



North Pender Island Local Trust Committee

Regular Meeting Agenda

Date: October 2, 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. | APPROVAL OF AGENDA | | |
| 4. | TRUSTEE REPORT | | |
| 5. | CHAIR'S REPORT | | |
| 6. | ELECTORAL AREA DIRECTOR'S REPORT | | |
| 7. | PUBLIC PARTICIPATION PERIOD | 10:25 AM - 10:40 AM | |
| 8. | COMMUNITY INFORMATION MEETING - None | | |
| 9. | PUBLIC HEARING - None | | |
| 10. | MINUTES | 10:40 AM - 10:50 AM | |
| | 10.1 | Local Trust Committee Minutes Dated July 10, 2026 (for Adoption) | 3 - 6 |
| | 10.2 | Section 26 Resolutions-without-meeting Report - None | |
| | 10.3 | Advisory Planning Commission Minutes Dated August 14, 2026 (for Receipt) | 7 - 9 |
| 11. | BUSINESS ARISING FROM THE MINUTES | | |
| | 11.1 | Follow-up Action List Dated Sept 2026 | 10 - 11 |
| 12. | DELEGATIONS | | |

13. **CORRESPONDENCE**
Correspondence received concerning current applications or projects is posted to the LTC webpage
14. **APPLICATIONS AND REFERRALS** 10:50 AM - 11:20 AM
 - 14.1 Saturna Island Local Trust Committee Referral for Draft Bylaw No. 146 (for Response) (attached) 12 - 15
 - 14.2 NP-PL-TUP-2026- 0325 (Grimmer) - Staff Report (attached) 16 - 116
15. **LOCAL TRUST COMMITTEE PROJECTS** 11:20 AM - 12:00 PM
 - 15.1 Raptor Nest Mapping Development Permit Area Project - Proposed Bylaw No. 235 - Consideration of Adoption - Staff Report (attached) 117 - 128
 - 15.2 Housing Access and Affordability Project – Draft Bylaws 240 and 241 - Staff Report (attached) 129 - 160
16. **REPORTS** 12:00 PM - 12:10 PM
 - 16.1 Work Program Report (attached)
 - 16.1.1 Active Projects Report Dated Sept 2026 161 - 161
 - 16.1.2 Future Projects Report Dated Sept 2026 162 - 163
 - 16.2 Applications Report Dated Sept 2026 (attached) 164 - 169
 - 16.3 Trustee and Local Expense Report Dated July 2026 (attached) 170 - 170
 - 16.4 Adopted Policies and Standing Resolutions (attached) 171 - 173
 - 16.5 Local Trust Committee Webpage
 - 16.6 Islands Trust Conservancy Report - None
17. **NEW BUSINESS** 12:10 PM - 12:20 PM
 - 17.1 Proposed Draft 2027/28 LTC Operating Budgets - Staff Report (attached) 174 - 178
18. **UPCOMING MEETINGS**
 - 18.1 Next Regular Meeting Scheduled for November 20, 2026, Electronic Meeting
19. **PUBLIC PARTICIPATION PERIOD** 12:20 PM - 12:35 PM
20. **CLOSED MEETING - None**
21. **ADJOURNMENT** 12:35 PM - 12:35 PM

North Pender Island Local Trust Committee Minutes of Regular Meeting

Date: July 10, 2026

Location: Electronic Meeting

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
Warren Dingman, Manager, Bylaw Compliance and Enforcement
Dede MacLean, Office Administrative Assistant
Lisa Millard, Meeting Administrator/Recorder

Others Present: There were approximately 4 members of the public present.

1. CALL TO ORDER

Chair Maude called the meeting to order at 10:01 a.m.

2. TERRITORIAL ACKNOWLEDGEMENT

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

3. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

4. TRUSTEE REPORT

Trustee Campbell reported positive communications with members of the public regarding upcoming applications.

Trustee Morrison noted it had been a quiet month with nothing specific to report.

5. CHAIR'S REPORT

Chair Maude reported attendance at the June Trust Council meeting and noted the Trust Policy Statement Amendment Project will not complete this term.

6. ELECTORAL AREA DIRECTOR'S REPORT - None

7. PUBLIC PARTICIPATION PERIOD

No members of the public provided comments.

8. COMMUNITY INFORMATION MEETING - None

9. PUBLIC HEARING - None

10. MINUTES

10.1 Local Trust Committee Minutes Dated May 29, 2026 (for Adoption)

By general consent the North Pender Island Local Trust committee meeting minutes of May 29, 2026 were adopted.

10.2 Section 26 Resolutions-without-meeting Report Dated July 2026

Received for information.

10.3 Advisory Planning Commission Minutes Dated May 27, 2026 (for Receipt)

The minutes were received for information and Island Planner Smith thanked the Commission for their excellent work.

11. BUSINESS ARISING FROM THE MINUTES

11.1 Follow-up Action List Dated July 2026

Received for information.

12. DELEGATIONS - None

13. CORRESPONDENCE

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

14. APPLICATIONS AND REFERRALS

14.1 NP-PL-DP-2026-0231 (Kerfoot) - Staff Report

Planner Belcher summarized the staff report and highlighted the following:

- The application seeks a Development Permit for the construction of three new commercial vacation rental cottages with parking spaces within the Commercial and Industrial Form and Character Development Permit Area
- The additional units will form part of The Tides Cottages commercial vacation rental business, and are a permitted use under current commercial zoning
- One tree is proposed to be removed due to safety concerns related to the tree's health and proximity to one of the new units and thick bramble on the southern edge will also be removed
- The proposed construction, parking, existing screening, and landscaping fall within the Development Permit Area guidelines

The applicant was in attendance.

Discussion ensued and the following comments were noted:

- There is not a water study associated with the application as the additional units are within the density permitted for the subject property
- The operator would require a commercial water license

- The applicant will be required to show proof of water at time of building permit application
- The applicant noted the property produces significant water from the well on the property, all water systems have been redone and they have large storage capacity available, new builds will have rain water catchment tanks, and there is a water license in place

NP-2026-041

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee approve issuance of Development Permit PL-DP-2026-0231.

CARRIED

14.2 NP-PL-RZ-2026-0184 (Eigl) - Staff Report

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

- The application seeks rezoning of the golf course property to permit development of a new maintenance area including new maintenance buildings in a portion of the property currently zoned Rural which does not permit golf course uses, to add an accessory caretaker dwelling as a use, and to realign the property boundaries, setbacks, buildings and zoning with existing uses
- Preparation of draft bylaws will trigger the issuance of terms of reference that will identify any additional information and professional report requirements and facilitate First Nations and agency referrals and public input

The applicant was in attendance and spoke to the application.

The Local Trust Committee had no questions for the Planner.

NP-2026-042

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee directs staff to proceed with application PL-RZ-2026-0184 (Eigl), and to prepare draft amending bylaws.

CARRIED

15. LOCAL TRUST COMMITTEE PROJECTS - None

16. REPORTS

16.1 Work Program Report

16.1.1 Active Projects Report Dated July 2026

Received for information.

16.1.2 Future Projects Report Dated July 2026

Received for information.

16.2 Applications Report Dated July 2026

Island Planner Smith provided a verbal update on the status of application NP-RZ-2024 and PLRZ20240110 and the report was received for information.

16.3 Trustee and Local Expense Report Dated April 2026

Received for information.

16.4 Adopted Policies and Standing Resolutions

Received for information.

16.5 Local Trust Committee Webpage - None

16.6 Islands Trust Conservancy Report - None

17. NEW BUSINESS – None

18. UPCOMING MEETINGS

18.1 Next Regular Meeting Scheduled for September 4, 2026 at the St Peter's Anglican Church Hall, Pender Island

NP-2026-043

It was MOVED and SECONDED

that North Pender Island Local Trust Committee move the regular business meeting scheduled September 4, 2026 to October 2, 2026 to be held in person.

CARRIED

19. PUBLIC PARTICIPATION PERIOD

No members of the public provided comments.

20. CLOSED MEETING - None

21. ADJOURNMENT

By general consent the meeting was adjourned at 11:01a.m.

David Maude, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder

Minutes of the North Pender Island Advisory Planning Commission

Date: August 14, 2026
Location: North Pender Island Community Hall (upper hall)

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

Staff Present: Carly Bilney, APC Secretary (electronic)

Members Regrets: Joyce Thayer, Vice-Chair

Members of the Public: There were no members of the public in attendance.

