this be mandatory?

The bylaw, if adopted, would create law and it is up to the Local Trust Committee to determine if they wish to adopt the proposed bylaw or make amendments. The work of a professional biologist and principles of best practices data have been applied.

The title of the document is *Best Management Practices for Raptor Conservation During Urban Rural Land Development in British Columbia* and primarily for

developers that are developing rural areas and looking at how to work around existing raptor nests.

The original Development Permit Areas on North Pender Island were established based on 2005 guidelines, the proposed bylaw is based on more recent 2013 guidelines, and any development in the identified areas would require a Development Area Permit.

Are the trees identified located in current Development Permit Areas or new ones?

Many are in existing Development Permit Areas within the previous buffer zone and some trees have been removed with others added.

If a nest is in a current Development Permit Area can a tree be cut down?

No.

Has any jurisdiction rejected the Provincial best practices?

Only a few jurisdictions have applied them.

Why wouldn't other districts have adopted them, why do we want to do this?

The Development Permit Area already exists and the project was an effort to update the Development Permit Area to current guidelines to provide clarification on the regulations and to update the mapping. Islands Trust balances environmental and community needs and the increased size of the buffer zone is based on guidance about what size of protection area works best based on science.

Why increase the buffer zone area, what is the motive to make it larger?

Increased buffer areas are beneficial to the raptors based on science, the protection is both an environmental issue and one that was identified by the community as important.

What was process to determine nesting trees?

A professional biologist and local field naturalist surveyed trees and applied best practices guidance which is based on studies, science, experts, and wide-ranging input to understand what an appropriate level is for a buffer zone.

Should federal government lands have similar, or stronger, regulations that are applicable and shouldn't it be studies done at the federal levels that drive this policy?

The bylaw does not apply on federal land.

Can one only add an accessory building without a permit during certain dates if their property is within a seasonal buffer zone?

To do work within the seasonal time frame, one would require a professional report identifying recommendations around construction, mitigation, restoration, and avoidance which would be taken by staff and incorporated into a permit, unless an exemption applies.

There is a lack of awareness of current bylaws and the initiative should be to raise awareness rather than expanding the buffer zone.

It can be a challenge to educate community members about the Development Permit Area requirements; however, a mail out was sent out to all potentially impacted property owners.

Is the 30-metre buffer zone changing to a 50-metre buffer zone?

Most Development Permit Area buffer zones are currently 50-metres and will become larger.

What other jurisdictions of have done this?

The Regional District of Nanaimo is one that staff are aware of.

Have other Local Trust Areas done this?

No

A tree on the speaker's property has been identified as a nest tree; however, previous mapping did not indicate there was a nest tree on site and through a search no information was found that indicated there had been one. The property owner applied for a building permit, build a home, and then received a letter that there was a nest site.

Mapping has been done by a professional biologist with expertise on the subject and it includes previously mapped trees and newly identified trees. New trees were identified through recent field surveys.

Seasonal zones restrict what can be done and many individuals own property that did not fall within the previous boundary. What is likelihood that things will change again and can this proposed bylaw be changed?

The Local Trust Committee can make any amendments to the proposed bylaws that they choose to make post public hearing.

Can a referendum be undertaken.

No.

Is there any chance the Local Trust Committee will change their mind and leave zones as is?

The Community Information Meeting is the fourth information meeting about the proposed bylaw, there has been a three-year process of looking at the potential effects of the bylaw and confirming nest tree locations, and the Trustees take all comments into consideration when making a decision. The bylaw is not about stopping development but puts boundaries in effect to ensure there is a conversation that occurs through the Development Permit Area application process. A Development Permit Area requires a permit to develop and it identifies an area that requires enhanced permissions to development.

10. PUBLIC HEARING

10.1 Raptor Nest Mapping Development Permit Area Project - Proposed Bylaw No. 235

10.1.1 Recess for Public Hearing

The meeting was recessed for a Public Hearing at 10:55 a.m.

10.1.2 Recall to Order

The meeting was recalled to order at 11:38 a.m.

11. MINUTES

11.1 Local Trust Committee Minutes Dated January 30, 2026 (for Adoption)

By general consent the North Pender Island Local Trust Committee meeting minutes of January 30, 2026 were adopted.

11.2 Section 26 Resolutions-without-meeting Report Dated March 2026

Received for information.

11.3 Advisory Planning Commission Minutes Dated February 13 and March 6, 2026 (for Receipt)

Received for information.

12. BUSINESS ARISING FROM THE MINUTES

12.1 Follow-up Action List Dated April 2026

Received for information.

13. DELEGATIONS

13.1 North Pender Island Housing Advisory Planning Commission - APC Report

The Chair of the Advisory Planning Commission (APC) provided a report and highlighted the following:

- The three reports submitted to the Local Trust Committee indicate the APC is solution oriented
- The third report follows review of the Suitable Land and Build Out Analysis which resulted in the need to re-evaluate previous recommendations provided in respect of flex zoning
- The APC is supportive of increasing the mix of housing options including clustered homes and duplexes or triplexes
- The 2018 decision to permit secondary suites in Magic Lake Estates could result in a population increase of two to three times the current population
- The APC disagrees with a need for broad based solutions and believes best success comes from focussed areas of need (e.g. affordable housing worker housing etc.) and site-specific zoning
- The APC requested the Local Trust Committee look at analysis that has been provided and consider specific and targeted outcomes

The Vice Chair of the Advisory Planning Commission provided the following comments:

- Islands Trust Mayne Island template for flexible housing is not applicable on North Pender Island
- The Local Trust Committee should look at how accessory dwelling units could be implemented without impacting density as these units can create the type of housing that might be desirable if limits are in place
- Hard caps are an acceptable tool to control density
- Options for consideration are summarized in the report

- If the Local Trust Committee does not want to accept the concept of caps, then downzoning should be considered as there is need to reduce population density based on the current possibility of tripling the population

14. CORRESPONDENCE

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

15. APPLICATIONS AND REFERRALS

15.1 NP-PL-DVP-2026-0026 (Heieis) - Staff Report

Planner Belcher summarized the staff report and highlighted the following:

- The application seeks a Development Variance Permit to allow an accessory building to be 1.5 metres over the maximum permitted height in Rural Residential 1 zone
- The proposed building location limits design options for a new accessory building due to site slope and elevation
- At the date of the report two letters in support of the application had been received from neighbours and no letters of opposition had been received
- The variance would not impact neighbouring properties site lines

The applicant was in attendance and spoke to the application.

Discussion ensued and the following comments were noted:

- The height variance is to match other structures on the property
- There is one potential lot that might be affected by the structure and a letter of support was received by that property owner

NP-2026-016

It was MOVED and SECONDED

that North Pender Island Local Trust Committee approve issuance of Development Variance Permit application PL-DVP-2026-0026.

CARRIED

15.2 NP-PL-TUP-2026-0001 (Vermeeren) - Staff Report

Planner Belcher summarized the staff report and highlighted the following:

- The application seeks a Temporary Use Permit renewal for a short-term vacation rental within an existing dwelling
- The renewal permit does not require notification to surrounding property owners
- The operator is requesting to operate under the same conditions as those outlined in the original Temporary Use Permit

The applicant was in attendance.

The Local Trust Committee had no questions for the Planner or applicant.

NP-2026-017

It was MOVED and SECONDED

that North Pender Island Local Trust Committee approve issuance of renewal Temporary Use Permit PL-TUP-2026-0001 for a period of three (3) years.

CARRIED

15.3 NP-PL-RZ-2026-0021 (Miles) – Preliminary Staff Report

Island Planner Smith summarized the staff report and highlighted the following:

- The application seeks rezoning to permit industrial uses on a portion of the subject property currently zoned Rural (R)
- If the application moves forward staff will draft amending bylaws and issue terms of reference
- The property owner is seeking to come into compliance with the Land Use Bylaw by rezoning a portion of the lot and requests current bylaw enforcement action be put in abeyance during the application process

Trustees noted that should the application move forward the community consultation process could then be undertaken.

NP-2026-018

It was MOVED and SECONDED

that North Pender Island Local Trust Committee directs staff to proceed with application PLRZ20260021 (Miles) and to prepare a draft bylaw.

CARRIED

NP-2026-019

It was MOVED and SECONDED

that North Pender Island Local Trust Committee permits the current home industry land use to continue during consideration of application PL-RZ-2026-0021 15.1(b); and directs that bylaw enforcement actions, including the issuing of notices, to cease.

CARRIED

The meeting was recessed for a break at 12:18 p.m. and reconvened at 12:25 p.m.

16. LOCAL TRUST COMMITTEE PROJECTS

16.1 Raptor Nest Mapping Development Permit Area Project - Proposed Bylaw No. 235 - Staff Report

Island Planner Smith noted the proposed bylaw has been returned to the Local Trust Committee for consideration of second and third reading post public hearing and reviewed recommendations outlined in the report.

Discussion ensued and the following comments were noted:

- There is not a way to provide an update mechanism for a tree that has come down, the language in the *Local Government Act* specifies trees be designated and if a tree comes down then the property owner would be required to provide a professional report stating the tree is now exempt
- The map would need to be amended in order to remove a tree and, as the map is embedded in the Official Community Plan, the Official Community Plan would need to be amended to remove a tree from the map

- The non-seasonal permanent buffer zone was minimally changed from a 50-metre zone to a 60-100-metre zone in accordance with provincial guidelines
- The seasonal buffer zone affects the community and consideration of removing the seasonal buffer on eagle trees could be undertaken

NP-2026-020

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee amends proposed Bylaw No. 235, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2023” by:

- Adding the following definition of nest tree in Subsection 7.7 Interpretation: ‘Nest Tree – A mapped tree identified to contain a raptor or heron nest or a mapped tree that has previously been identified to contain a raptor or heron nest and still has the attributes to support nesting activity as determined by a qualified professional.’
- Deleting all references to designating ‘cliff sites’ in Article 5.2.8.2.
- Amend the draft bylaw to remove seasonal buffer areas from eagle nest sites.

CARRIED

NP-2026-021

It was MOVED and SECONDED,

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

CARRIED

NP-2026-022

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee proposed Bylaw No. 235, Amendment No. 1, 2023” be read a third time.

CARRIED

NP-2026-023

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee proposed Bylaw No. 235 be forwarded to the Secretary of the Islands Trust for Executive Committee Approval, and to the Ministry of Housing and Municipal Affairs for Ministerial approval following Executive Committee approval.

CARRIED

16.2 Housing Access and Affordability Project – Staff Report

Island Planner Smith summarized the staff report and highlighted the following:

- The Local Trust Committee endorsed the Housing Action Plan at their May, 2026 meeting
- The Advisory Planning Commission reviewed mapping outputs and has provided recommendations for consideration
- Enabling a cap creates administrative challenges
- Receiving the draft bylaws will allow for additional refinements and amendments based on further community engagement prior to the initiation of bylaw referrals and consideration of first reading

Discussion ensued and the following comments were noted:

- The discussion has been based on how to create potential housing to solve current housing issues
- The Advisory Planning Commission's recommendation option 1 suggests the addition of 110 units with the understanding that it is reviewed in five years and this allows for potential housing and time to determine what the uptake is
- Competing considerations include the need for affordable housing that is distributed in a way that is appropriate for the community while not overbuilding
- The Planner noted a better approach from a regulatory management perspective and for fairness and equity is to not create a first past the post scenario and looking at option 2 which applies to all lots of a certain size which will allow broader use
- It important to separate flex zoning from allowing an accessory dwelling unit or secondary suite, and if flex zoning is not implemented exploration of permitting an accessory dwelling unit or secondary suite might still be recommended by staff
- The Planner indicated there is an option to not include flex zoning in lots zoned Rural 2 and Rural and ask the Advisory Planning Commission to explore more options under their recommendation 2 as allowing accessory dwelling units as an alternative to secondary suites would allow opportunities for a property owner to build a small rental unit or unit for family
- The impact of an accessory dwelling unit is likely similar to that of a secondary suite in terms of water use, building footprint etc., but may add more options for creating long term rentals, age in place scenarios etc.
- The Local Trust Committee can receive the bylaws as they are presented and then consider feedback provided at the upcoming Community Information Meeting

Trustee Morrison left the meeting at 1:31 p.m.

NP-2026-024

It was MOVED and SECONDED,

that North Pender Local Trust Committee request staff remove flexible zoning references in the R and RR2 zones from draft Bylaw No. 240 and No. 241.

CARRIED

NP-2026-025

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee receives draft Bylaw No. 240, cited as "North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2025" as amended.

CARRIED

NP-2026-026

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee receives draft Bylaw No. 241, cited as "North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2025" as amended.

CARRIED

NP-2026-027

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee directs staff to update the Housing Access and Affordability project charter consistent with the recommendations in the April 10, 2026 staff report.

CARRIED

17. REPORTS

17.1 Work Program Report

17.1.1 Active Projects Report Dated April 2026

Received for information.

17.1.2 Future Projects Report Dated April 2026

Received for information.

17.2 Applications Report Dated April 2026

Received for information.

17.3 Trustee and Local Expense Report Dated Feb 2026

Received for information.

17.4 Adopted Policies and Standing Resolutions

Received for information.

17.5 Local Trust Committee Webpage - None

17.6 Islands Trust Conservancy Report Dated Feb 2026

Received for information.

18. NEW BUSINESS

18.1 2025/26 Annual Report - Request for Decision

NP-2026-028

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee approves the attached text for inclusion in the 2025/26 Annual Report for approval by Trust Council and submission to the Minister of Housing and Municipal Affairs.

CARRIED

19. UPCOMING MEETINGS

19.1 Next Regular Meeting Scheduled for May 29, 2026 at the St. Peter's Anglican Hall, Pender Island

20. PUBLIC PARTICIPATION PERIOD

There were no public comments.

21. CLOSED MEETING (Distributed Under Separate Cover)

21.1 Motion to Close Meeting

NP-2026-029

It was MOVED and SECONDED,

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

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

AND that the recorder and staff attend the meeting.

CARRIED

The meeting was closed to the public at 1:42 p.m. and adjourned following the in-camera portion of the meeting.

21.2 Recall to Order

21.3 Rise and Report

Chair Maude will rise and report at the next regular business meeting.

22. ADJOURNMENT

By general consent the meeting was adjourned at 1:53 p.m.

David Maude, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder



DRAFT

North Pender Island Local Trust Committee Record of a Public Hearing Proposed Bylaw 235

Date: April 10, 2026
Location: Anglican Parish Hall
4703 Canal Road, RR#1, North Pender Island, BC

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

Staff Present: Mary Storzer, Regional Planning Manager
Brad Smith, Island Planner
Bruce Belcher, Planner 2
Lisa Millard, Meeting Administrator/Recorder

Others Present: There were 17 members of the public present.

10.1 Raptor Nest Mapping Development Permit Area Project - Proposed Bylaw No. 235

Chair Maude called the Public Hearing to order at 10:55 a.m. He read a statement outlining the content, purpose, and process of the Public Hearing.

Island Planner Smith read a statement related to the purpose of proposed Bylaw No. 235 including a summary of referrals.

Members of the community were invited to speak and the following comments were made:

- Bob Coulson, North Pender Island, opposes the proposed bylaw stating insufficient community support, disagreement with the science the province put forward for developing the best practices guidelines, and the ability of raptors to adapt to human activity
- Johnathan Liteplo, North Pender Island, opposes the identification of a new raptor nest Development Permit Area proposed for their property for reasons outlined in a letter sent to Islands Trust in November 2024 as follows:
 - A Development Permit Area is not warranted, there is no nest in the tree, no nest is under construction, and there is no documentation showing there was a nest in the tree in the past
 - They indicated that at the time they applied for a building permit in 2021 they confirmed there was no known raptor nest or site on the property
 - They noted that should a raptor nest be built on the property in the future the Provincial guidelines are sufficient for protection
 - They requested that DPA 53 be removed from the bylaw

- Dave Manning stated they have been monitoring bald eagle nests for 20 years and the first mapping for DPA 53 was done in 2007
 - A nest was discovered in 2008, it remained active in active in 2009 and has not been active since
 - It was confirmed that the nest was mostly down in 2021; however, while it remains a potential nest site it is unknown if an eagle will return to re nest
- Mark Heieis, North Pender Island, stated there is need for a mechanism to formally remove a nest at no expense to the property owner
- Leslie Heieis, North Pender Island, noted they retired and moved to North Pender because of the natural environment, the community is environmentally responsible and believes in protecting the environment and species
 - They oppose the proposed bylaw stating the expanded seasonal buffer zone goes too far and there is no need to punish those that follow the rules
- Helen Jordin, North Pender Island, opposes the proposed bylaw stating the expansion of Magic Lake Estates was done with intention
 - There are large lots with many trees and an eagles nest a few doors away from their home which is now located in the expanded buffer zone
 - They indicated there is evidence to suggest that eagles find human activity beneficial and that if the science regarding eagles is looked at closely the large boundaries are not necessary
- Dave Manning spoke to eagles staying within their territories and provided several examples of eagles abandoning local nests due to nearby construction, noise, and tree cutting
 - Eagles nest in big trees that can support the weight and with the loss of these trees there is a decrease in nesting on North Pender Island
- Ken Rempel, North Pender Island, stated that while they were building a house there were eagles present daily during construction and there is increasing eagle activity in the area
- Mick Collins, North Pender Island part time resident, opposed the proposed bylaw stating if there is policy based on habitat requirements of eagles there should be an inventory of suitable nesting trees in the parkland located on North and South Pender Islands with a map showing the inventory of the limited places eagles can build nests along with population trends predicted on science, before further restrictions are put in place
- Bob Coulson reiterated their opposition to the proposed bylaw and noted a lack of information available regarding any areas within the Regional District of Nanaimo that have raptor nest protections
- Mark Heieis asked if lawn mowers and other yard maintenance work could be done within the seasonal buffer zone
 - The Planner noted general household and yard maintenance activities are not applicable to the proposed bylaw and there are a number of exemptions stated within the guidelines the pre-empt the need for a permit

- Helen Jordin noted that the science regarding eagles does not seem to indicate that 200 meters of seasonal buffer zone is required to thrive.

Chair Maude called three times for speakers and no additional comments were made. There being no further submissions, Chair Maude closed the Public Hearing at 11:38 p.m.

I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF REPRESENTATIONS RESPECTING THE MEETING HELD.

Lisa Millard, RECORDER

DATE

North Pender Island Local Trust Committee Minutes of Special Meeting

Date: May 2, 2026
Location: Anglican Parish Hall
4703 Canal Road, RR#1, North Pender Island, BC

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

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

Others Present: There were approximately 20 members of the public present.

1. OPEN HOUSE

The North Pender Island Local Trust Committee hosted an open house before the meeting. No minutes were recorded until the meeting was called to order.

2. TO ORDER

Chair Maude called the meeting to order at 12:27 p.m.

3. TERRITORIAL ACKNOWLEDGEMENT

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

4. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

5. BUSINESS ITEMS

5.1 North Pender Island Housing Access and Affordability Project

5.1.1 Staff Presentation

The Planner provided an overview of the Housing Access and Affordability Project and highlighted the following:

- Islands Trust role in land use planning
- How the Housing Tool Kit informs the work
- Actions taken to date related to housing needs include permitting secondary suites, limiting / regulating short-term vacation rentals, rezoning Plum Tree Court to permit multi-family dwellings, and consideration of a Temporary Use Permit to establish emergency service worker accommodations

- Details of the key goals of the North Pender Housing Action Plan include:
 - Updating and using available data to inform housing projects
 - Diversifying housing options through zoning
 - Increasing opportunities for non-profit housing\
 - Increasing community education and outreach
 - Incorporating First Nations interests in land use decision making
- Details and status of action plans associated with each goal
- Project timelines and steps to be taken prior to potential adoption of proposed bylaws

5.1.2 Advisory Planning Commission (APC) presentation

The Advisory Planning Commission (APC) was given a referral to provide feedback about diversified housing options through zoning and report on analyses, options, recommendations, and potential Official Community Plan(OCP) and Land use Bylaw (LUB) changes that would increase access to non-market housing. They provided a summary of their referral response and highlighted the following:

- A review of the Housing Tool Kit, Islands Trust Object, draft Trust Policy Statement, existing OCP and LUB housing policies, and the Build-Out and Suitable Land Analysis was undertaken
- They explored opportunities for zoning changes to permit higher density, multiple unit developments
- Any rezoning would have to include a requirement for a housing agreement to ensure long-term affordability
- Explored legalizing the use of recreational vehicles (RVs) as permanent dwellings and recommended they not be allowed as primary residences until proper standards and enforcement are in place
- Recommended small foot print homes be permitted as accessory dwelling units but only those that meet building standards
- Reviewed short-term vacation rentals in which the owner does not live onsite and recommended that no new Temporary Use Permits be issued and that current ones be allowed to lapse
- Review of the Build-Out Analysis showed build-out potential of 297 cottages
 - There are 289 undeveloped lots with subdivision potential realizing an additional 199 lots
 - If full take up occurred the total build out would result in the possibility of a population increase of 5710 based on an average of two occupants per potential dwelling
- The APC concluded that North Pender has more than enough existing market housing
 - There is no current need to increase broad based supply
 - There is scarce land suitable for increased density
 - The best chance for success comes from a targeted approach for specific needs non-market housing

5.1.3 **Break**

The meeting recessed for a break at 1:55 p.m. and reconvened at 2:10 p.m.

5.1.4 **Community Discussion and Q and A**

The following comments, questions, and answers, were noted:

- Suggestions for boarding style housing, cooperatives, and other shared land concepts
- The previous Advisory Planning Commission was asked to look at the speculation and vacancy tax and made a recommendation to be included in the tax where does this stand?
 - Local governments in BC do not independently opt in to the speculation and vacancy tax
 - The Provincial government has not designated the Islands Trust area to be included, but advocacy could be done by Trust Council to request the Provincial government include the Trust area
- Previous rental housing has been purchased leaving limited availability, and ideal housing would be a tiny home community with public outdoor and indoor spaces with access to walking trails and transit
- What does the Local Trust Committee hope is accomplished and what would need to be done to achieve those goals?
 - The Local Trust Committee can put zoning and bylaw language in place to allow affordable and flexible housing options to go forward with less barriers should an opportunity arise
- Why are options that have been provided not being taken up?
 - Different levels of government have varying areas of responsibility and authority and commitment from the various governments needs to occur at the same time
 - When funding comes available the zoning needs to be in place otherwise the funding opportunity is lost
 - The project is looking at all options of market and non-market housing and also needs to look at options such as moving density by adding it to a certain area and removing from another
 - The first step is determining what land can be rezoned and how to rezone it
- How do we ensure that secondary suites are built for long-term renters and local residents? Would grants be available for building these types of dwellings?
 - Mayne Island created broad permissions for secondary suites and only one was built so there is need for other options

- The local housing group has limited capacity and resources and the entire the community needs to focus on the issue
- Would the Local Trust Committee consider creating a group that includes the housing committee to peruse the idea and research the issue and potential solutions?
 - The Local Trust Committee would not start a group but a Trustee might get involved with an established organization
 - Establish a housing committee with representation from various organizations that collectively have ability to execute plans
- The community cannot expect funding from the Provincial government and will need to rely on community members to get things done through means that does not include taxation.
- What does the community want?
 - The survey results supported workforce housing, affordable housing and flexible options not including RVs or short-term rentals
 - The results are consistent with direction the Local Trust Committee is moving toward

6. ADJOURNMENT

By general consent the meeting was adjourned at 3:10 p.m.

David Maude, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder

Minutes of the North Pender Island Advisory Planning Commission

Date: April 23, 2026
Location: North Pender Island Community Hall (Lounge)

Members Present: Jay Gilbert, Chair
Joyce Thayer, Vice-Chair
Theresa Barker, Commissioner
Jack Ferguson, Commissioner
Peter Pare, Commissioner
Ken Rempel, Commissioner

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

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

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

The following changes to the agenda were proposed:

- Add Discussion – Community Information Meeting before discussion of Draft Bylaws, and renumber items accordingly

By general consent, the agenda was approved as amended.

3. NORTH PENDER MARCH 6, 2026 APC MINUTES (FOR ADOPTION)

By general consent, the North Pender Advisory Planning Commission minutes of March 6, 2026 were adopted.

4. DISCUSSION – COMMUNITY INFORMATION MEETING

Discussion ensued about the upcoming Community Information Meeting scheduled for May 2 and the following comments were made:

- The Chair noted positive feedback was received about the island-wide mailout pamphlet and suggested it helped create informal discussions among community members
- Planner Smith outlined the proposed agenda and explained that his PowerPoint will cover:
 - The role of the Trust and other agencies
 - Overview of Official Community Plans and Land Use Bylaws

- Project overview and current status
- Action plan items and draft bylaw amendments
- Next steps and timelines
- The Planner noted that following his presentation, the Advisory Planning Commission will have an opportunity to address:
 - Initial recommendations prior to build-out and land suitability analyses and subsequent recommendations
 - The Commission's process, including number of meetings, evolving work and reports produced
- The Planner commented that remaining work will focus on flexible zoning and the appropriateness of accessory dwelling units versus secondary suites in Magic Lake
- A Commissioner commented that feedback from community members about recreational vehicles should be expected
- A Commissioner suggested the presentation note that neither the Advisory Planning Commission nor the Local Trust Committee is currently considering changes related to RVs, and that this aligns with recommendations from the Fire Chief
- The Planner noted the latter half of the meeting will be framed as a Q&A session to promote understanding of community concerns and questions
- A Commissioner recommended that the Planner's presentation materials be shared with the Commission in advance to reduce redundancy
- Commissioner Pare agreed to lead the preparation of the PowerPoint presentation, and Commissioner Rempel agreed to assist with the presentation

5. DISCUSSION – DRAFT BYLAWS & OFFICIAL COMMUNITY PLAN

Commissioners shared observations from the latest Local Trust Committee meeting. Planner Smith encouraged Commissioners to present preliminary ideas and explain the evolution of their recommendations.

A Commissioner noted that maintaining the option of additional dwelling units in Magic Lake in the draft bylaw continues to be a point of discussion between staff and the Commission, and an alternative approach was proposed for consideration including:

- Applying consistency across all zones
- Allowing either an additional dwelling unit or a secondary suite on all lots between 0.4 and 1.2 hectares
- Allowing either a secondary suite or a cottage on all lots larger than 1.2 hectares

A detailed discussion followed regarding caps on density, and the following comments were made:

- A Commissioner expressed a need to determine a limit on additional dwelling units and secondary suites that is acceptable to the public and maintains a reasonable growth rate that the island can sustain
- The Planner expressed opposition to caps and raised concerns about administrative complexity, fairness, and governance principles
- A Commissioner expressed opposition to caps for the following reasons:
 - Caps undermine the goal of increasing housing supply and affordability
 - They may incentivize illegal suites

- They restrict flexibility for aging residents needing family support, and
- Population projections are inherently uncertain
- A Commissioner cautioned against presenting the idea of caps to the public
- A Commissioner emphasized the need to guide public discussion toward practical and workable solutions while acknowledging growth management concerns identified in prior studies
- A Commissioner expressed support for incremental, targeted housing solutions
- A Commissioner expressed caution about relying on market-based solutions for housing
- A Commissioner suggested that multi-family housing is going to be the norm in the future, and the focus should therefore be on smaller, affordable homes (or clustered housing)
- A Commissioner suggested that, at the upcoming Community Information Meeting:
 - Feedback should be sought from the community without presenting firm options such as density caps
 - The focus should remain on broader housing strategies, (e.g. community, worker and clustered housing) with additional dwelling units identified as an unresolved component

Commissioner Pare left the meeting at 10:47 a.m.

Discussion continued about how to refine proposed options and how best to present them to the public.

6. OTHER BUSINESS – None

7. NEXT MEETING – None

8. ADJOURNMENT

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

Jay Gilbert, Chair

Certified Correct:

Carly Bilney, Recorder

Follow Up Action Report

North Pender Island

21-Nov-2025

Progress	Activity	Responsibility	Dates	Status
0%	1 DP Delegation authority - staff to bring draft development permit delegation bylaw and staff report to future meeting. Report and draft bylaw to be on May meeting agenda	Brad Smith	Target: 27-Mar-2026	Completed

10-Apr-2026

Progress	Activity	Responsibility	Dates	Status
0%	1 11.1 Jan 30/2026 LTC minutes adopted as presented	Emily Bryant	Target: 24-Apr-2026	Completed
0%	2 15.1 NP-PL-DVP-2026-006 (Heiss) - permit approved as presented - staff to issue permit, document any monitoring requirements, and close file	Bruce Belcher Emily Bryant Jas Chonk	Target: 24-Apr-2026	Completed
0%	3 15.3 NP-PL-RZ-2026-0021 (Miles) - Staff directed to proceed - 1) Establish new BL number and draft amending bylaw 2) Issue TOR to applicant - DONE 3) BL enforcement staff to defer bylaw enforcement include issuance of notices - DONE	Brad Smith David Worthington	Target: 24-Apr-2026	In Progress
0%	4 15.2 NP-PL-TUP-2026-0001 (Vermereen) - permit approved as presented - staff to issue permit, document any monitoring requirements, and close file	Bruce Belcher Emily Bryant Jas Chonk	Target: 24-Apr-2026	Completed

Follow Up Action Report

North Pender Island

10-Apr-2026

Progress	Activity	Responsibility	Dates	Status
0%	<p>5 16.1 Raptor nest mapping DPA project - LTC gave 2nd/3rd reading to BL 235 as amended</p> <p>1) Staff to amend bylaw to add definition of nest tree, remove cliff site references, and remove seasonal buffer zones for eagle trees - DONE</p> <p>2) staff to initiate Executive Committee (DONE) and then provincial ministerial approval</p>	<p>Brad Smith</p> <p>Jas Chonk</p>	Target: 24-Apr-2026	Completed
0%	<p>6 16.2 Housing Access and Affordability project - LTC received bylaws and directed:</p> <p>1) Amend draft bylaws to remove flex zoning from R and RR2 zones</p> <p>2) staff to update project charter and post draft bylaws on website</p>	<p>Brad Smith</p> <p>Jas Chonk</p>	Target: 24-Apr-2026	Completed

From: [REDACTED]
Sent: Friday, May 1, 2026 12:49 PM
To: Brad Smith <bsmith@islandstrust.bc.ca>
Cc: Aaron Campbell <acampbell@islandstrust.bc.ca>; David Maude <dmaude@islandstrust.bc.ca>; Deb Morrison <dmorrison@islandstrust.bc.ca>
Subject: Desecration of the land at 7943 Plumper Way, Pender Island

Dear Mr. Smith,

We are saddened to see the desecration of the land at 7943 Plumper Way on Pender Island. You and the Islands Trust authorized and condoned this activity. I wonder if you ever leave your ivory towers to observe the aftermath of the destructive activities which you approved?

Much of the natural rock from the land on 7943 Plumper Way has been hammered and demolished, and the long drive into the property has been elevated by one to two meters, forever changing the natural drainage of the property. The deer that used to walk through the property are no longer there. The bald eagle that frequently used to perch on and hunt from the property is rarely seen. Excavations for the garage and the house certainly encroach into the 15m setbacks. Trees have been damaged and removed. The devastation is heart breaking.

The owners of 7943 Plumper Way spitefully mangled the tall shed that was on their property and moved it close to our property line and strategically placed it so we can no longer observe the ocean when looking eastward from our lower deck. Their constant hammering, dust, noise, and the shed blocking our view have seriously diminished our ability to enjoy our property. We can no longer endure the devastation taking place next door so we have placed our home on the market.

Respectfully,

Marty Proctor, [REDACTED]

From: [REDACTED]
Sent: May 22, 2023 7:24 PM
To: BSmith@IslandsTrust.BC.CA
Cc: acampbell@islandstrust.bc.ca; dmaude@islandstrust.bc.ca; dmorrison@islandstrust.bc.ca
Subject: Follow-up letter of objection regarding development of 7943 Plumper Way, Pender Island

Dear Mr. Smith,

I have read the information package for the May 26 Islands Trust Committee meeting for North Pender Island including your letter of recommendation to approve the development plans for 7943 Plumper Way. As you know, the proponents for the 7943 Plumper Way development will be demolishing the existing dwelling and will be reconstructing a new, significantly larger dwelling which will contravene setback regulations requiring the dwelling to be at least 15 meters from the natural boundary of the sea. The proponents are also planning to build a large garage within 15 meters of the natural boundary of the sea, but inexplicably, the garage does not need a variance permit.

7943 Plumper Way is a beautiful and unique piece of land and is deserving of the protection of Islands Trust. We have owned the adjacent property for 10 years and have enjoyed observing deer, otter, birds, and reptiles on the subject property. While recently discussing the garage plans with the development proponent, we both observed a snake right where the proposed garage will be sited.

We are saddened that this beautiful piece of property will be developed with the new construction of a larger dwelling and the new construction of a very large garage, both which will be within 15 meters of the natural boundary of the sea.

From the proponent's environmental report, I note that, "The proposed garage will disturb ... the Woodland Ecosystem DPA in a rocky area where little previous disturbance has occurred." Two grand fir trees will be removed. The drawings indicate that the garage will be 50'6" by 15'6", or 782.8 square feet. A large amount of rock will be excavated to accommodate the garage. This new structure will have a concrete floor and will be within 15 meters of the natural boundary of the sea. It is **SHOCKING** that this new garage structure, which is going to be permanent and at nearly 800 square feet will be larger than many homes on Pender Island, but **does not require setback variance to be located within 15 meters of the natural boundary of the sea!** This new structure will be used for automobile parking and will be the second accessory building on the property in addition to the storage shed that the proponents intend to keep.

LUB bylaw provision 3.7.1 states, "No building or structure ... may be sited, nor fill placed to support a building or structure within 15 meters upland of the natural boundary of the sea ... and for this purpose paved areas of asphalt, concrete or similar materials are "structures"."

The 'Intent of the Regulations being Varied' state that the overall purpose of the 15 m setback from the natural boundary of the sea is to minimize impacts on adjacent properties and the public realm related to:

- Protecting marine and foreshore and nearshore habitats;
- Limiting the visual impact of development on adjacent properties;
- Protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area;
- Maintaining privacy;
- Establishing a consistent development pattern within a local area;
- Establishing certainty with respect to residential development by maintaining consistent siting regulations.

I **strongly disagree** with your conclusion that, "Given the unique geography of the subject property and that a majority of new development is within the existing building footprint, the proposed variance is supported by staff as it is relatively minor in nature and does not challenge the overall intent of the bylaw regulations."

I believe that an 800 square foot garage on the edge of the ocean is a major new development that definitely challenges the intent of the bylaw regulations. Constructing the new garage will not protect the marine and foreshore and nearshore habitats. Constructing the new garage will create an awful

visual impact for our adjacent property and for the public that enjoys nearby access to Peter's Cove. Constructing the new garage will not protect the views, scenic area and distinctive features contributing to the overall visual quality and scenic value of the Trust Area. The proposed substantially larger dwelling is 9 feet higher on the south side and 7 feet wider on the west side and significantly reduces our views relative to the existing structure and therefore I believe it also challenges the intent of the bylaw regulations.

I would like to have had the opportunity to present my concerns to the North Pender Island, Islands Trust Committee, but the unexpectedly quick scheduling of this hearing makes it impossible for me to attend. [REDACTED]

[REDACTED] It is my hope that this follow-up letter to my previous objection will cause you to reconsider your support for the development application for 7943 Plumper Way.

Respectfully,

Marty Proctor



MEMORANDUM

DATE OF MEETING: May 29, 2026 File No.: SS-BL-551
(SS-PL-RZ-2025-0001)
 TO: North Pender Island Local Trust Committee
 FROM: Jas Chonk, Legislative Clerk, Southern Team
 SUBJECT: Referral: Proposed Bylaw No. 551

PURPOSE

The Salt Spring Island Local Trust Committee has referred proposed Bylaw No. 551 (cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 6, 2025") to the North Pender Island Local Trust Committee.

BACKGROUND

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

Additional information regarding this application including the preliminary staff report with site context, photos, correspondence, and other information can be found on the Salt Spring Island Current Applications webpage: <https://islandstrust.bc.ca/island-planning/salt-spring/current-applications/>

NEXT STEPS

The following draft resolutions have been provided for consideration:

1. **If the LTC considers their interests unaffected by the bylaw:**
That the North Pender Island Local Trust Committee respond to the Salt Spring Island Local Trust Committee that interests are unaffected by proposed Bylaw No. 551.
2. **If the LTC wishes to recommend proceeding with the bylaw for specific reasons:**
That the North Pender Island Local Trust Committee recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw No. 551 proceed for the following reasons:
 - *[list reasons] ...*
3. **If the LTC wishes to recommend proceeding with the bylaw subject to conditions:**
That the North Pender Island Local Trust Committee recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw No. 551 proceed, subject to the following recommendations:
 - *[list recommendations] ...*
4. **If the LTC wishes to recommend not proceeding with the bylaw:**
That the North Pender Island Local Trust Committee recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw No. 551 not proceed for the following reasons:
 - *[list reasons] ...*

Submitted By:	Jas Chonk, Legislative Clerk	May 21, 2026
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ATTACHMENTS

1. BYLAW REFERRAL FORM

From: Britt Holowaty
Sent: Wednesday, May 13, 2026 2:49 PM
To: Nadine Mourao; Jas Chonk; saltspring@rcmp-grc.gc.ca; FrontCounterBC@gov.bc.ca; realestate@crd.bc.ca; jholmes@saltspringfire.com; gateway_office@islandhealth.ca; vancouver.island@bcassessment.ca; amanda.vanderkloof@bcas.ca
Cc: Oluwashogo Garuba
Subject: Salt Spring Island Local Trust Committee Proposal Bylaw No. 551 Referral - For Response - Agencies
Attachments: SS-BL-551_2026-05-13_ReferralFormFinal.pdf

Dear Referrals Coordinator(s),

We are contacting your Agency in regards to a referral of Bylaw No. 551 (attached). The Salt Spring Island Local Trust Committee of the Islands Trust has received an application with the intent to change subject property zoning from Rural (R) to Rural variant q (R(q)) to permit one existing oversized seasonal cottage to be converted into full time dwelling units and reduce front lot line setback for existing building.