1. CALL TO ORDER

Chair Gilbert called the meeting to order at 10:04 a.m.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. NORTH PENDER MAY 27, 2026 APC MINUTES (FOR ADOPTION)

Deferred to next meeting

4. DISCUSSION OF REFERRAL (NP-2026-038 – DEVELOPMENT OF ANGLICAN CHURCH LANDS)

Chair Gilbert outlined the referral and noted that he had met with Planner Smith to discuss the timelines and the role of the Advisory Planning Commission. He explained that it is the role of Commissioners to inform next steps such as studies to be undertaken and elements to consider.

The Chair noted the Commission has already identified a need for certain types of housing, and outlined the viability of advancing projects at Plum Tree Court and the Anglican Church property. Discussion ensued and the following comments were made:

- A comment was made that it is difficult to be picky about potential opportunities when there are no alternative options, and when securing funding is a challenge
- A comment was made about the need for community support
- The following questions were raised:

- What would feed into a future feasibility study?
- What would the operating model be (e.g. co-op vs BC Housing vs non-profit)?
- With no proposal currently underway, what is the role of the Commission?
- It was suggested that the proposal that is chosen will determine the nature of analysis to follow
- A comment was made about how there is no money available to cover building costs
- Reluctance was expressed to invest energy in projects that cannot reach completion
- A preference was expressed for using existing resources such as big homes that are currently under utilized to provide co-living and co-housing opportunities
- A Commissioner suggested Plum Tree Court is an important opportunity because there is already something in place, and what happens there will affect the viability of a project on the church property

The pros and cons of various housing models were discussed, and the following comments were made:

- Commissioners commented on the housing models used for projects on Galiano Island
- It was suggested that, while funding for Plum Tree Court has come from BC Housing, funding for housing on the church property will likely have to be internal
- A comment was made that federal funding has been put towards co-op housing in Saskatchewan
- A comment was made that a feasibility study would need to determine a proposal's profitability

Commissioners expressed general support of initiatives at Plum Tree Court and the Anglican Church and expressed a need for governance (e.g. bylaws, mandates, charters) that will help to enable the housing required in a modern context. The following comments were made:

- A Commissioner emphasized a need for actions that have traction – for discussions to result in a project – so that the volunteers that are likely to champion the projects do not burn out
- A Commissioner questioned how an additional number of units will impact the community
- The various challenges associated with housing developments at Plum Tree Court and on the church property were discussed, such as water limitations, land ownership, financing and taxation models
- It was noted that the Anglican Diocese has an upcoming meeting to discuss next steps and some Commissioners will attend
- A suggestion was made to reduce building costs by requesting that Islands Trust staff engage with the Capital Regional District to establish a system that expedites permits and reduces associated fees

Chair Gilbert offered to email an outline to Commissioners to collate their views and produce a document that responds to the referral. In summarizing the discussion and suggesting next steps, he made the following comments:

- Suggested the referral response point to the Commission's original reports and the need for housing for seniors and workers
- Suggested the Local Trust Committee would benefit from being open to a variety of initiatives (including unique, one-off opportunities) that could provide housing

- Suggested the referral response notes that the Commission is open to working with proponents of housing proposals as they come forward
- Expressed a need to be mindful of what the island can absorb

A Commissioner commented that the whole world is beyond its carrying capacity and pointed to work done by the Galiano Conservancy on the island's ecological footprint and biocapacity (One Island, One Earth).

5. NEXT MEETING – None

6. ADJOURNMENT

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

Jay Gilbert, Chair

Certified Correct:

Carly Bilney, Recorder

Follow Up Action Report

North Pender Island

29-May-2026

Progress	Activity	Responsibility	Dates	Status
0%	1 15.8 NP-PL-RZ-2024-0110 (Bigham) - stormwater management plan received - LTC requested more detail on the design, with respect to existing wells and soils, slope and regional drainage. Staff to inform applicant.	Brad Smith Emily Bryant	Target: 12-Jun-2026	Completed
0%	2 15.9 NP-PL-RZ-2026-0178 (Litke) - staff directed to proceed: 1) Assign BL # (Done) and draft amending bylaw 2) Issue TOR (Done) 3) Add application folders on web - done	Brad Smith Emily Bryant Jas Chonk	Target: 26-Jun-2026	In Progress

10-Jul-2026

Progress	Activity	Responsibility	Dates	Status
0%	1 10.1 May 29, 2026 LTC meeting minutes adopted as presented	Emily Bryant	Target: 31-Jul-2026	Completed
0%	2 14.1 NP-PL-DP-2026-0231 (Kerfoot) - DP approved as presented - staff to issue permit once planting security (\$2500) is received, document any monitoring requirements, and close-out file	Bruce Belcher Emily Bryant Jas Chonk	Target: 31-Jul-2026	Completed
0%	3 14.2 NP-PL-RZ-2026-0184 (Eigl) - LTC directed to proceed. Staff to: 1) Issue BL # (done) and draft amending bylaw 2) Issue TOR (Done) 3) update webpage with application materials - Done	Brad Smith Emily Bryant Jas Chonk	Target: 10-Jul-2026	In Progress
0%	4 18.1 Sept 4 LTC meeting rescheduled to Oct 2 - staff to confirm venue, update calendars and web	Emily Bryant Jas Chonk Lisa Millard	Target: 24-Jul-2026	Completed



Follow Up Action Report

DATE OF MEETING: October 2, 2026

File No.: SA-BL-146
(BE Technical AMD
Project)

TO: North Pender Island Local Trust Committee
FROM: Jas Chonk, Legislative Clerk, Southern Team
SUBJECT: Referral: Draft Bylaw No. 146

PURPOSE

The Saturna Island Local Trust Committee has referred draft Bylaw No. 146 cited as “Saturna Island Land Use Bylaw No. 119, 2018, 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 project including the preliminary staff report with site context, photos, correspondence, and other information can be found on the Saturna Island Projects webpage: <https://islandstrust.bc.ca/island-planning/saturna/projects/>

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 Saturna Island Local Trust Committee that interests are unaffected by draft Bylaw No. 146.
- 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 Saturna Island Local Trust Committee that draft Bylaw No. 146 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 Saturna Island Local Trust Committee that draft Bylaw No. 146 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 Saturna Island Local Trust Committee that draft Bylaw No. 146 not proceed for the following reasons:
 - *[list reasons]...*

Submitted By:	Jas Chonk, Legislative Clerk	July 3, 2026
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ATTACHMENTS

1. BYLAW REFERRAL FORM



Islands Trust

BYLAW REFERRAL FORM

Suite 200, 1627 Fort Street
Victoria, B.C. V8R 1H8
Ph: (250) 405-5151
Fax: (250) 405-5155
information@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Saturna Island Local Trust Area Bylaw No.: 146 Date: July 3, 2026

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

Bylaw Enforcement Technical Amendment Project

PURPOSE OF BYLAW:

To update the Saturna Island Land Use Bylaw No. 119 (LUB) and the Bylaw Infractions Investigations Bylaw No. 30 to require 30 days' notice for entry to properties subject to bylaw enforcement investigation.

Professional reports and staff reports are available on the Saturna island projects webpage:
<https://islandstrust.bc.ca/island-planning/saturna/projects/>

GENERAL LOCATION:

Saturna Island Local Trust Area

LEGAL DESCRIPTION:

N/A

SIZE OF PROPERTY AFFECTED:

N/A

ALR STATUS:

N/A

OFFICIAL COMMUNITY PLAN DESIGNATION:

N/A

OTHER INFORMATION:

Additional information, including the current bylaws, is available at: www.islandstrust.bc.ca

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.

B. Smith

(Signature)

Name: Brad Smith

Title: Island Planner
Contact Info: Tel: 250-405-5194
Email: bsmith@islandstrust.bc.ca

PLEASE TURN OVER 

This referral has been sent to the following agencies:

Federal Agencies

Provincial Agencies

Non-Agency Referrals

Regional Agencies

Capital Regional District – Building Inspection
Island Health
Saturna Island Fire Rescue

Adjacent Local Trust Committees and Municipalities

North Pender Island Local Trust Committee
Mayne Island Local Trust Committee
South Pender Island Local Trust Committee

First Nations

Cowichan Tribes
Halalt First Nation
Lyackson First Nation
Malahat First Nation
Pauquachin First Nation – via portal
Penelakut Tribe – via portal
Semiahmoo First Nation
Snuneymuxw First Nation – via portal
Stz'uminus First Nation
Ts'uubaa-asatx Nation (Lake Cowichan) – via portal
Tsartlip First Nation
Tsawout First Nation via portal and email
Tsawwassen First Nation
Tseycum First Nation
WSANEC Leadership Council

**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

Saturna Island Local Trust Area

(Island)

(Signature)

(Date)

146

(Bylaw Number)

(Name and Title)

(Agency)

File No.: NP-PLTUP20260325 (Grimmer)
X-Ref NP-TUP-2023.5 (Grimmer)

DATE OF MEETING: October 2, 2026
TO: North Pender Island Local Trust Committee
FROM: Brad Smith, Island Planner
Southern Team
COPY: Mary Storzer, Regional Planning Manager
SUBJECT: Temporary Use Permit Renewal Application – Concrete Batch Plant
Applicant: Barbara Johnston
Location: 4415 Bedwell Harbour Road

RECOMMENDATIONS

1. That the North Pender Island Local Trust Committee (LTC) not approve the issuance of Temporary Use Permit renewal NP-PL-TUP-2026-0325 (Grimmer).
2. That the North Pender Island Local Trust Committee directs that the applicant cease the use for a concrete batch plan on the subject property until either a new Temporary Use Permit is issued, or rezoning application NP-RZ-2024.1 (Grimmer) is approved.
3. That the North Pender Island Local Trust Committee directs bylaw enforcement to initiate enforcement on the subject property for any unlawful use of the concrete batch plan until either a new Temporary Use Permit is issued, or rezoning application NP-RZ-2024.1 (Grimmer) is approved.
4. That the North Pender Island Local Trust Committee requests that the applicant provide the following information to help inform a future temporary use permit application and rezoning application NP-RZ-2024.1 (Grimmer):
 - a. A report from a qualified professional engineer or hydrogeologist that includes baseline water sampling results and analysis from the groundwater monitoring well, and a groundwater monitoring well sampling plan to guide future water quality monitoring;
 - b. A remediation plan including timelines for the removal of derelict equipment and vehicles in the area proposed for use;
 - c. A report from a qualified professional engineer confirming that the operational maintenance items identified in the September 14, 2026 monitoring checklist are adequately dealt with; and including any additional recommendations of the professional for improving site management.

REPORT SUMMARY

The purpose of this report is to present Temporary Use Permit (TUP) renewal application for consideration by the North Pender Local Trust Committee (LTC). Staff are recommending that the TUP renewal not be approved.

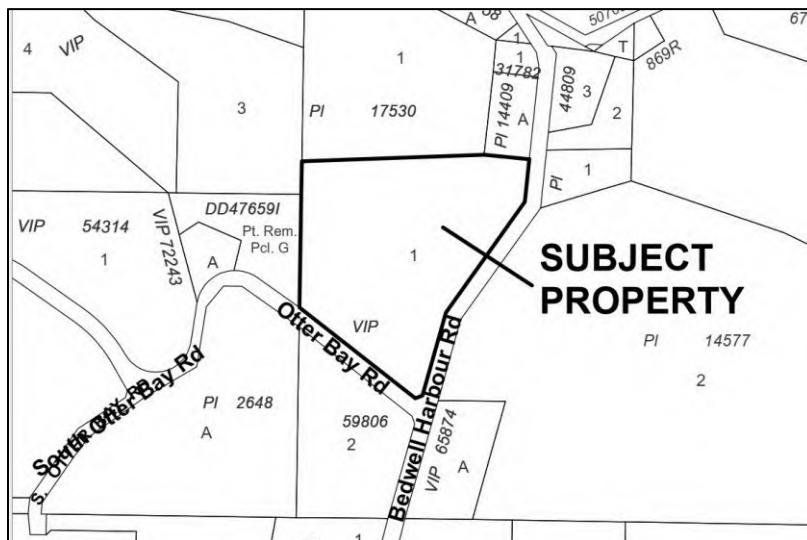
The recommendations above are supported as:

- The required monitoring report was submitted 26 months overdue and the report identifies several operational issues that need to be addressed either prior to TUP renewal, or as conditions in a new TUP;
- First Nations have identified a number of additional site management concerns through the bylaw referral process for the associated rezoning application and a subsequent site visit by the Tsawout First Nation;
- NP-TUP-2023.5 expired in July 2026 and is no longer valid; TUPs are required to be renewed prior to expiry; and,
- In this case, given the operational and site management concerns identified, it is appropriate to seek that the applicant cease the current use until a new TUP is issued or rezoning is approved.

BACKGROUND

The TUP renewal application is for the continued operation of a concrete batch plant and associated uses on a 0.54 ha (1.35 ac. – approx.) portion of the subject property (See Figure 1), which is zoned **Rural (R)** and does not permit industrial uses.

Figure 1 – Subject Property



The concrete batch plant has been approved since February 2020, via permit NP-TUP-2018.5 (Grimmer) which was approved for one year, and then subsequently renewed by the LTC for two additional years. The most recent permit, NP-TUP-2023.5, for which renewal is being sought, was approved for three years, and expired in July 2026.

The proposed use for the concrete plant is also the subject of rezoning application NP-RZ-2014.1 (Grimmer).

Additional information related to both the TUP and rezoning, including environmental management/monitoring reports and staff reports can be found here: <https://islandstrust.bc.ca/island-planning/north-pender/current-applications/>

ANALYSIS

TUP Renewal Permit

Draft permit NP-PL-TUP-2026-0325 is included as Attachment 1. As this is a TUP renewal, the conditions of the original TUP (Attachment 2) cannot be altered.

A TUP renewal can be approved for up to an additional three years, after which a new permit will be required. While in some cases a bit of leeway is granted, TUPs are only valid until the expiry date and are required to be renewed prior to expiry or a new permit is generally required.

NP-TUP-2023.5 Qualifying Conditions

NP-TUP-2023.5 had three qualifying conditions that were required to be met:

dd) Groundwater Monitoring Well

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

A monitoring well was installed in June 2025, and a report was submitted (Attachment 3). To date, no sampling data has been provided from this well. Staff recommend that the LTC direct the applicant to provide a report from a qualified professional engineer that includes baseline water sampling results and analysis from the groundwater monitoring well, and a groundwater monitoring well sampling plan to guide future monitoring

ii) Rezoning Application Submission

Rezoning Application Submission

- ii) The property owner shall submit a rezoning application to the North Pender Local Trust Committee for the long -term operation of the concrete batch plan on the property within six (6) months of the issuance of the permit or this permit shall cease to be valid.

The application was received by the LTC at the April 5, 2024 meeting where they directed staff to proceed and to draft amending bylaws. Draft bylaw [No. 236](#) and [No. 237](#) have been sent out for referral. The draft bylaws will be brought back to the LTC at a future meeting with a full summary of referral responses.

The applicant continues to work on additional items in the Terms of Reference for the rezoning (Attachment 4) including the provision of an updated environmental management plan and finalized surveyed site plan. These items will also be brought forward to the LTC when ready.

gg) Inspection Report/Checklist

TUP activities on the site are directed by an Environmental Management Plan. Condition (ff) of expired permit NP-TUP-2023.5 required that:

Environmental Management Plan and Reporting

ff) The uses permitted in Section 2. (above) shall conform to all operational methods, environmental mitigation measures, best management practices and environmental monitoring requirements contained in the “Environmental Management Plan” (‘EMP’ - Islander Engineering Ltd., October 2019) and submitted to the Islands Trust, Victoria Office on October 3, 2019.

To monitor compliance with condition (ff), condition (gg) of the permit required that:

gg) The Monitoring Environmental Consultant shall prepare and submit to the Islands Trust a monitoring report on adherence to the ‘Environmental Management Plan’ within one (1) year of the issuance of this permit, and that report shall include a completed checklist as shown on Schedule ‘E’, attached to and forming part of this Permit.

With TUP approval in July 2023, the report should have been submitted by August 2024. Due at least partly to unforeseen personal circumstances that impacted the ability of the applicant to provide the report in a timely manner, staff did not receive the report until September 14, 2026, (Attachment 5) 26 months after the required deadline. This did not provide much time for staff to review and respond to the report, or for the applicant to address issues prior to the LTC considering renewal of the TUP.

The report flags several items that need correcting or further monitoring including:

- Maintenance of drainage in batching area
- Cleanout of wastewater tanks/basins required prior to rainy season
- Stockpile maintenance/coverage
- Silt fencing reinstallation
- Further flag of storage cleanout under overflow protocol
- Wet season monitoring follow-up

The LTC cannot amend the permit in any way to address any of these items. As such, staff recommend that the TUP should not be renewed, and that a new permit should be required.

First Nations Referral Responses

There is no requirement for First Nations to be notified as part of the TUP renewal process, however draft Bylaw No. 236 and No. 237 have been sent to First Nations for referral and concerns have been raised by the Cowichan, Malahat and Tsawout First Nations (Attachment 6).