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

Materials related to this application are located under the Islands Trust file number for this application: SS-BL-551

In the meantime, should you have any questions or concerns regarding the proposed bylaw, please contact Planner Oluwashogo Garuba at 250-538-5603 or by email ogaruba@islandstrust.bc.ca, or if you wish for staff to bring forward your concern or comments to the Salt Spring Island Local Trust Committee for their consideration of next steps.

A response to the referral is respectfully requested by June 22, 2026.

Thank you for your time,

Britt Holowaty

Legislative Clerk | Deputy Secretary

Islands Trust

4 – 121 McPhillips Ave | Salt Spring Island, BC, V8K 2T6

T 250-538-5601 | islandstrust.bc.ca

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

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

I respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOKEĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEL, Qualicum, scəwəθən, səliwətəʔ, SEMYOME, shíshálh, Skwx̱ wú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', SṠÁUTW̱, Stz'uminus, ʔaʔamen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, W̱ JOŁŁŁP, W̱ SIKEM, Xeláltxw, Xwémalhkww, Xwsepsum, and x̱m̱əθḵəy̱əm First Nations/Tribes/Nations. Islands Trust is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.



BYLAW REFERRAL FORM

4-121 McPhillips Ave
Salt Spring Island, BC V8K 2T6
Ph: (250) 537-9144
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area Bylaw No.: 551 Date: May 13, 2026

You are requested to comment on the attached Bylaw for potential effect on your First Nations/Agency's interests. We would appreciate your response by June 22, 2026. If no response is received within that time, it will be assumed that your First Nations/Agency's interests are unaffected.

APPLICANT'S NAME / ADDRESS:

Serena Klaver

PURPOSE OF BYLAW:

To change subject property zoning from Rural (R) to Rural variant q (R(q)) to permit one existing oversized seasonal cottage to be converted into full time dwelling units and reduce front lot line setback for existing building.

GENERAL LOCATION:

120 Mansell Road, Salt Spring Island

LEGAL DESCRIPTION:

LOT A, SECTION 6, RANGE 4 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN VIP56901

SIZE OF PROPERTY AFFECTED:

1.27 ha (3.13 ac)

ALR STATUS:

NOT IN ALR

OFFICIAL COMMUNITY PLAN DESIGNATION:

Rural Neighbourhoods (RL)

OTHER INFORMATION:

The current [Rural \(R\)](#) zone of the property does not permit more than 1 Single Family Dwelling and the proposed new zone will permit 2 full time dwellings and also reduce the front lot line setback from 7.5m to 0.95m for an existing legal non-conforming building on the subject property. Staff reports and other information is available at <https://islandstrust.bc.ca/island-planning/salt-spring/current-applications/> under PLRZ20250001 the application number for this rezoning bylaw

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

(Signature)

Name: Oluwashogo Garuba

Title: Planner 2

This referral has been sent to the following agencies:

First Nations

- Cowichan Tribes
- Halalt First Nation
- Lyackson First Nation
- Penelakut Tribe
- Stz'uminus First Nation
- Malahat First Nation
- Pauquachin First Nation
- Semiahmoo First Nation
- Tsartlip First Nation
- Tsawout First Nation
- Tsawwassen First Nation
- Tseycum First Nation
- Ts'uubaa-Asatx (Lake Cowichan) First Nation

Salt Spring Island Coast Salish Society

Provincial Agencies

- BC Assessment Authority
- Front Counter BC

Regional Agencies

- CRD – All Referrals
- CRD – SSI Building Inspection
- CRD – Salt Spring Local Community Commission
- Vancouver Island Health Authority
- SSI Advisory Planning Commission

Non-Agency Referrals

- BC Ambulance Service
- RCMP
- SSI Fire-Rescue
- Salt Spring Island Coast Salish Society

Adjacent Local Trust Committees and Municipalities

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

BYLAW REFERRAL FORM RESPONSE SUMMARY

Approval Recommended for Reasons Outlined Below

Approval Recommended Subject to Conditions Outlined Below

Interests Unaffected by Bylaw

Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area
(Island)

(Signature)

(Date)

551
(Bylaw Number)

(Print Name and Title)

(First Nation/Agency)



MEMORANDUM

DATE OF MEETING: May 29, 2026 File No.: SS-BL-552
(SS-RZ-2023.1)
 TO: North Pender Island Local Trust Committee
 FROM: Jas Chonk, Legislative Clerk, Southern Team
 SUBJECT: Referral: Proposed Bylaw No. 552

PURPOSE

The Salt Spring Island Local Trust Committee has referred proposed Bylaw No. 552 (cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 1, 2026") to the North Pender Island Local Trust Committee.

BACKGROUND

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

Additional information regarding this application including the preliminary staff report with site context, photos, correspondence, and other information can be found on the Salt Spring Island Current Applications webpage: <https://islandstrust.bc.ca/island-planning/salt-spring/current-applications/>

NEXT STEPS

The following draft resolutions have been provided for consideration:

1. **If the LTC considers their interests unaffected by the bylaw:**
That the North Pender Island Local Trust Committee respond to the Salt Spring Island Local Trust Committee that interests are unaffected by proposed Bylaw No. 552.
2. **If the LTC wishes to recommend proceeding with the bylaw for specific reasons:**
That the North Pender Island Local Trust Committee recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw No. 552 proceed for the following reasons:
 - *[list reasons] ...*
3. **If the LTC wishes to recommend proceeding with the bylaw subject to conditions:**
That the North Pender Island Local Trust Committee recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw No. 552 proceed, subject to the following recommendations:
 - *[list recommendations] ...*
4. **If the LTC wishes to recommend not proceeding with the bylaw:**
That the North Pender Island Local Trust Committee recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw No. 552 not proceed for the following reasons:
 - *[list reasons] ...*

Submitted By:	Jas Chonk, Legislative Clerk	May 21, 2026
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ATTACHMENTS

1. BYLAW REFERRAL FORM

From: Britt Holowaty
Sent: Thursday, May 14, 2026 4:16 PM
To: Nadine Mourao; Jas Chonk; realestate@crd.bc.ca;
ALC.Referrals@gov.bc.ca; Reed.Bailey@gov.bc.ca; PLUM@gov.bc.ca;
FrontCounterBC@gov.bc.ca; gateway_office@islandhealth.ca;
amanda.vanderkloof@bcas.ca; jholmes@saltspringfire.com;
info@nsswaterworks.ca; saltspring@rcmp-grc.gc.ca
Cc: Oluwashogo Garuba
Subject: Salt Spring Island Local Trust Committee Proposed Bylaw No. 552
Referral - For Response - Agencies
Attachments: SS-BL-552_2026-05-13_ReferralFormFinal.pdf

Dear Referrals Coordinator(s),

We are contacting your Agency in regards to a referral of Bylaw No. 552 (attached). The Salt Spring Island Local Trust Committee of the Islands Trust has received an application with the intent to change the subject property zoning from Rural to Commercial 1 to bring into compliance current land use permitted by Land Use Contract Bylaw No. 10.

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

Materials related to this application are located under the Islands Trust file number for this application: SS-BL-552

In the meantime, should you have any questions or concerns regarding the proposed bylaw, please contact Planner Oluwashogo Garuba at 250-538-5603 or by email ogaruba@islandstrust.bc.ca, or if you wish for staff to bring forward your concern or comments to the Salt Spring Island Local Trust Committee for their consideration of next steps.

A response to the referral is respectfully requested by July 13, 2026.

Thank you for your time,

Britt Holowaty

Legislative Clerk | Deputy Secretary

Islands Trust

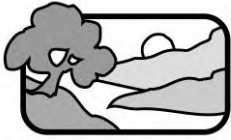
4 – 121 McPhillips Ave | Salt Spring Island, BC, V8K 2T6

T 250-538-5601 | islandstrust.bc.ca

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

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

I respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOKÉĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEL, Qualicum, scəwáəθən, səilwətaʔ, SEMYOME, shishálh, Sḱwḱ wú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', SÁÁUTW, Stz'uminus, ʔaʔəmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, W JOLÉLP, W SIKEM, Xeláitxw, Xwémalhkwu, Xwsepsum, and xʷməθkʷəyám First Nations/Tribes/Nations. Islands Trust is



Islands Trust

BYLAW REFERRAL FORM

4-121 McPhillips Ave
Salt Spring Island, BC V8K 2T6
Ph: (250) 537-9144
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area Bylaw No.: 552 Date: May 14, 2026

You are requested to comment on the attached Bylaw for potential effect on your First Nations/Agency's interests. We would appreciate your response by July 13, 2026. If no response is received within that time, it will be assumed that your First Nations/Agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Chris Schmah

PURPOSE OF BYLAW:

To change the subject property zoning from Rural to Commercial 1 to bring into compliance current land use permitted by Land Use Contract Bylaw No. 10.

GENERAL LOCATION:

104 Atkins Road, Salt Spring Island

LEGAL DESCRIPTION:

LOT A, SECTION 4, RANGE 2 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 3367

SIZE OF PROPERTY AFFECTED:

1.05 hectares (2.6 acres)

ALR STATUS:

Not in ALR

OFFICIAL COMMUNITY PLAN DESIGNATION:

Rural Neighbourhood (RL)

OTHER INFORMATION:

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

(Signature)

Name: Oluwashogo Garuba

Title: Planner 2

This referral has been sent to the following agencies:

First Nations

- Cowichan Tribes
- Halalt First Nation
- Lyackson First Nation
- Pauquachin First Nation
- Penelakut Tribe
- Semiahmoo First Nation
- Stz'uminus First Nation
- Tsartlip First Nation
- Tsawout First Nation
- Tsawwassen First Nation
- Tseycum First Nation
- Ts'uubaa-Asatx (Lake Cowichan) First Nation

Salt Spring Island Coast Salish Society

Regional Agencies

- CRD – All Referrals
- CRD – SSI Building Inspection
- CRD – Salt Spring Local Community Commission
- CRD – Ganges Sewer Commission
- Vancouver Island Health Authority
- SSI Advisory Planning Commission
- SSI Agricultural Advisory Planning Commission

Provincial Agencies

- Agricultural Land Commission
- Ministry of Agriculture
- BC Assessment Authority
- Ministry of Municipal Affairs
- Ministry of Transportation & Infrastructure
- Front Counter BC

Non-Agency Referrals

- BC Ambulance Service
- RCMP
- SSI Fire-Rescue
- North Salt Spring Waterworks District

Adjacent Local Trust Committees and Municipalities

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

BYLAW REFERRAL FORM RESPONSE SUMMARY

Approval Recommended for Reasons Outlined Below

Approval Recommended Subject to Conditions Outlined Below

Interests Unaffected by Bylaw

Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area
(Island)

(Signature)

(Date)

552
(Bylaw Number)

(Print Name & Title)

(First Nation/Agency)



MEMORANDUM

DATE OF MEETING: May 29, 2026 File No.: SS-BL-553
(SS-PL-RZ-2026-0013)
 TO: North Pender Island Local Trust Committee
 FROM: Jas Chonk, Legislative Clerk, Southern Team
 SUBJECT: Referral: Proposed Bylaw No. 553

PURPOSE

The Salt Spring Island Local Trust Committee has referred proposed Bylaw No. 553 (cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2026") to the North Pender Island Local Trust Committee.

BACKGROUND

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

Additional information regarding this application including the preliminary staff report with site context, photos, correspondence, and other information can be found on the Salt Spring Island Current Applications webpage: <https://islandstrust.bc.ca/island-planning/salt-spring/current-applications/>

NEXT STEPS

The following draft resolutions have been provided for consideration:

1. **If the LTC considers their interests unaffected by the bylaw:**
That the North Pender Island Local Trust Committee respond to the Salt Spring Island Local Trust Committee that interests are unaffected by proposed Bylaw No. 553.
2. **If the LTC wishes to recommend proceeding with the bylaw for specific reasons:**
That the North Pender Island Local Trust Committee recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw No. 553 proceed for the following reasons:
 - *[list reasons] ...*
3. **If the LTC wishes to recommend proceeding with the bylaw subject to conditions:**
That the North Pender Island Local Trust Committee recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw No. 553 proceed, subject to the following recommendations:
 - *[list recommendations] ...*
4. **If the LTC wishes to recommend not proceeding with the bylaw:**
That the North Pender Island Local Trust Committee recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw No. 553 not proceed for the following reasons:
 - *[list reasons] ...*

Submitted By:	Jas Chonk, Legislative Clerk	May 21, 2026
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ATTACHMENTS

1. BYLAW REFERRAL FORM

From: Britt Holowaty
Sent: Tuesday, May 12, 2026 2:38 PM
To: Nadine Mourao; Jas Chonk; Robert Barlow; 'mtippett@cvrld.bc.ca'; 'info@nsswaterworks.ca'; 'saltspring@rcmp-grc.gc.ca'; 'FrontCounterBC@gov.bc.ca'; 'LUPRI@gov.bc.ca'; 'jenny.patton@gov.bc.ca'; Kris Nichols; 'jholmes@saltspringfire.com'; 'vancouver.island@bcassessment.ca'; 'gateway_office@islandhealth.ca'; 'realestate@crd.bc.ca'
Cc: Milad Panahifar
Subject: Salt Spring Island Local Trust Committee Proposed Bylaw No. 553 Referral - For Response
Attachments: SS-BL-553_2026-05-05_ReferralFINAL.pdf

Dear Referrals Coordinator(s),

We are contacting your Agency in regards to a referral of Bylaw No. 553 (attached). The Salt Spring Island Local Trust Committee of the Islands Trust has received an application with the intent to change the subject property zoning from split-zone Residential 6 and Residential 6(b) to a Commercial zone variant that permits the proposed commercial uses (As listed on the bylaw) and reduces the required lot line setback.

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

Materials related to this application are located under the Islands Trust file number for this application: SS-BL-553

In the meantime, should you have any questions or concerns regarding the proposed bylaw, please contact Planner Milad Panahifar at 250-538-5602 or by email mpanahifar@islandstrust.bc.ca, or if you wish for staff to bring forward your concern or comments to the Salt Spring Island Local Trust Committee for their consideration of next steps.

A response to the referral is respectfully requested by July 4, 2026.

Thank you for your time,

Britt Holowaty

Legislative Clerk | Deputy Secretary
4 – 121 McPhillips Avenue | Salt Spring Island BC V8K 2T6
T 250-538-5601 | islandstrust.bc.ca
You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

Find out more about Salt Spring's review of the our Official Community Plan and Land Use Bylaw: <https://islandstrust.bc.ca/island-planning/salt-spring/projects/salt-spring-official-community-plan-review/>

Get the latest updates from the Salt Spring Island Local Trust Committee sent to your email:
<https://islandstrust.bc.ca/subscribe/>

Protecting islands in the Salish Sea

I respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOKÉCEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEŁ, Qualicum, scə́wəθən, sə́lilwətał, SEMYOME, shíshálh, Sk̓w̓xwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', S̓XÁUTW̓, Stz'uminus, ɬaɬəmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, W̓ JOŁEŁP, W̓ SIKEM, Xeláltxw, Xwémalhkwu, Xwsepsum, and xʷməθkʷəyəm First Nations. Islands Trust Conservancy is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea



Islands Trust

BYLAW REFERRAL FORM

4-121 McPhillips Ave
Salt Spring Island, BC V8K2T6
Ph: (250) 537-9144
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area Bylaw No.: 553 Date: April 09, 2026

You are requested to comment on the attached Bylaw for potential effect on your First Nation/Agency's interests. We would appreciate your response by July 4, 2026. If no response is received within that time, it will be assumed that your First Nation/Agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Martin Ogilvie

PURPOSE OF BYLAW:

To change the subject property zoning from split-zone Residential 6 and Residential 6(b) to a Commercial zone variant that permits the proposed commercial uses (As listed on the bylaw) and reduces the required lot line setback.

GENERAL LOCATION:

116 Jackson Avenue, Salt Spring Island (PID: 031-451-977)

LEGAL DESCRIPTION:

LOT 2 SECTION 1 RANGE 3 EAST NORTH SALT SPRING ISLAND COWICHAN DISTRICT PLAN EPP99513

SIZE OF PROPERTY AFFECTED:

0.08 hectares (0.209 acres)

ALR STATUS:

Not in ALR

OFFICIAL COMMUNITY PLAN DESIGNATION:

Ganges Village Core Area (GVC)

OTHER INFORMATION:

The applicant previously obtained a Temporary Use Permit that allowed the proposed uses on the property for a period of three years. The owner is now seeking permanent zoning to provide greater certainty for tenants and to ensure the continued operation of these uses in compliance with the Land Use Bylaw. Currently, the R6 and R6(b) zones permit single-family dwellings, duplexes, and funeral homes. The proposed new zone would additionally permit the following uses, buildings, and structures:

- Indoor retail sales and rentals
- Indoor retail services, excluding Laundromats
- Outdoor retail sales of nursery plants and home gardening supplies
- Indoor production of food and drink items, clothing, crafts, artwork, jewellery and similar items for retail or wholesale sales, provided there is a retail outlet on the premises and provided water consumption does not exceed 1600 litres/day
- Offices
- Bank or Credit Union
- Restaurants
- Day care centres for children, seniors, or people with special needs

Additionally, a Development Variance Permit (DVP) was previously issued to reduce setbacks for specific structures on the subject property. The current proposal seeks to permanently reduce the required setbacks from lot lines as follows:

- (1) Front lot line setback: from 7.5 m (24.6 ft) to 4.5 m (14.8 ft)
- (2) Rear lot line setback: from 7.5 m (24.6 ft) to 3.0 m (9.8 ft)
- (3) Interior side lot line setback: from 3.0 m (9.8 ft) to 1.5 m (4.9 ft)

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



(Signature)

Name: Milad Panahifar

Title: Planner 1

This referral has been sent to the following agencies:

First Nations

- Cowichan Tribes
- Halalt First Nation
- Lyackson First Nation
- Pauquachin First Nation
- Penelakut Tribe
- Semiahmoo First Nation
- St'zuminus First Nation
- Tsartlip First Nation

Provincial Agencies

- BC Assessment Authority
- Front Counter BC
- Ministry of Municipal Affairs

Regional Agencies

- Capital Regional District
- CRD – All Referrals & SSI Senior Manager
- CRD – SSI Building Inspection
- SS LTC – Advisory Planning Commission

Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
Ts'uubaa-Asatx (Lake Cowichan) First Nation

Adjacent Local Trust Committees and Municipalities

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

Islands Trust – Accessibility Committee
Vancouver Island Health Authority

Non-Agency Referrals

RCMP
SSI Fire-Rescue
Salt Spring Island Coast Salish Society
North Salt Spring Waterworks District

BYLAW REFERRAL FORM RESPONSE SUMMARY

- Approval Recommended for Reasons Outlined Below

- Approval Recommended Subject to Conditions Outlined Below

- Interests Unaffected by Bylaw

- Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area
(Island)

(Signature)

(Date)

553
(Bylaw Number)

(Print Name & Title)

(First Nation/Agency)



MEMORANDUM

DATE OF MEETING: May 29, 2026 File No.: SS-BL-554
(SS-PL-RZ-2025-0177)
 TO: North Pender Island Local Trust Committee
 FROM: Jas Chonk, Legislative Clerk, Southern Team
 SUBJECT: Referral: Proposed Bylaw No. 554

PURPOSE

The Salt Spring Island Local Trust Committee has referred proposed Bylaw No. 554 (cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 3, 2026") to the North Pender Island Local Trust Committee.

BACKGROUND

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

Additional information regarding this application including the preliminary staff report with site context, photos, correspondence, and other information can be found on the Salt Spring Island Current Applications webpage: <https://islandstrust.bc.ca/island-planning/salt-spring/current-applications/>

NEXT STEPS

The following draft resolutions have been provided for consideration:

1. **If the LTC considers their interests unaffected by the bylaw:**
That the North Pender Island Local Trust Committee respond to the Salt Spring Island Local Trust Committee that interests are unaffected by proposed Bylaw No. 554.
2. **If the LTC wishes to recommend proceeding with the bylaw for specific reasons:**
That the North Pender Island Local Trust Committee recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw No. 554 proceed for the following reasons:
 - *[list reasons] ...*
3. **If the LTC wishes to recommend proceeding with the bylaw subject to conditions:**
That the North Pender Island Local Trust Committee recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw No. 554 proceed, subject to the following recommendations:
 - *[list recommendations] ...*
4. **If the LTC wishes to recommend not proceeding with the bylaw:**
That the North Pender Island Local Trust Committee recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw No. 554 not proceed for the following reasons:
 - *[list reasons] ...*

Submitted By:	Jas Chonk, Legislative Clerk	May 21, 2026
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ATTACHMENTS

1. BYLAW REFERRAL FORM

From: Britt Holowaty
Sent: Thursday, May 14, 2026 2:31 PM
To: Nadine Mourao; Jas Chonk; martin.collins@gov.bc.ca; vancouver.island@bcassessment.ca; realestate@crd.bc.ca; gateway_office@islandhealth.ca; amanda.vanderkloof@bcas.ca; saltspring@rcmp-grc.gc.ca; jholmes@saltspringfire.com; info@nsswaterworks.ca; mtippett@cvrd.bc.ca; LUPRI@gov.bc.ca; jenny.patton@gov.bc.ca; Kris Nichols; shawn.haley@gov.bc.ca; FrontCounterBC@gov.bc.ca
Cc: Oluwashogo Garuba
Subject: Salt Spring Island Local Trust Committee Proposed Bylaw No. 554 Referral - For Response - Agency
Attachments: SS-BL-554_2026-05-13_ReferralFormFinal.pdf

Dear Referrals Coordinator(s),

We are contacting your Agency in regards to a referral of Bylaw No. 554 (attached). The Salt Spring Island Local Trust Committee of the Islands Trust has received an application for Rezoning to Permit Additional Commercial Guest Accommodation Units on Commercial Accommodation 1 variant f (CA1 (f)) zone.

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

Materials related to this application are located under the Islands Trust file number for this application: SS-BL-554 and PLRZ20250177

In the meantime, should you have any questions or concerns regarding the proposed bylaw, please contact Planner Oluwashogo Garuba at 250-538-5603 or by email ogaruba@islandstrust.bc.ca, or if you wish for staff to bring forward your concern or comments to the Salt Spring Island Local Trust Committee for their consideration of next steps.

A response to the referral is respectfully requested by July 13, 2026.

Thank you for your time,

Britt Holowaty

Legislative Clerk | Deputy Secretary

Islands Trust

4 – 121 McPhillips Ave | Salt Spring Island, BC, V8K 2T6

T 250-538-5601 | islandstrust.bc.ca

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

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

I respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOĶÉĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEL, Qualicum, scáwáθən, sáilwatał, SEMYOME, shíshálh, Słwx wú7mesh, Snaw-



BYLAW REFERRAL FORM

4-121 McPhillips Ave
Salt Spring Island, BC V8K 2T6
Ph: (250) 537-9144
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area **Bylaw No.:** 554 **Date:** May 14, 2026

You are requested to comment on the attached Bylaw for potential effect on your First Nations/Agency's interests. We would appreciate your response by July 13, 2026. If no response is received within that time, it will be assumed that your First Nations/Agency's interests are unaffected.

APPLICANT'S NAME / ADDRESS:

Patrick Wheeler

PURPOSE OF BYLAW:

Rezoning to Permit Additional Commercial Guest Accommodation Units on Commercial Accommodation 1 variant f (CA1 (f)) zone

GENERAL LOCATION:

121 Upper Ganges Road, Salt Spring Island

LEGAL DESCRIPTION:

LOT 1 SECTION 3 RANGE 3 EAST NORTH SALT SPRING ISLAND COWICHAN DISTRICT PLAN 11914 EXCEPT PARTS IN PLANS VIP56622 AND VIP59981

SIZE OF PROPERTY AFFECTED:

1.18 ha (2.93 ac)

ALR STATUS:

NOT IN ALR

OFFICIAL COMMUNITY PLAN DESIGNATION:

Ganges Village Upper (GVU)

OTHER INFORMATION:

The current zone of the property permits up to 55 commercial guest accommodation unit and these must be sited within the walls of the existing building. The proposed amendments to the Land Use Bylaw will increase the maximum permitted number of units to 75. This does not bring about an increase in density or intensity of use of the subject property as this number brings the lot coverage to 18% out of the permitted 33% in accordance with the Salt Spring Land Use Bylaw No. 355. Staff reports and other information is available at <https://islandstrust.bc.ca/island-planning/salt-spring/current-applications/> under PLRZ20250177 the application number for this rezoning bylaw.

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

(Signature)

Name: Oluwashogo Garuba

Title: Planner 2

This referral has been sent to the following agencies:

First Nations

- Cowichan Tribes
- Halalt First Nation
- Lyackson First Nation
- Penelakut Tribe
- Stz'uminus First Nation
- Malahat First Nation
- Pauquachin First Nation
- Semiahmoo First Nation
- Tsartlip First Nation
- Tsawout First Nation
- Tsawwassen First Nation
- Tseycum First Nation
- Ts'uubaa-Asatx (Lake Cowichan) First Nation

Salt Spring Island Coast Salish Society

Provincial Agencies

- Agricultural Land Commission
- Ministry of Agriculture
- BC Assessment Authority

Regional Agencies

- CRD – All Referrals
- CRD – SSI Building Inspection
- CRD – Salt Spring Local Community Commission
- Vancouver Island Health Authority
- SSI Advisory Planning Commission
- SSI Agricultural Advisory Planning Commission

Non-Agency Referrals

- BC Ambulance Service
- RCMP
- SSI Fire-Rescue
- Salt Spring Island Coast Salish Society
- North Salt Spring Waterworks District

Adjacent Local Trust Committees and Municipalities

- Galiano Island Local Trust Committee
- Mayne Island Local Trust Committee
- North Pender Island Local Trust Committee
- Thetis Island Local Trust Committee

BYLAW REFERRAL FORM RESPONSE SUMMARY

Approval Recommended for Reasons Outlined Below

Approval Recommended Subject to Conditions Outlined Below

Interests Unaffected by Bylaw

Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area
(Island)

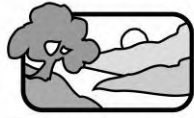
(Signature)

(Date)

554
(Bylaw Number)

(Print Name and Title)

(First Nation/Agency)



File No.: PL-DVP-2026-0112

DATE OF MEETING: May 29, 2026

TO: North Pender Island Local Trust Committee

FROM: Bruce Belcher, Planner 2
Southern Team

COPY: Mary Storzer, Regional Planning Manager

SUBJECT: PL-DVP-2026-0112
Applicant: Chris Hall
Location: 5415 Hooson Road, North Pender Island

RECOMMENDATION

- 1. That the North Pender Island Local Trust Committee approve issuance of Development Variance Permit PL-DVP-2026-0112.**

REPORT SUMMARY

The purpose of this report is to consider a new Development Variance Permit (DVP) to permit the existing siting of a pool structure, deck, and accessory building within 15.0 metres of the natural boundary of the sea.

APPLICANT'S RATIONALE

The applicant is seeking a variance to bring the existing accessory building and ongoing replacement of the pool structure and deck into compliance with the North Pender Land Use Bylaw No. 224, 2022 (LUB). The applicant has identified that the pool structure and accessory building (pump house) existed in the same location since the 1970s. Following bylaw enforcement action on the property in 2025 for construction work relating to the pool structure the applicant opted to apply for a variance to bring the existing siting into compliance with the LUB rather than relocating the structures due to the increase in site excavation and environmental disturbance this would cause. The applicant has provided a letter outlining their application rationale and additional property details included as Attachment 3.

BACKGROUND

The application was initiated following bylaw enforcement action relating to a complaint regarding construction within the 15.0 metre setback to the natural boundary of the sea (NP-BE-2025.14). Islands Trust bylaw enforcement determined that the reconstruction of the existing pool structure and the location of the accessory building were located within the setback to the natural boundary of the sea. The applicant purchased the property in 2023, and understood that the structures existed on the property since the 1970s. Staff determined that while the pool may have been legally constructed prior to the establishment of the natural boundary setback and the establishment of the Islands Trust, the reconstruction of a non-conforming structure that had been out of use would require a variance.

The applicant provided a survey completed in 2005 which established the location of the structures in relation to the natural boundary of the sea. The DVP has been drafted based on this survey and if approved would only permit what had previously existed on the property. Any further extension into the natural boundary setback would be a contravention of the LUB and subject to enforcement.

The specific variance to the LUB is as follows:

- a) Subsection 3.3 (1)(a) which states that *no building or structure may be sited, nor fill placed to support a building or structure, within 15 metres upland of the natural boundary of the sea* is varied to permit the siting of an existing in-ground pool and deck structure within 10.00 metres upland of the natural boundary of the sea, and the siting of an existing accessory building within 14.50 metres upland of the natural boundary of the sea.

The subject property is 5415 Hooson Road, North Pender Island, which is an east facing waterfront parcel. The property is zoned Rural Residential 2 (RR2) and is 1.6 hectares in total area. The property has an existing single-family dwelling and cottage as well multiple accessory structures. The property adheres to the regulations for maximum total lot coverage of 25% and the maximum total floor area of 3000m².

A copy of the notice and draft permit are included as Attachments 4 and 5. Staff conducted a site visit on May 14, 2026 and photos of the site are included in Attachment 2. Additional photos taken during a bylaw enforcement site visit on September 9, 2025 are also included in the attachment.

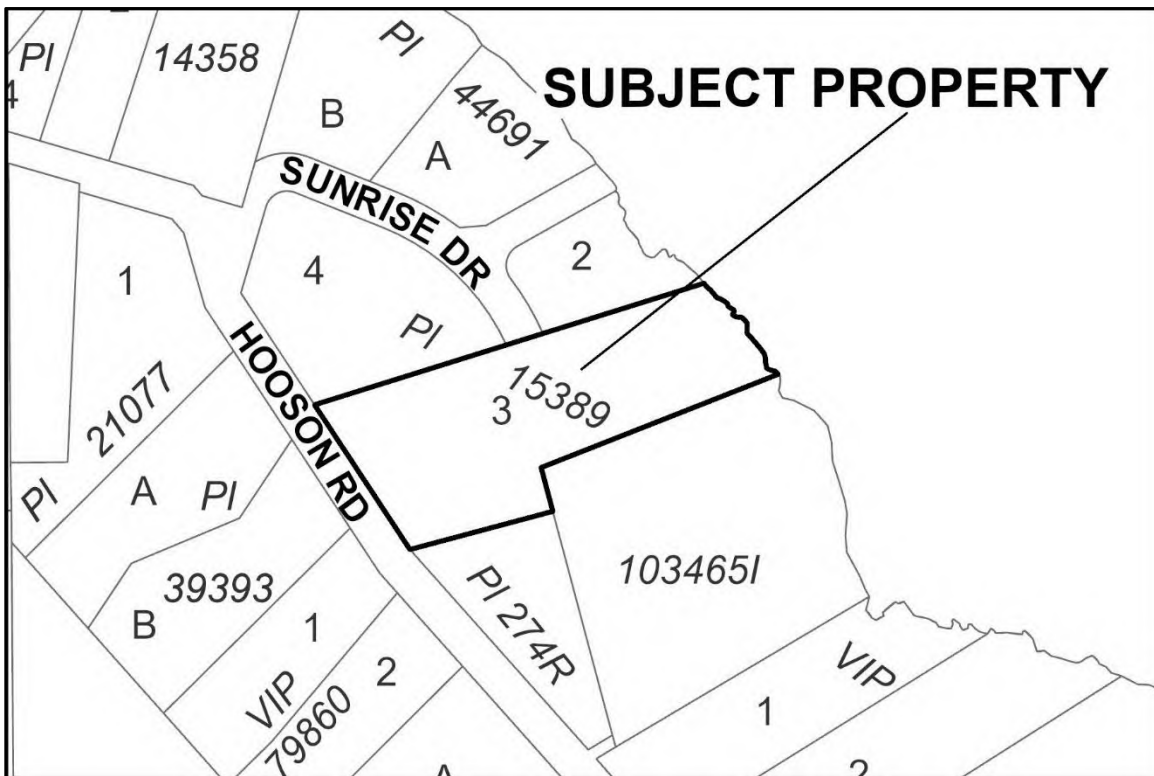


Figure 1: Subject Property Location

ANALYSIS

Intent of Regulations being varied

The overall purpose of the setbacks from the natural boundary of the sea are to minimize development related impacts on shoreline adjacent properties related to:

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

Potential impacts of granting to variance

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

If the variance is approved there would be no new impacts on neighbouring properties views due to the structures existing for an extended period of time. The reconstruction of the pool and deck structure is not expected to create any new environmental impacts. The existing deck concrete foundation blocks remain on site and will be reused for the construction of the deck. The pool, deck, and existing accessory building would not impact the public use of the foreshore due to their distance from the natural boundary and relative elevation from the shoreline.

The shoreline adjacent to the property is classified as low rock boulder is stable and not at risk of erosion. Despite the stability of the shoreline the area is classified as being a high steep slope and the potential for future erosion may increase with the projected sea level rise. However, this risk may be limited as the property is not exposed to significant shoreline action from high wind events due to being protected by Saturna Island from the east and Mayne Island from the north.

Circulation

The draft permit was circulated to surrounding property owners and residents on May 8, 2026. The notification period will end on May 20, 2026.

No submissions have been received at the time of writing. Any comments received subsequently will be forwarded to the Local Trust Committee and reported at the meeting.

First Nations

The subject property is mapped to have archaeological potential along the shoreline near the location of the pool and deck structure. The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff forwarded the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on Heritage Act directly to the applicants with the initial application.

Rationale for Recommendation

Staff is recommending that the resolution on page 1 be supported based on the following reasons:

- The rationale for requesting the variance is reasonable, on the basis of legalizing the existing structures and providing certainty on their location in relation to the natural boundary;
- The variance would not permit any new impacts to the shoreline or area within the natural boundary setback;
- There have been no responses to the public notification for the draft permit from neighbouring properties.

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 such as a new professional survey or professional engineering report. 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. Deny the application

The LTC may deny the application. If the application is denied the applicant may apply for a Board of Variance application or relocate the structures. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee refuse application PL-DVP-2026-0112.