The Tsawout First Nation conducted a site visit in May 2026 and have provided a follow-up letter (Attachment 7) that flags a number of additional concerns, including the presence of derelict vehicles and equipment on the site, and the need for groundwater monitoring.

As the TUP application is a renewal, the LTC cannot amend the permit in any way to address these items. If a new TUP was required, additional conditions could be added to seek action more immediately on removal of derelict vehicles, monitoring well sampling etc.

Bylaw Enforcement

The LTC has Standing Resolution (SR) 2020-010 in respect of bylaw enforcement on unlawful uses:

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

If TUP renewal is denied, the LTC will need to turn their mind on how to apply SR 2020-010 to the associated rezoning application. Up to now, the LTC has required a TUP to be in place to guide land use while the rezoning was being considered.

Given the several deficiencies noted in the recent monitoring report, and the concerns of First Nations, staff recommend that the LTC not permit the activities to proceed in the absence of a new TUP or rezoning approval, and that the activity should cease, or bylaw enforcement actions should proceed, until a new TUP is issued, or rezoning is approved.

The applicant could submit a request to the LTC to apply Policy 2020-010 15.1(b) to permit the use while the rezoning application is being processed. If the applicant does submit a request prior to the meeting, staff will provide to the LTC. In the past, the LTC has directed the applicant to have a TUP in place to ensure the site is managed effectively while the rezoning was being considered. Staff recommend continuing to require a TUP.

Consultation

Statutory Requirements

As this is a TUP renewal application, no statutory notification is required.

Rationale for Recommendation

The recommendations on page 1 are supported as:

- The required monitoring report was submitted 26 months overdue and the report identifies several operational issues that need to be addressed either prior to TUP renewal, or as conditions in a new TUP;
- First Nations have identified a number of additional site management concerns through the bylaw referral process for the associated rezoning application and a subsequent site visit by the Tsawout First Nation;
- NP-TUP-2023.5 expired in July 2026 and is no longer valid; TUPs are required to be renewed prior to expiry; and,

- In this case, given the operational and site management concerns identified, it is appropriate to seek that the applicant cease the current use until a new TUP is issued or rezoning is approved.

ALTERNATIVES

The following alternatives are as follows:

1. Approve TUP renewal as presented

If selecting this alternative, the LTC should be aware that the conditions of the TUP cannot be altered and that there is a potential legal risk of approving the permit after the original permit has expired.

Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee approves the issuance of Temporary Use Permit renewal NP-PL-TUP-2026-0325 (Grimmer) for a period of _____ years.

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 the following information:_____.

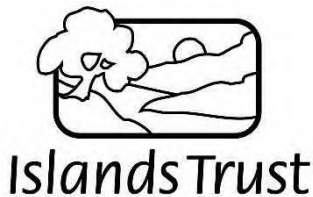
NEXT STEPS

With direction from the LTC, planning staff will close the file and seek a new TUP application from the applicant.

Submitted By:	Brad Smith, Islands Planner	September 23, 2026
Concurrence:	Mary Storzer, Regional Planning Manager	September 24, 2026

ATTACHMENTS

- 1) Draft NP-PL-TUP-2026-0325 Renewal Permit
- 2) NP-TUP-2023.5 Permit
- 3) Monitoring Well Report, June 2025
- 4) NP-RZ-2024.1 Terms of Reference
- 5) Environmental Inspection Report – September 2026
- 6) First Nations Referral Responses
- 7) Tsawout Site Visit follow-up letter



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
TEMPORARY USE PERMIT NP-PL-TUP-2026-0325
RENEWAL of NP-TUP-2023.5 (Grimmer)

4415 Bedwell Harbour Road

To: Barbara and Glenn Grimmer
c/o Aaron Grimmer

1. This Permit applies to the land described below:

That portion of:

Lot 1, Section 18, Pender Island, Cowichan District, Plan VIP59806
(PID: 018-948-421).

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

2. This permit is issued for the purpose of permitting the owner to conduct the following uses and no others in the Temporary Use Area of the property:
- a) A concrete batch plant operation.
 - b) The storage, handling and wholesale of aggregates defined as sand, drainage rock and gravel.
 - c) For certainty, and for the purposes of this permit, handling is defined as blending, but does not include screening, sorting, crushing or washing.
 - d) Storage of motorized and non-motorized vehicles and equipment directly required for the concrete and excavation business know as "Gulf Excavating Ltd".
3. This permit allows the following existing buildings and structures as shown on Schedule 'A'.
- a) Buildings and structures accessory to the uses permitted in Section 2. (above) and as shown on Schedule 'A' attached to and forming part of this permit and specified as follows:
 - i. One (1) concrete hopper;
 - ii. One (1) 'Pull in Bay' constructed of concrete 'lock-blocks';
 - iii. Impermeable wastewater holding tanks, and a retention pond adequate in number and capacity for wastewater collection and recycling for the concrete batch operation;
 - iv. One (1) fuel storage building ('sea container');
 - v. One (1) Maintenance Structure (fabric/'coverall' type) a with maximum area of 463.6 m² (4990 ft²) and a maximum height of 4.6 metres.

4. The uses may be carried out subject to the following conditions and specifications shown on Schedules 'B', 'C', 'D', 'E', 'F' and 'G' attached to and forming part of this permit:

General

- a) The uses permitted in Section 2. (above) may not result in any contamination or degradation of the groundwater aquifers in the vicinity of the subject property or downstream aquatic areas.
- b) All vehicles, equipment, buildings and materials permitted by Section 2. and 3. (above) are to be removed from the site by the date of the expiry of this permit. The removal of screening is not a condition of this permit.
- c) Unless a rezoning application is received by the Islands Trust, upon the expiry of this permit, the Temporary Permit Area of the property shall be remediated to return to the condition prior to the commencement of the concrete batch plant operation in 2016.
- d) The maximum volume of concrete produced each month is limited to 382 m³ (500 yd³).
- e) The maximum volume of aggregates stored on site is limited to 2294 m³ (3000 yd³).
- f) Storage and use of motorized and non-motorized vehicles and equipment accessory to the uses permitted in Section 2. (above), and motorized vehicles are further limited as follows:
 - i. Two (2) dump truck;
 - ii. One (1) 'pup' loader;
 - iii. Two (2) 'pup' trailers';
 - iv. Three (3) excavators;
 - v. One (1) Tractor with low-bed trailer,
 - vi. Four (4) concrete trucks; and,
 - vii. A maximum of two (2) other vehicles

Access and Hours of Operation

- g) Vehicle access to and from the Temporary Use Area shall be restricted to the use of only one of the two access point on Bedwell Harbour Road at any given time as indicated on Schedule 'A'.
- h) Both vehicular access driveways shall be surfaced with road base (or similar) extending a minimum of 75 metres from Bedwell Harbour Road, and the surface shall be maintained for the duration of the permit and any renewal period.
- i) There is to be no public access to and from the concrete batch plant area of the Temporary Use Area Site.
- j) The specific area containing wastewater holding tanks shall be guarded with a locked, non mountable fence to a height of 1.8 metres to prevent access.
- k) The specific area containing retention pond (overflow) shall be guarded with locked, non mountable fence to a height of 1.8 metres to prevent access.
- l) Hours of operation, including movement of vehicles and equipment, are restricted to between 8:00 a.m. and 4:30 p.m., Monday to Friday.
- m) Hours of operation, including movement of vehicles and equipment, are restricted to between 9:00 a.m. and 3:00 p.m. on Saturdays with no more than two (2) deliveries on any Saturday and where all reasonable measures are taken to abate noise.

- n) Hours of operation may be extended to between 5:00 a.m. and 7:00 p.m., Monday to Friday exclusively for off-island loads as necessarily determined by ferry schedules and where all reasonable measures are taken to abate noise.

Water and Waste Management

- o) All paved surfaces within the 'concrete batching area' as shown on Schedule 'A' are to be bounded by a 150 mm x 150 mm extruded curb with a minimum reverse 1% grade for wastewater capture and collection in accordance with the specifications shown on Schedule 'C'.
- p) The lined secondary containment area for the wastewater holding tanks is to be lined and maintained with a minimum 45 mil. rubber pond liner.
- q) Surface water not related to concrete production shall be directed away from wastewater collection areas.
- r) Siltation control is to be installed to prevent the release of any suspended materials in surface runoff from the Temporary Use Area within all site ditching as shown on Schedule 'A' and specified in Schedule 'C' attached to and forming part of this permit.
- s) Dust control measures shall be implemented in accordance with the "Recommended Guidelines for Environmental Management Practices for Canadian ready Mixed Concrete Industry" as excerpted on Schedule 'D'.
- t) All waste concrete shall be disposed of through creating concrete "loc-blocks" on site.
- u) Aggregates stored on-site shall be contained within areas delineated along three sides with concrete "loc-block" walls measuring a maximum height of two (2) blocks (1.5 m).
- v) Aggregates stored on-site shall be covered with secured tarps in good condition to prevent leachates caused by rainfall.
- w) The operator shall ensure that wastewater / excess concrete has been treated / covered / stored within a sealed vessel (10,000 gallon tank) ahead of rain fall.