Submitted By:	Bruce Belcher, Planner 2	May 7, 2026
Concurrence:	Mary Storzer, Regional Planning Manager	May 15, 2026

ATTACHMENTS

1. Site Context
2. Maps, Plans, Photographs
3. Applicant Letter
4. Notice
5. Draft Development Variance Permit

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	LOT 3, SECTION 19, PENDER ISLAND, COWICHAN DISTRICT, PLAN 15389
PID	003-850-382
Civic Address	5415 Hooson Road, North Pender Island
Lot Size	1.6 hectares

LAND USE

Current Land Use	Residential
Surrounding Land Use	Residential, Marine

HISTORICAL ACTIVITY

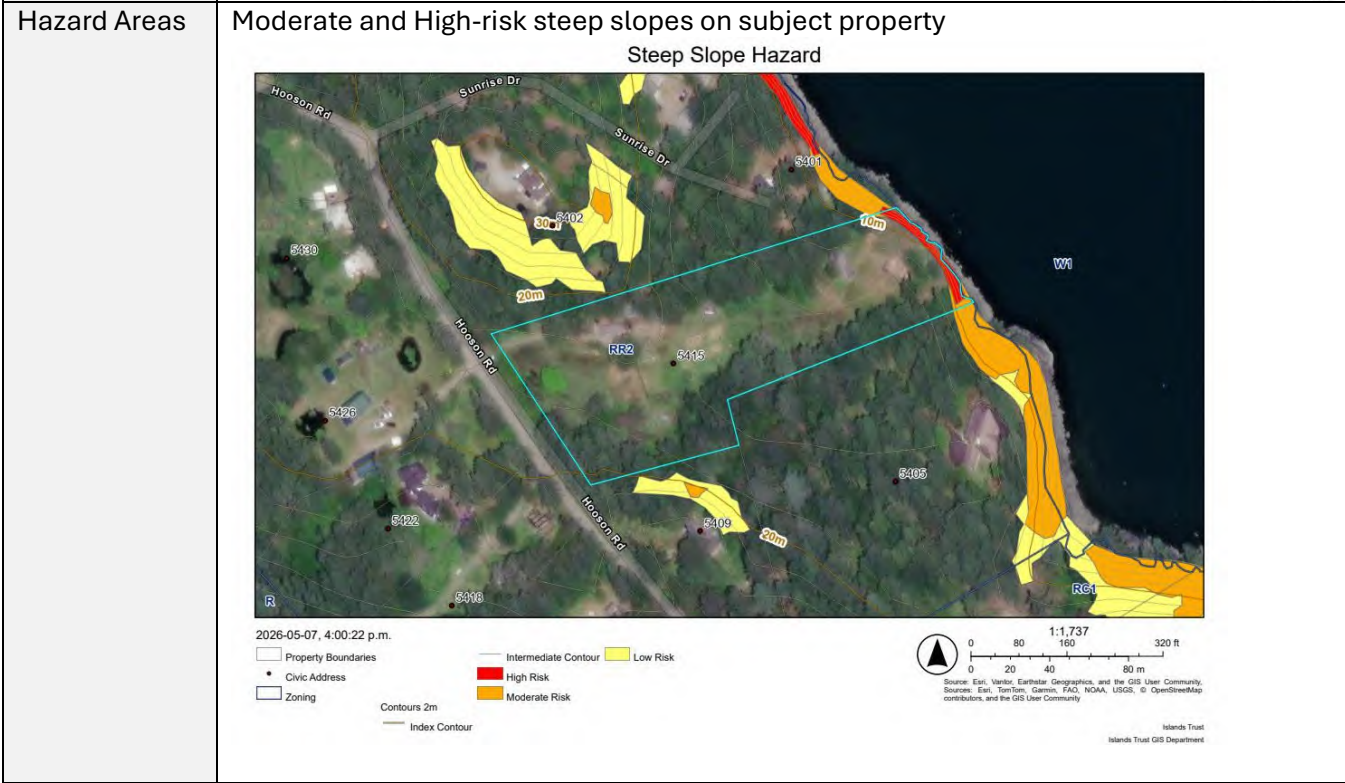
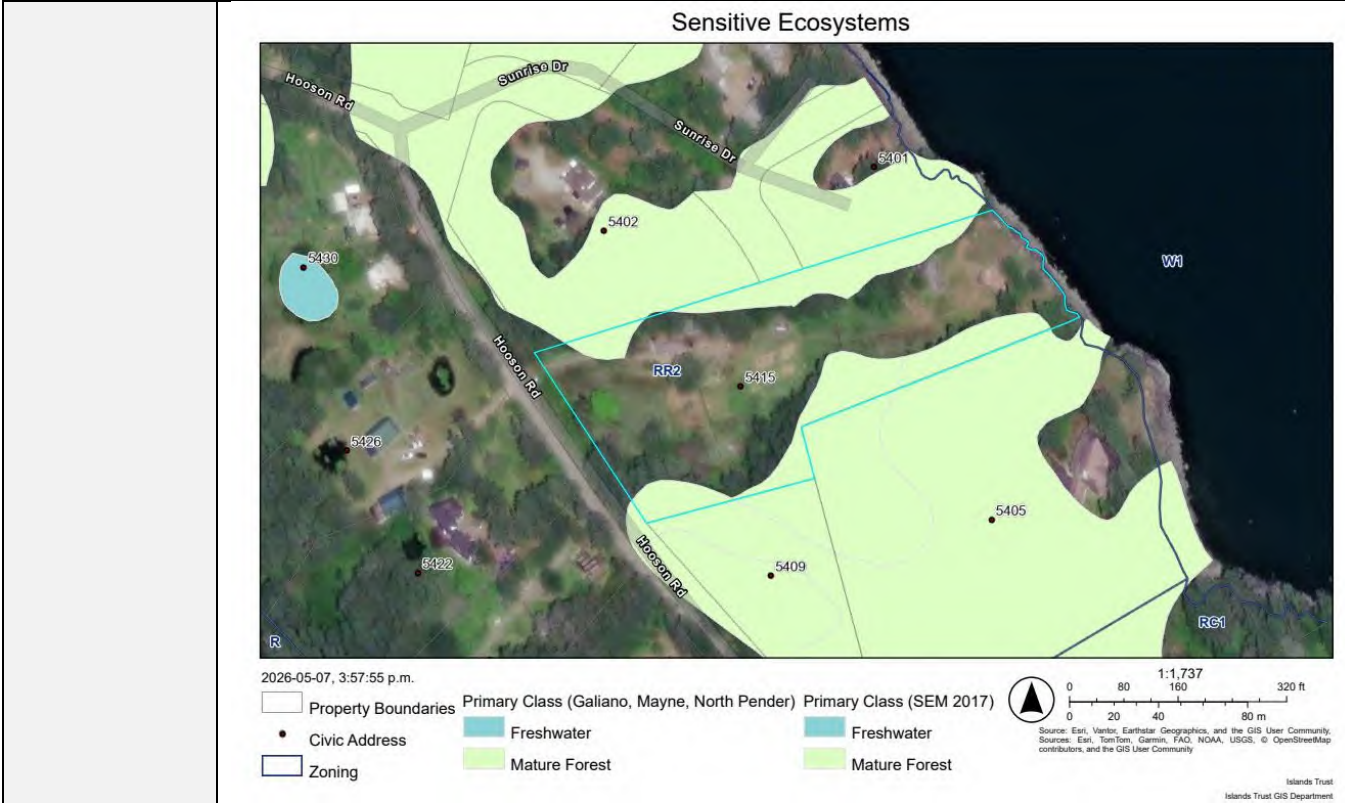
File No.	Purpose
N/A	N/A

POLICY/REGULATORY


Official Community Plan Designations	Rural Residential designation in OCP. No development permit areas on subject property.
Land Use Bylaw	Rural Residential 2
Other Regulations	N/A
Covenants	N/A
Bylaw Enforcement	NP-BE-2025.14 for siting of fill and construction in natural boundary setback.

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	N/A
Sensitive Ecosystems	Mature Forest, Bull Kelp Beds adjacent to shoreline

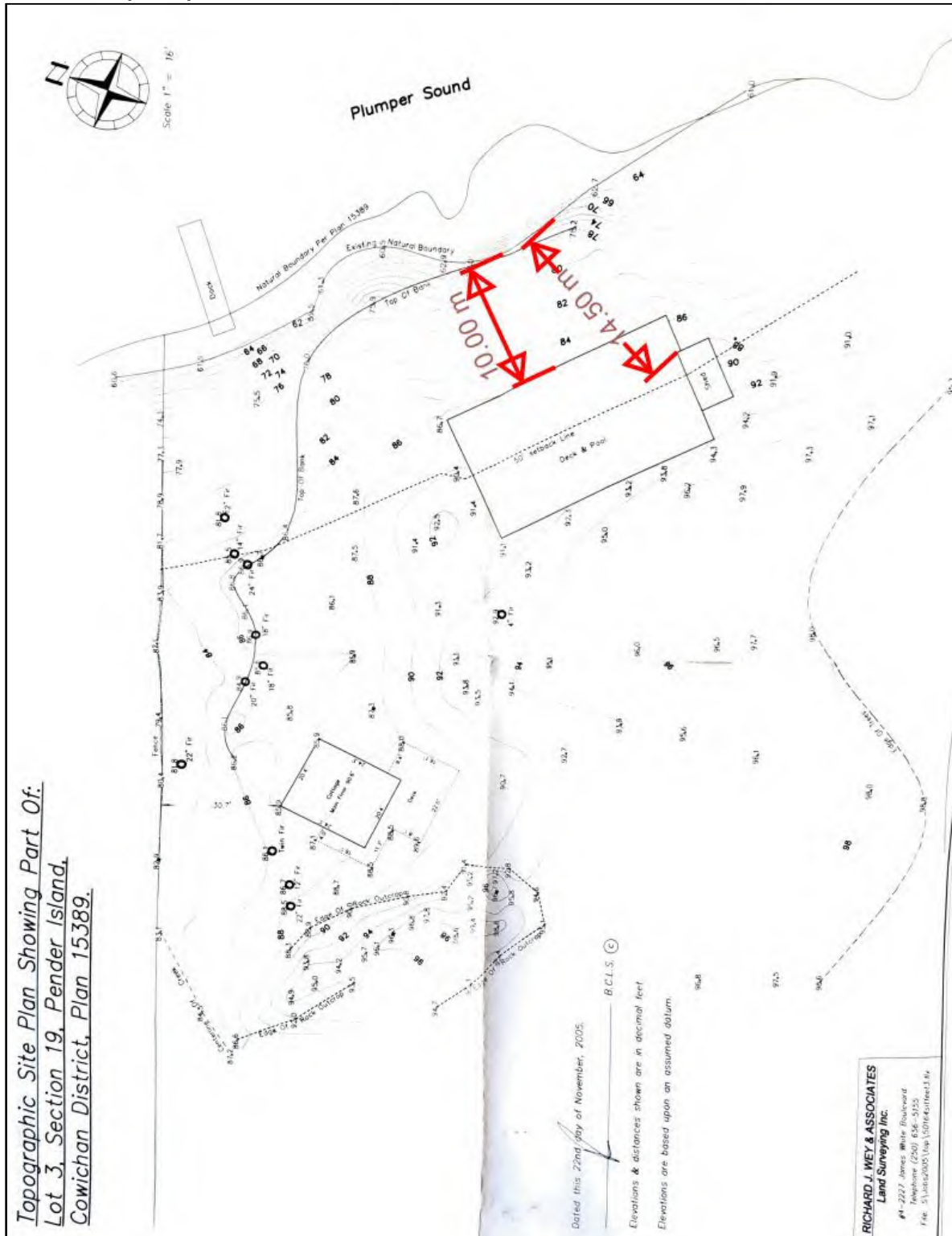


Archaeological Sites Subject property has mapped archaeological potential within the permit area. Any activity that disturbs or alters recorded or unrecorded archaeological sites in BC requires a permit from the Archaeology Branch. Altering an archaeological site without a permit is prohibited under the [Heritage Conservation Act](#). This applies to sites on public and private land.

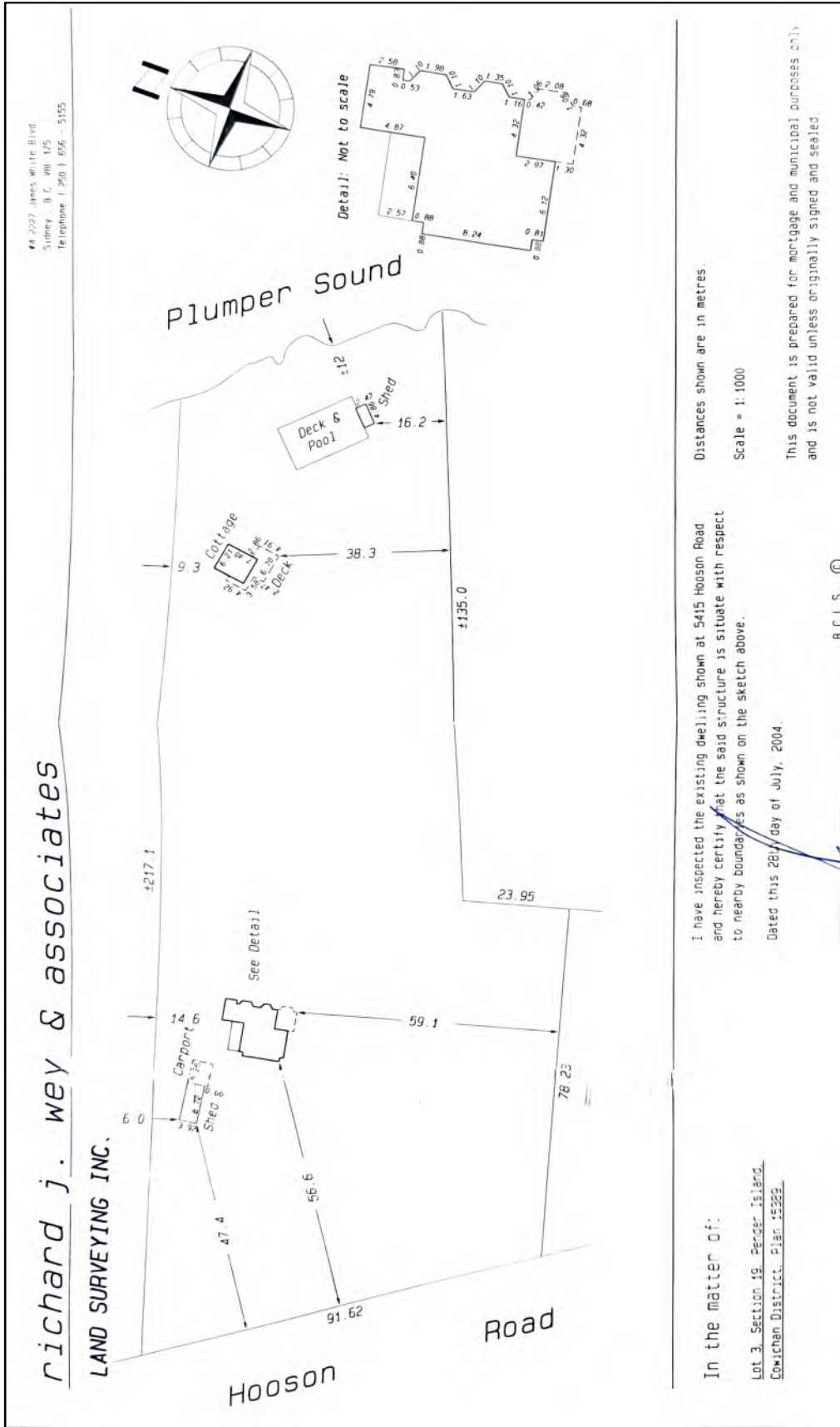
Climate Change Adaptation and Mitigation	N/A
Shoreline Classification	<p>Low Rock / Boulder</p> <p style="text-align: center;">Marine Ecosystems and Coastline Type</p>  <p>2026-05-07, 4:03:25 p.m.</p> <ul style="list-style-type: none"> □ Property Boundaries • Civic Address □ Zoning — Coastal Banks or Bluffs — Sea Cliff — Low Rock / Boulder — Shoreline Type (Islands Trust) — Low Rock/Boulder — Bull Kelp Beds (2022) — Moderate <p>Scale: 1:1,737 (0 to 320 ft / 0 to 80 m)</p> <p>Source: Esri, Vantor, Earthstar Geographics, and the GIS User Community. Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community.</p> <p style="text-align: right;">Islands Trust Islands Trust GIS Department</p>
Shoreline Data in TAPIS	Low Rock / Boulder

ATTACHMENT 2 – MAPS, PLANS, PHOTOGRAPHS

2.1 SURVEY (2005)



2.2 SURVEY (2004)



2.4 Site PHOTOS



POOL CONSTRUCTION LOOKING SOUTH (2026)



PROPOSED DECK BOUNDARY, ARROW INDICATES EXISTING DECK FOUNDATION TO BE REUSED (2026)



EXISTING ACCESSORY BUILDING, LOOKING WEST (2026)



EXISTING ACCESSORY BUILDING, LOOKING WEST FROM SHORELINE BANK (2026)



ACCESSORY BUILDING LOCATION, LOOKING EAST (2025)



POOL LOCATION, LOOKING NORTH-EAST (2025)



SHORELINE, LOOKING SOUTH (2025)

Attachment 3

Variance Application Statement

Property Address: 5415 Hooson Road

I purchased the property located at 5415 Hooson Road in September 2023. At the time of purchase, the property contained an existing swimming pool, pump house, and associated decking. According to the previous owners, these structures have been in place for many decades, with the pool and pump house dating back to at least the 1970s and possibly earlier.

In September 2025, I received a letter from the Island Trust advising that a complaint had been filed alleging that these structures were located within the required natural boundary setback from the ocean. Following a site visit by an Island Trust Bylaw Enforcement Officer, I subsequently received a Determination Letter stating that I must either apply for a variance permit to allow the structures to remain in their current location or relocate them to meet the current setback requirements.

Since receiving this notice, I have taken steps to verify the long-standing presence of these structures. Attached to this application are letters from long-time local residents confirming that the pool, decking and pump house have been located in their current positions since at least the early 1980s. Several residents recall taking swimming lessons at the pool as children during that time, and those individuals—now in their 50s—have provided written statements confirming their recollections. I have also included a survey prepared in 2005 that clearly shows both the swimming pool, deck and the pump house in the same locations they occupy today.

Based on this evidence, I am applying for a variance to allow the existing swimming pool, pump house, and associated deck to remain in their current locations, as documented in the 2005 survey. These structures were constructed long before my ownership of the property and have remained in their locations for more than four decades.

Hardship and Practical Considerations

Relocating the structures in order to meet the current setback requirements would create significant hardship and would require extensive demolition and site disturbance. Specifically, relocation would require the removal of an existing stone wall that was also constructed in the 1970s or 1980s. It would further require major excavation and reconstruction in order to relocate the swimming pool and associated infrastructure.

These works would involve substantial disruption to the existing landscape and would require the disturbance of soil and vegetation that have remained stable for many years. As the current property owner, I did not construct these structures and they pre-date both my ownership and, likely, the current regulatory framework.

Minimal Environmental Impact

Allowing the structures to remain in their existing locations would represent the least disruptive and most environmentally responsible option. The pool, pump house, and deck have existed in

their current positions for several decades and without any apparent negative impact on the surrounding shoreline environment.

Relocating these structures would require new excavation and construction activity within the property, creating a greater degree of environmental disturbance than maintaining the current situation. Granting the requested variance would therefore minimize unnecessary site alteration and avoid the environmental impacts associated with demolition, excavation, and reconstruction.

Community Context

The pool and pump house have been longstanding features of the property and the surrounding neighbourhood for more than 40 years. As noted in the attached letters of support, many local residents have memories of using the pool as children, including organized swimming lessons that took place there in the early 1980s. These letters reflect the pool's long-standing presence within the community and the support of neighbouring residents for allowing the structures to remain.

Conclusion

The requested variance seeks only to recognize the long-established presence of structures that have existed in their current location for several decades. Approving this application would avoid unnecessary demolition, excavation, and reconstruction while maintaining the existing conditions that have been stable for many years.

For these reasons, I respectfully request that the Island Trust approve this variance application to allow the existing swimming pool, pump house, and associated deck to remain in their current locations as shown on the 2005 survey.



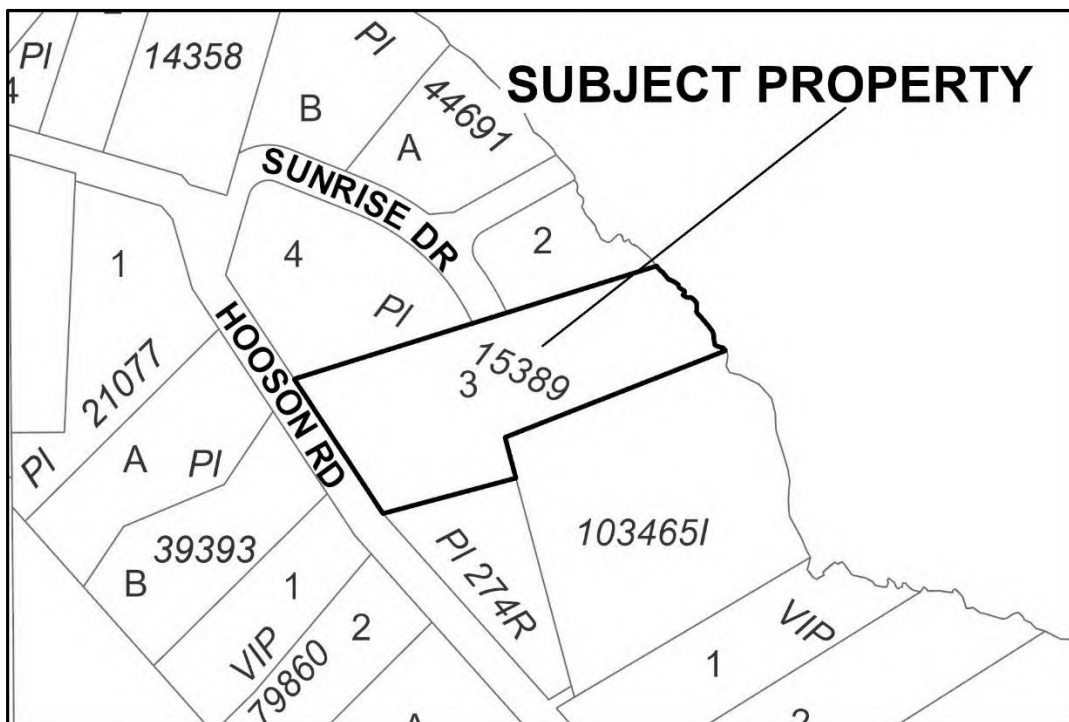
NOTICE
PLDVP20260112
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

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

- Relaxing the natural boundary setback to the sea from 15.0 metres to 10.00 metres and 14.50 metres respectively to permit the siting of an existing in-ground pool structure, deck, and an existing accessory shed building.

The property is located at **5415 Hooson Road, North Pender Island** and is legally described as: LOT 3, SECTION 19, PENDER ISLAND, COWICHAN DISTRICT, PLAN 15389 (PID: 003-850-382)

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



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C. V8R 1H8 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **May 8, 2026** and continuing up to and including **May 20, 2026**.

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

Enquiries or comments should be directed to Bruce Belcher, Planner 2 at (250) 405-5179, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 604-660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: southinfo@islandstrust.bc.ca before 4:30 p.m., **May 20, 2026**.

The North Pender Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular business meeting starting at **10:00 a.m.** on **May 29, 2026** at **St. Peter's Anglican Church Hall, 4703 Canal Rd, North Pender Island**.

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



PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT PLDVP20260112

To: Chris Hall

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

LOT 3, SECTION 19, PENDER ISLAND, COWICHAN DISTRICT, PLAN 15389
(PID: 003-850-382)

2. North Pender Island Land Use Bylaw No. 224, 2022 is varied as follows:

- a) Subsection 3.3 (1)(a) which states that *no building or structure may be sited, nor fill placed to support a building or structure, within 15 metres upland of the natural boundary of the sea* is varied to permit the siting of an existing in-ground pool and deck structure within 10.00 metres upland of the natural boundary of the sea, and the siting of an existing accessory building within 14.50 metres upland of the natural boundary of the sea.

The development shall be consistent with Schedule 'A' which is attached to and forms part of this permit.

3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "North Pender Island Land Use Bylaw No. 224, 2022" and to obtain other approvals necessary for completion of the proposed development, including approval of the Capital Regional District and Ministry of Transportation and Transit.

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

Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ##th DAY OF [MONTH], [YEAR (2 YEARS FROM DATE OF ISSUANCE)] THIS PERMIT AUTOMATICALLY LAPSES.



DATE OF MEETING: May 29, 2026

TO: North Pender Island Local Trust Committee

FROM: Bruce Belcher
Southern Team

COPY: Mary Storzer, Regional Planning Manager

SUBJECT: PL-DVP-2026-0126
Applicant: Mike Telford
Location: 2607 Gunwhale Road, North Pender Island

RECOMMENDATION

1. That the North Pender Island Local Trust Committee approve issuance of Development Variance Permit PL-DVP-2026-0126.

REPORT SUMMARY

The purpose of this report is to consider a new Development Variance Permit (DVP) application to relax the interior lot line setback from 3.0 metres to 0.82 metres for the new construction of an accessory garage building.

APPLICANT'S RATIONALE

The applicant's rationale for the variance is related to an inaccurate survey that determined the distance between the property's dwelling foundation to be greater than in reality. The applicant underwent planning for a new garage under the assumption that the survey was accurate and proposed to locate the building outside of all setback areas. Upon the completion of a new survey the proposed garage location was determined to be just 0.82 metres from the interior lot line setback, which will require a variance to keep the proposed building in the same location. The applicant has provided a letter, included as Attachment 3.

BACKGROUND

The applicant submitted their DVP application prior to construction and prior to receiving a building permit. The proposed variance to the North Pender Land Use Bylaw No. 224, 2022 (LUB) is as follows:

- a) Subsection 5.1 (5)(b) which states that *the minimum setback for any building or structure shall be 3 metres from any interior side lot line* is varied to permit the construction of an accessory garage building within 0.82 metres of the interior side lot line.

The subject property is located at 2607 Gunwhale Road within the Magic Lake Estates area of North Pender Island. The property is zoned Rural Residential 1 (RR1) and is 0.09 hectares in total area. The property has an existing single-family dwelling which received a building permit in 2019.

The total floor area and lot coverage for the property including the new accessory garage building complies with the requirements for a lot of its size in the RR1 zone. The proposed lot coverage will be roughly 11% of the maximum 25%, and well below the 500m² permitted total floor area for a lot below 0.4 hectares in area.

A copy of the notice and permit are included as Attachments 4 and 5. Staff conducted a site visit on May 14, 2026, photos of the site are included in Attachment 2.

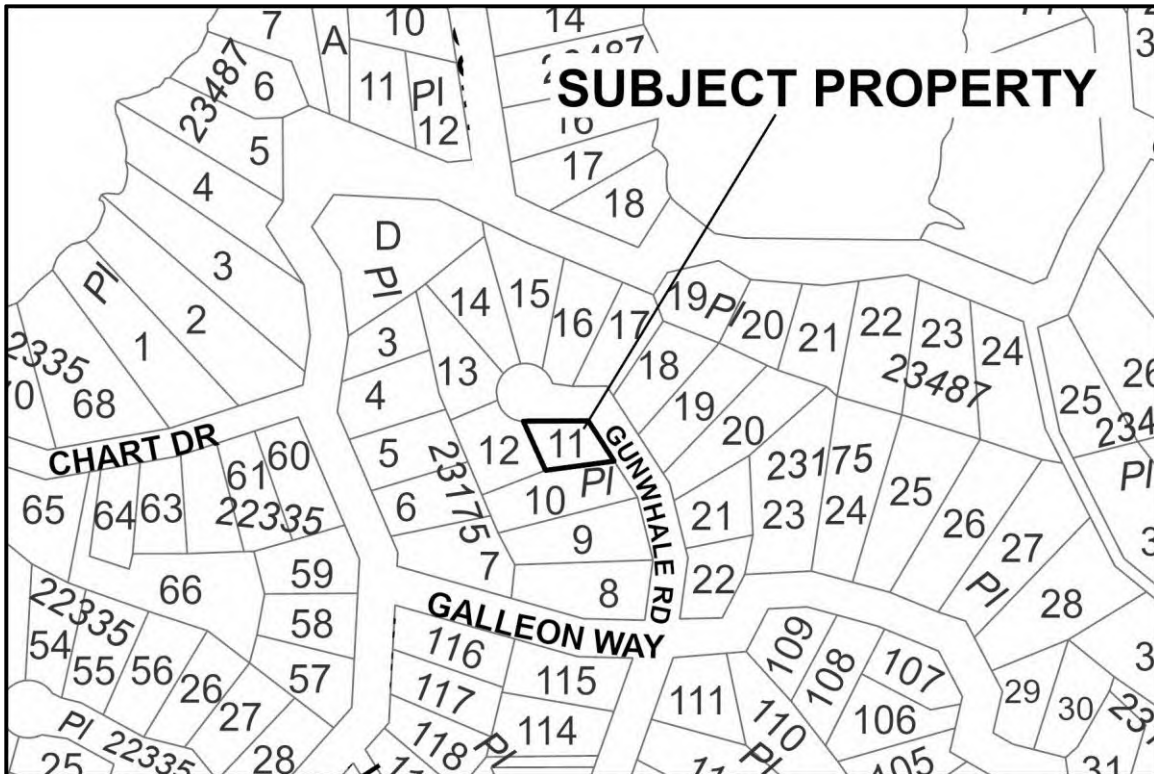


Figure 1: Subject Property Location

ANALYSIS

Intent of Regulations being varied

The overall purpose of the interior lot line setbacks is to minimize development related impacts on adjacent properties including:

- Limiting the visual impact of development on adjacent properties;
- Establishing consistent development patterns within a local area;
- Maintaining rural character;
- Establishing certainty with respect to development by maintaining consistent regulations;
- Protecting views, scenic areas, and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.

Potential impacts of granting to variance

Granting a variance can potentially create an expectation in the community with regard to future applications. Variances consider the unique circumstances pertaining to a particular situation that may

warrant the relaxation of a specific zoning regulation; therefore, each application should be evaluated on its own merits.

If the variance is approved the most impacted neighbour would be the property to the south which shares the interior lot line setback associated with the variance application. The property to the south is developed and accesses Gunwhale Rd from a driveway on the north-east corner of the property, directly adjacent to the proposed accessory building. The proposed accessory building will not have any eaves extending to the south property line and will be constructed to meet the fire protection requirements in the building code.

The proposed garage location, projecting 2.18 metres into the interior side lot line, would have minimal impacts on the views of adjacent properties and is not considered an egregious variance request given the context of the property and the proposed size of the building. The variance would not drastically change the community's rural character considering that the siting remains in compliance with the front lot line setback. Due to the layout of the property, location of the driveway, and position of the existing single-family dwelling relocating the structure elsewhere on the property would be difficult without making significant changes to the property through re-development.

Circulation

The draft permit was circulated to surrounding property owners and residents on May 8, 2026. The notification period will end on May 20, 2026.

No submissions have been received at the time of writing. Any comments received subsequently will be forwarded to the Local Trust Committee and reported at the meeting.

First Nations

The subject property is mapped to have archaeological potential within 100 metres of the proposed building location. The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff forwarded the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on Heritage Act directly to the applicants with the initial application.

Rationale for Recommendation

Staff is recommending that the resolution on page 1 be supported based on the following reasons:

- The rationale for requesting the variance, to address the surveying error by permitting the proposed siting for the accessory building, is reasonable;
- There have been no responses to the public notification for the draft permit from neighbouring properties.

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. Deny the application

The LTC may deny the application. If the application is denied the applicant may apply for a Board of Variance application or relocate the structures. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee refuse application PL-DVP-2026-01126.

Submitted By:	Bruce Belcher, Planner 2	May 7, 2026
Concurrence:	Mary Storzer, Regional Planning Manager	May 15, 2026

ATTACHMENTS

- 1. Site Context
- 2. Maps, Plans, Photographs
- 3. Applicant Letter
- 4. Notice
- 5. Draft Development Variance Permit

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	LOT 11, SECTION 9, PENDER ISLAND, COWICHAN DISTRICT, PLAN 23175
PID	002-734-567
Civic Address	2607 Gunwhale Road, North Pender Island
Lot Size	0.09 hectares

LAND USE

Current Land Use	Residential
Surrounding Land Use	Residential

HISTORICAL ACTIVITY

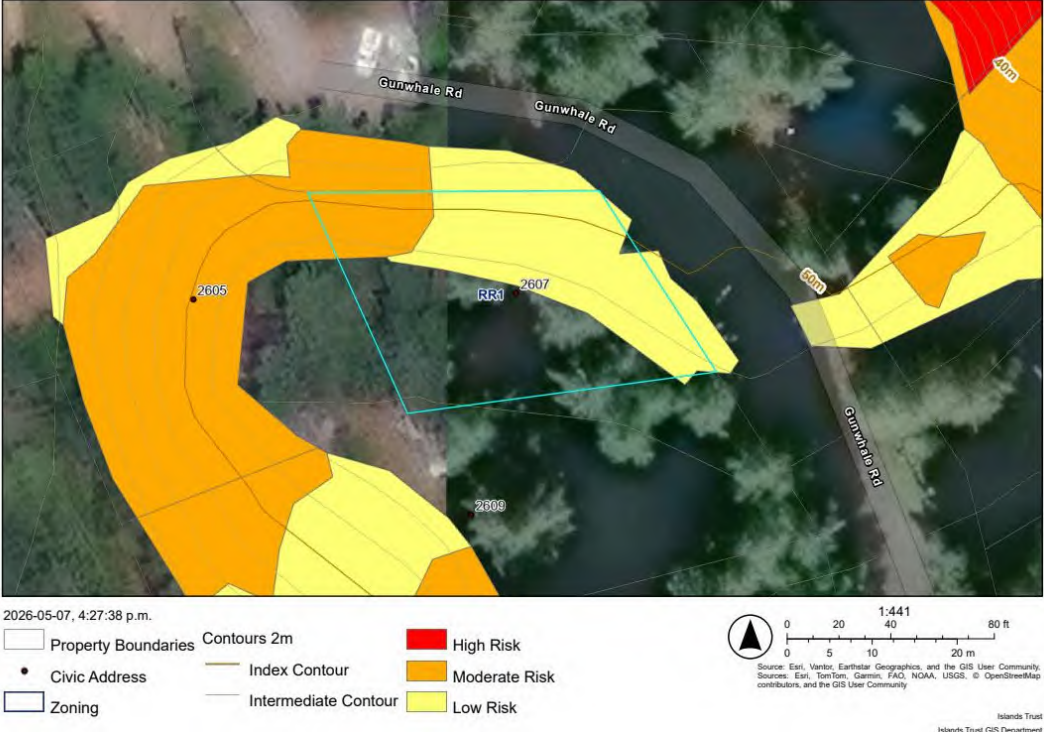
File No.	Purpose
NP-BP-2019.27	Building permit for new single family dwelling
PLBP20260069	Building permit for new accessory garage

POLICY/REGULATORY

Official Community Plan Designations	Rural Residential designation in OCP No DPAs on property.
Land Use Bylaw	Rural Residential 1 zone
Other Regulations	N/A
Covenants	N/A
Bylaw Enforcement	N/A

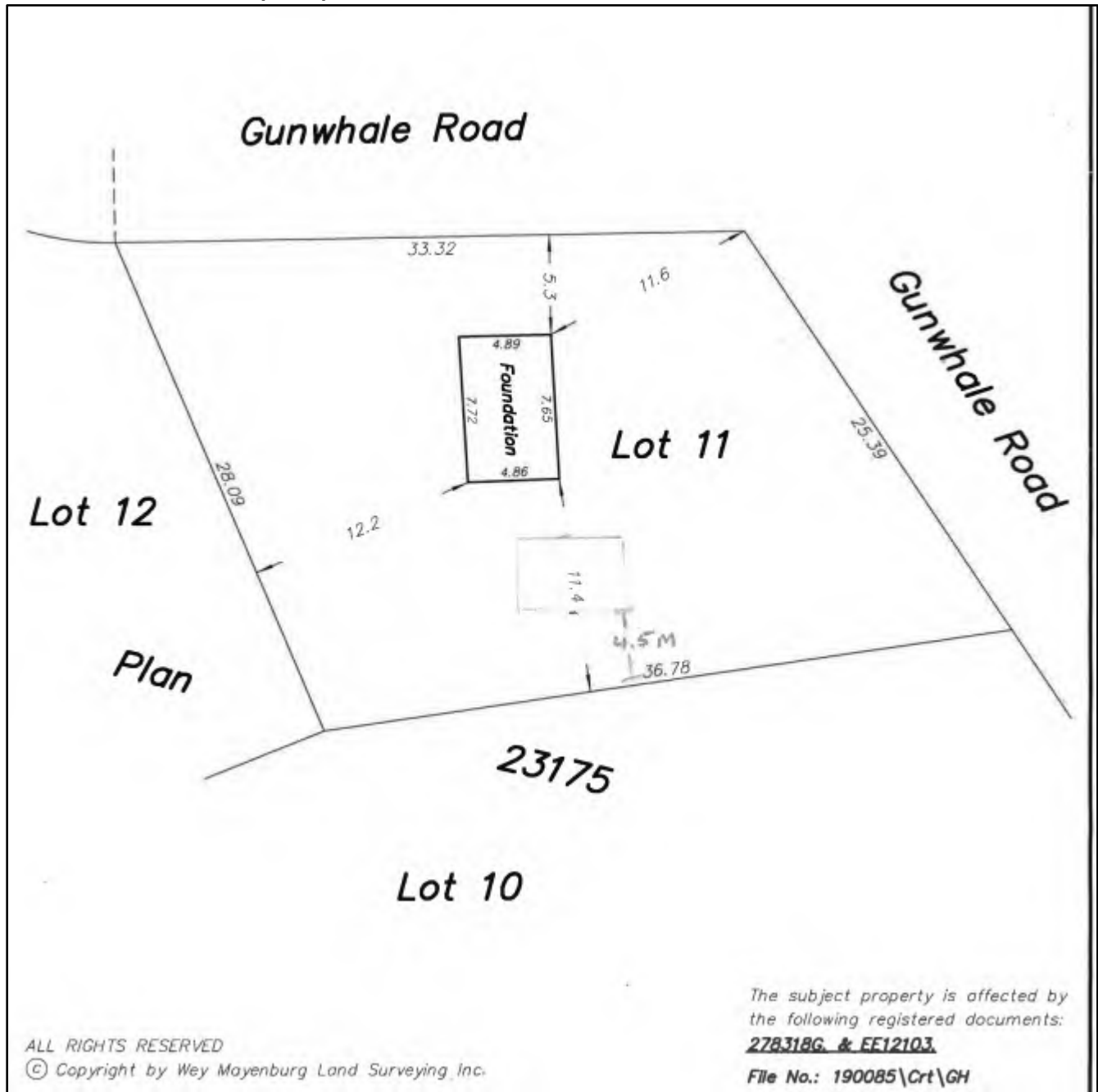
SITE INFLUENCES

Islands Trust Conservancy	The application has no considerations for the Islands Trust Conservancy
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	N/A
Sensitive Ecosystems	N/A
Hazard Areas	Low, Moderate risk steep slopes

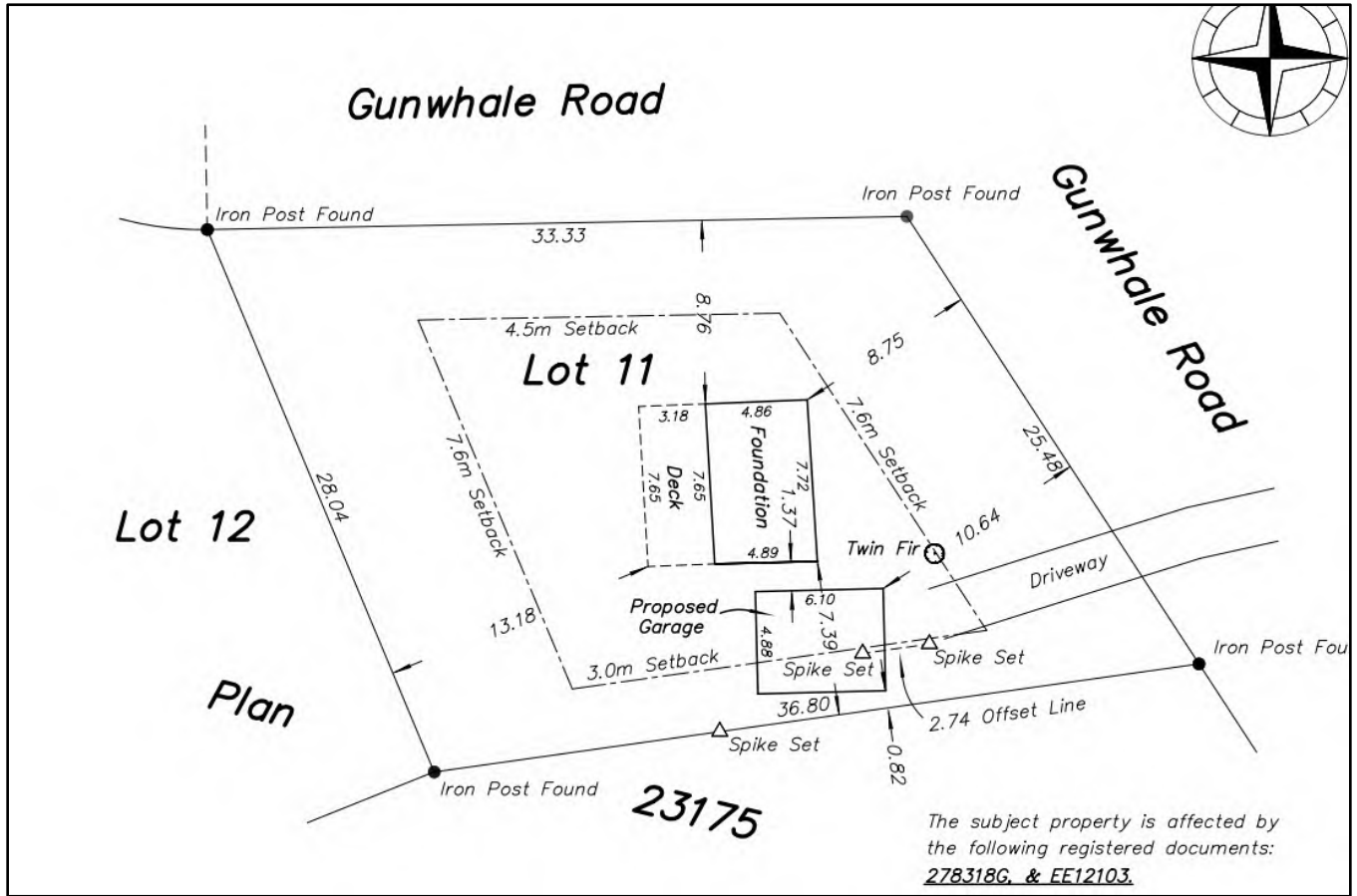
	<p style="text-align: center;">Steep Slope Hazards</p> 
Archaeological Sites	<p>There are no known archaeological sites on the property. Any activity that disturbs or alters recorded or unrecorded archaeological sites in BC requires a permit from the Archaeology Branch. Altering an archaeological site without a permit is prohibited under the Heritage Conservation Act. This applies to sites on public and private land.</p>
Climate Change Adaptation and Mitigation	N/A
Shoreline Classification	N/A
Shoreline Data in TAPIS	N/A

ATTACHMENT 2 – MAPS, PLANS, PHOTOGRAPHS

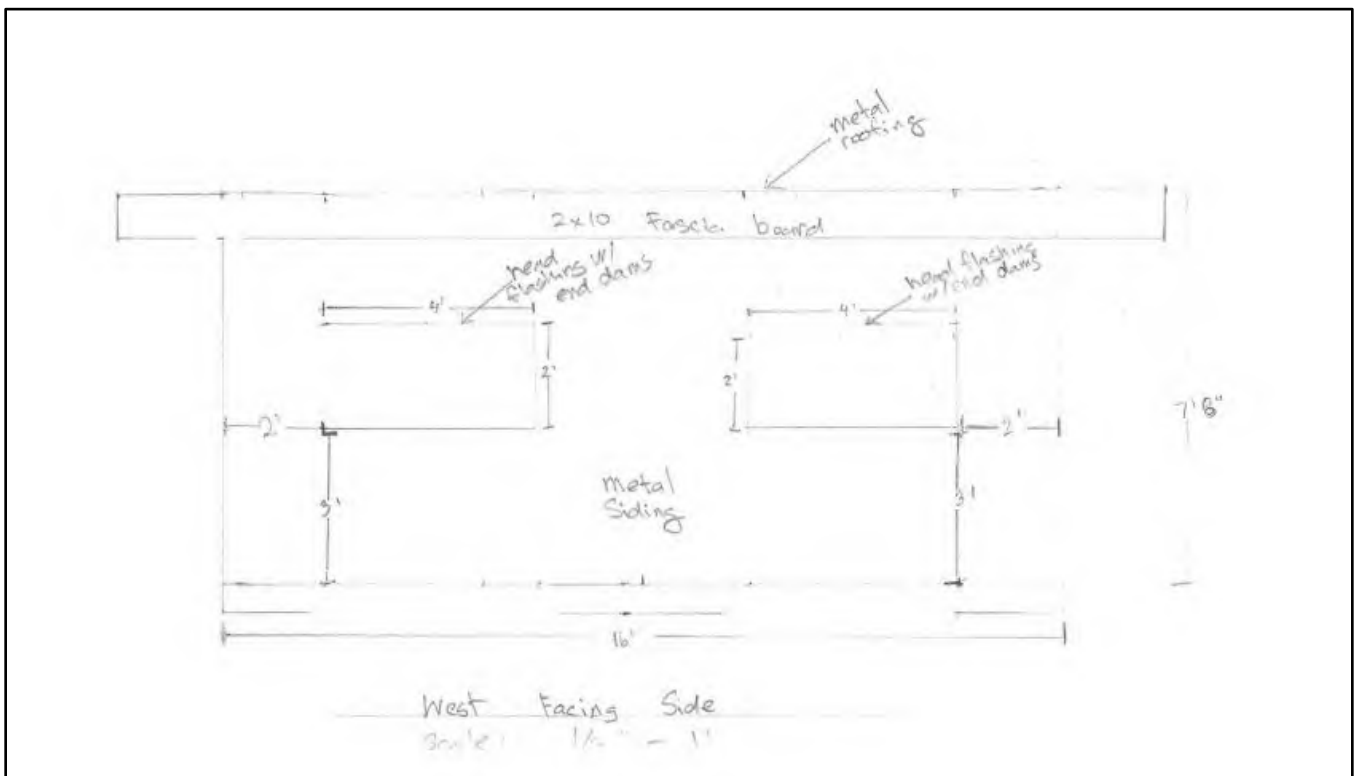
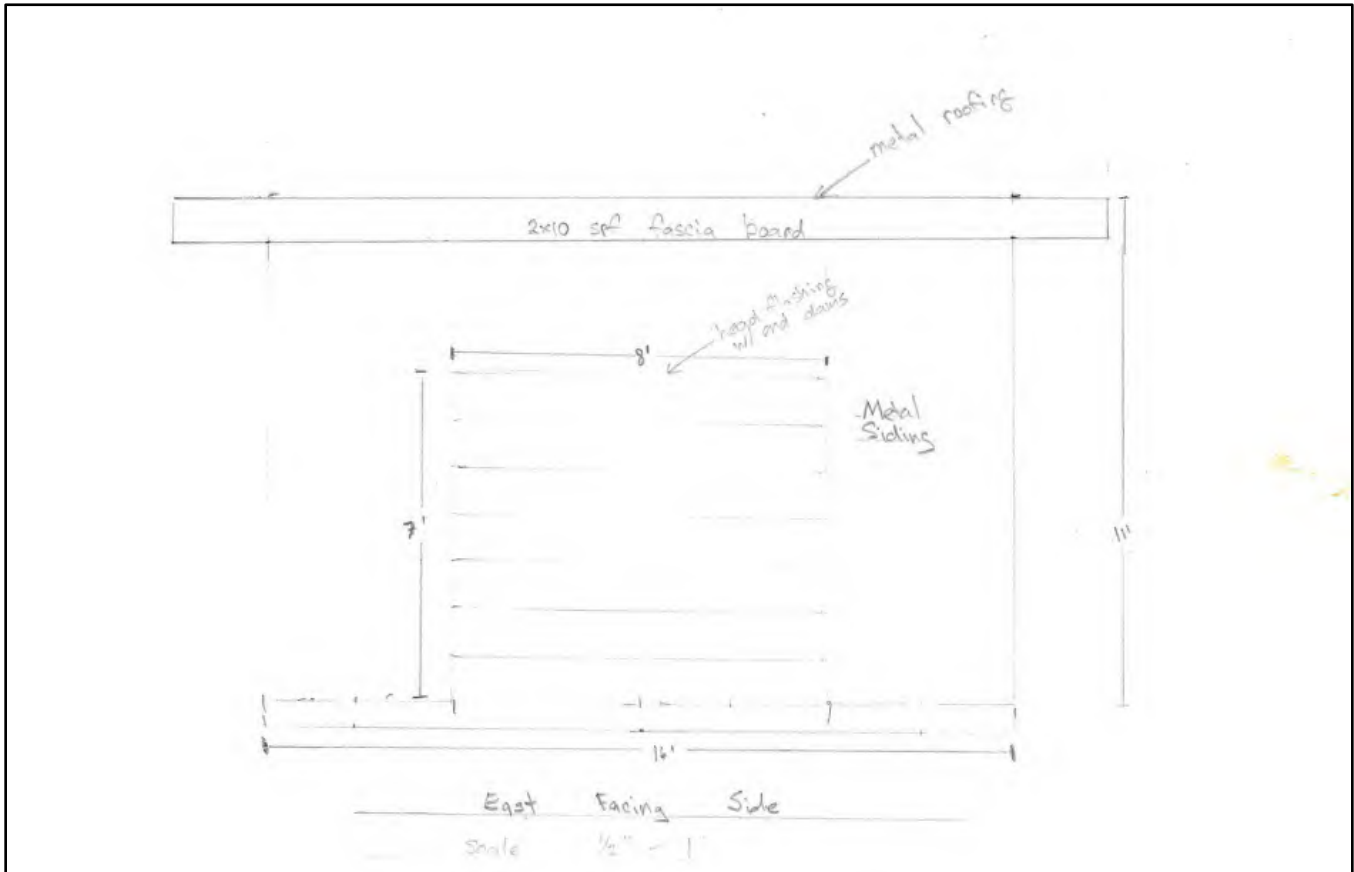
2.1 INACCURATE SURVEY (2020)

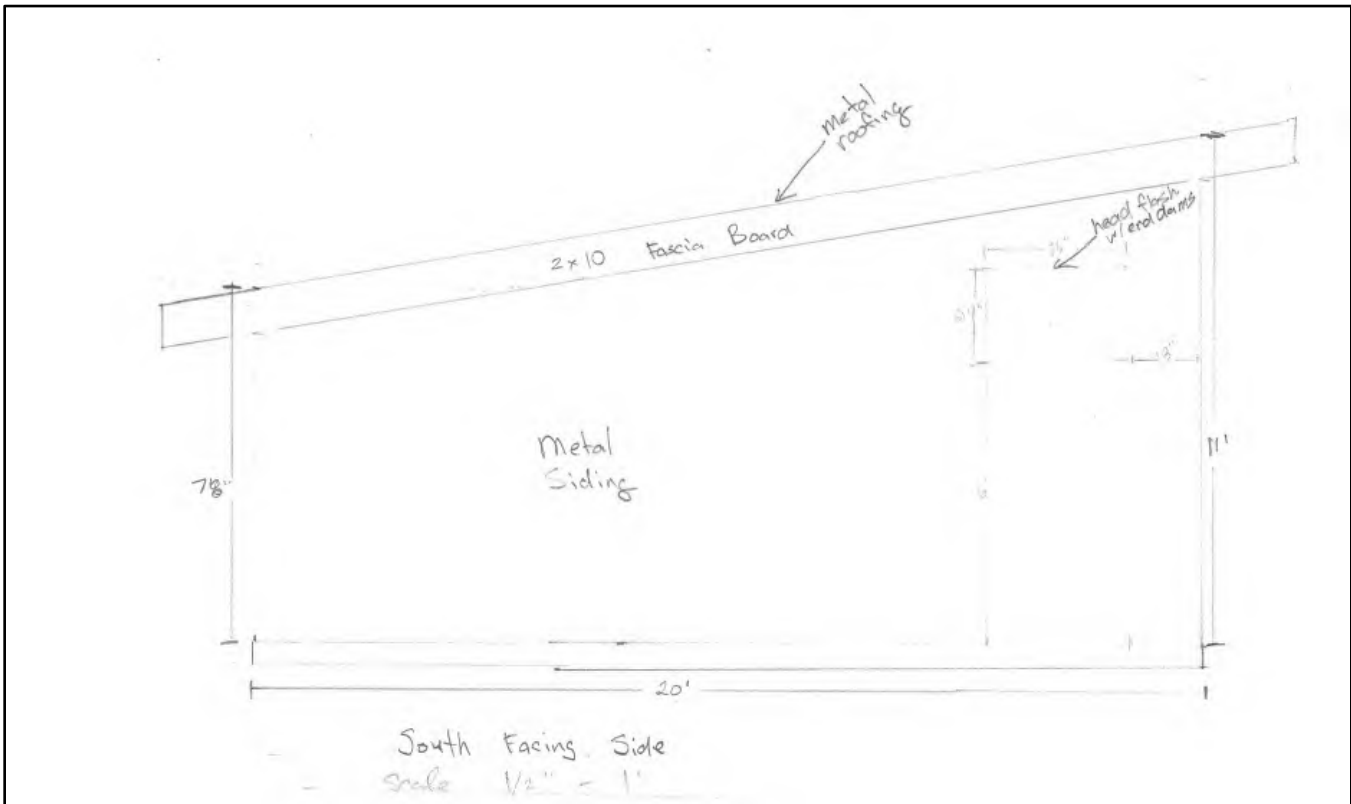
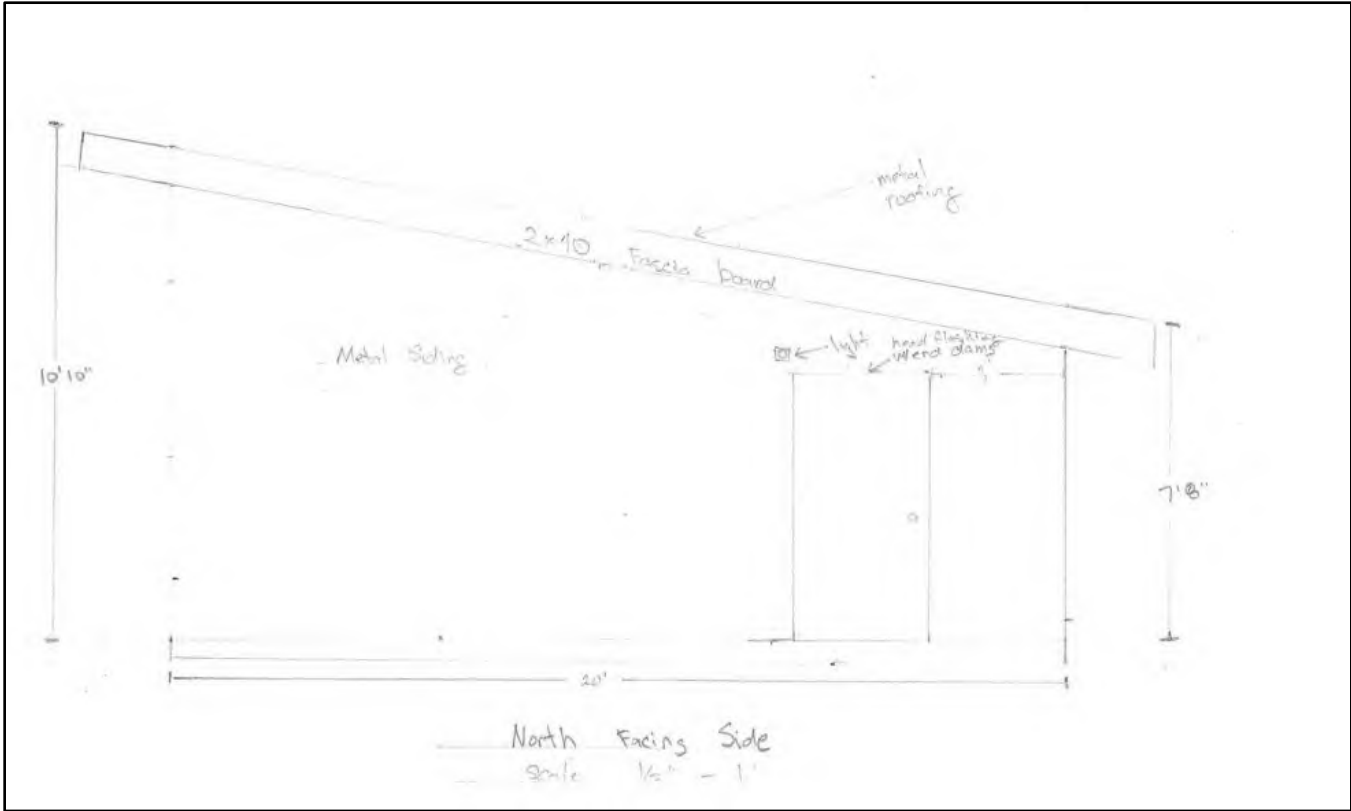


2.2 REVISED SURVEY WITH BUILDING LOCATION (2026)



2.3 BUILDING ELEVATIONS





2.4 SITE PHOTOS



EXISTING DWELLING AND PROPOSED GARAGE LOCATION, LOOKING NORTH



PROPOSED GARAGE SOUTH-WEST CORNER INDICATED BY ORANGE MARKER, LOOKING WEST



SUBJECT PROPERTY INTERIOR SIDE LOT-LINE AND ADJACENT PROPERTY, LOOKING EAST



DRIVEWAY AND PROPOSED GARAGE LOCATION, LOOKING EAST



SUBJECT PROPERTY DRIVEWAY AND ADJACENT PROPERTY VIEW FROM ROAD, LOOKING WEST

Attachment 3

24/03/2026

To: Emily Bryant - Island Trust

From: Mike Telford

Re: Project Narrative PLDVP20260126
2607 Gunwhale Road, Pender Island, BC, Canada

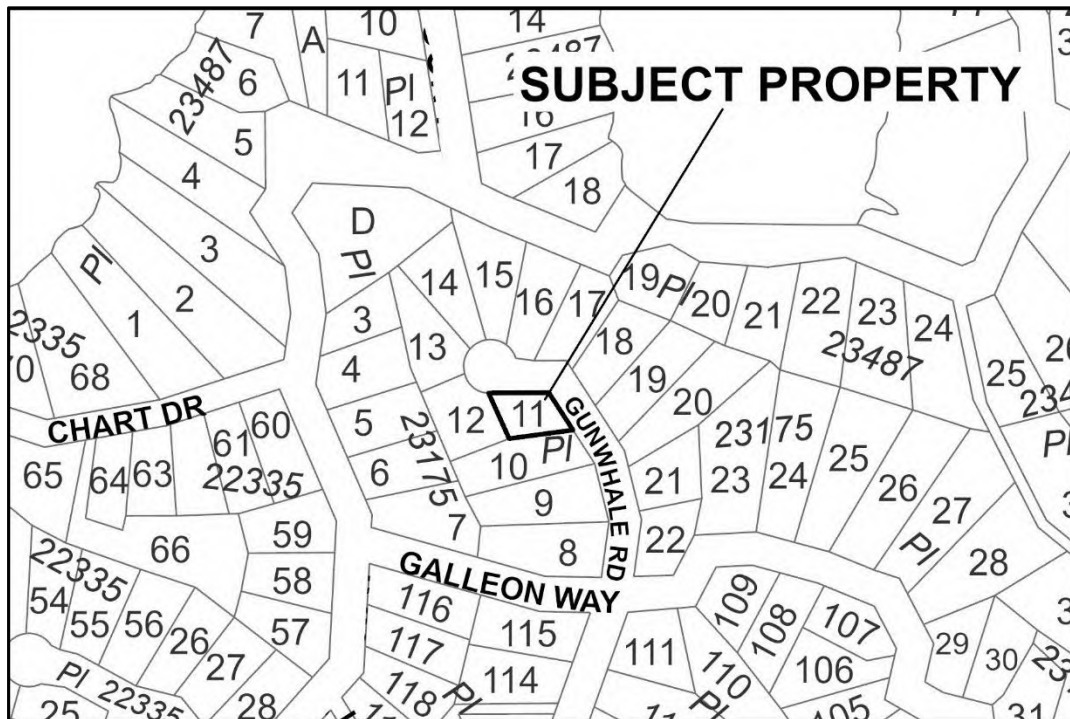
The intention of our application is to build our garage, closer to the property line (0.86m as opposed to the 3m set back). Our original survey which was done after completion of our house foundation, for conditions of our house building permit, was incorrect. It had showed 11.4 m to the property line which would have given us ample space to build this garage. However, it has been discovered that the property line is only 7.39m, which will require us to get a variance. Proper building procedures will be followed in regards to fire protection as defined by building code 9.10.15.5.

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

- Relaxing the interior side lot line setback from 3.0 metres to 0.82 metres for the new construction of an accessory garage building.

The property is located at **2607 Gunwhale Road, North Pender Island** and is legally described as: LOT 11, SECTION 9, PENDER ISLAND, COWICHAN DISTRICT, PLAN 23175 (PID: 002-734-567)

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



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C. V8R 1H8 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **May 8, 2026** and continuing up to and including **May 20, 2026**.

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

Enquiries or comments should be directed to Bruce Belcher, Planner 2 at (250) 405-5179, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 604-660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: southinfo@islandstrust.bc.ca before 4:30 pm, **May 20, 2026**.

The North Pender Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular business meeting starting at **10:00 a.m.** on **May 29, 2026** at **St. Peter's Anglican Church Hall, 4703 Canal Rd, North Pender Island**.

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

Jas Chonk, Deputy Secretary



Islands Trust

PROPOSED Attachment 5

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
PLDVP20260126**

To: Mike Telford

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

LOT 11, SECTION 9, PENDER ISLAND, COWICHAN DISTRICT, PLAN 23175
(PID: 002-734-567)

2. North Pender Island Land Use Bylaw No. 224, 2022 is varied as follows:

a) Subsection 5.1 (5)(b) which states that *the minimum setback for any building or structure shall be 3 metres from any interior side lot line* is varied to permit the construction of an accessory garage building within 0.82 metres of the interior side lot line.

The development shall be consistent with Schedule 'A' which is attached to and form part of this permit.

3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "North Pender Island Land Use Bylaw No. 224, 2022" and to obtain other approvals necessary for completion of the proposed development, including approval of the Capital Regional District and Ministry of Transportation and Transit.

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

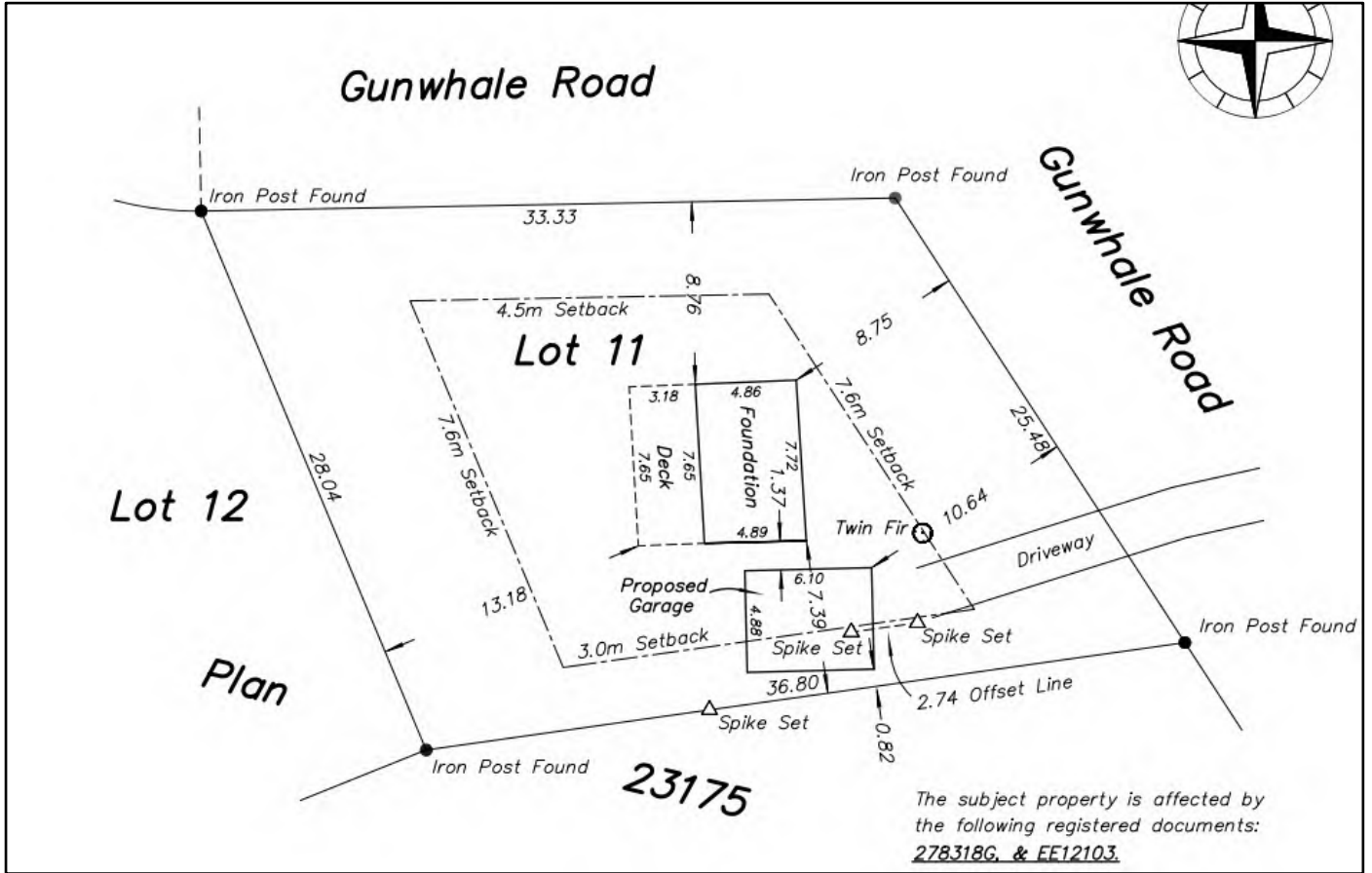
Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ##th DAY OF [MONTH], [YEAR (2 YEARS FROM DATE OF ISSUANCE)] THIS PERMIT AUTOMATICALLY LAPSES.

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
PLDVP20260126

SCHEDULE 'A'





File No.: PL-TUP-2026-0167

DATE OF MEETING: May 29, 2026

TO: North Pender Island Local Trust Committee

FROM: Bruce Belcher, Planner 2
Southern Team

COPY: Mary Storzer, Regional Planning Manager

SUBJECT: PL-TUP-2026-0167
Applicant: Lisa Fleming (Ptarmigan Arts Society)
Location: 4414 Bedwell Harbour Road, North Pender Island

RECOMMENDATION

- 1. That the North Pender Island Local Trust Committee approve issuance of Temporary Use Permit PL-TUP-2026-0167 for a period of three (3) years.**

REPORT SUMMARY

The purpose of this report is to consider a Temporary Use Permit (TUP) for the annual Mosaic arts festival which takes place over three days on August long weekend.

BACKGROUND

The TUP is proceeding following the applicant discussing the festival use with Islands Trust planning staff, who determined that a permit would be required to operate the festival due to the scale of the event. The festival operated for the past two years and the permit application is not the result of bylaw enforcement action stemming from a complaint, rather the applicant wants to ensure the operation is properly permitted.

The subject property is 21.49 hectares (56.3 acres) and is split-zoned Agriculture – AG and Rural variant a – R(a) in the North Pender Island Land Use Bylaw No. 224, 2022 (LUB). The festival use is proposed to take place in the wooded south-west corner of the property, entirely within the AG zone. The property has an existing dwelling and a workshop as well as a community use trail which bypasses the property. The property is used for sheep farming, hay production, and a community garden along with residential and light industrial uses.

The proposed use is a three-day music and arts festival taking place at 4414 Bedwell Harbour Road, which is the property directly east of the Pender Community Hall property. The event is proposed to take place on Friday July 31, 2026 through to Sunday August 2, 2026. The festival includes optional camping, taking place on the same property.

The anticipated maximum total attendance is 800 people, which has been included in the draft permit. The applicant estimates that 450 parking spaces can be provided at the Pender Community Hall parking lot and the adjacent field which has been used for parking during the Pender Fall Fair. The applicant anticipates this to be more than enough parking for the event as carpooling, walking, and cycling are encouraged and

Land Use Bylaw:

The property is split-zoned **Agriculture (AG)** and **Rural variant a (R(a))**. The festival is proposed to take place entirely within the AG portion of the property. Since this use is not permitted in the zoning a TUP would temporarily allow the use under the conditions set out in the draft permit.

The property is within the Agricultural Land Reserve (ALR). The operation of a festival of over 150 people and spanning over 24 hours is not permitted in the ALR since this is not considered part of a farm operation in the Agricultural Land Commission (ALC) Act. The festival use does require a non-farm use application through the ALC. The applicant has been made aware of this requirement and is working with the ALC on the requirements for a non-farm use application for the festival use.

Approval of this TUP application would bring the proposed use into compliance with the Islands Trust regulations. Granting an approval would not exempt the proposal from going through the proper permitting with any other agency including the ALC.

Temporary Use Permit

Sections 492 to 497 of the *Local Government Act* authorizes local governments to temporarily permit a use that would otherwise not be permitted by the land use bylaw by issuance of a Temporary Use Permit. Further, TUPs can include specific conditions to which the use must abide. A Temporary Use Permit may be issued for up to three years and renewed only once (for up to an additional three years). After the renewal TUP expires, the applicant may re-apply for a new Temporary Use Permit.

When the LTC is reviewing a draft TUP for decision, the LTC by resolution can only add additional conditions to a draft permit; a LTC cannot remove conditions from a draft permit without re-advertising. At the time of TUP renewal, no changes to the renewal permit conditions are allowed except for the expiration date.

Circulation

The draft permit was circulated to surrounding property owners and residents on May 8, 2026. The notification period will end on May 20, 2026. No submissions have been received at the time of writing. Any comments received subsequently will be forwarded to the Local Trust Committee and reported at the meeting.

First Nations

There is a known archaeological site on the subject property. There is no proposed development involved in the TUP application. The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff forwarded the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on Heritage Act directly to the applicants.

Rationale for Recommendation

The recommendation on page 1 is supported by staff based on the following:

- The proposed use is clearly identified with attendance and parking requirements included in the draft permit;

- The festival operated at the proposed location for the prior two years with full support from the community, property owner, and no complaints have been received by Islands Trust bylaw enforcement;
- The permit provides conditions consistent with the OCP guidelines to ensure that the use does not have an unreasonable impact on the surrounding area, and, in the event it does, there is the ability to enforce compliance with the TUP.

ALTERNATIVES

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

1. Approve the permit for a shorter time period

The LTC may choose to approve the permit for a shorter time period. Following expiry of the permit the applicant can apply for a renewal of the same permit for a period of up to three years. Approving for a short time period may allow for the use to be tested prior to allowing the use for an extended period of time. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee approve issuance of PL-TUP-2026-0167 for a period of one (1) year.

2. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific 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 _____.

3. 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 refuse application PL-TUP-2026-0167.

Submitted By:	Bruce Belcher, Planner 2	May 7, 2026
Concurrence:	Mary Storzer, Regional Planning Manager	May 15, 2026

ATTACHMENTS

1. Site Context
2. Maps, Plans, Photographs
3. Applicant Letter
4. Notice
5. Draft Permit

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	LOT 2, SECTIONS 18 AND 19, PENDER ISLAND, COWICHAN DISTRICT, PLAN 14577 EXCEPT THAT PART IN PLAN VIP65874
PID	004-229-720
Civic Address	4414 Bedwell Harbour Road, North Pender Island
Lot Size	21.49 hectares

LAND USE


Current Land Use	Agricultural, Residential
Surrounding Land Use	Community Service, Agricultural, Residential

HISTORICAL ACTIVITY

File No.	Purpose
NP-ALR-1995.2	
NP-ALR-1996.1	
NP-RZ-1996.2	
NP-RZ-2000.3	Oct. 30/01 - Bylaw No. 127 Adopted
NP-SUB-1996.3	Subdivision received Final Approval from MOTH Aug 22, 97
NP-TUP-1995.1	
NP-TUP-1997.1	
NP-TUP-1999.1	To operate a design office and workshop in accordance to bylaw No. 103 - too many employees to operate

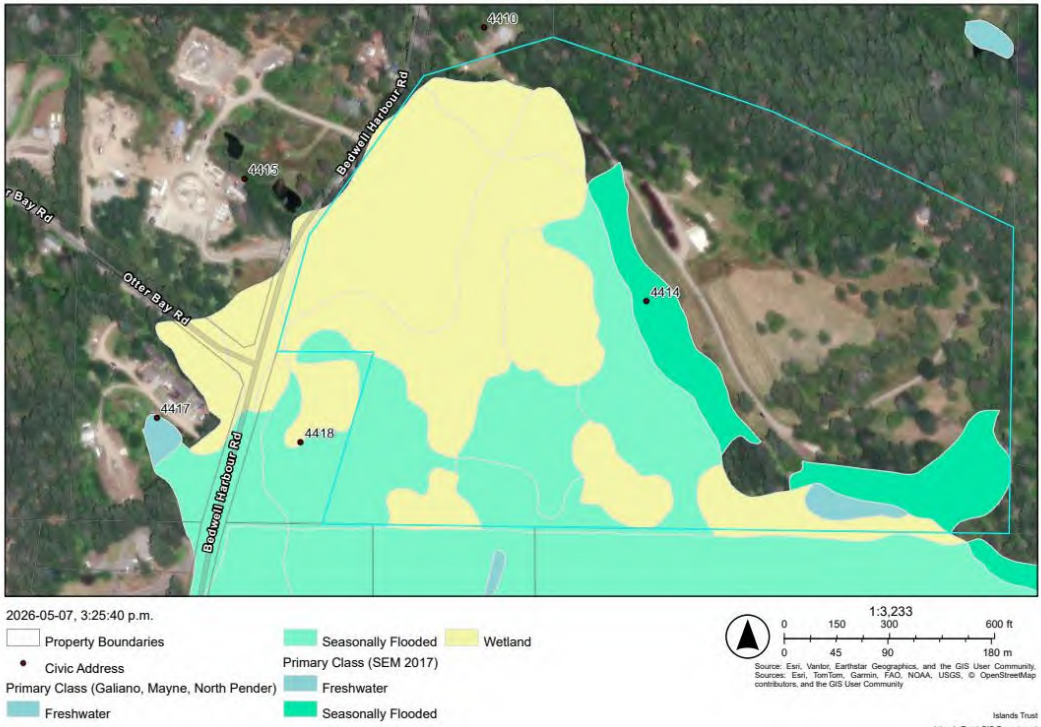
POLICY/REGULATORY

Official Community Plan Designations	Agriculture land designation. Development Permit Area Ten – Riparian and Aquatic (DPA 10)
--------------------------------------	--

	<p style="text-align: center;">Development Permit Areas</p>  <p>2026-05-07, 3:21:20 p.m.</p> <ul style="list-style-type: none"> □ Property Boundaries • Civic Address □ Zoning □ OCP - Land Use Designation ■ DPA 9 - Commercial & Industrial ■ DPA 10 - Riparian and Aquatic (PAPR) <p style="text-align: right;">1:3,233 0 150 300 600 ft 0 45 90 180 m Source: Esri, Vantor, Earthstar Geographics, and the GIS User Community, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community</p> <p style="text-align: right; font-size: small;">Islands Trust Islands Trust GIS Department</p>
Land Use Bylaw	Agriculture (AG) and Rural variant a (R(a))
Other Regulations	Subject to ALR regulations under the ALC act.
Covenants	N/A
Bylaw Enforcement	N/A

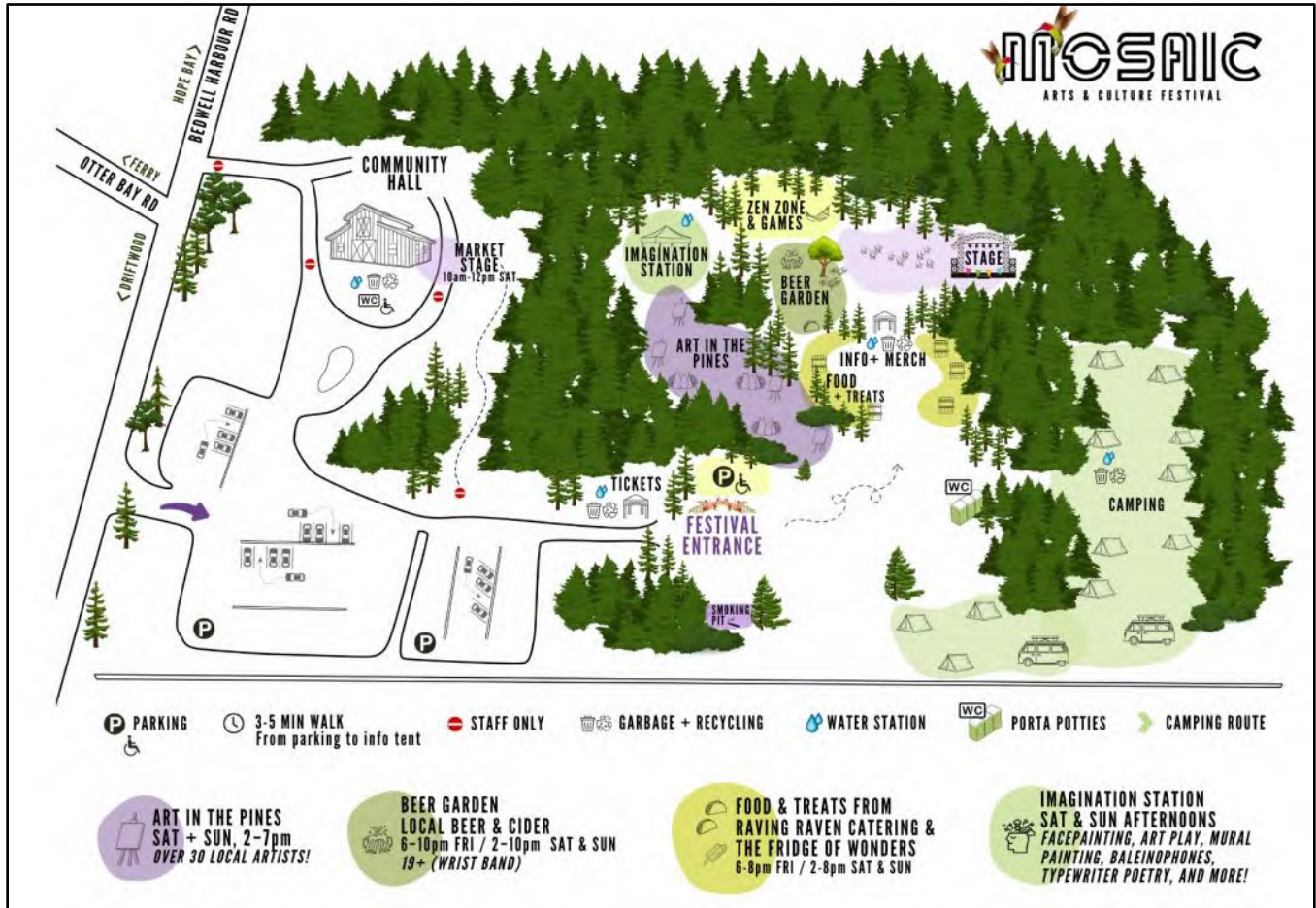
SITE INFLUENCES

Islands Trust Conservancy	The application has no considerations for the Islands Trust Conservancy
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	N/A
Sensitive Ecosystems	Freshwater, Seasonally Flooded, and Wetland sensitive ecosystems:

	<p style="text-align: center;">Sensitive Ecosystems</p> 
Hazard Areas	Moderate to Low-risk steep slopes on property, not in proposal area
Archaeological Sites	<p>Mapping indicates a known archaeological site and archaeological potential on much of the proposed TUP site.</p> <p>Any activity that disturbs or alters recorded or unrecorded archaeological sites in BC requires a permit from the Archaeology Branch. Altering an archaeological site without a permit is prohibited under the Heritage Conservation Act. This applies to sites on public and private land.</p>
Climate Change Adaptation and Mitigation	<p>The application includes consideration of the resources required to support the expected attendance including bringing water onto the site rather than drawing from wells on the property and managing garbage and recycling. There will be an increase of vehicle traffic leading to emissions for the festival, the organization is working to encourage alternative modes of transportation and providing a shuttle service to reduce individual vehicle emissions.</p>
Shoreline Classification	N/A
Shoreline Data in TAPIS	N/A

ATTACHMENT 2 – MAPS, PLANS, PHOTOGRAPHS

2.1 SITE PLAN



2.2 FESTIVAL LOCATION PLAN



2.3 SITE PHOTOS (MAY 14, 2026)



PROPERTY ENTRANCE FROM COMMUNITY HALL PARKING LOT, LOOKING EAST



FIELD PROPOSED FOR PARKING USE, LOOKING SOUTH-EAST



COMMUNITY HALL PARKING, LOOKING WEST



FESTIVAL ENTRANCE, LOOKING EAST



CAMPING FIELD LOCATION, LOOKING EAST



MAIN FESTIVAL AREA, LOOKING NORTH

Attachment 3

Project Narrative

Current use of property:

4414 Bedwell Harbour Road is a 56.3 acre parcel of land that contains an occupied two story house and a workshop. There is a community use trail that bypasses the property. The property is a mix of field and forests, and used for sheep farming, hay production, and a community garden. It is also used for residential and light industrial purposes.