Hydrocarbon Management

- x) Storage of chemicals and hydrocarbons is to be contained in corrosion-resistant tanks securely anchored on flat surfaces.
- y) Storage of chemicals and hydrocarbons is to be contained in a locked, weather protected (roofed) structure ('sea container') with a 15.25 cm (6 in.) "kick plate" as shown on Schedule 'A'.
- z) Containment for chemicals and hydrocarbons within the seacan is to be contained in a lined cell providing a minimum of 120% of the volume of stored liquids.
- aa) Emergency spill kits are to be provided at all areas where chemicals and/or fuel is stored.

Landscape & Screening

- bb) The earthen berms planted with Douglas fir and speria as shown on Schedule 'F' and described in Schedule G must be maintained and irrigated as necessary to assist in survival for the entire period of the temporary use permit.
- cc) The berms are to be maintained in a roughened state and contoured to an angle of 3H:1V to prevent runoff.

Groundwater Monitoring

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

Environmental Management Plan and Reporting

- ee) The uses permitted in Section 2. (above) shall conform to all operational methods, environmental mitigation measures, best management practices and environmental monitoring requirements contained in the “Environmental Management Plan” (‘EMP’ - Islander Engineering Ltd., October 2019) and submitted to the Islands Trust, Victoria Office on October 3, 2019.

Monitoring

- ff) The ‘Monitoring Environmental Consultant’ shall be Islander Engineering Ltd. or a qualified professional licenced in the Province of BC with relevant experience in Environmental Management and hydrogeology.
- gg) The Monitoring Environmental Consultant shall prepare and submit to the Islands Trust a monitoring report on adherence to the ‘Environmental Management Plan’ within one (1) year of the issuance of this permit, and that report shall include a completed checklist as shown on Schedule ‘E’, attached to and forming part of this Permit.
- hh) The Islands Trust Bylaw Enforcement Officer may enter the property between the hours of 9:00 am and 5:00 pm on any day without prior consultation with the holder of the Permit for the purpose of investigating a complaint.

Rezoning Application Submission

- ii) The property owner shall submit a rezoning application to the North Pender Island Local Trust Committee for the long-term operation of the concrete batch plan on the property within six (6) months of the issuance of the permit or this permit shall cease to be valid.
5. Pursuant to Section 502 of the *Local Government Act*, the Local Trust Committee requires security to ensure that any damage to the natural environment resulting from the contravention of a condition of this permit is corrected:
- a) Where the Local Trust Committee considers that a condition in the permit has been contravened resulting in damage to the natural environment, the Local Trust Committee may undertake and complete the works required to correct the damage to the natural environment, at the cost of the permit holder, and may apply the security in payment of the cost of the works with any excess to be returned to the permit holder.
 - b) Any interest earned on the security provided under Condition 5.c.i shall accrue to the permit holder and be paid to them immediately on return of the security or, on default, become part of the amount of the security.

- c) The security provided by the permit holder shall be in the form of:
 - i. An irrevocable letter of credit with a clause for automatic renewal, or cash equivalent;
 - ii. Payable to the Islands Trust; And,
 - iii. In the amount of \$10,000.00
 - d) Where the use authorized by this permit has ceased; or a rezoning application has been received by the Islands Trust; or the permit has expired and the use on the land ceased prior to commencement of any work pursuant to this permit, the security shall be returned to the permit holder, minus any funds still required to satisfy the Condition 5.a of this permit, provided that the conditions have been met.
6. This permit is valid for XX (XX) 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.
7. 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 for regulatory compliance and requirement to obtain other approvals necessary for the proposed uses with other authorities including the Provincial Ministry of Environment, Ministry of Transportation and Infrastructure, Capital Regional District, or Island Health.

AUTHORIZING RESOLUTION PASSED BY THE NORTH PENDER ISLAND LOCAL TRUST COMMITTEE THIS _____ DAY OF _____, 2026.

Deputy Secretary, Islands Trust

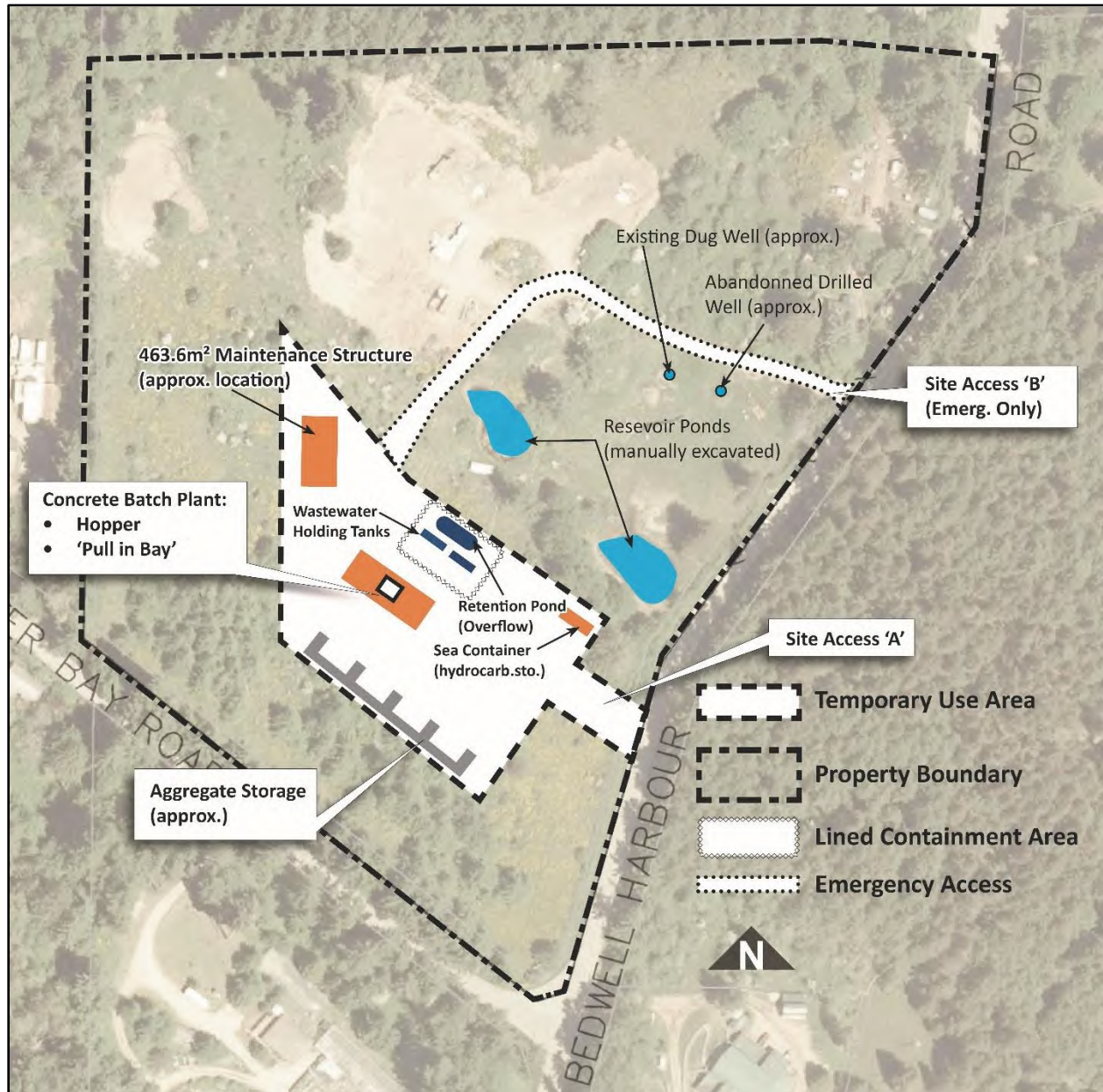
Date Issued

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

NP-PL-TUP-2026-0325

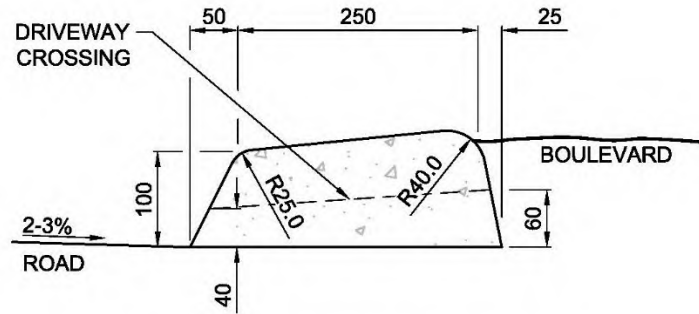
SCHEDULE 'A'

SITE PLAN

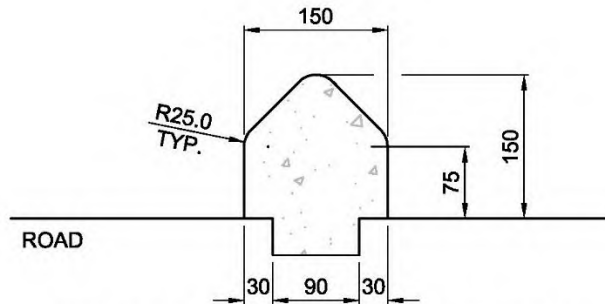


NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
NP-PL-TUP-2026-0325
SCHEDULE 'B'

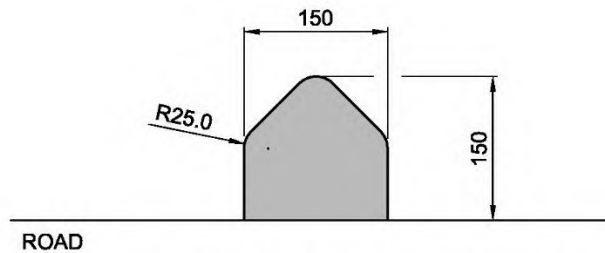
CURB CROSS SECTIONS



TEMPORARY CONCRETE CURB 1



TEMPORARY CONCRETE CURB 2



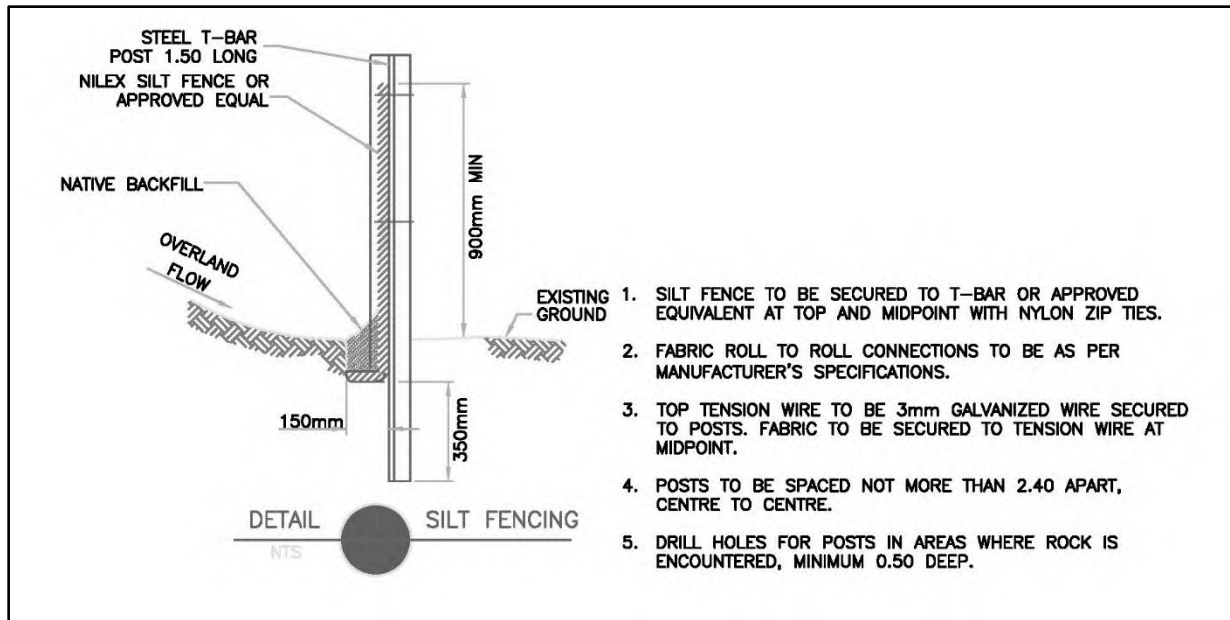
TEMPORARY ASPHALT CURB

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

NP-PL-TUP-2026-0325

SCHEDULE 'C'

SILT FENCE SPECIFICATIONS



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

NP-PL-TUP-2026-0325

SCHEDULE 'D'

DUST SUPPRESSION

MINIMIZING SOURCES FOR DUST EMISSIONS – Excerpted from ‘Recommended Guidelines for Environmental Management Practices for Canadian Ready Mixed Concrete Industry’

The plant manager’s air quality management program should address the following objectives:

- Identify all sources for dust emissions that are released into the atmosphere from the plant and property by plant operations.
- Collect airborne particulates from point source dust emissions through air filtration mechanisms where practical.
- Suppress the airborne particles from fugitive source dust emissions generated from the plant and property site.
- It is important for any air quality management program to also consider local climatic conditions for the plant site, with consideration for prevailing wind directions, average daily temperatures and seasonal precipitation.

Batch Plant Operations

The handling or transfer of aggregates and other raw materials into or within the batch plant can help minimize and eliminate batch plant dust emissions. Some alternatives for minimizing dust emissions from batch plant operations:

- Fine tune the batching sequence to deliver a smooth, controlled flow of raw material into the plant mixer
- Consider covers or partial enclosures for elevated conveyors into plant
- Enclose or shield aggregate storage areas and transfer points

Aggregate Storage and Handling

The storage or handling of aggregates and any other raw materials around the plant site can help minimize and eliminate plant site dust emissions. Some alternatives for minimizing dust emissions from aggregates storage:

- Consider higher moisture content in aggregates delivered to yard
- Partial enclosures or below grade pads for aggregate stockpile areas
- Minimize exposed surface area of aggregate stockpiles
- Minimize number of transfer points for raw materials
- Minimize drop heights for conveyor or hoppers

Traffic Areas

Some alternatives for minimizing dust emissions from plant site traffic:

- Consider paving or hard surfacing of high traffic areas around yard
- Keep paved or hard surfaced areas clean
- Dust suppression using water or chemical dust suppressants

Diesel Engine Exhaust Emissions

Diesel engine exhaust systems for all fixed and mobile equipment in use at the plant site provide multiple point source emissions. As mixer trucks wait in the yard, it is important to minimize the amount of engine idling time to reduce exhaust emissions and save fuel.

Maintaining correct engine-operating temperatures also helps in reducing exhaust emissions and prolongs equipment life. A regular preventive maintenance program will keep equipment and vehicle

engines running at optimal performance. Equipment and vehicle pollution control devices should be included as part of the regular maintenance inspection.

Dust Suppression

Small water droplets, produced by water spray bars, are effective as a dust suppression measure. The dust particles cling to the small water droplets, preventing the dust particles from becoming airborne. Some best management practices for dust suppression:

- Using a water spray bar or spray ring to rinse down the charge hopper at the truck mixer load point.
- Using a water truck with spray bars for wetting down plant yard surfaces and roadways.
- Wetting down aggregate stockpiles using water spray bars or sprinklers.

These best management practices for dust suppression would also require coordination with water management for the plant site and property:

- Using spray bars for dust suppression at aggregate transfer points (e.g., at the end of the conveyor belt which charges the aggregate bins).
- Installing a soaker hose or spray bar at the plant yard entrance for mixer truck wheel wash.
- Water used for dust suppression purposes should not be allowed to mix with surface runoff from the plant property.