Proposed use of property:

Ptarmigan Arts is requesting a temporary use permit in order to run 2026 Mosaic Festival on a portion of 4414 Bedwell Harbour Road) over the August long weekend. The portion of field where the festival has been held is far from the house and workshop, bordering the Pender Island Community Hall which provides parking and festival services such as kitchen, storage space and a backup venue in case of extreme weather.

Mosaic Festival is a community driven arts festival that celebrates local arts, culture and heritage and provides island residents and visitors with arts experiences that enhance quality of life and community well-being. The festival is small, place based, and has little to no environmental impact. It will be self-contained in terms of power generation (generator) and waste management (portapotties, compost, garbage and recycling handled by Pender Island Waste Management) and provides no demands on infrastructure. The land will be returned to its original state when the festival is over, leaving no trace.

Comments Submitted Via Portal:

Ptarmigan Arts Society is applying for a temporary use permit (TUP) to hold year seven of Mosaic Arts and Music Festival over the 2026 August long weekend on a property adjacent to the Pender Island community hall. Mosaic Festival is a community driven, family-oriented summer festival that celebrates local artists and musicians and provides hands on arts activities and experiences for community members of all ages.

For the last two years, the festival has been held on the grounds behind the Pender Island Community Hall, on private land belonging to Karl Hamson (4414 Bedwell Harbour Road). Karl generously allowed use of his lands for this festival as a gift to the community. We have only recently been informed that we need to apply for a TUP in order to hold future editions of this festival on this property.

In past editions of Mosaic Festival, the land has been treated with the greatest respect, and returned exactly to its original state after the festival. The same will be true in 2026 and in any future editions of the festival. Sustainability is a key goal of the festival, including leaving no trace of our presence on the land. At the festival, information is provided to locals and visitors on local ecosystems and land stewardship through local

community groups such as the Pender Island Conservancy, Pender Ocean Defenders and Parks Canada.

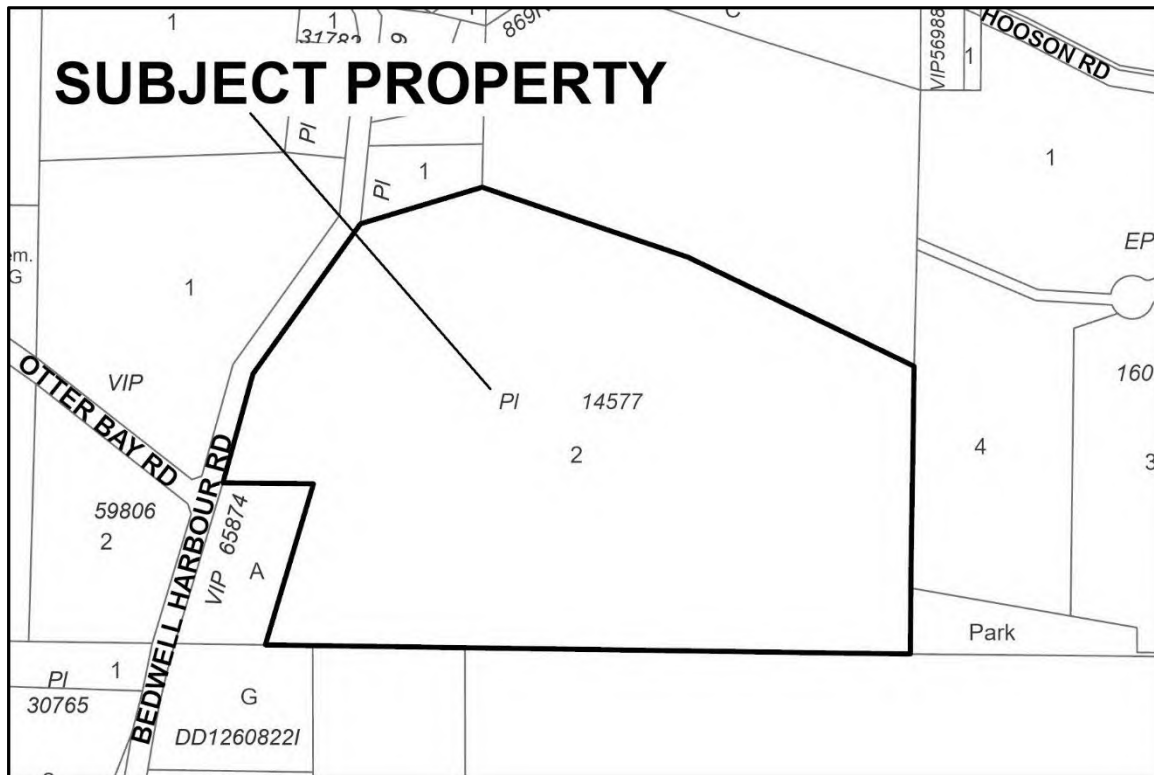
The festival is place based, and has little to no environmental impact. It will be self-contained in terms of power generation (generator), water (brought to site) and waste management (portapotties, compost, recycling and garbage handled by Pender Waste Management) and provides no demands on infrastructure. There are no permanent structures required for the festival, only tents and a temporary stage. The Pender Fire Department will provide emergency use water tanks as a precaution, although smoking is not allowed at the festival outside the smoking area, a policy that is strictly enforced. We have a workforce of experienced volunteers to handle site security, parking, site set up and site clean up.

Overall, Mosaic Festival contributes to quality of life and sense of community on our rural islands. We very much hope the Island Trust will grant a temporary use permit so we can continue to hold this fun and community building event in 2026

NOTICE is hereby given pursuant to Section 494 of the *Local Government Act* that the North Pender Island Local Trust Committee will be considering a resolution allowing for the issuance of a Temporary Use Permit, the proposed permit would apply to LOT 2, SECTIONS 18 AND 19, PENDER ISLAND, COWICHAN DISTRICT, PLAN 14577 EXCEPT THAT PART IN PLAN VIP65874 (PID: 004-229-720). This property is located at 4414 Bedwell Harbour Road.

The purpose of the temporary use permit is to allow the operation of an **annual three-day music festival** on the property located at **4414 Bedwell Harbour Road**.

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



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C. V8R 1H8 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **May 8, 2026** and continuing up to and including **May 20, 2026**.

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

Enquiries or comments should be directed to Bruce Belcher, Planner 2 at (250) 405-5179, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 604-660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: southinfo@islandstrust.bc.ca before 4:30 p.m., **May 20, 2026**.

The North Pender Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular business meeting starting at **10:00 a.m.** on **May 29, 2026** at **St. Peter's Anglican Church Hall, 4703 Canal Rd, North Pender Island**.

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

PROPOSED

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
TEMPORARY USE PERMIT
PLTUP20260167**

4414 Bedwell Harbour Road, North Pender Island

To: Lisa Fleming (Ptarmigan Arts Society)

1. This Permit applies to the land described below:

LOT 2, SECTIONS 18 AND 19, PENDER ISLAND, COWICHAN DISTRICT, PLAN 14577 EXCEPT THAT PART IN PLAN VIP65874
(PID: 004-229-720)

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

a) A three (3) day annual outdoor music festival ('festival')

Within the Temporary Use Permit Areas indicated as 'Mosaic Music Festival', 'Parking', and 'Camping' on Schedule 'A' and Schedule 'B' attached to and forming part of this permit.

3. The use permitted in Section 2 may be carried out in the Temporary Use Permit Areas subject to the following conditions:

- a) the permit holder or designated contact person must be available on North Pender Island by telephone 24 hours a day during the dates of the festival, and the person's name and contact number(s) must be clearly posted outside the entrance as shown on Schedule 'B' during each annual recurrence of the festival;
- b) the permit holder must provide neighbours within a 100-metre radius of the property with the contact person's phone number, and a copy of the temporary use permit for each annual recurrence of the festival;
- c) the permit holder must post emergency services contact information in visible locations throughout the festival area;
- d) the maximum number of attendees is limited to 800 persons including volunteers and staff;
- e) camping is restricted to the area designated as 'Camping' on Schedule 'B';
- f) the owner must provide on-site parking for 450 vehicles on the property in the areas designated for parking on Schedule 'B';
- g) the holder of this Permit, will be held accountable for any violation of the conditions of this Permit. The Islands Trust Bylaw Investigations Officer may enter the property at any time during the festival without prior consultation with the holder of the Permit for the purpose of investigating a complaint.

4. This permit is valid for **three (3)** years from date of issuance of the permit and upon expiry of

the permit the owner of the site shall discontinue the temporary use to the satisfaction of the Islands Trust, or apply for a renewal of this permit.

5. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "North Pender Island Land Use Bylaw No. 224, 2022" and to obtain other approvals necessary for completion of the proposed development, including approvals from the Capital Regional District, Island Health and Ministry of Transportation and Transit.

AUTHORIZING RESOLUTION PASSED BY THE NORTH PENDER ISLAND LOCAL TRUST COMMITTEE THIS ##TH DAY OF MONTH, 202#.

Deputy Secretary, Islands Trust

Date Issued

PROPOSED



Islands Trust

PROPOSED

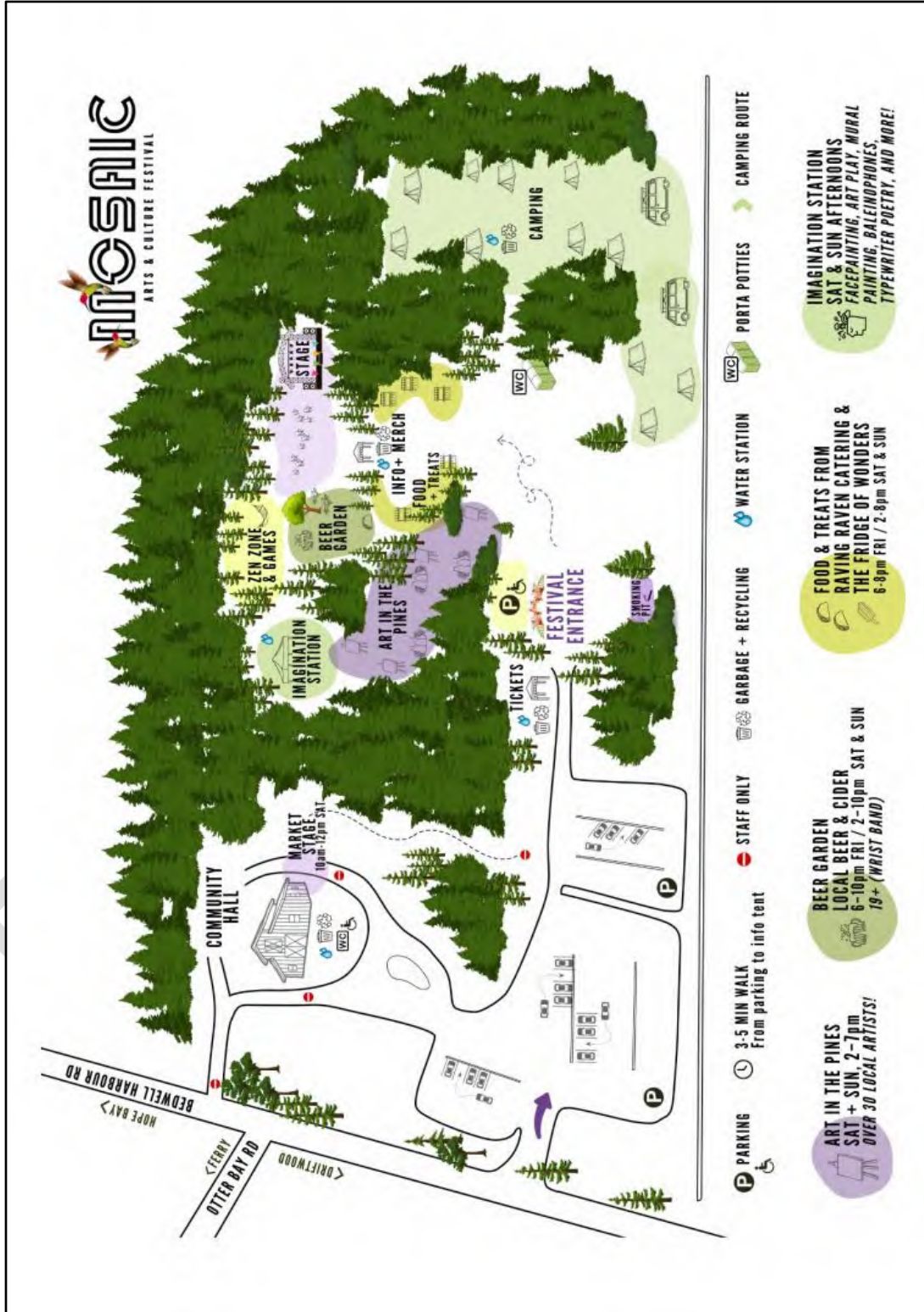
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
TEMPORARY USE PERMIT
PLTUP20260167

SCHEDULE 'A' – Permit Area



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
 TEMPORARY USE PERMIT
 PLTUP20260167

SCHEDULE 'B' – Festival Site Plan





DATE OF MEETING: May 29, 2026
 TO: North Pender Island Local Trust Committee
 FROM: Southern Team
 COPY: Mary Storzer
 SUBJECT: Rezoning Application – Stormwater Management Plan
 Applicant: Braedon Bigham - Big Digem Contracting
 Location: 3334 Port Washington Road, Pender Island

RECOMMENDATIONS

1. **That the North Pender Island Local Trust Committee receives the Industrial Wastewater/Stormwater Management Plan Report for rezoning application PL-RZ-2024-0110 (Bigham), dated May 19, 2026, and directs that if rezoning is approved, as a requirement of rezoning the applicant will be required to enter into a *Land Title Act* section 219 covenant with the Local Trust Committee for aspects of stormwater management including:**
 - a) **The installation of an engineered surface water capture and treatment system, including an oil interceptor installed with an upstream catch basin and overflow piping, to be installed prior to issuance of any building permit in the industrial zoned area, and designed with capacity based on current storm precipitation data at time of development,**
 - b) **The submission of a manual for operation and maintenance of the engineered surface water capture and treatment system, prior to issuance of any building permit in the industrial zoned area, and based on current regulatory standards at time of development and site specific design parameters.**

REPORT SUMMARY

The purpose of this staff report is to provide an update on rezoning application PL-RZ-2024-0110 (Bigham), including the submission of an Industrial Wastewater/Stormwater Management Plan report from the applicant.

The above recommendation is supported as:

- A professional engineer concludes that the proposed management system provides effective management of all stormwater captured by impermeable and permeable surfaces on site;
- Staff, including the Senior Freshwater Specialist, have reviewed the application and identified some lack of clarity in engineers report. However, Staff are reasonably satisfied that the recommended approach, including the installation of an engineered surface water capture and treatment system, will adequately mitigate stormwater runoff impacts to the environment;
- More detailed planning will be necessary to further inform other regulatory processes that will be required to be adhered to as development proceeds should rezoning be approved, including building permit approval following BC Building Code regulations for stormwater management,; and

- Establishing conditions in a s. 219 covenant will ensure that installation of an engineered surface water capture and treatment system will occur prior to further industrial development on the site, including ongoing and maintenance.

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 January 10, 2026 meeting, the LTC received draft bylaw No. 242, and directed staff to initiate bylaw referrals. Staff are still working through referral responses. Staff will bring a complete package of referral responses to the LTC for further consideration, likely at the July 17, 2026 meeting.

Staff are now seeking direction from the LTC on the Industrial Wastewater/Stormwater Management Plan report that has been submitted by the applicant.

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.

A final plan has now been submitted (Attachment 1). Staff, including the Senior Freshwater Specialist, have spent consider time reviewing the document with the applicant’s engineering firm. The report includes information on:

- Background and site conditions
- Consideration of Industrial Wastewater
- Stormwater management design criteria
- Surface water management
- Spill response
- Monitoring and reporting

The engineer concludes that:

Overall, the proposed stormwater management system provides effective management of all stormwater captured by impermeable and permeable surfaces on site. The proposed approach minimizes impacts on the environment and adjacent property and limits design storm flows to pre-development levels.

Staff provide the following comments

- There is no proposed production of “Industrial Wastewater” on the site as defined by provincial regulation;
- Stormwater retention for permitted buildings and structures must follow BC Building Code requirements, which would be further calculated at time of building permit approval;
- The installation of an engineered surface water capture and treatment system with overflow capacity is intended to reduce ecological impacts of contaminated surface water run-off from the site during precipitation events;
- While preferred, at this early stage, the engineer concludes that more detailed site specific engineering system design is not readily feasible and that future design will be required to follow regulatory standards;
- A more detailed operations and maintenance procedure will be required for the engineered surface water capture and treatment system, based on future site specific design.

To ensure that an separator system is installed at the site and is managed effectively, should the application proceed to approval, staff recommend that the LTC require the applicant to enter a s. 219 covenant with the LTC that requires conditions for:

- a) The installation of an engineered surface water capture and treatment system, with overflow capability, to be installed prior to issuance of any building permit in the industrial zoned area, and designed with capacity based on current storm precipitation data at time of development
- b) The submission of a manual for operation and maintenance of the engineered surface water capture and treatment system prior to issuance of any building permit in the industrial zoned area, based on current regulatory standards at time of development and site specific design parameters.

Terms of Reference

The submission of the stormwater management plan report completes all of the reporting requirements as laid out in the Terms of Reference that was issued in December of 2024 (Attachment 2).

Staff have no further reporting requirements at this time. The LTC could direct that more information be provided on any aspects of the application.

Updated Site Plan

Staff understand that the applicant may bring forward changes to the current site layout to improve traffic flow at the site and minimize use of the roadway. If changes are proposed, an updated site plan will be required to be submitted by the applicant.

Should the application proceed to approval, staff recommend that the final site plan also be included as a s.219 covenant condition, to further describe how and where future development may occur on the land base.

Consultation

Agency and First Nation Referrals

As indicated above, staff are still working through referral responses.

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, 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:

- A professional engineer concludes that the proposed management system provides effective management of all stormwater captured by impermeable and permeable surfaces on site;
- Staff, including the Senior Freshwater Specialist, have reviewed the application and identified some lack of clarity in engineers report. However, Staff are reasonably satisfied that the recommended approach, including the installation of an engineered surface water capture and treatment system, will adequately mitigate stormwater runoff impacts to the environment;
- More detailed planning will be necessary to further inform other regulatory processes that will be required to be adhered to as development proceeds should rezoning be approved, including building permit approval following BC Building Code regulations for stormwater management,; and
- Establishing conditions in a s. 219 covenant will ensure that installation of an engineered surface water capture and treatment system will occur prior to further industrial development on the site, including ongoing and maintenance.

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

Staff will bring bylaw referral information back to the LTC at the July 17, 2026 meeting.

Submitted By:	Brad Smith, Island Planner	May 15, 2026
Concurrence:	Mary Storzer, Regional Planning Manager	May 19, 2026

ATTACHMENTS

1. Stormwater Management Plan, Dated 19 May, 2026
2. Terms of Reference

Date: May 19, 2026

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

Attn: Brad Smith

Prepared By: MSR Solutions Inc.

Subject: 3334 Port Washington Road – Industrial Wastewater/Stormwater Management Plan

1. Introduction

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

2. Background

MSR Solutions Inc. (MSR) has been retained to develop an Industrial Wastewater/Stormwater Management Plan for the rezoning application. The property is currently zoned as rural “R” for rural uses and is seeking to rezone to a Light Industrial Zone (GI) which allows for the property to be used as a contractor yard, storage, handling of goods and vehicles, and one accessory dwelling.

It is requested in a letter from Islands Trust, regarding the “Terms of Reference for Rezoning Application PLRZ20240110 (Bigam) - 3334 Port Washington Road, North Pender Island (PID 005-837-693)” and dated December 18, 2024, that an Industrial Wastewater/Stormwater Management Plan addresses requirements to minimize impacts on the environment and adjacent properties. The stormwater management plan will be based on the 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.
- c. Compliance monitoring and reporting.

Applicable bylaws include the North Pender Land Use Bylaw No. 224 (2022) and North Pender Island Official Community Plan Bylaw No. 171 (2007). Section 8.14 in the Land Use Bylaw No. 224 outlines drainage standards, with the OCP Bylaw No. 171 suggesting a preference for porous or permeable surfaces while minimizing impervious surfaces, with swales and open ditches rather than curb and gutter systems.

Stormwater works and onsite drainage requirements must be capable of conveying the peak rate of runoff from a 10-year storm for the entire drainage basin, per Land Use Bylaw No. 224. Additionally, a stormwater management design references the BC Building Code (BC Ministry of Housing, 2024), and the Climate Projections for the Capital Region (CRD, 2024) for climate change considerations.

3. Site Conditions

MSR conducted a site visit on June 24, 2025, to assess the proposed works and investigate the site properties. The lot currently consists of aggregate storage, modular storage shelters, and some work vehicle parking, all in a gravel area. The site has an overall south-facing slope at an approximated 30% average grade, with a level area along Port Washington Road used for the current site activity. Natural drainage on site travels towards the south and is collected and conveyed by a roadside ditch along Port Washington Road sloping slightly towards the west. Beyond the current site uses (refer to Figures 1 and 2), the property is primarily forested and has one water well located approximately midway up the hill. Drainage swales exist along the east and west property lines which channels runoff from the subject property and neighboring sites to the roadside ditch along Port Washington Road.



Figure 1: Site Photo Looking Northeast



Figure 2: Site Photo Looking North

A new shop and an office are proposed, which will be the contributing factors to stormwater runoff, with the introduction of impermeable area on site. Machine and vehicle washing activities will be offsite, so no industrial wastewater will be produced and introduced into the stormwater conveyance system. Aggregates stored on site

are primarily rock and sand products, which will not introduce silts or industrial waste. Topsoil stored on site with the potential for sediment runoff downstream will remain covered.

The currently developed area of the lot is a gravel space and shall remain as such aligning with the General Commercial Policies, Section 2.4.10 of the OCP Bylaw No. 171, favouring porous and permeable surfaces for parking areas and minimizing the impervious surfaces on site. Should this area be paved at any time, it is noted that Section 5(e) in the OCP Bylaw No. 171 requires that paved areas shall include oil/water separator(s).

4. Industrial Wastewater

There are no industrial activities proposed for the current site that will produce industrial wastewater. Staff washrooms located in the proposed building will discharge to an onsite sewage treatment system registered under the Sewerage System Regulation in accordance to best practices outlined in the Sewerage System Standard Practice Manual.

5. Effective Management of Stormwater

The proposed onsite stormwater management system will collect stormwater from roof leaders and discharge to a catch basin for overflow and equalization into a form of stormwater storage. The storage allows for the attenuation of stormwater during peak events with gradual infiltration overtime. The catch basin and storage mechanism will be equipped with a restricting outlet and overflow, discharging to the south end of the property.

5.1. Design Criteria

Post-development flows must be equal to pre-development flows for developments. Stormwater storage offers infiltration and stormwater attenuation to displace the increased stormwater runoff generated by impermeable areas. The release rate of the attenuation storage will be controlled to no more than the equivalent pre-development flow rate.

A local Intensity-Duration-Frequency (IDF) curve for the site was generated to determine a locally relevant amount of rainfall and attenuation storage required. Ungauged location IDF's are determined by IDF_CC Web-based Tool for Updating Intensity-Duration-Frequency Curves to Changing Climate – ver 8.0 (Simonovic et. Al., 2015). The design storm considered is a 15-minute storm duration at a 10-year return period, with a time of concentration of 10 minutes. This design storm meets the requirements in Appendix C of the BC Building Code and the North Pender Land Use Bylaw No. 224 stormwater management requirements.

5.2. Climate Change Considerations

Based on the Climate Projections for the Capital Region (2024), the annual average increase in precipitation is expected to rise by 15% by the 2050's and 25% by the 2080's. The largest seasonal increase is expected in the winter at 25% by the 2050's and 34% by the 2080's. Comparable to the anticipated design life of storm and wastewater infrastructure, a 50-year forecast is applied based on the largest projected increase being in the winter, adding a factor of 34% to the intensity of post-development design flows.

5.3. Hydrology Analysis Method

The design 15-minute, 10-year storm per the IDF curve is 31.5 mm/hr, and when considering climate change, indicates an intensity of 42.3 mm/hr. Applying the rational equation, the pre- and post- development design flows are calculated.

$$Q = \frac{CIA}{360} \quad \text{(Equation 1)}$$

Where ‘Q’ is the discharge of watershed (m³/s), ‘C’ is the surface water runoff coefficient (unitless), ‘I’ is the rainfall intensity (mm/hr) according to the IDF curve and with respect to the time of concentration ‘Tc’, and ‘A’ is the tributary area (ha).

The runoff coefficient is derived by the weighted average of the sub-coefficients and their respective areas as provided in Tables 1 and 2. A pre-development coefficient of 0.5 is selected for gravel roads and parking areas, which is a conservative equivalent to light industrial areas. In addition to a runoff coefficient of 0.5 being representative of light industrial areas, it strikes a balance between coefficients used in standard engineering practice for asphalt or brick paved surfaces which are less permeable, and heavier soils which are more permeable. Runoff coefficients are determined by InfoSWMM (2021), the industry-leading software program used to model complex stormwater networks, and Engineering Hydrology Principles and Practices (Ponce, 2014) which cites peer reviewed reference material from the Design and Construction of Sanitary and Storm Sewers, ASCE Manual of Engineering Practice No. 37, 1960.

A post-development coefficient of 0.9 is used as a typical design value for impermeable areas, obtained from the same resources.

The runoff coefficients are therefore considered appropriate for design purposes and consistent with standard engineering practice, to represent conditions over the design storm in both dry and wet seasons. The design storm criteria are based on a 10-year return period event representing a statistically independent occurrence, with no requirements within the governing regulations to account for consecutive storm events or varying antecedent moisture conditions beyond this basis.

5.3.1. Pre-Development & Post Development Flows

Pre-development and post-development flows are calculated based on the estimated surface area of the proposed shop and office. Pre-development flows were calculated based on a storm intensity of 31.5 mm/hr, and the area and coefficients seen in Table 1.

Table 1: Pre-Development Runoff Coefficients

Surface	Area (m ²)	Runoff Coefficient
Shop	149	0.50
Office	9	0.50
Total	158	0.50

Applying Equation 1, the resulting pre-development flow equates to 0.69 L/s. Post-development flows were calculated based on a storm intensity of 42.3 mm/hr, and the area and coefficients seen in Table 2.

Table 2: Post-Development Runoff Coefficients

Surface	Area (m ²)	Runoff Coefficient
Shop	149	0.90
Office	9	0.90
Total	158	0.9

Applying Equation 1, the resulting design flow equates to 1.67 L/s.

5.3.2. Attenuation Storage Requirements

The attenuation storage requirements are determined by the difference in pre- and post-development flows over the duration of the storm, shown by Equation 2.

$$Q_{storage} = Q_{post} - Q_{pre} = 0.98 \text{ L/s} \quad (\text{Equation 2})$$

Multiplying $Q_{storage}$ by a 15-minute storm duration, the attenuation volume is 0.88 m³.

5.4. BC Building Code Method

For stormwater retention sizing the BC Building Code, Appendix C – Climatic and Seismic Information for Building Design in Canada, can be used. The BC Building Code calculation uses the 15-minute design rainfall depth provided in Table C-2 for Climatic Design Data for Selected Locations in British Columbia, multiplied across the impervious area of the development.

A rainfall depth of 8 mm listed for the Victoria region is used, which, across 158 m² of impermeable area only (Table 2), requires 1.3 m³ of storage.

6. Surface Water Quality Management

The gravel surface of the existing contractor yard has an estimated runoff coefficient of 0.5 as described in Section 5.3, suggesting that half of all rainwater that falls on the surface will infiltrate, while the remaining half has the potential to travel overland. Machinery used in the yard has the potential to release small drips of oil or other sources of hydrocarbons, which, if not captured, have the potential to travel over land and downstream through existing water courses. To mitigate any potential environmental impacts, two approaches are proposed – surface water capture and treatment through an Oil Interceptor (OI), and a comprehensive spill response plan.

6.1. Surface Water Capture and Treatment

A schematic sketch of the proposed surface water capture and treatment strategy can be seen in the drawings provided in Appendix A. The existing gravel yard will be graded to direct and capture overland flow through catch

basins positioned at low points. The catch basins will serve to capture sediment as surface water flows through and is discharged into a PVC stormwater collection pipe. The collection pipe will convey flows received from each of the catch basins into and OI. The OI is sized based on providing 0.25 m² of surface area for every 1 L/s 6-month storm design flow, in keeping with practices common to municipalities such as Saanich and Langford.

The proposed OI is a Langley Precast Type II Interceptor, installed with an upstream catch basin and overflow piping. As illustrated on the site plan in Appendix A, the Type II Interceptor satisfies the site conditions and design storm. The overflow will only be used in high-flow scenarios, where the design storm is exceeded. High-flow conditions will initially utilize the interceptor like a “first flush” concept, where the highest concentrations of sediments and contaminants are initially mobilized by a storm event and will be treated. High flows that develop as the time of concentration is realized will have significantly reduced contaminant concentrations. An overflow also mitigates risk against the re-suspension of captured contaminants with turbulent high flow conditions, hydraulic overloading of the interceptor, and surcharging and backing up of the system which could occur without an overflow installed.

6.2. Comprehensive Spill Response Plan

In the event of an oil spill, a Spill Response Plan, outlined in Appendix B, will be followed.

7. Gravel Basin Design and Construction Considerations

The greater of the attenuation volumes calculated by the Hydrology Analysis method and the BC Building Code is used for the stormwater storage design. The storage requirement is therefore 1.3 m³.

A gravel detention basin is proposed to provide the site storage as gravel basins are simple, low maintenance, and flexible in depth and footprint allowing to best suit the site constraints. Stormwater is stored in the void spaces between the gravel, therefore, a void ratio of 40% is used for a pea gravel or drain rock.

The minimum required gravel volume of is approximately 3.3 m³. Limiting the excavation and gravel basin depth to 0.9 m below grade and keeping a cover soil layer of 0.3 m, the footprint of the gravel basin is proposed at 2.3 m long and 2.3 m wide.

A standard 600 mm diameter concrete lawn basin with a depth of 1.2 m is proposed to collect the stormwater from the inlet leaders, equalizing with the gravel basin, and containing a restricting outlet and overflow. An allowable release rate equal to pre-development flows (Section 5.3.1.) requires a control orifice installed on the catch basin outlet. The orifice shall be 25 mm (1”) in diameter to release a pre-development flow rate of 0.69 L/s. A 100 mm overflow and discharge pipe will convey the stormwater to the discharge point on the south side of the property and into the roadside ditch.

Actual underlying soil conditions at the point of discharge are unknown, so storage is provided assuming that no infiltration takes place. Realistically, some stormwater will infiltrate into the soils across the base area of the gravel basin. Using a baseline infiltration rate of 2 mm/hr suggested by the City of Victoria Professional Rainwater Management Standards (June 2015) as a conservative general value, it is expected that up to 0.26 m³ may infiltrate away each day while the chambers are flooded.

Preliminary plan and detail drawings of the proposed system can also be seen on the design drawings in Appendix A.

8. Monitoring and Reporting

There are no monitoring or reporting requirements defined for the proposed stormwater management system.

For a new building under the BC Building Code, a Schedule B is required for the Assurance of Professional Design and Commitment for Field Review, and governs areas of plumbing such as roof drainage systems, and maintenance manuals for plumbing systems. A Schedule C-B after project completion Confirms the Registered Professional of Record fulfilled their obligations under Schedule B, including the issuance of a maintenance manual.

An O&M manual will therefore be issued by MSR in accordance with the BC Building Code, conditional to rezoning approvals the installation of the stormwater system as proposed. The O&M manual will address, but is not limited to the inspection frequency, sediment and hydrocarbon removal, clean-out triggers, record keeping, and responsibility for maintenance.

Any future onsite sewage system will have a separate operations and maintenance procedure defined following design of the system.

9. Conclusion

A rezoning application has been submitted for 3334 Port Washington Road, on Pender Island, BC, which is requiring an industrial stormwater management plan to address changing surface conditions on site. A site investigation and calculations in accordance with the BC Building Code and Islands Trust regulations prove that an on-site stormwater attenuation system is feasible. A gravel basin storage system offers an attenuation volume of 1.3 m³, meeting the minimum storage volumes required by the hydrology analysis method and the BC Building Code.

The proposed stormwater infrastructure will accommodate stormwater generated by the proposed additional impermeable area on site. A 25 mm diameter orifice allows for a discharge flow equal to pre-development conditions through a 100 mm discharge system. Infiltration occurring through the footprint of the gravel basin offers an additional contingency factor to the storage volume.

Surface water flows are proposed to be captured through a series of catch basins, located at low points throughout the gravel yard. Flows captured in the basins will direct water through a Langley Precast Type II Interceptor equipped with an overflow, capturing hydrocarbons and any remaining silt and debris before the stormwater is discharged to ditch located on the west side of the property. Any oil spills that occur onsite will be managed by following a comprehensive Spill Response Plan.

Overall, the proposed stormwater management system provides effective management of all stormwater captured by impermeable and permeable surfaces on site. The proposed approach minimizes impacts on the environment and adjacent property and limits design storm flows to pre-development levels.