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

NP-PL-TUP-2026-0325

SCHEDULE 'E'

CHECKLIST

Checklist for Compliance with Environmental Management Plan (Islander Engineering, Oct. 2019)

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
ENVIRONMENTAL MGMT ACT		
- Contaminated Sites Regulation		
- Fisheries Act		
- Waste Discharge Act		
- Spill Reporting Regulation		
- Hazardous Waste Regulation		
- Water Sustainability Act		
ASSIGNMENT OF ROLES & RESPONSIBILITIES (p.5)		
- Supervisor		
- Health, Safety & Environmental Representative		
- All Employees		

5. WATER MANAGEMENT		
5.1.1 Wastewater Reduction (BMP):		
- Minimize the need for exterior truck washing by controlling dust losses from the batching area;		
- Train employees with regards to water use, ensuring that they understand the importance of controls and the possible impact to the environment and company liability;		
- Limit or eliminate freshwater use by recycling processed water and using captured storm water runoff wherever possible; Reduce total water usage during drum washout by using multiple small rinses, rather than large volume single rinses;		

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
- Consider the use of hydration stabilization admixtures;		
- Consider dry washout procedures;		
5.1.2 Water Collection/Containment (p.9)		
- All paved surfaces within the batching area should be curbed and graded to allow for effective capture and collection of wastewater;		
- Any surface water not related to concrete production should be directed away from wastewater collection areas;		
- Equipment and vehicular traffic should be minimized through batching area where wastewater may be present;		
- Sufficient capacity must be provided for wastewater holding tanks / basins;		
- Wastewater holding tanks / basin shall be impermeable;		
- Sufficient secondary containment (i.e., berms) shall be provided to capture any overflow from wastewater holding facilities.		
- Any breaches in containment facilities that cause release of wastewater to the environment shall be considered a spill incident and spill response measures, described in Section 6, shall be followed.		

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
5.2. Storm Water Runoff		
5.2.2 BMP:		
- Encourage surface water to seep into the soil naturally;		
- Preserve natural vegetation where possible;		
- If possible, retain woody debris and organic matter on-site as mulch;		
- Roughen or terrace slopes to prevent erosion. Limit slope steepness and length to reduce runoff velocity;		
- Cover soil stockpiles and bare slopes with mulch, tarps, etc;		
- Re-vegetate or landscape disturbed areas of the Site as soon as possible. If areas of the Site must be left disturbed during the rainy seasons, sow a temporary cover crop,		
- apply mulch or lay geotextile to stabilize exposed soils;		
- Keep machinery within specific access areas. Limit the extent of machine access areas to the minimum necessary to conduct operations in a feasible and practical manner;		
- Control disposal or runoff of water containing suspended materials or other harmful substances in accordance with federal, provincial and municipal requirements;		
- If it is not possible to isolate and divert flowing water from a work area (due to water depth and volume) isolate works with a structure (e.g., silt curtain, sand bags, earthen berm, etc.) to keep silty water from leaving the Site;		

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
- Avoid clearing vegetation from work zones during snowmelt or heavy rains;		
- Isolate work / excavation areas from all flowing water;		
- Inspect all silt fences and other controls (i.e., catch basin inserts, stop logs) on a daily basis prior to the start of work and correct deficiencies immediately. Pay special attention in areas where construction activities have changed natural contours or drainage patterns to ensure that controls are properly located for effectiveness		
5.3 Water Treatment		
- Protocol in place for overflow incidents		

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
6. CHEMICAL AND PETROLEUM HYDROCARBON MANGEMENT		
6.2 Storage and Handling		
- Concrete additives are currently stored within manufacturer containers within a covered, plastic sheet-lined secondary containment structure at the top of the batch plant.		
- Mechanical fluids (oils / waste oils) are stored within a transportation seacan with a welded lip at the entrance, which provides secondary containment to small jugs of hydraulic fluid within. Waste oil is stored within an above ground storage tank within a separate plastic sheet-lined cell within the seacan.		
- Fuel is stored within fuel tanks and tidy tanks aboard various vehicles and equipment throughout the Site. There is no bulk fuel storage on Site		
Best Management Practices		
- Locate storage facilities away from high traffic areas, with reasonable protection from vehicle / equipment damage;		
- Provide storage areas with a means (i.e., lock and key) to control access to the materials so that only authorized (e.g., trained) personnel may remove and use the materials;		
- Ensure tanks are corrosion-resistant and stable / anchored securely on a flat surface;		
- If possible, store drums and pails of related products in same area;		

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
- Ensure all materials are properly labelled and remain in original containers with lid intact for as long as reasonable for Site operations;		
- Protect liquids from freezing, where applicable;		
- Provide minimum 120% secondary containment for all volumes of liquid stored;		
- Provide with a means of segregating combustible and flammable materials from oxidizing agents and other sources of ignition (i.e., away from sparks and/or with physically separated storage areas)		
- Provide with a means of preventing water reactive and pyrophoric materials from coming in contact with accumulated water (i.e., roofed enclosures)		
- Provide emergency spill kits/supplies within the storage area, including fire extinguishers, non-sparking shovels, sand bags, etc.		
6.3 Disposal		
- Source reduction procedure in place		
- Returns procedure in place		

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
7. SPILL RESPONSE AND PREVENTION		
7.1 Spill Response		
- Spill Response Steps reviewed by all staff (pp. 14 -16)		
- Spill Response Steps posted in appropriate areas		
7.2 Spill Response Equipment		
- Standard Spill Kit		
- Vehicle Spill Kit		
7.3 Spill Prevention (BMP)		
- Equipment is to be inspected daily to ensure that it is leak-free and functioning as intended. All fuel/oil caps will be manually checked to ensure that they are tightened down. Equipment will be tagged out of service if found to be leaking. Servicing of equipment that is absolutely necessary on-site is to be done within containment areas (i.e., bermed or otherwise isolated) or at an appropriate work yard operated by the contractor or his supplier;		
- Equipment or machinery found to be leaking will have containment trays/buckets placed under drips/leaks that cannot be stopped (e.g., cannot be drained into an appropriate container), will have absorbent pads wrapped around leaky connections or placed under areas where a tray or bucket cannot be fitted, etc.). The person identifying the malfunction or accidental leak will notify the foreman or site supervisor, who will arrange repairs or transport off-site, and/or mechanic, if on site.		

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
- All workers/operators will be responsible for cleaning up observed leaks and/or wiping down equipment, even if the leak or spill is non-reportable.		
- Grease and oil required for maintenance will be properly applied. Excess will be cleaned up and disposed of in an environmentally appropriate manner, as will all containers, lids, and contaminated cloths and applicators.		
- During fuelling of larger compressors, light plants, etc., a portable drip tray lined with absorbent pads will be placed under the fuel tube and cap area. Absorbent pads will be used to wipe off any drips on the fuel spigot or side of equipment.		
- Jerry cans will be stored within a sealed tool box tray with lid or other suitable storage locker with ventilation, and placed in a containment tray when outside of the storage container.		
- When heavy machinery is not in use (i.e., overnight, weekends, or idle for the day), a portable drip tray will be placed under the main engine compartment.		

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
- Fire extinguishers and other emergency response equipment and supplies will be kept in known and visible locations and access to them will not be blocked by other materials or equipment. A list of emergency contacts will be posted at predetermined, accessible and visible locations, as well as kept with the emergency response equipment. By law, fire extinguishers are routinely inspected and certified, as is other fire-suppressant equipment and materials.		
- Waste oil or materials will be removed from site as soon as possible in accordance with Transportation of Dangerous Goods requirements and the BC Special Waste Regulations.		
- The Emergency Spill Response Plan will be implemented when required.		
- The Emergency Spill Response Plan will be posted on-site, and all personnel made aware of its content and location of response materials, as well as emergency contact names and numbers.		
- Oil spill response materials and equipment, such as absorbent pads, booms and leak proof containers, will be kept on-site in sufficient quantities and in an easily accessible location to contain and clean up the amount of fuel, oil or other petroleum hydrocarbons used/stored on site.		

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
8. MONITORING AND REPORTING		
8.1 Environmental Consultant		
- Scheduled Follow-Up Monitoring (Wet Season)		
- Annual Monitoring		
8.2 Gulf Excavating Ltd.		
- Procedure for weekly Site Inspection including completion of 'Environmental Monitoring Checklist/Report' with each inspection.		

Additional Comments:		

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

NP-PL-TUP-2026-0325

SCHEDULE 'F'

LANDSCAPE PLAN



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

NP-PL-TUP-2026-0325

SCHEDULE 'G'

PLANTING SCHEME

Islandscapes

3724 Port Road, Pender Island, BC V0N 2M2 250.629.6053

July 4, 2018

Proposed Landscape Plan for Gulf Excavating Temporary Use Permit Application:

1. South and east areas bordering proposed new driveway at Bedwell Harbour Road and Otter Bay Road: restore farm pastureland by removing invasive species, primarily broom. Finish rake areas with farm equipment and seed with pasture seed mixture. Do not change existing grades or natural contours, retain native trees and shrubs. The natural contours completely screen the proposed temporary use application area from view.