Prepared By:



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Appendix A: Preliminary Drawings



GENERAL NOTES

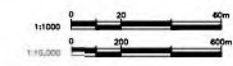
1. WORK TO BE COMPLETED DURING DRY WEATHER ONLY.
2. ALL WORKS TO BE COMPLETED AS PER CURRENT BY-LAWS AND LATEST EDITION OF THE BC BUILDING CODE.
3. ALL CONSTRUCTION AND MATERIALS TO BE IN ACCORDANCE WITH THE LATEST EDITION OF THE WATER MUNICIPAL CONSTRUCTION DOCUMENTS (MWC) AND THE BC BUILDING CODE 2024, UNLESS OTHERWISE NOTED.
4. IN A CONFLICT BETWEEN THE SPECIFICATIONS, THE MOST STRINGENT SPECIFICATIONS SHALL APPLY.
5. ANY COMMENTS WITH THESE DRAWINGS AND SETS CONSIDERS TO BE REPORTED TO PROJECT PRIOR TO CONSTRUCTION.
6. CONFIRM LOCATION AND ELEVATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION CONTACT BC CALL FOR UNDERGROUND UTILITY LOCATIONS.
7. LOCATE STORMWATER COLLECTION AND CONVEYANCE WORKS ACCORDINGLY WITH SETS GRADING TO CAPTURE SURFACE RUNOFF.
8. CONTRACTOR TO OBTAIN ALL PERMITS AND APPROVALS AS REQUIRED PRIOR TO CONSTRUCTION.
9. CONTRACTOR NOT TO COMMENCE BACKFILL OPERATION UNTIL THE EXCAVATION AND WORKS HAVE BEEN APPROVED BY THE ENGINEER.
10. CONTRACTOR TO OBTAIN POWER FROM CREEPERS TO EXPOSE OR REMOVAL OF SOILS ON THE SITE.
11. EQUIPMENT TO BE IN ACCORDANCE WITH THE MANUFACTURERS LITERATURE ON BACKFILL AND COMPACTION.
12. ALL FINE SEDIMENT AND BACKFILL AS PER MANDATED SPECIFICATIONS.
13. EXCAVATE TO LINES AND LEVELS NECESSARY TO COMPLETE THE WORKS. MINIMUM SIDE SLOPES OF EXCAVATIONS SHALL NOT EXCEED 1:1 IN SOIL AND 1:2.5 IN ROCK. UNLESS NOTED OTHERWISE BY GEOTECHNICAL CONSULTANT.
14. BACKFILL TO DIMENSIONS INDICATED IN LAYERS NOT TO EXCEED 300MM. ALL BACKFILL SHALL BE COMPACTED TO M65 STANDARD PROCTOR DENSITY AT OPTIMUM WETTING CONTENT.
15. IF ARCHAEOLOGICAL MATERIAL IS ENCOUNTERED, STOP ALL EXCAVATION AND CONSULT A QUALIFIED ARCHAEOLOGIST PRIOR TO THE CONTINUATION OF WORKS.

DESIGN NOTES

16. LENGTH, WIDTH, AND DEPTH OF GRAVEL PIT TO BE CONFIRMED ON SITE. FIELD FIT AS REQUIRED. MAINTAIN A MINIMUM CUBIC VOLUME OF 3.3 m³ AND MINIMUM 10% OF COVER SOIL OVER THE GRAVEL.
17. MAINTAIN A MINIMUM OF 12% INVERT SLOPE FROM BOTTOM OF CHAIN PIT TO BACKSLOP.
18. DIRECT STORMWATER RESTRICTING OUTLET AND OVERFLOW DISCHARGE TO DRAINAGE COURSE.
19. LOCATE STORMWATER WORKS OUTSIDE OF DRIVEWAY AND PROTECT FROM VEHICULAR TRAFFIC.
20. YARD SITE TO BE GRADED TO COLLECT SURFACE WATER TO COMMON CATCH BASINS. ADDITIONAL BASINS TO BE ADDED AS REQUIRED. STORM COLLECTION PIPE TO CONVEY FLOW TO AN INTERCEPTOR.
21. OIL INTERCEPTOR SIZED BASED ON ESTIMATED YARD AREA. NO UPSTREAM CATCH BASIN AND OVERFLOW PIPING REQUIRED IF USING LANGLEY PRECAST TYPE II INTERCEPTOR.

EROSION AND SEDIMENT CONTROL

22. TO PROTECT THE SOIL, WATER, AND VEGETATIVE RESOURCES OF THE DEVELOPMENT, ONLY THOSE AREAS NECESSARY TO CONSTRUCT THE WORKS AND SERVICES CONTAINED IN THE ENGINEERING DRAWINGS ARE TO BE DISTURBED.
23. PRIOR TO AND DURING CONSTRUCTION, THE CONTRACTOR SHALL TAKE FULL RESPONSIBILITY FOR CONTROLLING EROSION AND SEDIMENT TRANSPORT BY USING BEST MANAGEMENT PRACTICES AS CONSTRUCTED BY INTERCEPTOR DEVICES, BEST PRACTICES, BEST PRACTICES, SEDIMENT CONTROL PONS, SEDIMENT TRAPS, STAGED GRAVEL FILTERS, OR OTHER METHODS HE MAY DEEM NECESSARY TO PREVENT DISCHARGE OF SEDIMENT TO WATERCOURSES.
24. THE CONSULTANT ASSUMES NO RESPONSIBILITY FOR DAMAGES RESULTING FROM IMPROPER EROSION AND SEDIMENT CONTROL MEASURES UNDERTAKEN BY THE CONTRACTOR.
25. PRIOR TO SUBSTANTIAL COMPLETION THE CONTRACTOR SHALL PREPARE AND REVIEW WITH THE OWNER A PLAN WHEREBY THE OWNER WILL UPON FINAL COMPLETION ASSUME RESPONSIBILITY FOR CHECKING EROSION AND SEDIMENT CONTROL MEASURES ON THE SITE.



ISSUED FOR APPROVAL
MAY 2026

ISLANDS TRUST

REV.	DESCRIPTION	DATE	DRAWN	CHECKED	APPR
3	ISSUED FOR APPROVAL	2026.05.19	LN	JA	MS
2	PRELIMINARY	2026.03.05	TM	JA	MS
1	PRELIMINARY	2025.07.22	AM	LN	MS

MSR SOLUTIONS INC.
 125-116 COLLESTREE AVENUE, LANGFORD BC V1M 1R6
 TEL: (250) 470-5164
 www.msrinc.com

ISSUED	SCALE: AS SHOWN	CLIENT: BIG DIG'EM EXCAVATING LTD
DESIGN: JA	PROJECT: 3334 PORT WASHINGTON RD	
DRAWN: TM	SITE PLAN	
CHECKED: JA	PROJECT NO.: 25-470	SHEET NO.: 1 OF 2
APPROVED: MS	DRAWING NO.: C01	REVISION NO.: 3

Appendix B: Spill Response Plan

Emergency Response to Spills

Procedures for Initial Actions

TABLE 1 INITIAL ACTIONS PROCEDURE

Sequence	Action
1.	Ensure safety of all personnel.
2.	Evaluate hazards and risks.
3.	Notify all on-site contractors and bystanders of spill
4.	Remove all sources of ignition.
5.	Internal and external notification process.
6.	Stop the spill if safely possible. Use the contents of the spill kit to aid in stopping the spill if safe to do so.
7.	Contain the spill – use contents of spill kits to place sorbent materials on the spill and refer to typical containment methods below.
8.	Notify all required parties of the spill event and report the spill if the spill volume is above reportable amount.
9.	Take appropriate action to dispose of materials used to contain spill.
10.	Contact appropriate personnel for site remediation procedure.
11.	Post-Incident evaluation procedure.

Procedures for Containing and Controlling a Spill

The following provide key procedures to containing and controlling a spill.

- Identify and address the appropriate incident level;
- Initiate spill containment by first determining what will be affected by the spill;
- Assess speed and direction of spill and cause of movement (water, wind and slope);
- Remove all sources of ignition;
- Determine best location for containing spill, avoiding any water bodies;
- Have a contingency plan ready in case spill worsens beyond control or if the weather or topography impedes containment.

TABLE 2 CONTAINMENT METHODS

Spill Location	Containment Method
On Land Spill	<p>Dykes – Dykes can be created using soil surrounding a spill on land. These dykes are constructed around the perimeter or down slope of the spill. A dyke needs to be built up to a size that will ensure containment of the maximum quantity of spill that may reach it. A plastic tarp can be placed on and at the base such that the spilled material can pool up and subsequently be removed with sorbent material or by pump into barrels or bags. If the spill is migrating very slowly a dyke may not be necessary and sorbents can be used to soak up materials before they migrate away from the source of the spill.</p> <p>Trenches – Trenches can be dug out to contain spills as long as the top layer of soil is thawed. Shovels can be used to dig the trench.</p>
Spill Entering Sanitary, Storm Drain or Ditch	<p>Dykes – Dykes can be created using soil surrounding a spill on land. These dykes are constructed around the perimeter or down slope of the spill. A dyke can be created around the inflow location of a sanitary, storm drain or ditch. A dyke needs to be built up to a size that will ensure containment of the maximum quantity of spill that may reach it. A plastic tarp can be placed on and at the base</p>

Spill Location	Containment Method
	such that the spilled material can pool up and subsequently be removed with sorbent material or by pump into barrels or bags. If the spill is migrating very slowly a dyke may not be necessary and sorbents can be used to soak up materials before they migrate away from the source of the spill.

Procedures for Transferring, Storing, and Managing Spill Related Wastes

In most cases, spill cleanups are initiated at the far end of the spill and contained moving toward the centre of the spill. Sorbent socks and pads are generally used for small spill cleanup. Hand tools such as cans, shovels, and rakes are also very effective for small spills or hard to reach areas. Heavy equipment can be used if deemed necessary and given space and time constraints.

Used sorbent materials are to be placed in plastic bags for future disposal. All materials mentioned in this section are available in the spill kits located in the transportation vehicle. Following clean up, any tools or equipment used will be properly washed and decontaminated or replaced if this is not possible.

The following table lists the required disposal methods for contaminated material and contact information for external resources to be used for the transportation and disposal of spilled contaminants and debris.

TABLE 1 DISPOSAL METHODS

Material	Disposal Method
Contaminated Soils <i>Inorganic</i>	Disposed directly at an authorized receiver of hazardous waste
Contaminated Soils <i>Flammable Hydrocarbons</i>	Disposed directly at an authorized receiver of hazardous waste
Contaminated Soils <i>Non Flammable Hydrocarbons</i>	Disposed directly at an authorized receiver of hazardous waste

Procedures for Restoring Affected Areas

Once a spill of reportable size has been contained, with the governing authority or lead agency inspector assigned to the file to determine the level of cleanup required. The inspector may require a site specific study to ensure appropriate cleanup levels are met. Criteria that may be considered include natural biodegradation of substances, replacement of soil and vegetation among other aspects.

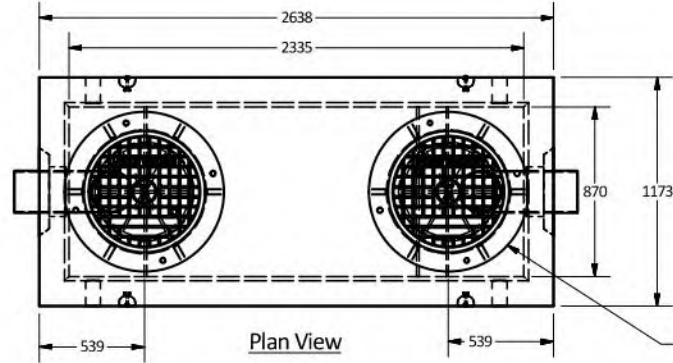
Post-Incident Evaluation

Once appropriate measures have been taken to address the spill event, engage in a post-incident evaluation. This process is in-place to identify from the spill response operation the weakness or strengths of the contingency plan and to make appropriate corrections to the plan. This process is done through verbal as well as written communication between the parties involved. The process and form will be filed for future reference and contingency plan adaptation. Refer to Appendix D for the written incident report form.

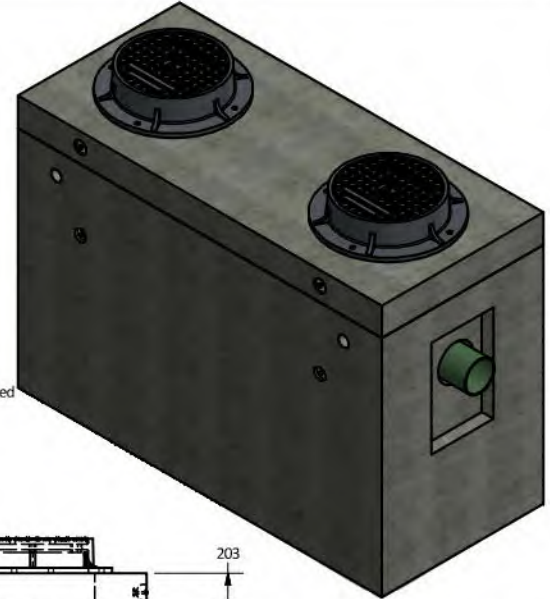
Appendix C: Precast Equipment

PART LIST			
ITEM	QTY	PART NUMBER	WEIGHT
1	1	Type II Vault	4,520 kg.
2	1	Type II Lid	1,450 kg.

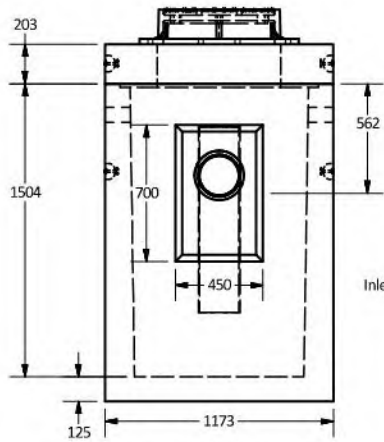
- Notes:
- Type II Oil interceptor manufactured to meet AASHTO HS20/BCL-625 live loading.
 - Lid designed to withstand AASHTO HS20 / BCL-625 live loading.
 - Concrete vault designed for the following earth covers:
 - Minimum: 0 m.
 - Maximum: 2.5 m.
 - Unit supplied with 700mm x 450mm square knockout for inlet/outlet as shown.
 - Unit supplied with lifting inserts as required.
 - Lid supplied with opening for access as required.
 - Unit supplied w/ 4-Ø76 mm vent holes as shown.
 - Oil interceptor c/w 12mm gauge galvanized baffles as shown.
 - Unit has a maximum 2,000 liter [2.0 m³] capacity.
 - Unit risers available in heights: 305, 450 etc to 1500mm maximum.
 - Design can be modified for specific sites, please contact LCG sales office.
 - Minimum rebar yield strength: 414 MPa.
 - Minimum concrete strength: 35 MPa.
 - PVC T required by design, supplied and installed by others in field.
 - All dimensions are in millimeters.



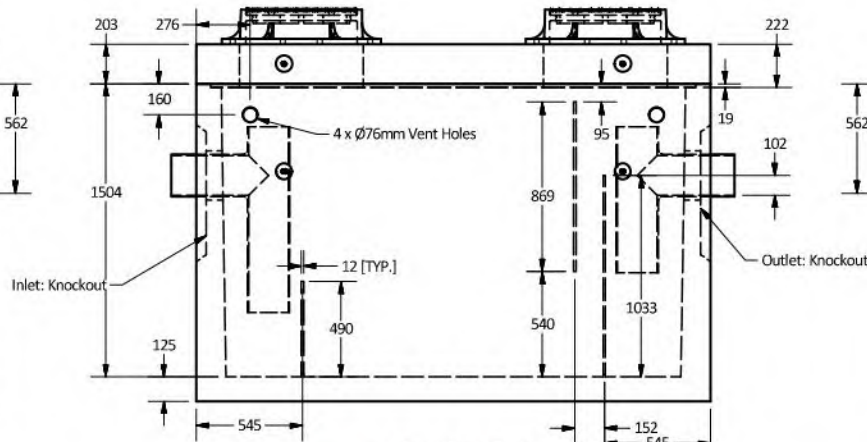
Access Opening Size and Location as Required



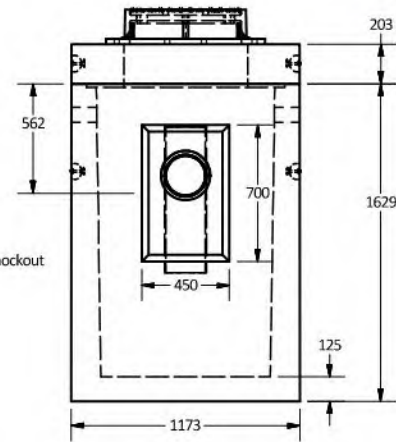
Isometric View



East View



Elevation View



West View

Langley Concrete Group is a certified Q-Cast Plant, an American Concrete Pipe Association Third Party Certification for the manufacture of Pipe, Manhole, Box Culvert & Precast Items.



Quality Assurance of products manufactured by The Langley Concrete Group has been verified by the following third party certification programs:



All Dimensions are in Millimeters. Unless otherwise Stated

Projection Method:

THIRD ANGLE



LANGLEY (604) 533-1656
VICTORIA (250) 478-9581
CHILLIWACK 1-800-667-9600

This drawing is the property of the Langley Concrete Group of Companies. All information contained herein is confidential and may not be used in whole or in part without written permission from the owner

DESCRIPTION:

Type II Oil Interceptor
[API Style]

DRAWN BY:

SR

JOB NO.

CHK BY:

KS

DWG NO:

TYPE II-API

DATE:

Aug.14, 2018

SCALE:

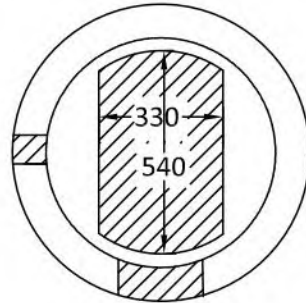
1:25

SIZE:

11 x 17

REV.

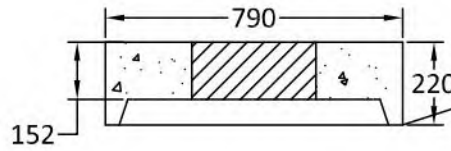
SHEET 1 OF 1



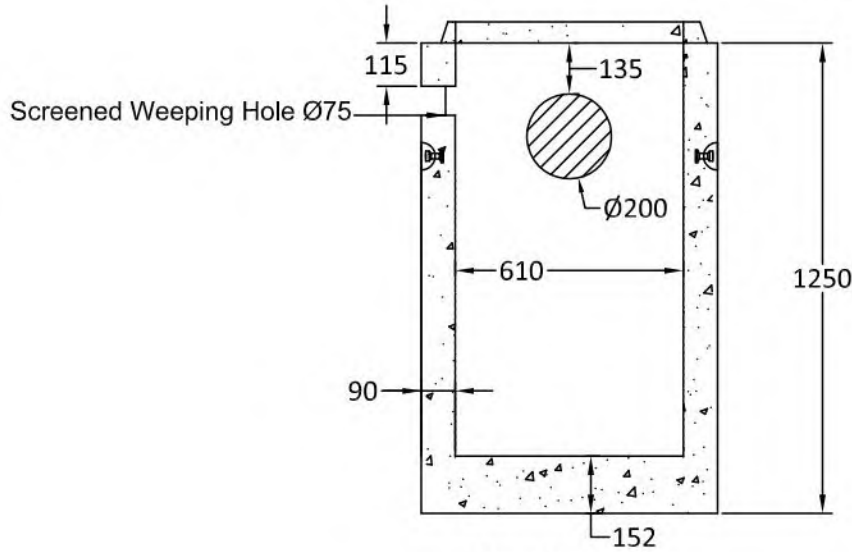
Plan View

Standard curb lid to fit TR23/24

Catchbasin will accept TR26B frame & grate
No lid necessary with TR26B



HS-20 highway loading lid, to accept TR 23/24
Effective height: 150mm
Lid weight: 123 KG



Elevation View

Notes:

1. Catchbasins manufactured to ASTM C478 standards.
2. Ø200mm Knock Out core for Outlet Pipe supplied as shown.
3. Ø75mm Galv. Screened Weep Hole provided as shown.
4. 150mm thick base cast in bottom as shown.
5. Adjustable hood on 23/24 frame shown for reference only.
6. Trapping hood recommended for outlet pipe, pins available on request.
7. Minimum concrete strength: 30 MPa.
8. Approx weight of Catchbasin: 580kgs.
9. All dimensions are in millimeters.



Quality Assurance of products manufactured by The Langley Concrete Group has been verified by the following third party certification programs:



The LANGLEY CONCRETE Group of Companies

www.langleyconcretegroup.com

DESCRIPTION:

Ø600x1200
C478 Catch Basin

DRAWN BY: JAO

JOB NO.: N/A

CHK BY:

DWG NO: CB-1

DATE: May 3, 2010

REV. BY: CC
Aug. 15, 2018

SCALE: 1:20

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LCG Products are held to the governing ASTM, CSA specification & best practices.

LANGLEY (604) 533-1656 VICTORIA (250) 478-9581 CHILLIWACK 1-800 667-9600



200-1627 Fort Street, Victoria, BC V8R 1H8
Telephone 250 405-5151 Fax 250 405-5155
Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC
1.800.663.7867
Email information@islandstrust.bc.ca
Web www.islandstrust.bc.ca

December 18, 2024

File Number: PLRZ20240110 (Bigham)

Attn: Braedon Bigham
Via email:

Dear Braedon,

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

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

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

The information received by Islands Trust to date includes:

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

Additional information required to proceed with your application includes:

1) Hydrogeological Report

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

Attachment 1 provides further technical guidance for demonstrating potable water.

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

2) Industrial Wastewater/Stormwater Management Plan

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

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

3) Ecological Assessment Report

An Ecological Assessment Report that includes at a minimum:

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

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

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

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

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

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

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

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

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

Reporting Requirements

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

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

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

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

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

Sincerely,



Brad Smith
Island Planner, North Pender Island Local Trust Area

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

pc: Robert Kojima, Regional Planning Manager



200 – 1627 Fort Street, Victoria BC V8R 1H8
Telephone: **250-405-5151** Fax: 250-405-5155
Toll-Free via Enquiry BC in Vancouver: 660-2421
Elsewhere in BC: **1-800-663-7867**
Email: information@islandstrust.bc.ca Website: www.islandstrust.bc.ca

[DATE]

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

[Click here to enter text.](#)

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

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

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

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

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

- 1) Where *potable* water is to be supplied by a drilled well the Report shall provide that:
 - a) Each well has sufficient available groundwater to provide the daily required volume of *potable* water for each permitted building, structure or use;
 - b) Each well has been constructed in accordance with the *Groundwater Protection Regulation* or any legislation which may be enacted in substitution; and,
 - c) The extraction of groundwater in respect of each permitted building, structure or use will not adversely affect the quantity or quality of any existing groundwater well or surface water used as a source of potable water.

- 2) Where the *potable* water supply is provided through a drilled well or water licence, the Report shall provide:
 - a) Results of a water quality analysis, completed by an accredited laboratory;
 - b) Certification, based on the accredited laboratory water quality analysis, that the proposed water supply source is *potable*, or can be made *potable*, with a treatment system that is customarily used in a *dwelling unit*;
 - c) Certification, based on the accredited laboratory water quality analysis of chloride concentrations, that each well is not likely to be affected by the intrusion of saline groundwater or sea water in accordance with Government of British Columbia guidance documents;
 - d) A plan of the proposed *subdivision* indicating the location where each water sample was taken; and

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

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

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

Sincerely,

[Click here to enter text](#).

[Click here to enter text](#).

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



Pender Islands
Conservancy

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

25 Nov 2024

Dear North Pender Island Trustees Maude, Campbell and Morrison:

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

Comments on the Staff Report

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

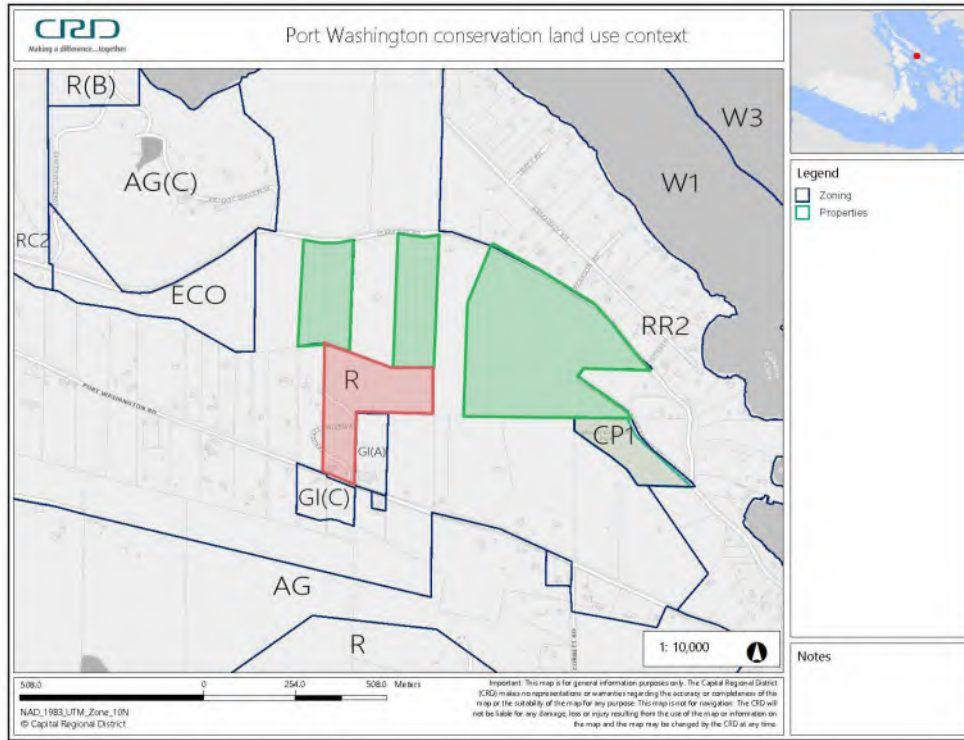


Figure 1. Subject Property (red) with adjacent Nature Reserves (green). From west to east: Lisa Baile Nature Reserve (10 acres; owned by Islands Trust Conservancy), Forest Wetland Nature Reserve (10 acres; Pender Islands Conservancy) and Vulture Ridge Nature Reserve (36 acres; Pender Islands Conservancy).

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

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

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

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

Potential ecological impacts

Raptor nests

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

Groundwater

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

Species at risk

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

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

OCP policy

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

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

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

Respectfully signed,



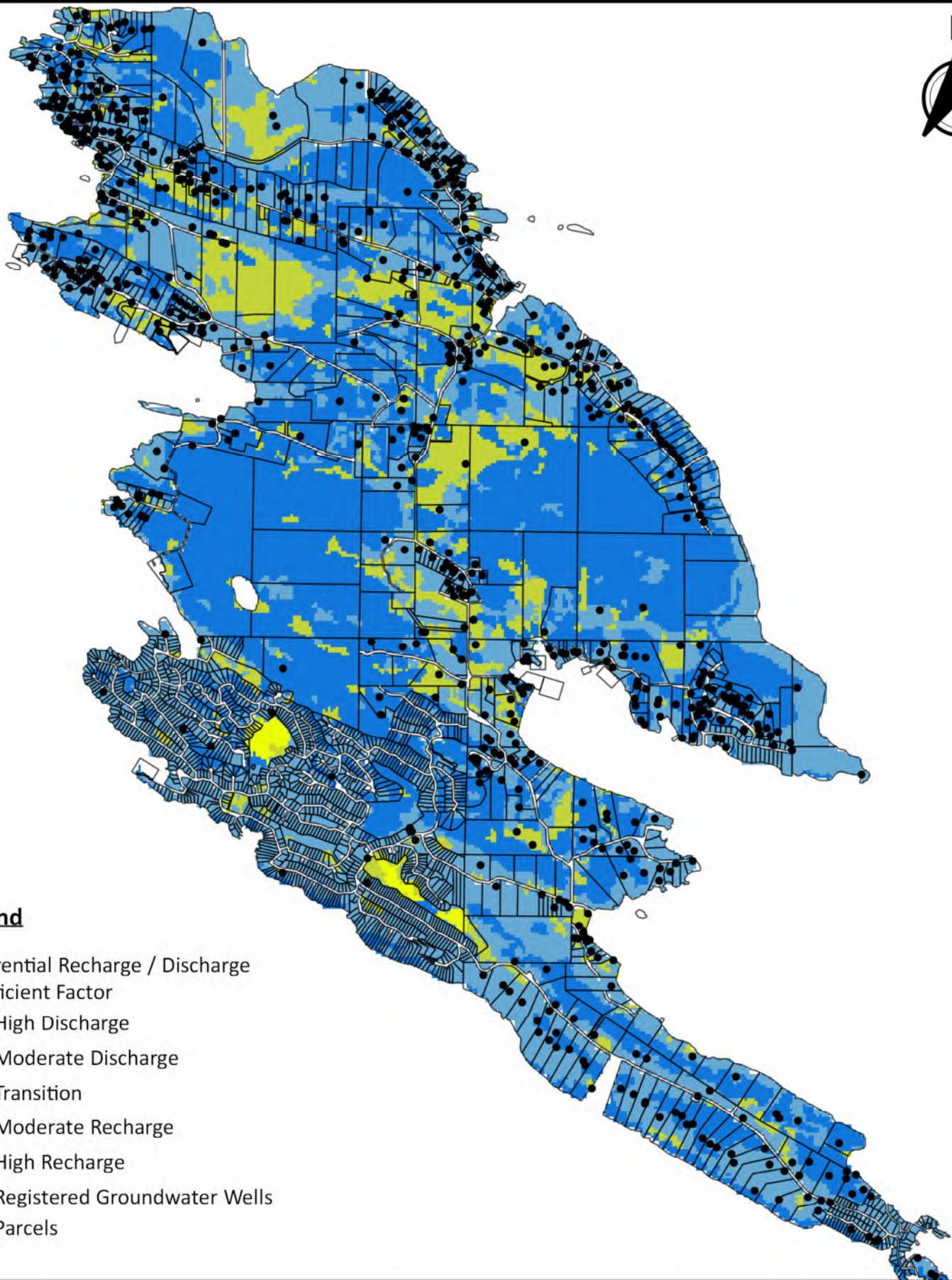
Elizabeth Miles
Board President
Pender Islands Conservancy



Dr. Pamela Wright
Stewardship Committee Chair
Pender Islands Conservancy


Appendix A


North Pender Island Groundwater Recharge and Discharge Zones





Legend


Preferential Recharge / Discharge
Co-Efficient Factor


 High Discharge

 Moderate Discharge

 Transition

 Moderate Recharge

 High Recharge

 Registered Groundwater Wells

 Parcels

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

Notes:

Drawn by: William Shulba, P.Geo

Drawn on: October 2022

Data Source: Islands Trust Area Groundwater Recharge Mapping Project

0 1 2 3 4 km





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

Purpose:

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

Mandate:

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

Authority:

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

Procedures:

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

A. Unexpected Discoveries

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

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

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

B. Permitted Archaeological Projects

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

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

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



PROTECTED ARCHAEOLOGICAL SITES IN BRITISH COLUMBIA

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

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

Your property or project area falls into the selected category:

Direct overlap with protected archaeological site: _____

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

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

Direct overlap with an area of high archaeological potential

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

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

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

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

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

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



PROTECTED ARCHAEOLOGICAL SITES IN BRITISH COLUMBIA

Archaeological Site Impact Management and Permit Process

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

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

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

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

What is an archaeological impact assessment?

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

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

Contact an eligible consulting archaeologist

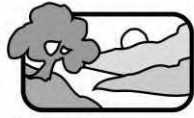
An eligible consulting archaeologist is able to hold a Provincial heritage permit that authorizes archaeological studies. Ask an archaeologist if he or she can hold a permit. Contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Find an archaeologist through the BC Association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

Contact the BC Archaeology Branch

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

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

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



DATE OF MEETING: May 29, 2026

TO: North Pender Island Local Trust Committee

FROM: Southern Team

COPY: Mary Storzer, Regional Planning Manager

SUBJECT: Rezoning Application – Reduction of minimum average lot size
Applicant: Jordan Litke as agent for Gary Henshaw
Location: 4609 Bedwell Harbour Road, North Pender Island

RECOMMENDATIONS

1. **That the North Pender Island Local Trust Committee directs staff to proceed with application PL-RZ-2026-0178 (Litke), and to prepare a draft bylaw for a site specific Rural zone for 4609 Bedwell harbour Road that:**
 - a. **Reduces the minimum average lot size to 2.0 hectares**
 - b. **Limits the number of dwellings to one dwelling per lot with no accessory cottages**
 - c. **Limits the floor area of each dwelling to 205 m².**

REPORT SUMMARY

The purpose of this preliminary report is to provide information regarding rezoning application PL-RZ-2026-0178 (Litke) and to seek direction from the North Pender Island Local Trust Committee (LTC) to proceed, or not proceed, with the application, including the preparation of a draft bylaw.

The above recommendations are supported as:

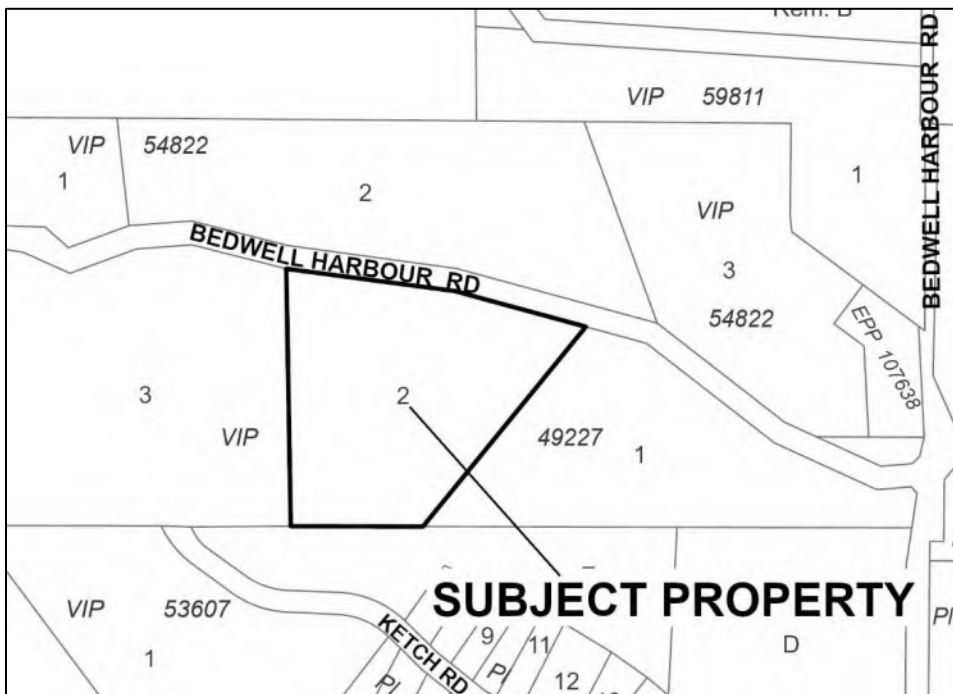
- The application is consistent with residential and rural land use policies of the North Pender Island Official Community Plan No. 171 (OCP), including minimum average lot size requirements in respect of lots with pre-existing dwellings or cottages;
- Directing staff to proceed will trigger the issuance of a terms of reference (TOR) that will identify any additional information and professional reports required from the applicant;
- A draft bylaw will facilitate First Nations and agency referrals and public input to identify any issues or concerns with the proposed rezoning.

BACKGROUND

The applicant has submitted a rezoning application for the property located at 4609 Bedwell Harbour Rd. The property is currently zoned Rural in the North Pender Island Land Use Bylaw No. 224 (LUB). The Rural zone has a minimum average lot size of 4 hectares. The parcel is approximately 4.1 ha in size, making subdivision under the current zoning impossible.

There is an existing dwelling and accessory cottage on the property, one occupied by the property owner’s mother, and another occupied by his niece. The property owner is seeking to subdivide the property to create a separate title that can be transferred to his niece.

1 – Subject Property



If rezoning is successful, the lot would then be subdivided as shown in the proposed subdivision plan (Figure 2).

Figure 2. Proposed Subdivision Plan



Additional site context is included as Attachment 1, and maps and plans in Attachment 2. The applicant has submitted a letter further describing the proposed uses and rationale. It is included as Attachment 3.

Staff conducted a site visit and met with the applicant on March 20, 2026.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement

The proposed rezoning does not appear to be contrary or at variance with any Policy Statement directive policies; however a more comprehensive review with a checklist will be provided at consideration of first reading if the application proceeds to that stage.

Official Community Plan

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

The application is consistent with the Residential and Rural Land Use Policies of the OCP, including Rural Land Use Policy 2.1.2.4 in respect of minimum average lot size and density, which permits specific zoning regulations to be considered for lots with pre-existing dwellings or cottages in respect of minimum average lot size and density.

2.1.2.4 The Rural designation shall have a 4 hectare (10 acre) average lot size and a density of one dwelling per lot, with provisions for one additional dwelling in the form of a cottage on lots over 1.2 hectares (3 acres) in area. Specific zoning regulations may be considered for lots with pre-existing dwellings or cottages.

There are no Development Permit Areas on the parcel.

Land Use Bylaw

The subject property is zoned Rural (R) in the LUB. If the LTC proceeds, staff would recommend a site-specific Rural zone be established that permits subdivision with a minimum average lot size of 2.0 hectares, rather than the current minimum of 4.0 hectares for Rural zoned lots.

Rural zoning permits an accessory cottage on each lot greater than 1.2 hectares. However, as the existing lot is only permitted one dwelling and one accessory cottage, staff recommend that the site specific Rural zone only permit a maximum of two dwellings (i.e. one per new lot) with no accessory cottages.

Staff also recommend that the LTC consider establishing a maximum floor area provision for one of the dwellings. Under Rural zoning, the maximum floor area of a dwelling is 418 m², and a cottage 80 m².

The applicant is amenable to a restricted floor area on each lot, and has requested a maximum floor area of 205 m² for each lot, such that future land use is not overly restricted. Given that currently the lot would be permitted to have both a floor area of 418 m² for the primary dwelling and 80 m² for an accessory cottage, staff are of the view that a maximum floor area of 205 m² for the dwelling on each lot (i.e. 410 m² total) is a reasonable compromise, allowing for a moderate sized family home to be built on both lots in the future.

Issues and Opportunities

Community Benefit and Surrounding Uses

Rezoning would provide a viable alternative for land ownership for a lifelong island resident who may not otherwise be able to afford the opportunity to own land on North Pender Island.

Surrounding land uses are predominantly rural residential and at the outset it appears there would be minimal impacts of rezoning given there is no proposed increase in density or use. A minimum average lot size to 2.0 ha is consistent with the neighbourhood, with lots in the area ranging from 0.6 ha to 6.0 ha.

Terms of Reference

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

The LTC may also request that the applicant provide any additional information that is needed to support their decision-making as the application proceeds.

Water and Septic

In cases where rezoning is required prior to subdivision, typically, demonstration of proof of water and septic capacity for each new lot is required at time of rezoning.

Water supply is currently provided for both houses from the existing well on proposed Lot A. For septic, the house on proposed Lot A has a permitted septic field system, the accessory cottage on proposed Lot B has a non-permitted septic field system.

Should the LTC direct staff to proceed, staff will include requirements in the terms of reference for demonstrating water supply (i.e. minimum of 2000/L day) and septic capacity for both proposed lots, consistent with LUB subdivision standards.

Consultation

A draft amending bylaw would be sent to potentially affected government agencies and First Nations for referral.

In this case, as there is no required OCP amendment, the LTC could choose whether to hold a public hearing or not. If the LTC chooses to not hold a public hearing, then staff would need to provide notice of first reading.

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 prior to first reading.

Archaeological Sites

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

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

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

Rationale for Recommendation

The recommendations on page 1 are supported as:

- The application is consistent with residential and rural land use policies of the North Pender Island Official Community Plan No. 171 (OCP), including minimum average lot size requirements in respect of lots with pre-existing dwellings or cottages;
- Directing staff to proceed will trigger the issuance of a terms of reference (TOR) that will identify any additional information and professional reports required from the applicant;
- A draft bylaw will facilitate First Nations and agency referrals and public input to identify any issues or concerns with the proposed rezoning.

ALTERNATIVES

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

1. Request further information

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

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

2. Deny the application

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

That the North Pender Island Local Trust Committee proceed no further with application NP-PL-RZ-2026-0178 (Litke).

3. Hold the application in abeyance

The LTC may choose to hold the application in abeyance.

4. Receive for information

The LTC may receive the report for information.

NEXT STEPS

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

Submitted By:	Brad Smith, Island Planner	May 13, 2026
Concurrence:	Mary Storzer, Regional Planning Manager	May 19, 2026

ATTACHMENTS

1. Site Context
2. Mapping and Plans
3. Letter from Applicant

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	LOT 2, SECTION 10, PENDER ISLAND, COWICHAN DISTRICT, PLAN 49227
PID	014-931-168
Civic Address	4609 Bedwell Harbour Road, Pender Island, BC

LAND USE

Current Land Use	Rural residential
Surrounding Land Use	Rural residential

HISTORICAL ACTIVITY

File No.	Purpose
PLSUB20240179	Subdivision application - withdrawn by applicant as requires rezoning first

POLICY/REGULATORY

Official Community Plan Designations	Rural (R) There are no Development Permit Areas on the parcel
Land Use Bylaw Zoning	Rural (R)
Other Regulations	None
Covenants	None
Bylaw Enforcement	No active files.

SITE INFLUENCES

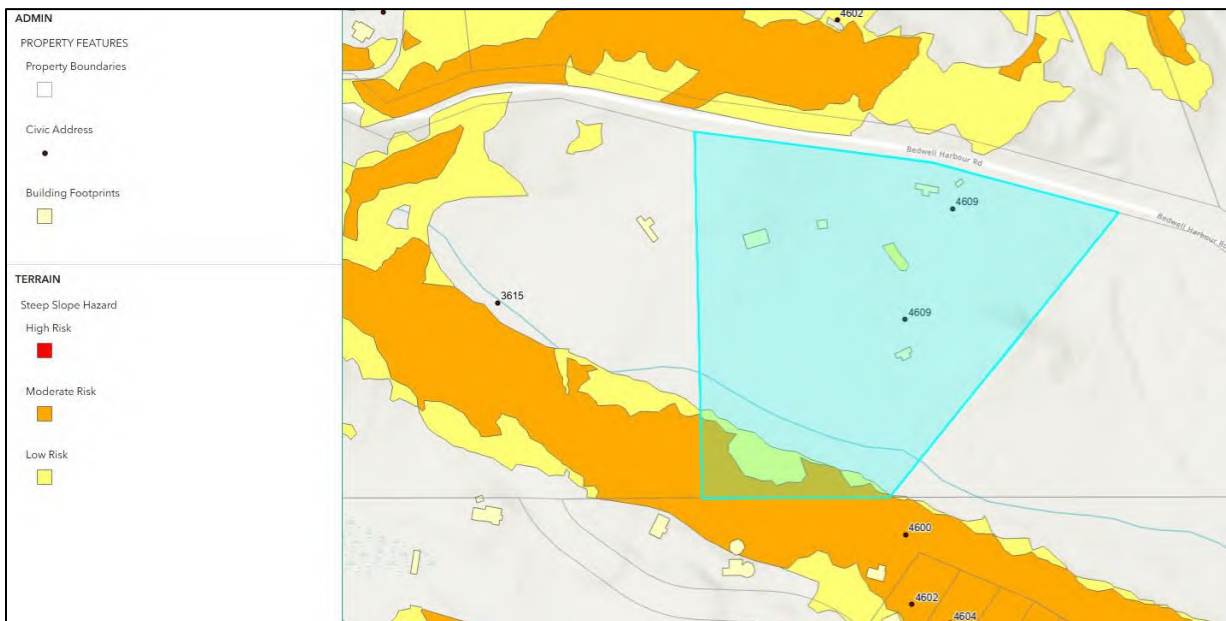
Islands Trust Conservancy	No adjacent ITC covenants or parcels
Regional Conservation Strategy	Not applicable
Species at Risk	Grand Fir/Dull Oregon Grape habitat in mature forest band Secure CDC data extending across entire region
Sensitive Ecosystems	Band of mature forest along rear portion of lot (see mapping)
Hazard Areas	Moderate and low risk slope in back portion of lot (see mapping)
Archaeological Sites	<p>There are no designated archaeological sites on the property or in the immediate vicinity. However, owners and the applicant should be aware that there is a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i>.</p> <p>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.</p>

Climate Change Adaptation and Mitigation	N/A
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	Not Applicable

2.4 BUILDING FOOTPRINTS



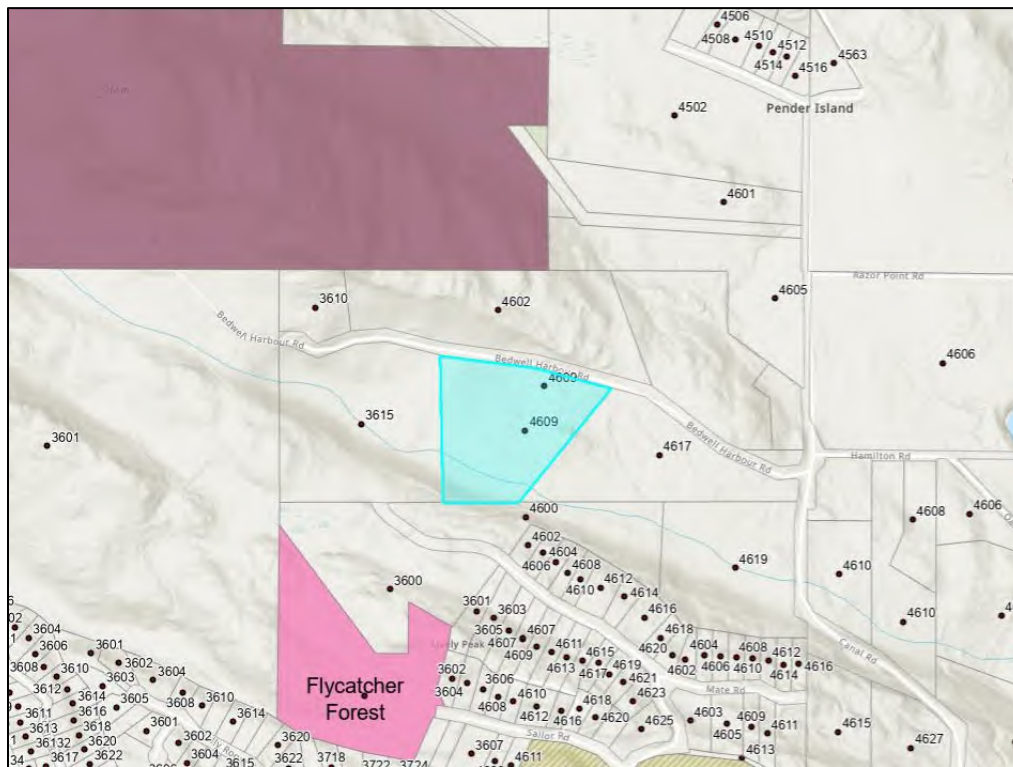
2.5 STEEP SLOPE MAPPING



2.6 SENSITIVE ECOSYSTEMS



2.7 PROTECTED AREAS



April 23, 2026

Attention: North Pender Island Local Trust Committee

Re: Rezoning Application for 4609 Bedwell Harbour Road

PID: 014-931-168

Legal Desc.: Lot 2, Section 10, Pender Island, Cowichan District, Plan 49227

We are writing on behalf of Gary and Lynn Henshaw, the owners of BC Crane Services Limited. Through their company, they own 4609 Bedwell Harbour Road. Currently there are two dwellings on the property – one occupied by Gary’s mother and another occupied by his niece. Gary and Lynn would like to subdivide the property to create a separate title that can be transferred to his niece.

Gary’s mother is Lucille Henshaw, who has lived on the property for the past 6 years and on Pender Island for over 40 years. His niece is Michelle Page, who has lived on the property for 15 years and is a lifelong islander.

The property is currently zoned R – Rural, which has a minimum average lot size of 4 ha. Lot 2 is approximately 4.1 ha in size, making subdivision under the current zoning impossible. As such, we are seeking to rezone the property to a site specific variant of the Rural zone, allowing for average lot size of 2.0 ha.

Reducing the minimum average lot size to 2.0 ha allows for lot sizes that are consistent with the neighbourhood. Along Bedwell Harbour Road are lots that range from 0.6 ha to 6.0 ha.

We do not wish to change any of the permitted uses or site and sizing requirements of the Rural zone. The only request is a reduction in minimum average lot size to 2.0 ha, to allow creation of a second lot for a family member.

This rezoning does not change the overall land use and supports the objectives of the Rural zone, being:

- 1) To promote the retention of large parcels of land for scenic, aesthetic and natural resource values and long term rural use.
- 2) To support and promote the working landscape for sustainable agriculture and woodlot management.
- 3) To preserve the opportunity for a rural lifestyle.



4) To preserve natural features and environmentally sensitive areas.

We look forward to your response and hopefully your support of this application.

Sincerely,
Polaris Land Surveying 2024 Inc.



Jordan Litke, P.Surv, BCLS



File No.: 12-14-6500-20
Permit Delegation

DATE OF MEETING: May 29, 2026
TO: North Pender Island Local Trust Committee
FROM: Robert Kojima, Regional Planning Manager
Southern Team
COPY: Brad Smith, Island Planner
SUBJECT: Delegation of Development Permits

RECOMMENDATION

1. That the North Pender Island Local Trust Committee Bylaw No. 231, cited as “North Pender Island Local Trust Committee Delegation Bylaw No. 231, 2022”, be read a First Time.
2. That the North Pender Island Local Trust Committee Bylaw No. 231, cited as “North Pender Island Local Trust Committee Delegation Bylaw No. 231, 2022”, be read a Second Time.
3. That the North Pender Island Local Trust Committee Bylaw No. 231, cited as “North Pender Island Local Trust Committee Delegation Bylaw No. 231, 2022”, be read a Third Time.
4. That the North Pender Island Local Trust Committee Bylaw No. 231, cited as “North Pender Island Local Trust Committee Delegation Bylaw No. 231, 2022”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

REPORT SUMMARY

This report provides the North Pender Island Local Trust Committee with a review of the Development Permit delegation criteria, and recommends that the LTC give reading to a bylaw to delegate issuance of certain development permits to staff.

BACKGROUND

In June 2022, following legislative amendments, Trust Council adopted a [policy](#) related to delegation of the issuance of development permits to staff, and requested that local trust committees consider adoption of delegation bylaws. This authority has long been provided to other local governments in British Columbia, and was extended to local trust committees in 2022. Implementation of development permit delegation was a recommendation of the governance review and of previous Local Planning Services reviews. Delegation of the issuance of development permits to staff would improve efficiency, reduce the size of LTC agendas, reduce staff time spent on development permit applications, reduce processing times, and provide certainty for applicants.

The North Pender Island Local Trust Committee had previously considered a draft delegation bylaw in January 2023, but deferred consideration of readings at that time. At the November 2025 meeting, the LTC adopted a resolution requesting staff report back with a delegation bylaw:

NP-2025-069

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee request staff bring a Development Permit Delegation Bylaw and staff report to a future meeting.

Within the Trust Area, delegation bylaws have been adopted by the Salt Spring and Galiano Island Local Trust Committees. In these two local trust areas most DP applications are processed by staff, however rather than preparing a staff report for an LTC agenda, the planner submits a shorter report, draft permit, and checklist to the Director. If the Director concurs that the DP is consistent with the guidelines, the permit can be approved and issued. If the Director refuses a permit because of non-adherence to one or more guidelines, the applicant has the opportunity to appeal the refusal to the LTC.

Analysis

Staff have reviewed the LTC's DPA provisions, along with the recent history of applications, based on the policy criteria.

1. Volume of applications:
 - a. Nineteen DP applications have been received to date this term, the overwhelming majority of DP applications are for Sensitive Ecosystem DPA (including RAR).
 - b. Processing time for applications has generally been between 4 and 12 weeks, from the moment a complete application is received until it is ready to be placed on the agenda. Longer processing times are generally when the timing of the application doesn't align with LTC meetings, particularly as the LTC has reduced the number of regular meetings from previous terms. Consequently, delegating DPs would be expected to reduce processing times by eliminating the need for applications to be advanced to LTC agendas, and also eliminating the need to prepare staff reports for the LTC.
2. Status of Development Permit Areas:
 - a. DPA 1 through 7, and DPA 9 were all adopted in 2008 as part of the current OCP, however these guidelines would still be considered current. DPA 7 (Raptor Nests) is under consideration of amendment.
 - b. DPA 10 (Riparian and Aquatic) was adopted in 2011 in order to implement the Riparian Areas Regulation. This DPA remains consistent with provincial requirements.
 - c. Associated Islands Shoreline DPA was adopted in 2003, but would still be considered suitable for delegation. The Sidney Island Shoreline and Geotechnical DPA were adopted in 2013.
3. Development Approval Information Bylaw: There is a Development Approval Information Bylaw that establishes specific requirements for all DPA except the commercial and industrial form and character DPA (DPA 9).
4. Professional Reports: Professional reports are required for all DPA except DPA 9 (Form and Character), where professionally prepared plans are required.

5. **Assessment of Guidelines:** The Environmental, RAR and Geo-technical DPA provisions have proven to be comprehensive, effective and objective. Staff have long used checklists to assess compliance with the guidelines, checklists are also provided to professionals to assist in addressing each relevant guideline in their reports. The guidelines for the Form and Character DPA are more subjective, design oriented and while comprehensive, tend to call for an interpretation of the guidelines rather than based on professional recommendations.

Summary: staff consider that the issuance of DPs for the Environmental and Geotechnical Hazard DPA can be delegated to staff, the guidelines are comprehensive and objective, staff have long been assessing compliance with guidelines against professional reports, and incorporating professionals' recommendations into DP conditions. However, applications for the Commercial and Industrial Form and Character DPA may be more suitable to continue to be considered by the LTC; while the guidelines are comprehensive, the more subjective interpretation of design-based guidelines, have made staff reluctant to recommend delegation of this DPA in the past. However, if the LTC is interested in delegating Form and Character DPs, the delegation bylaw can be easily amended.

Timeline

A delegation bylaw is an administrative bylaw, requiring three readings, Executive Committee approval, and adoption by the LTC. If the LTC gives three readings and refers it to EC, and if approved by EC, the LTC could adopt the bylaw at a subsequent meeting or by RWM.

Rationale for Recommendation

Trust Council has adopted a policy for delegation of development permits to staff and requested LTCs consider adopting delegation bylaws. Delegation of DPs has been recommended in the governance review. Staff have recommended delegation of the North Pender LTC's DPs based on the volume of applications, the clarity of the DPA guidelines, and the experience with delegated DPs in other LTAs.

ALTERNATIVES

1. Revise Draft Bylaw 231

The LTC could revise Bylaw 231 prior to First Reading to include DPA Nine (Commercial and Industrial Form and Character)

2. Request further information

The LTC may request further information prior to making a decision. If the LTC requests information which requires a significant amount of staff time in analysis or community consultation, the bylaw should be added to the LTC's work program. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee request that staff report back to the LTC with the following information: .

3. Proceed no further

If the LTC does not support delegation of DPs, either in principle or based on a consideration of the DPA provisions, the LTC should resolve to proceed no further. If the decision is based on DPA being considered out of date or in need of review, the resolution could specify proceeding no further until such time as the DPA(s) in question have been reviewed and updated.

Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee proceed no further with consideration of the delegation of the issuance of development permits to staff.

4. Defer Consideration

The LTC may defer consideration.

That the North Pender Island Local Trust Committee defer consideration of the delegation of the issuance of development permits to staff and request that staff bring the report back to an agenda in the new term.

NEXT STEPS

If reading are given, staff will refer the Bylaw to EC for approval.

Submitted By:	Robert Kojima, Regional Planning Manager	January 20, 2026
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ATTACHMENTS

1. Draft Bylaw 231, 2022

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 231, 2022**

**A bylaw of the North Pender Island Local Trust Committee to Delegate the Power to Issue Certain
Land Use Permits**

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:

SHORT TITLE

1. This bylaw may be cited as “North Pender Island Local Trust Committee Delegation Bylaw No. 231, 2022”.

DEFINITIONS

2. In this bylaw:

“**Act**” means the Local Government Act.

“**Local Trust Committee**” means the North Pender Island Local Trust Committee.

“**Director**” means the Director of Local Planning Services.

“**Regional Planning Manager**” means the Manager assigned to the Local Trust Committee.

DELEGATION

3. The Local Trust Committee hereby delegates to the Director, or in his or her absence the Regional Planning Manager, the power to issue a development permit or a development permit amendment under Section 490 of the Act in respect of development permits issued within the following development permit areas:
 - a. North Pender Island Official Community Plan Bylaw No. 171, 2007:
 - i. Development Permit Area One;
 - ii. Development Permit Area Two;
 - iii. Development Permit Area Three;
 - iv. Development Permit Area Four;
 - v. Development Permit Area Five;
 - vi. Development Permit Area Six;
 - vii. Development Permit Area Seven;
 - viii. Development Permit Area Ten.
 - b. North Pender Associated Islands Official Community Plan Bylaw No. 147, 2002:
 - i. 701 Shoreline Development Permit Area;
 - ii. 702 Sidney Island Geotechnical Covenant Area Development Permit Area;
 - iii. 703 Sidney Island Shoreline Development Permit Area.

4. The delegation under Section 3 does not include the authority to vary or supplement a land use regulation or a subdivision regulation.
5. The Director, or in his or her absence the Regional Planning Manager, is also delegated the power to require, under Section 502 of the Act, an applicant to provide security in an amount stated in the Permit by way of an irrevocable letter of credit or the deposit of securities in a form satisfactory to the Director.
6. The amount of security to be provided under Section 502 of the Act, in relation to a development permit issued by the delegate, shall be 125% of the cost of site restoration, landscaping, remediation of damage to the natural environment or improvements including materials and installation, as determined by a professional landscape architect, a nursery person, a landscape contractor, a habitat biologist, or another person approved by the Director to provide.
7. For clarity, a person to whom a power, duty or function has been delegated under this bylaw has no authority to further delegate to another person any power, duty or function that has been delegated by this Bylaw.

RECONSIDERATION

8. An applicant may have a decision of the delegate in relation to a permit reconsidered by the Local Trust Committee by submitting a written request for reconsideration to the Deputy Secretary within thirty days after the decision is delivered to or made available to the applicant.
9. The request for reconsideration must include the following:
 - a. the applicant's address for receiving correspondence related to the request for reconsideration;
 - b. a copy of the written decision;
 - c. reasons why the applicant wishes the decision to be reconsidered by the Local Trust Committee;
 - d. the decision which the applicant requests be made by the Local Trust Committee;
 - e. reasons in support of the decision requested from the Local Trust Committee; and
 - f. a copy of any documents which support the applicant's request for reconsideration by the Local Trust Committee.
10. Each reconsideration request shall be placed on the agenda of a regular Local Trust Committee meeting and shall include a copy of the materials that were considered by the delegate in making the decision that is to be reconsidered and any further materials delivered by the owner.
11. The Local Trust Committee may consider any presentations made by the applicant and may either:
 - a. confirm all or part of the delegate's decision,
 - b. set aside all or part of the delegate's decision; or
 - c. amend the delegate's decision or make a new decision.

SCOPE OF BYLAW

12. For clarity, subject to the *Act*, unless a power, duty or function of the Local Trust Committee has been expressly delegated by this Bylaw or another bylaw, all of the powers, duties and functions of the Local Trust Committee remain with the Local Trust Committee.

READ A FIRST TIME THIS DAY OF , 20XX.

READ A SECOND TIME THIS DAY OF , 20XX.

READ A THIRD TIME THIS DAY OF , 20XX.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
DAY OF , 20XX

ADOPTED THIS DAY OF , 20XX.

CHAIRPERSON

SECRETARY

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

DATE OF MEETING: May 29, 2026
TO: North Pender Island Local Trust Committee
FROM: Brad Smith, Island Planner
Southern Team
COPY: Mary Storzer, Regional Planning Manager
SUBJECT: Housing Access and Affordability Project – Draft Bylaw No. 240 and No. 241

RECOMMENDATIONS

1. That the North Pender Island Local Trust Committee directs staff to amend draft Bylaw No. 241, “North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2025” by:
 - a. Deleting all references to accessory dwelling units including the alternative of permitting a secondary suite *or* accessory dwelling unit in the Rural Residential 1 zone
 - b. Increasing the number of affordable housing units at the Anglican Church property from 20 to 30 units and adding the following conditions subject to:
 - i. The entering of a housing agreement via s. 219 covenant between the non-profit operator and the Local Trust Committee
 - ii. The installation of a community water and septic system to service all units
 - iii. Units may be in the form of detached or multiplex buildings with a maximum of three storeys and a maximum height of 14 metres
 - iv. A maximum floor area of 120 m² per unit, and a total maximum floor area of 3000 m² for all units
2. That the North Pender Island Local Trust Committee directs staff to initiate bylaw referrals for draft bylaw No. 240, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2025”, and draft bylaw No. 241, cited as “North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2025”.

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 bring back draft Bylaw No. 240 and 241 for further consideration.

The recommendations above are supported as:

- Additional input from the Advisory Planning Commission and the public have indicated limited interest in pursuing more flexibility in residential zoning at this time, while interest is strong for, and so recommended amendments focus on, affordable, non-market, and worker housing;
- In the absence of a septic and water system infrastructure study, it is premature to consider permitting accessory dwelling units (ADUs) as an alternative to secondary suites in the Rural Residential 1 zone;
- Twenty units is deemed too low to provide financial feasibility for build-out and some questions have been raised on how development would occur, including the need for a housing agreement and more detail on permitted form and character, water supply and septic, while 30 units is consistent with other viable developments seen in the Trust Area; and
- Initiating bylaw referrals will allow for any concerns or issues to be identified from agencies and First Nations prior to consideration of first reading.

BACKGROUND

The LTC endorsed the [Housing Action Plan](#) at the May 30, 2025 LTC meeting. Since the April 10, 2026 LTC meeting, the following has been accomplished:

- The APC met to further review the draft bylaws including further exploration of flexible zoning options.
- A fourth Community Information Meeting on the project was held on Saturday, May 2. At that meeting, staff presented the draft bylaws to the community, and the APC presented a summary of their work. A Q&A session followed the presentations. There were approximately 20 members of the public present.
- CRD planning staff confirmed that the CRD Magic Lakes Septic and Water Committee did not approve an infrastructure study as requested by Islands Trust Planning staff.

Based on additional input received since the last meeting, staff are now bringing draft Bylaw No. 240 and No. 241 (Attachments 1 and 2) with recommendations for further consideration prior to initiating bylaw referrals.

An updated project status table is included with an update on each Plan Action (Attachment 3).

Regulatory

Bylaw No. 240 and No. 241

At the April 10 meeting, staff brought draft Bylaw No. 240 and No. 241 to the LTC for the first time. At that meeting, the LTC passed the following resolution:

NP-2026-024
It was MOVED and SECONDED,
 that North Pender Local Trust Committee request staff remove flexible zoning references in the R and RR2 zones from draft Bylaw No. 240 and No. 241.

CARRIED

The attached draft bylaws reflect this direction. No other changes to the draft bylaws were requested by the LTC at that meeting. To summarize, the scope of all the changes in the proposed draft bylaws undertaken as part of this project (other than those for which direction is being sought in the above recommendation) are as follows:

OCP Changes:

- Add an overarching goal to provide for a range of flexible housing options that meet the diverse needs of the community and island residents.
- Update population, demographic and build-out statistics in OCP introduction
- Add Community Service Policy to permit employee housing
- 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.
- Add a definition of Affordable Housing
- Add General Commercial Policy to permit rental housing on commercial zoned lots with limits to be established through zoning on maximum floor area per unit and maximum number of units per lot.
- Amend residential and rural residential policies to permit accessory dwelling units as a way to increase the stock of rental housing [Note: while removal of reference to ADUs in the RR1 zone in the Land Use Bylaw is being recommended at this time, keeping this OCP amendment is recommended based on the rationale provided in *Flexible Zoning Options* section]
- 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 conditions for water and septic

LUB changes:

- Permit up to two units of employee housing in site specific Community Service zones for both fire halls, police station and school property
- Amend site specific Anglican Church diocese property to permit affordable housing as a permitted use up to 20 dwelling units [Note – this report is seeking approval to change this from 20 to 30 units based on the reasons provided in the *Anglican Church Lands* section below]
- Add rental housing to permitted uses in C1 zone
- Amend C1 zone density to permit three units of second-storey rental housing with a maximum floor area of 80m² per unit in Commercial 1 zone (currently only applies to Driftwood Mall)
- Add definition of Rental Housing
- Add definition of Accessory Dwelling Unit (ADU) and integrate use of ADUs throughout bylaw (eg. General regulations on use, height, home business regulations, parking etc)
- Amend RR1 zoning to permit ADUs as an alternative to secondary suites in Magic Lake Estates [Note – this report is seeking approval to remove this based on the rationale provided in the *ADUs in the Rural Residential 1* section below]
- Remove maximum 40% floor area provision from secondary suite regulation
- 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

Issues and Opportunities

Flexible Zoning Options

With direction at the April 10 meeting to remove the broad flexible zoning scheme originally proposed, staff have sought further input from the community and the APC on if there are other options to amend zoning to provide some flexibility, for example to permit ADUs or secondary suites on larger residential lots.

These discussions have indicated that while there is merit to introducing the concept of ADUs in the OCP as a potential housing option, there is limited interest in pursuing more flexibility in residential zoning at this time, with the recommended focus to be on affordable, non-market, and worker housing.

As such, staff are not recommending any changes to the current draft bylaws at this time to increase flexibility of housing options. The draft OCP bylaw does include this added overarching goal in consideration of flexible zoning:

- 19) To provide for a range of flexible housing options that meet the diverse needs of the community and island residents.

Staff recommend that this amendment be kept as it reflects the community's interest in considering flexible options in the future, even if those options are not developed enough (or their impacts understood, e.g. in relation to infrastructure demands) to put into the land use bylaw regulation. This will ensure that that in the future, if specific 'flexible' options are considered to be included in zoning, the changes will be consistent with the OCP.

ADUs in Rural Residential 1 Zone

At the most recent committee meeting, the CRD Magic Lake Estates Water and Sewer Committee did not approve undertaking an infrastructure engineering study as was requested by Islands Trust staff. The purpose of this study would be to identify where the limitations exist in the water and sewer systems, and propose a plan for infrastructure upgrades that would align with the zoning and growth projections for the community.

In the absence of this study, staff are of the view that it is premature to consider permitting accessory dwelling units (ADUs) as an alternative to secondary suites in the Rural Residential 1 zone, and recommend that the LTC remove this as an option in draft bylaw No. 241.

There are also proposed amendments in draft Bylaw No. 240 to establish the concept of ADUs as a viable housing option in the OCP. Staff recommend that these changes be kept for the reasons stated above in the *Flexible Zoning Options* section.

Anglican Church Lands

In dialogue with volunteer community members that are scoping feasibility of development on the Anglican Church lands, initial results indicate that 20 units is too low to be economically feasible.

Other community members have sought more clarity in the draft bylaw on how development would occur, including the need for a housing agreement, more detail on permitted form/character, water supply and septic.

While there has been some discussion with volunteers of a number as high as 50 units to be viable, staff are of the view that 50 units is too high for the carrying capacity of the land base. Recognizing however that financial viability is critical to success, as a compromise and consistent with other developments of this type in the Trust Area, staff are recommending that the LTC increase the maximum number of units from 20 to 30, with the following conditions to ensure housing remains affordable, to provide some direction on permitted form and character, and to minimize impacts of build-out:

- The entering of a housing agreement via s. 219 covenant between the non-profit operator and the Local Trust Committee
- The installation of a community water and septic system to service all units

- Units may be in the form of detached or multiplex buildings with a maximum of three storeys and a maximum height of 14 metres (while two storey’s is the current maximum height for all buildings in the LUB, adding the alternative of up to three floors may help with project feasibility and in this case there are no immediate neighbouring properties that would be adversely impacted)
- A maximum floor area of 120 m² per unit and a total maximum floor area of 3000 m² (this size will accommodate up to three bedrooms, which is important for affordable family housing, and development will range from smaller studio, one bedroom and two bedroom suites up to larger 3 bedroom suites)

Project Timelines

In April, staff recommended the following process steps to be completed in the remainder of this term to get the draft bylaws to first reading prior to the new LTC taking over the project (Figure 1). Staff recommend that the LTC direct staff to initiate bylaw referrals as the next step.

Figure 1. Proposed Deliverable/Milestone and Timeline Updates

Deliverable/Milestone	Target Date
LTC receives draft bylaws and provides any initial comments or proposed amendments (e.g. to remove or amend flex zoning)	April 10 LTC meeting - DONE
Draft bylaws presented to public	May 2 CIM - DONE
LTC provides any additional proposed amendments based on public input	May 29 LTC meeting
Staff complete bylaw referrals	June – August
LTC considers 1 st reading, scheduling of a public hearing	September 4 LTC meeting
Public hearing held, Bylaws sent to EC and Minister of Housing and Municipal Affairs for approval	TBD - Could be scheduled prior to end of term, or Bylaws left at first reading for next LTC to resume

RECOMMENDATIONS

The recommendations on page 1 is supported as:

- Additional input from the Advisory Planning Commission and the public have indicated limited interest in pursuing more flexibility in residential zoning at this time, while interest is strong for, and so recommended amendments focus on, affordable, non-market, and worker housing;
- In the absence of a septic and water system infrastructure study, it is premature to consider permitting accessory dwelling units (ADUs) as an alternative to secondary suites in the Rural Residential 1 zone;
- Twenty units is deemed too low to provide financial feasibility for build-out and some questions have been raised on how development would occur, including the need for a housing agreement and more detail on permitted form and character, water supply and septic, while 30 units is consistent with other viable developments seen in the Trust Area; and
- Initiating bylaw referrals will allow for any concerns or issues to be identified from agencies and First Nations 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 draft Bylaw No. 240 or No. 241 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 make recommended amendments and send draft bylaws out for referral.

Submitted By:	Brad Smith, Island Planner	May 19, 2026
Concurrence:	Mary Storzer, Regional Planning Manager	May 20, 2026

1. Draft Bylaw No. 240
2. Draft Bylaw No. 241
3. Housing Action Plan Status Table, May 2026

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	Complete
2	Complete island-wide build-out analysis	Completion – Summer/Fall 2025 Roll-out – Fall/Winter 2025	Complete
3	Present results of 1 and 2 at a Community Information Meeting (CIM)	Fall/Winter 2025	Complete
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-	<ul style="list-style-type: none"> • Recommend to be removed from LUB, still included in OCP
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	<ul style="list-style-type: none"> • Staff and APC have reviewed mapping, some potential parcels identified but no recommendations for rezoning at this time – Mark as complete
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.)		<ul style="list-style-type: none"> • Included in draft bylaws
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		<ul style="list-style-type: none"> • Included in draft bylaws
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	<ul style="list-style-type: none"> • Staff and APC have reviewed mapping, some potential parcels identified but no recommendations for rezoning at this time – Mark as complete

11	Explore rezoning of a portion of Anglican Church lands to permit affordable housing.	Fall/Winter 2025	<ul style="list-style-type: none"> Included in draft bylaws
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	<ul style="list-style-type: none"> Work ongoing
14	Engage with community members to increase participation in community housing initiatives and non-profit community housing organizations.	Ongoing	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> Ongoing
16	Initiate island wide mail out describing project goals and objectives and opportunities to become involved in housing initiatives	Spring/Summer 2025	Complete
17	Develop educational materials to inform the public of changes to zoning and results of project deliverables	Development – Summer 2026 Roll-out - Fall 2026	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	Complete
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	Considered during mapping phase - Complete

DRAFT

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 240

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, 2025”.

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 HOUSING AND MUNICIPAL AFFAIRS THIS	_____	DAY OF	_____	20__
ADOPTED THIS	_____	DAY OF	_____	20__

CHAIR

SECRETARY

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 240**

SCHEDULE 1

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

1. Introduction Section is amended by deleting the two existing 'Population' paragraphs in their entirety and replacing with the following two paragraphs:

"North Pender Island is 2728 hectares (6741 acres) in area, with a permanent population of 2,467 people based on the 2021 census. This represents an overall 63% increase in permanent residents since the 1991 census and results in a population density of approximately one person per 1.1 hectares (2.7 acres). The population has increased each census period since 2001 when the population was 1,775 residents, with the most significant growth period between the years 2016-2021, with a 19.6% increase in permanent residents. There are also a significant number of part-time or seasonal residents on North Pender Island.

The mean age on North Pender in 2021 was 56, compared to a provincial mean age of 43. A significantly smaller proportion of the North Pender Island population is under age 35 compared to the province as a whole, while the proportion of the population in the 55-69 age range (33%) is more than one and a half times the provincial average (20.1%). The proportion of the population age 70 and over is nearly double the provincial average (32% on North Pender versus 16.3% provincially). The average household size on North Pender is 2.0 persons in 2021, the same as in 2016, and is smaller than the 2021 average household size for the province as a whole of 2.4 persons."

2. Introduction Section is amended by renaming 'Land Use' subsection to 'Land Use and Build-Out' and by deleting the five existing 'Land Use' paragraphs in their entirety and replacing with the following three paragraphs:

"The predominant land use on North Pender is residential. Over two-thirds of the land area is designated and zoned for residential use (Rural Residential and Rural). All residential land on the island is zoned to permit single family dwellings (and accessory cottages, secondary suites and accessory dwelling units under certain circumstances), there is no multiple unit zoning. The bulk of the remaining land is designated for agriculture (13%) or has protected status (15%). There are limited areas designated for various institutional and service uses (less than 1% of the island's land area), commercially designated land (also less than 1% of the island) and only around 6 hectares (15 acres) of land designated for industrial uses.

Based on a 2025 build-out analysis, there are approximately 1,990 total existing parcels that permit residential development in the Rural Residential, Rural and Agricultural land use designations. Of these 1,990 'residential' lots, 1,701 are currently developed (86% of all existing developable lots). The total potential for additional parcels to be created through subdivision is 199 lots, for a total potential build-out of 2,189 residential parcels. Based on the current average household size of 2.0 persons, this would result in a population of roughly 4,378 if all residential lots were occupied on a full-time basis. In 2021, approximately 71% of North Pender dwellings were occupied by permanent residents. Overall, approximately 60% of the existing lots on North Pender are in Magic Lake Estates.

Under the community plan and current zoning, approximately 200 additional lots that would permit residential use could be created through subdivision. A significant portion of this subdivision potential is situated in the north-west part of the island in the Port Washington and McKinnon Road areas. Other areas with unrealized subdivision potential include a number of larger rural zoned parcels throughout the island and several lots in the Razor Point area. Much of the currently designated and zoned residential land may be located in areas that are unsuitable for development due to the presence of environmentally sensitive areas, topography, lack of availability of groundwater, or poor access."

3. Introduction Section is amended by inserting a new left hand margin subsection entry entitled 'Housing Needs' after Land Use and Build-Out subsection and inserting the following two new 'Housing Needs' paragraphs:

"The BC Provincial Government requires all local governments in BC to consider its' most recent Housing Needs Report and housing information when amending OCPs. Based on the Islands Trust Housing Needs Assessment prepared by Urbanics Consultants Ltd in 2025, the projected housing need in the next 5 years is 208 units and in the next 20 years is 643 units. This calculation is based on the portion of growth projections for the Capital Regional District.

A limited rental supply, rising property costs, and a growing proportion of residents on fixed or lower incomes has contributed to housing insecurity. The portion of households experiencing core housing need (5.1% for owners and 22.9% for tenants as indicated in 2021 Census), and projected population growth, combined with demographic aging, points to increasing demand for more diverse, accessible, and affordable non market housing options. Market conditions and affordability challenges limit the ability of existing housing supply to meet community needs."

4. Section 1.2 is amended by inserting a new Goal immediately after Goal 18 as follows:

"19) To provide for a range of flexible housing options that meet the diverse needs of the community and island residents."

5. Policy 2.1.H is amended by deleting in its entirety and replacing with the following:

“Accessory housing options such as secondary suites and accessory dwelling units may be permitted as a way to increase the stock of rental housing without negatively impacting the rural sense of place or the carrying capacity of the island.”

6. Section 2.1 is amended by inserting a new policy after Policy 2.1.I as follows:

2.1.J Consideration may be given to rezone land for clustered, small footprint housing where:

- a) dwelling units consist of small footprint homes, including tiny homes on wheels or manufactured homes.
- b) dwelling units are constructed to the BC Building Code, or CSA standards for manufactured homes, or equivalent.
- c) dwelling units are anchored to the ground, connected to a source of potable water, and connected to an approved wastewater system.
- d) dwelling units shall have a limited floor area.
- e) the total floor area of dwelling units shall not exceed any maximum dwelling floor area for that zone.
- f) adequate communal facilities are available to meet the needs of the clustered, small footprint housing community.
- g) the proposed development is not located in areas containing sensitive ecosystems or of cultural or archaeological significance.”

7. Section 2.1.1 is amended by inserting a new policy after Policy 2.1.1.10:

“2.1.1.11 Accessory dwelling units may be permitted with the intent of providing long term rental housing options for residents on smaller lots. A maximum of one accessory dwelling unit or one secondary suite, limited in floor area, shall be permitted per lot.”

8. Section 2.1.2 is amended by inserting a new policy after Policy 2.1.1.9 as follows:

“2.1.2.10 Accessory dwelling units may be permitted with the intent of providing long term rental housing options for residents. A maximum of one accessory dwelling unit, limited in floor area, shall be permitted per lot.”

9. Section 2.3 is amended by inserting a new policy after Policy 2.3.3 as follows:

“2.3.3.1 Employee housing and affordable housing may be permitted in community service zones to provide options for ensuring housing for working people, young families, seniors and those who have special needs.”

10. Policy 2.3.9 is amended by deleting in its entirety and replacing with the following:

“Any additional density greater than that permitted by current zoning may be in the form of units reserved exclusively for occupancy by seniors.”

11. Policy 2.3.17 is amended by deleting in its entirety and replacing with the following:

“Applications may include provision of a housing agreement limiting occupancy of the dwellings to seniors. Such a housing agreement may also include provisions limiting rental, lease, sale or share prices of the units.”

12. Policy 2.3.20 is amended by deleting in its entirety and replacing with the following:

“Applications for rezoning to a higher density for affordable housing than permitted by current zoning may be considered within the Rural Residential, Rural, Community Service or Commercial land use designations, subject to the other policies in this plan.”

13. Policy 2.3.26 is amended by deleting in its entirety and replacing with the following:

“Applications for affordable housing may include provision of a housing agreement ensuring that rental, lease, sale or share prices are fixed below average rates within the region.”

14. Policy 2.3.35 is amended by renumbering it to Policy 2.3.34.

15. Section 2.4 is amended by inserting a new policy after Policy 2.4.13 as follows:

“2.4.13.1 Rental housing may be permitted on commercial-zoned lots and limits shall be established through zoning on maximum floor area per unit and maximum number of units per lot.”

16. Section 7.7 is amended by inserting the following definition immediately prior to the definition of Agri-tourism:

“Affordable Housing” - Rental or owned 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.”

DRAFT

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 241

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, 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. Section 1.1 – Interpretation, is amended by inserting the definition ‘accessory dwelling unit’:

““accessory dwelling unit” means an additional detached dwelling on a residential parcel with a limited floor area.”

2.2. Section 1.1 – Interpretation, is amended by revising the definition of ‘cottage’:

"cottage" means a detached dwelling with a limited floor area that is located on the same parcel as another dwelling.

2.3. Section 1.1 – Interpretation, is amended by inserting the definition ‘dwelling unit’:

““dwelling unit” means a building or portion of a building including a principal or additional 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.”

2.4. Section 1.1 – Interpretation, is amended by inserting the definition ‘rental housing’:

““Rental housing” means residential use of dwelling units that are limited to residential rental tenure.”

2.5. Section 3.4 – Height Regulations, Subsection 3.4(3) is amended by inserting the words ‘including an accessory dwelling unit’ such that it reads:

“An *accessory building* or *structure* including an *accessory dwelling unit* may not exceed 4.6 metres in *height* and one storey, except for:”

- 2.6. Section 3.7 – Home Business Regulations, Subsection 3.7(1) is amended by inserting the words ‘, *accessory dwelling unit*’ such that it reads:

“*Home businesses* must be conducted entirely within a *dwelling, cottage, accessory dwelling unit* or permitted *accessory building* except that this restriction does not apply to the use of land for a pottery kiln or for outdoor activities associated with a kindergarten, nursery school, daycare or *horticulture*.”

- 2.7. Section 3.10 – Secondary Suite Regulations, Subsection 3.10(3) is amended by deleting the words ‘and it must not exceed 40 per cent of the *floor area* of the *principal dwelling*’ such that it reads:

“The maximum *floor area* for a *secondary suite* is 90m² (968 ft²).”

- 2.8. Section 3.11 – Cistern Requirements, Subsection 3.11(1) is amended by inserting the words ‘or *accessory dwelling unit*’ such that it reads:

“A building permit for a *lot* outside a *community water system* shall not be issued for a new *building* to be used as a *dwelling*, including a *cottage* or *accessory dwelling unit*, unless a cistern (or combination of cisterns) is located on the *lot* for the storage of freshwater having a total capacity of at least 18,000 litres.”

- 2.9. Part 3 – General Regulations, is amended by inserting a new Section 3.16 ‘Accessory Dwelling Units’ immediately after Section 3.15 that reads:

3.16 Accessory Dwelling Units

- (1) The maximum *floor area* for an *accessory dwelling unit* is 60m² (645 ft²).
- (2) An *accessory dwelling unit* must not be subdivided from the principal dwelling under the *Land Title Act* or the *Strata Property Act*.
- (3) An *accessory dwelling unit* may not be used as a *short term vacation rental* or a *bed and breakfast home business*.
- (4) A building permit for a *lot* outside a *community water system* shall not be issued for an *accessory dwelling unit* unless a freshwater catchment and storage system having a capacity of at least 18,000 litres is installed on the *lot*.

- 2.10. Section 5.1, Rural Residential 1 (RR1) Zone, Subsection 5.1.1 is amended by inserting a new Article 5.1.1(c.1) immediately after Article 5.1(c) such that it reads:

“(c) *Secondary Suite*;

(c.1) *Accessory dwelling unit*.”

- 2.11. Section 5.1, Rural Residential 1 (RR1) Zone, Subsection 5.1.2 is amended by inserting the words 'or *accessory dwelling unit*' such that it reads:

"There may not be more than one (1) *dwelling*, one (1) *secondary suite* or *accessory dwelling unit*, and one (1) *cottage* on any lot."

- 2.12. Section 5.1, Rural Residential 1 (RR1) Zone, Subsection 5.1.9 is amended by deleting the existing table and replacing it with the following table:

Lot Area	The total floor area of all buildings may not exceed:	The total floor area of all dwelling units per lot 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)

- 2.13. Section 5.1, Rural Residential 1 (RR1) Zone, Subsection 5.1.16 is amended by deleting the existing Table 5.1 and replacing it with the following Table 5.1:

Table 5.1			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	RR1(a)	Trincomali Improvement District	Despite 5.1(1)(c) and 5.1(1)(c.1), <i>secondary suites</i> and <i>accessory dwelling units</i> are not permitted.

- 2.14. Section 5.2, Rural Residential 2 (RR2) Zone, Subsection 5.2.1 is amended by inserting a new Article 5.2.1(c.1) immediately after Article 5.2(c) such that it reads:

"(c) *Secondary Suite*;

(c.1) *Accessory dwelling unit*;"

- 2.15. Section 5.2, Rural Residential 1 (RR2) Zone, Subsection 5.2.9 is amended by deleting the existing table and replacing it with the following table:

Lot Area	The total floor area of all buildings may not exceed:	The total floor area of all dwelling units per lot 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)

- 2.16. Section 5.3, Rural (R) Zone, Subsection 5.3.1 is amended by inserting a new Article 5.3.1(d.1) immediately after Subsection 5.3.1(d) and numbered as (d.1) such that it reads:

“(d) *Secondary Suite*;

(d.1) *Accessory dwelling unit*.”

- 2.17. Section 5.3, Rural (R) Zone, Subsection 5.3.8 is amended by deleting the existing table and replacing it with the following table:

Lot Area	The total floor area of all buildings may not exceed:	The total floor area of all dwelling units 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)
16 ha or greater (40 acres or greater)		500 m ² (5382 ft ²)

- 2.18. Section 5.4, Rural Comprehensive 1 (RC1) Zone, Subsection 5.4.7 is amended by deleting the existing table and replacing it with the following table:

Lot Area	The total floor area of all buildings may not exceed:	The total floor area of all dwelling units 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)
For dwelling located within the Agricultural Land Reserve		500 m ² (5382 ft ²)

- 2.19. Section 5.5, Rural Comprehensive 2 (RC2) Zone, Subsection 5.5.7 is amended by deleting the existing table and replacing it with the following table:

Lot Area	The total floor area of all buildings may not exceed:	The total floor area of all dwelling units 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)
For dwelling located within the Agricultural Land Reserve		500 m ² (5382 ft ²)

- 2.20. Section 5.6, Rural Agricultural (AG) Zone, Subsection 5.6.8 is amended by deleting the existing table and replacing it with the following table:

Lot Area	The total floor area of all buildings may not exceed:	The total floor area of all dwelling units 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)
For dwelling located within the Agricultural Land Reserve		500 m ² (5382 ft ²)

- 2.21. Section 5.7, Commercial 1 (C1) Zone, Subsection 5.7.1 is amended by inserting a new Article 5.7.1(k.1) immediately after Article 5.1(k) such that it reads:

“(k) *Accessory dwelling;*

(k.1) *Rental housing; and*”

- 2.22. Section 5.7, Commercial 1 (C1) Zone, is amended by inserting a new Subsection 5.7.2.1 immediately after Subsection 5.7.2 such that it reads:

“(2) Only one (1) *accessory dwelling* permitted per lot.

(2.1) Up to three units of second-storey rental housing is permitted per lot with a maximum floor area of 80 m² per unit.”

- 2.23. Section 5.7, Commercial 1 (C1) Zone, Subsection 5.7.14, Table 5.7 is amended by deleting the existing Row 2 in Table 5.7 and replacing it with the following Row 2:

Table 5.7			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
2	C1(b)	Portion of Part C, DD69864I, Section 18 lying to the south of the main highway from Hope Bay to Port Washington.	Rescinded

- 2.24. Section 5.11, Community Service Zone, Subsection 5.11(8), Table 5.11 is amended by deleting the existing Table 5.11 and replacing it with the following Table 5.11:

Table 5.11			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	CS(a)	Lot 1, Section 11, Plan 27405.	The only <i>uses</i> permitted in this location are church and <i>affordable housing</i> up to a maximum of 20 units.
2	CS(b)	Lot A, Section 18, Plan 14409.	The only <i>uses</i> permitted in this location are library, preschool and charity retail stores.
3	CS(c)	Lot 8, Section 10, Plan 24778.	The only <i>uses</i> permitted in this location are public emergency services, public works yard and employee housing up to a maximum of two (2) units.
4	CS(d)	Lot 20, Section 10, Plan 24777.	The only <i>use</i> permitted in this location is water tank.
5	CS(e)	Lot 20, Section 10, Plan 24777.	The only <i>use</i> permitted in this location is church.
6	CS(f)	Lot A, Section 18 Plan 22835.	The only <i>uses</i> permitted in this location are public utility and employee housing up to a maximum of two (2) units.
7	CS(g)	Lot 1, Plan 29572, Section 11.	The only <i>uses</i> permitted in this location are <i>school</i> and <i>employee housing</i> up to a maximum of two (2) units.
8	CS(h)	Lot A, Plan 40871, Section 11.	The only <i>uses</i> permitted in this location are health clinic, public emergency services.
10	CS(i)	Lot A, Plan 65874, Section 18.	The only <i>use</i> permitted in this location is community hall.
11	CS(j)	Lots 1, Plan 30765, Section 15.	The only <i>uses</i> permitted in this location are public emergency and protection services, and one (1) <i>accessory dwelling</i> .

12	CS(k)	Lot 2, Plan 30765, Section 15.	The only <i>uses</i> permitted in this location are public emergency services and employee housing up to a maximum of two (2) units.
13	CS(l)	Lot 2, Plan 18611, Section 15.	The only <i>use</i> permitted in this location is cemetery.
14	CS(m)	Parcel A (DD47774W) of Lot 6 Plan 7196 Section 17.	(1) The only uses permitted in this location are private clubs including club hall rentals. (2) The <i>gross floor area</i> of the <i>uses</i> permitted in (1) may not exceed 483 m ² .
15	CS(n)	Lot 131, Sections 8 and 10, Pender Island, Cowichan District, Plan 17181	The only <i>use</i> permitted in this location is church.
16	CS(o)	A portion of Lot 3, Section 2, Pender Island, Cowichan District, Plan VIP54822.	(1) The only <i>uses</i> permitted in this area is the <i>retail sale</i> of used goods where all proceeds from sales are donated to community organizations and projects on North Pender Island. (2) Despite Subsection 5.11(7), no lot having an area less than 0.6 hectares may be created by subdivision in the Community Service CS (o) zone.
17	CS(p)	Portion of THAT PART of Lot 6, Section 7, Pender Island, Cowichan District, Plan 1695, Lying of the East of a Boundary Parallel to and Perpendicularly Distant 260 feet from the Easterly Boundary.	The only <i>use</i> permitted in this area is: the housing of equipment for the supply and distribution of telecommunications and cable service as a regulated service utility, not to include retail or office uses.
18	CS(q)	Lot A, Section 17, Pender Island, Cowichan District, Plan VIP75211 and Lot 2, Section 17, Pender Island, Cowichan District, Plan 31869.	The only permitted <i>use</i> in this location is <i>ferry terminal</i> .

- 2.25. Part 7 – Parking Regulations, Subsection 7.4(4), Table 7.1 is amended by deleting the existing Table 7.1 and replacing it with the following Table 7.1:

Table 7.1 : Number of Off-Street Parking Spaces	
Use of Building or Lot	Minimum Number of Parking Spaces Required
Dwelling	2 per principal <i>dwelling</i> , 1 per additional dwelling
Cottage	1 per <i>cottage</i>
Secondary Suite	1
Accessory dwelling unit	1 per unit
Home Business (other than Bed & Breakfast) Home Industry	2
Bed & Breakfast	1 per room
Community Housing Rental Housing	1 per
Retail Stores Personal Services Banks Repair Shops in commercial zones Medical Office Single Tenant Office	1 per 35 m ² of <i>floor area</i>
Multi-Tenant Office	1 per 30 m ² of <i>floor area</i>
Restaurants Cafes Premises licensed under the <i>Liquor Control and Licensing Act</i>	1 per 3 seats
Tourist Accommodation	1 per <i>Tourist Accommodation Unit</i>
Campground	2 plus 1 per camping space
Private Clubs Churches Libraries Museums Fire Hall	1 per 35 m ² of <i>floor area</i>
Community Halls Lodge Halls Churches	1 per 4 seats
Indoor Recreation Facilities	1 per 35 m ² of <i>floor area</i>
Industrial Use Warehouses Wholesale and Storage Buildings Servicing and Repair - Industrial zones Recycling Facilities Printing and Publishing	1 per 35 m ² of <i>floor area</i>
Ferry Dock Facilities	100
Marinas Yacht Clubs	1 per 5 Berths
Fish Buying Stations Wharfage of Sea Planes Water Taxis and Fishing Boats Marine Fuel Sales	1 per Berth
Storage and Sale of Petroleum Fuels	1
Cemeteries	15
Golf Courses	2 per Tee

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

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. <i>Coastal Douglas Fir Ecosystem</i>	Responsible	Date Received
Consider implementation of toolkit and mapping - LPC to develop model bylaw in 2021-22		01-Feb-2019
2. <i>Accessory Dwelling Units</i>	Responsible	Date Received
Review options for accessory dwelling units on North Pender.		26-May-2022
3. <i>Review DPAs</i>	Responsible	Date Received
To review the Development Permit Areas in the NP Official Community Plan to update guidelines, requirements, and outline options for new DPAs including forest cover, tree cutting and removal.		11-Aug-2022
4. <i>Browning to Driftwood Corridor Plan</i>	Responsible	Date Received
Coordination on a transportation plan for the Driftwood to Port Browning corridor.		11-Aug-2022
5. <i>Soil Bylaw Project</i>	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: May 21, 2026

Board of Variance

Application Number	Applicant Name	Date Received	Address	Purpose
PLBOV20260105	Dany De Sousa	3/11/2026	6632 RAZOR POINT RD, PENDER I	Appeal to Board of Variance for the siting of a wall in the setback from the sea
Planner	Status	Most Recent Completed Activity		
Bruce Belcher	Under Review	Planning Review		

Development Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLDP20260130	Bob Olson	3/25/2026	3708 TILLER CRES, PENDER ISLA	Application for tree cutting in a riparian and sensitive ecosystem development permit area.
Planner	Status	Most Recent Completed Activity		
Bruce Belcher	Under Review	Generate Complete Application Letter		

North Pender

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	

Development Variance Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLDVP20260112	Chris Hall	3/13/2026	5415 HOOSON RD, PENDER ISLAN	Had to choose yes or no from the question below for "has work started?" As the surveys and supporting letters show, these structures have been in place since at least the early 80's and probably much earlier.
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Local Trust Committee	Email Applicant of LTC Meeting	

Application Number	Applicant Name	Date Received	Address	Purpose
PLDVP20260126	Mike Telford	3/19/2026	2607 GUNWHALE RD, PENDER ISL	Application for a variance for the siting of a garage in a setback.
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
PLRZ20260178	Jordan Litke	4/23/2026	4609 BEDWELL HARBOUR RD, PE	A request to rezone the subject property to a R variant, allowing a minimum average lot size of 2 ha.
Planner		Status	Most Recent Completed Activity	
Brad Smith		Under Review	Generate Complete Application Letter	

Application Number	Applicant Name	Date Received	Address	Purpose
PLRZ20260184	Charles Eigl	4/28/2026	2305 OTTER BAY RD, PENDER ISL	<Optional, enter comments if required>
Planner		Status	Most Recent Completed Activity	
Brad Smith		Under Review	Generate Complete Application Letter	

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

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	In Progress Rezoning	Generate & Send Notice of LTC Decision		

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	

Temporary Use Permit

North Pender

Application Number	Applicant Name	Date Received	Address	Purpose
PLTUP20260167	Lisa Fleming, Ptarm	4/21/2026	4414 BEDWELL HARBOUR RD, PE	<p>Ptarmigan Arts Society is applying for a temporary use permit (TUP) to hold year seven of Mosaic Arts and Music Festival over the 2026 August long weekend on a property adjacent to the Pender Island community hall. Mosaic Festival is a community driven, family- oriented summer festival that celebrates local artists and musicians and provides hands on arts activities and experiences for community members of all ages.</p> <p>For the last two years, the festival has been held on the grounds behind the Pender Island Community Hall, on private land belonging to Karl Hamson (4414 Bedwell Harbour Road). Karl generously allowed use of his lands for this festival as a gift to the community. We have only recently been informed that we need to apply for a TUP in order to hold future editions of this festival on this property.</p> <p>In past editions of Mosaic Festival, the land has been treated with the greatest respect, and returned exactly to its original state after the festival. The same will be true in 2026 and in any future editions of the festival. Sustainability is a key goal of the festival, including leaving no trace of our presence on the land. At the festival, information is provided to locals and visitors on local ecosystems and land stewardship through local community groups such as the Pender Island Conservancy, Pender Ocean Defenders and Parks Canada.</p> <p>The festival is place based, and has little to no environmental impact. It will be self- contained in terms of power generation (generator), water (brought to site) and waste management (portapotties, compost, recycling and garbage handled by Pender Waste Management) and provides no demands on infrastructure. There are no permanent structures required for the festival, only tents and a temporary stage. The Pender Fire Department will provide emergency use water tanks as a precaution, although smoking is not allowed at the festival outside the smoking area, a policy that is strictly enforced. We have a workforce of experienced volunteers to handle site security, parking, site set up and site clean up.</p>

North Pender

Overall, Mosaic Festival contributes to quality of life and sense of community on our rural islands. We very much hope the Island Trust will grant a temporary use permit so we can continue to hold this fun and community building event in 2026

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 March 2026

650 North Pender	Invoices posted to Month ending March 2026	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
LTC Local				
65050-650	LTC "Executive Expense on LTC's"	516.00	431.95	84.05
65200-650	LTC - Local Exp - LTC Meeting Expenses	1,200.00	1,341.22	-141.22
65210-650	LTC - Local Exp - APC Meeting Expenses	1,550.00	2,327.28	-777.28
TOTAL LTC Local Expense		<u>3,266.00</u>	<u>4,100.45</u>	<u>-834.45</u>
Projects				
73001-650-4132	North Pender Raptor Nest DPA update	5,000.00	750.93	4,249.07
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>2,973.56</u>	<u>10,026.44</u>



Standing Resolutions Log

North Pender Island

Resolution Number	Action	Date
<p>2023-040 (Standing)</p> <p>Proposed Bylaws 224 & 229 - 4606 Razor Point Rd</p> <p>That the North Pender Island Local Trust Committee move to suspend bylaw enforcement on the Industrial zoned portion of 4606 Razor Point Road until the completion of Bylaw 224 and 229.</p>	<p>Carried</p>	<p>11-Mar-2023</p>
<p>2020-010 (Standing)</p> <p>15.1 Policy options for Bylaw Enforcement Compliance on unlawful uses</p> <p>that the North Pender Island Local Trust Committee adopt the following policy on unlawful land uses and planning applications:</p> <p>a. Where an application is received and a use is continuing in contravention of a land use bylaw, staff are directed to request that the applicant cease the use prior to processing the application, and staff are directed to continue with enforcement until the use is ceased.</p> <p>b. The applicant may request that the Local Trust Committee proceed with consideration of the application while the use is continuing; and, where the Local Trust Committee considers there is a community need to process the application while the prohibited use is continuing, the Local Trust Committee may direct that bylaw enforcement actions, including the issuing of notices, cease.</p> <p>c. Where the Local Trust Committee does not consider that there is a community need, or the applicant has not made such a request of the Local Trust Committee, bylaw enforcement actions, including the issuing of notices will continue</p> <p>d. In deciding whether to grant land use approval for a use that was commenced in contravention of a land use bylaw, the Local Trust Committee may consider whether the applicant has suspended the prohibited land use pending a decision on the application.</p>	<p>Carried</p>	<p>30-Jan-2020</p>
<p>2019-074 (Standing)</p> <p>13.3 Model Cell Tower Strategy - Staff Briefing</p> <p>that the North Pender Island Local Trust Committee adopt the model cell tower strategy for future review and consideration of proposals.</p>	<p>Carried</p>	<p>04-Jul-2019</p>

Standing Resolutions Log

North Pender Island

Resolution Number	Action	Date
<p>2019-072 (Standing)</p> <p>13.2 Standing Resolution - Reconciliation Report</p> <p>that the North Pender Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to: a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.</p>	<p>Carried</p>	<p>04-Jul-2019</p>
<p>2019-061 (Standing)</p> <p>16.2. Rise and Report</p> <p>that the North Pender Local Trust Community refer Short Term Vacation Rental Temporary Use Permits in the Magic Lake sewer catchment to the Magic Lake Sewer and Water Committee to confirm infrastructure capacity.</p>	<p>Carried</p>	<p>30-May-2019</p>
<p>2019-030 (Standing)</p> <p>13.2 Advisory Planning Commission - Staff Memo</p> <p>that the North Pender Island Local Trust Committee request that prior to expiration of Advisory Planning Commission members terms of office, staff write to commissioners asking if they wish to be reappointed and also advertise for expressions of interest for new commissioners.</p>	<p>Carried</p>	<p>28-Feb-2019</p>

Standing Resolutions Log

North Pender Island

Resolution Number	Action	Date
<p>2018-070 (Standing)</p> <p>12.2 Retail Cannabis Licensing - Staff Report</p> <p>that the North Pender Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications: - Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property, where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: o Name of the applicant and a description of the proposal in general terms. o The location of the proposed establishment and the subject site. o The place, date and time when, both a build meeting will be held and a resolution of the Local Trust Committee is considered. o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application. o How public comments may be submitted to the local trust committee.</p>	<p>Carried</p>	<p>06-Sep-2018</p>
<p>2006-080 (Standing)</p> <p>Communications Policy</p> <p>Policy Number NP-LTC-01-06 (Communications Policy) establishes guidance for the preparation and dissemination of routine non-statutory notices, extraordinary notices and trustee newsletters.</p>	<p>Carried</p>	<p>25-May-2006</p>



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY MARCH 17, 2026 BOARD MEETING

NOTE: For more detail on Islands Trust Conservancy meetings, including recordings and meeting minutes, please visit <https://islandstrust.bc.ca/whats-happening/meetings-and-events/>

- The ITC Board Chair rose and reported that it has approved spending of up to \$5,000 from the Land Securement budget to support a potential nature reserve securement in the Lasqueti Island Local Trust Area.
- The ITC Board requested staff to allocate undesignated donations received in the 2025-26 fiscal year to the Property Management Fund to support management of Islands Trust Conservancy protected areas.
- The ITC Board requested staff to notify the Lasqueti Island Local Trust Committee that ITC's interests are unaffected by proposed Bylaw No. 107, Lasqueti Island.
- The ITC Board requested staff to notify the Island Planner for Denman Island that approval of Bylaws 256 and 257 is endorsed by the ITC Board on the basis that the proposed bylaws brings the Official Community Plan and zoning into alignment with the conservation purpose of the subject properties and adds another layer of protection from development.
- The ITC Board accepted the conservation proposal submitted by Marilyn Walker to place a Natural Area Protection Tax Exemption (NAPTEP) covenant on approximately 2.5 ha of a Salt Spring Island property.
- The ITC Board requested staff to forward the ITC quarterly update to Trust Council local trust committees, and Bowen Island Municipality for the Conservancy Report agenda item, following its receipt at Trust Council.
- There is a joint Executive Committee/ITC Board meeting on April 15, 2026.
- The next Islands Trust Conservancy Board meeting is May 12, 2026.

Learn more about Islands Trust Conservancy: <https://islandstrust.bc.ca/conservancy/>

Visit the Islands Trust Conservancy Journal: <https://islandstrust.bc.ca/conservancy/the-journal/>

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**ISLANDS TRUST CONSERVANCY
REPORT TO TRUST COUNCIL
2025-2026 - 4th Quarter Update**

COMPLETED SINCE LAST REPORT (January - March 2026)	PLANNED FOR FIRST QUARTER 2026-27 (April - June 2026)
1. STRATEGIC PLANNING/ADMINISTRATION/OPERATIONS	
<p>Personnel/Staffing: Continued recruitment for</p> <ul style="list-style-type: none"> • Covenant Management Specialist • Communications Specialist • Administrative Assistant 	<p>Personnel/Staffing: Onboard new</p> <ul style="list-style-type: none"> • Covenant Management Specialist • Communications Specialist • Administrative Assistant
<p>ITC Five-Year Plan development: Developed a logic model and work plan Updated project charter Prepared and delivered engagement letters to First Nations and conservation partners Hosted an Information Session with interested First Nations (Feb. 19th)</p>	<p>ITC Five-year Plan development: Establish cooperative engagement framework and commence engagement with First Nations interested in involvement with development of Five-year Plan</p>
<p>ITC Board support: Hosted January 20th and March 17th ITC Board meetings Hosted January 30th ITC Board special meeting Began re-appointment process for provincially appointed board members Submitted referral response to Trust Council on the draft Policy Statement</p>	<p>ITC Board support: Host May ITC Board meeting Host special ITC Board meeting for ITC audit report findings Continue to support board member re-appointment process</p>
<p>Financial Management Continued to support the Board in reviewing and refining its budget request and business cases through review cycle Submitted revised budget to Committee of the Whole and Trust Council Prep for financial statement process</p>	<p>Financial Management Complete financial statement process and support the annual audit process. Implement budget Begin budget planning for 2027/28</p>
<p>ITC Policies: Continued policy review/update project</p>	<p>ITC Policies: Continue policy review/update project Engage with First Nations on identifying policy gaps and improvements</p>



**ISLANDS TRUST CONSERVANCY
REPORT TO TRUST COUNCIL
2025-2026 - 4th Quarter Update**

<p>SAR Program: Continued negotiation of a conservation agreement between Environment and Climate Change Canada (ECCC)</p> <p>Received a \$26,000 grant from Tree Canada to support the recovery of species and ecosystems at risk at Mt Tuam Protected Area</p> <p>Continued facilitating Species at Risk Program evaluation</p> <p>Completed collation and mapping of ITC SAR data (Co-op student project)</p> <p>Developed and presented a Stewardship Education Webinar on Species at Risk</p> <p>Presented on ITC Species at Risk Program to the Regional Planning Committee in February</p> <p>Co-organized and hosted an in-person meeting for 40 Priority Places Program grant recipients</p> <p>Completed Q3 reporting to funder for ECCC Priority Places Species at Risk Program</p> <p>Investigated SAR monitoring research proposals for 26/27 fiscal year</p> <p>Presentation to ITC Board ‘SAR Program Highlights’ at March meeting</p> <p>Continued collaboration with Planning Services to develop products, training, and support materials about species and ecosystems at risk</p>	<p>SAR Program: Complete final report to ECCC for Species at Risk (SAR) Program</p> <p>Investigate and implement SAR monitoring research proposals for 26/27 fiscal year</p> <p>SAR Program administrative wrap-up</p> <p>Plan with Protected Areas Management Team to prioritize species at risk work post ECCC funding.</p>
<p>Software Updates:</p> <p>Data Management System/GIS: Investigated procurement options for GIS specialist/firm to design a data management system to integrate into existing GIS systems.</p> <p>Field Technology Tools and Applications: Assessed new tools and features and provided feedback to GIS team</p> <p>Securement Applications Portal: Ongoing revisions, staff training, and procedure development for Islands Trust Applications Portal</p>	<p>Software Updates:</p> <p>Data Management System/GIS: Contract GIS specialist/firm to design a data management system to integrate into existing GIS’s systems.</p> <p>Field Technology Tools and Applications: Provide feedback to mapping team about application re-launch</p> <p>Work with mapping team to prepare software and database for 2026 field work season</p> <p>Securement Applications Portal: Ongoing revisions, staff training, and procedure development for the Islands Trust Applications Portal</p>



**ISLANDS TRUST CONSERVANCY
REPORT TO TRUST COUNCIL
2025-2026 - 4th Quarter Update**

<p>Other: Attended meeting with Tsawout First Nation (January)</p>	<p>Other: TBD</p>
<p>2. COVENANT AND PROPERTY SECUREMENT PROJECTS</p>	
<p>Conservation Planning Began developing a project plan for Regional Conservation Plan evaluation</p> <p>Collaborated with Planning Services to identify gaps in ecological data and analyses</p> <p>Updated conservation proposal forms with revised waiver of confidentiality, and information about First Nations referrals</p> <p>Continued securement negotiations on ~27 ha of land for ITC nature reserve (1 Galiano, 1 Salt Spring)</p> <p>Continued negotiations on ~2 ha of land for NAPTEP covenants (1 North Pender, 1 Salt Spring)</p> <p>Continued discussions related to enquiries about conservation options for three properties (1 Salt Spring, 1 Hornby, 1 Saturna).</p> <p>Ongoing review of applications for three land donations (Salt Spring, Lasqueti, Denman) and 1 NAPTEP (Salt Spring)</p>	<p>Conservation Planning Prepare project charter for multi-year Regional Conservation Plan evaluation and revision</p> <p>Board review and decision on three conservation proposals.</p> <p>Continue negotiations on existing conservation proposal projects</p>
<p>3. COVENANT AND PROPERTY MANAGEMENT</p>	
<p>Protected Area Monitoring: Presented nature reserve and covenant monitoring results and recommendations from 2025 monitoring season to ITC Board</p> <p>Issued reports with notice of compliance/non-compliance and stewardship recommendations to covenant landholders</p> <p>Collaborated with management groups to address concerns observed on nature reserves</p> <p>Collaborated with covenant co-holders and landholders to address compliance concerns and priority management needs in conservation covenants.</p> <p>Reviewed annual monitoring program and implemented improvements for 2026 season.</p>	<p>Protected Area Monitoring: Continue addressing concerns observed on nature reserves.</p> <p>Continue to collaborate with covenant co-holders and landholders to address compliance concerns and priority management needs in conservation covenants.</p> <p>Commence 2026 monitoring season</p>



**ISLANDS TRUST CONSERVANCY
REPORT TO TRUST COUNCIL
2025-2026 - 4th Quarter Update**

<p>Protected Area Management Projects: Reviewed annual reports from management groups and contractors implementing management projects in ITC protected areas</p> <p>Finalized list of priority projects for 2026-27</p> <p>Worked with Comox Valley Regional District on Denman Island Cross Island Trail along Lindsay Dickson Nature Reserve.</p>	<p>Protected Area Management Projects: Implement third year of three-year service contracts for management activities in ITC nature reserves.</p> <p>Commence procurement processes for priority projects for environmental monitoring, species-at-risk conservation, ecosystem stewardship, infrastructure maintenance, and other management needs</p> <p>Continue work with Comox Valley Regional District on Denman Island Cross Island Trail along Lindsay Dickson Nature Reserve.</p>
<p>Protected Area Management Planning Archeology assessment contracts in progress for two nature reserves.</p> <p>Continued policy development for management planning, risk management, and signage.</p>	<p>Protected Area Management Planning Archeology assessment contracts in progress for two nature reserves until March 2027.</p> <p>New policies in review for management planning, risk management, and signage.</p>
<p>Technology Improvements: Worked with GIS staff on updates and improvements to FieldMaps app based on user feedback during 2025 field season.</p> <p>Continued to work with GIS staff to ensure all spatial data collected for ITC protected areas can be incorporated and viewed in available mapping applications.</p> <p>Trial Survey123 as a replacement for paper monitoring forms.</p>	<p>Technology Improvements: Complete work with GIS staff to ensure updates to FieldMaps have been made and trialed.</p> <p>Roll out Survey123 for official use in Monitoring Program if trial is successful.</p> <p>Continue to work with GIS staff to ensure all spatial data collected for ITC protected areas can be incorporated and viewed in available mapping applications.</p> <p>Continue to explore remote monitoring solutions and related policy development.</p>
<p>Other: Continued policy review, drafting of new policies, and revision of outdated policies.</p>	<p>Other: Continue policy review/drafting/update.</p>
<p>4. COMMUNICATIONS AND OUTREACH</p>	
<p>NOTE: Support on priority communications projects this quarter was provided by a contractor while the Communications Specialist position is vacant. Many communication-related activities are pending until a new Communications Specialist is onboarded.</p>	
<p>Social Media: Weekly social media posts & engagement across all ITC platforms</p> <p>Launch of strategic giving WillPower campaign for 2026</p>	<p>Social Media: Weekly social media posts & engagement across all ITC platforms - Launch Reflections from the Field in spring 2026 to highlight field work, Winter Heron features on social media</p>



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	Ongoing strategic giving WillPower campaign posts
News Releases: None	News Releases: TBD
Publications: Designed and delivered digital & physical ITC Holiday Cards to donors and other key stakeholders Published end-of-year ITC eNews Published Giving Tuesday ITC eNews Issued <i>Caring for Your Conservation Covenant</i> newsletter to covenant landholders ITC FOLKLIFE Ad circulation in next issue of the magazine	Publications: Publish Winter Heron Newsletter Publish Winter ITC eNews
Outreach: None	Outreach: None
Events: None	Events: Host celebration for one new nature reserve and one new NAPTEP covenant on Salt Spring Island
Reports: None	Reports: Prepare for ITC 2025/26 Annual Report
5. FUNDRAISING AND CONSERVANCY SUPPORT	
Donor Relations: Stewardship of donors and advisors (ongoing) Reviewed and updated donor members in contract relationship database Received and processed donations – sent thank you letters and issued charity tax receipts Met with several potential donors interested in legacy giving Tour of S’ul-hween X’pey (Elder Cedar) Nature Reserve with legacy donor	Donor Relations: Stewardship of donors and advisors (ongoing) Receive and process donations – send thank you letters and issue charity tax receipts Follow up with potential donors interested in legacy giving
Strategic Giving: Continued WillPower Campaign seeking bequests of conservation lands or conservation funds Calls with two professional advisors Updated pledged bequests	Strategic Giving: Continue WillPower Campaign seeking bequests of conservation lands or conservation funds Review effectiveness of WillPower Campaign

As of March 2026, the Islands Trust Conservancy protects 115 conservation properties, 34 nature reserves and 81 covenants (29 of which have NAPTEP certificates)



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<p>Fund Management: Continued review of Opportunity Fund Guidelines</p>	<p>Fund Management: Review donation Policy and other fund guidelines Develop Fund Management Policy</p>
<p>Other: Developed draft Opportunity Fund application form Developed grant-needs spreadsheet Researched external grant opportunities (ongoing) Reviewed donation policies and fund guidelines Developed legacy and conservation print ad for Folklife Magazine</p>	<p>Other: Research external grant opportunities (ongoing)</p>