2. There is a 50 foot strip below the upper pond and an adjacent 10 foot strip that should be planted to screen the temporary use application area from view from Bewell Harbour Road. These areas at base of upper pond dam to be planted with 10 *Chamaecyparis lawsonia* 5 gallon (Leyland cypress)* on staggered 6 foot centers to provide coniferous screen and 15 feet away from the base of the dam to affect the integrity of the dam. The area in front to the cypress closest to Bedwell Harbour Road to be planted with 4 *Malus fesca* 3 gallon (Pacific crab apple), 3 *Holodiscus discolor* 3 gallon (ocean spray) and 3 *Philadelphus lewisii* 3 gallon (native mock orange). Sizes are suggested, and will depend on availability. These native shrubs will soften the informal cypress hedge and allow it to act as a pollinator-attracting hedgerow. Disturbed soils to be finish raked and seeded with a low growing fescue grass mixture to hold soils while plants are established. Plantings to be screened from deer and irrigated for a period of three years.

section deleted

* Leyland cypress are fast-growing conifers that provide excellent screening. They are not native to the island. The native alternative would be *Thuja plicata* (Western Redcedar). It would not necessarily be appropriate to the area as it has higher water needs than the area will provide over time. Many of the island cedar are dying.

3. A 6 foot high solid cedar gate to be built at proposed emergency access road (existing driveway) at the entrance to the temporary use application area to complete visual screening from Bedwell Harbour Road.

4. Estimated cost:

- pull broom with excavator special attachment: 3,780.00
- finish rake and seed with farm equipment: 1,500.00
- seed: 570.00
- plant material: 1,019.20
- irrigation and screening: 450.00
- wooden gate: 1,500.00



**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
TEMPORARY USE PERMIT
NP-TUP-2023.5 (Grimmer)**

4415 Bedwell Harbour Road

To: Barbara and Glenn Grimmer
c/o Aaron Grimmer

1. This Permit applies to the land described below:

That portion of:

Lot 1, Section 18, Pender Island, Cowichan District, Plan VIP59806
(PID: 018-948-421).

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

2. This permit is issued for the purpose of permitting the owner to conduct the following uses and no others in the Temporary Use Area of the property:
- a) A concrete batch plant operation.
 - b) The storage, handling and wholesale of aggregates defined as sand, drainage rock and gravel.
 - c) For certainty, and for the purposes of this permit, handling is defined as blending, but does not include screening, sorting, crushing or washing.
 - d) Storage of motorized and non-motorized vehicles and equipment directly required for the concrete and excavation business known as "Gulf Excavating Ltd".
3. This permit allows the following existing buildings and structures as shown on Schedule 'A'.
- a) Buildings and structures accessory to the uses permitted in Section 2. (above) and as shown on Schedule 'A' attached to and forming part of this permit and specified as follows:
 - i. One (1) concrete hopper;
 - ii. One (1) 'Pull in Bay' constructed of concrete 'lock-blocks';
 - iii. Impermeable wastewater holding tanks, and a retention pond adequate in number and capacity for wastewater collection and recycling for the concrete batch operation;
 - iv. One (1) fuel storage building ('sea container');
 - v. One (1) Maintenance Structure (fabric/'coverall' type) with a maximum area of 463.6 m² (4990 ft²) and a maximum height of 4.6 metres.

4. The uses may be carried out subject to the following conditions and specifications shown on Schedules 'B', 'C', 'D', 'E', 'F' and 'G' attached to and forming part of this permit:

General

- a) The uses permitted in Section 2. (above) may not result in any contamination or degradation of the groundwater aquifers in the vicinity of the subject property or downstream aquatic areas.
- b) All vehicles, equipment, buildings and materials permitted by Section 2. and 3. (above) are to be removed from the site by the date of the expiry of this permit. The removal of screening is not a condition of this permit.
- c) Unless a rezoning application is received by the Islands Trust, upon the expiry of this permit, the Temporary Permit Area of the property shall be remediated to return to the condition prior to the commencement of the concrete batch plant operation in 2016.
- d) The maximum volume of concrete produced each month is limited to 382 m³ (500 yd³).
- e) The maximum volume of aggregates stored on site is limited to 2294 m³ (3000 yd³).
- f) Storage and use of motorized and non-motorized vehicles and equipment accessory to the uses permitted in Section 2. (above), and motorized vehicles are further limited as follows:
 - i. Two (2) dump truck;
 - ii. One (1) 'pup' loader;
 - iii. Two (2) 'pup' trailers';
 - iv. Three (3) excavators;
 - v. One (1) Tractor with low-bed trailer,
 - vi. Four (4) concrete trucks; and,
 - vii. A maximum of two (2) other vehicles

Access and Hours of Operation

- g) Vehicle access to and from the Temporary Use Area shall be restricted to the use of only one of the two access point on Bedwell Harbour Road at any given time as indicated on Schedule 'A'.
- h) Both vehicular access driveways shall be surfaced with road base (or similar) extending a minimum of 75 metres from Bedwell Harbour Road, and the surface shall be maintained for the duration of the permit and any renewal period.
- i) There is to be no public access to and from the concrete batch plant area of the Temporary Use Area Site.
- j) The specific area containing wastewater holding tanks shall be guarded with a locked, non mountable fence to a height of 1.8 metres to prevent access.
- k) The specific area containing retention pond (overflow) shall be guarded with locked, non mountable fence to a height of 1.8 metres to prevent access.
- l) Hours of operation, including movement of vehicles and equipment, are restricted to between 8:00 a.m. and 4:30 p.m., Monday to Friday.
- m) Hours of operation, including movement of vehicles and equipment, are restricted to between 9:00 a.m. and 3:00 p.m. on Saturdays with no more than two (2) deliveries on any Saturday and where all reasonable measures are taken to abate noise.

- n) Hours of operation may be extended to between 5:00 a.m. and 7:00 p.m., Monday to Friday exclusively for off-island loads as necessarily determined by ferry schedules and where all reasonable measures are taken to abate noise.

Water and Waste Management

- o) All paved surfaces within the 'concrete batching area' as shown on Schedule 'A' are to be bounded by a 150 mm x 150 mm extruded curb with a minimum reverse 1% grade for wastewater capture and collection in accordance with the specifications shown on Schedule 'C'.
- p) The lined secondary containment area for the wastewater holding tanks is to be lined and maintained with a minimum 45 mil. rubber pond liner.
- q) Surface water not related to concrete production shall be directed away from wastewater collection areas.
- r) Siltation control is to be installed to prevent the release of any suspended materials in surface runoff from the Temporary Use Area within all site ditching as shown on Schedule 'A' and specified in Schedule 'C' attached to and forming part of this permit.
- s) Dust control measures shall be implemented in accordance with the "Recommended Guidelines for Environmental Management Practices for Canadian ready Mixed Concrete Industry" as excerpted on Schedule 'D'.
- t) All waste concrete shall be disposed of through creating concrete "loc-blocks" on site.
- u) Aggregates stored on-site shall be contained within areas delineated along three sides with concrete "loc-block" walls measuring a maximum height of two (2) blocks (1.5 m).
- v) Aggregates stored on-site shall be covered with secured tarps in good condition to prevent leachates caused by rainfall.
- w) The operator shall ensure that wastewater / excess concrete has been treated / covered / stored within a sealed vessel (10,000 gallon tank) ahead of rain fall.

Hydrocarbon Management

- x) Storage of chemicals and hydrocarbons is to be contained in corrosion-resistant tanks securely anchored on flat surfaces.
- y) Storage of chemicals and hydrocarbons is to be contained in a locked, weather protected (roofed) structure ('sea container') with a 15.25 cm (6 in.) "kick plate" as shown on Schedule 'A'.
- z) Containment for chemicals and hydrocarbons within the seacan is to be contained in a lined cell providing a minimum of 120% of the volume of stored liquids.
- aa) Emergency spill kits are to be provided at all areas where chemicals and/or fuel is stored.

Landscape & Screening

- bb) The earthen berms planted with Douglas fir and speria as shown on Schedule 'F' and described in Schedule G must be maintained and irrigated as necessary to assist in survival for the entire period of the temporary use permit.
- cc) The berms are to be maintained in a roughened state and contoured to an angle of 3H:1V to prevent runoff.

Groundwater Monitoring

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

Environmental Management Plan and Reporting

- ee) The uses permitted in Section 2. (above) shall conform to all operational methods, environmental mitigation measures, best management practices and environmental monitoring requirements contained in the "Environmental Management Plan" ('EMP' - Islander Engineering Ltd., October 2019) and submitted to the Islands Trust, Victoria Office on October 3, 2019.

Monitoring

- ff) The 'Monitoring Environmental Consultant' shall be Islander Engineering Ltd. or a qualified professional licenced in the Province of BC with relevant experience in Environmental Management and hydrogeology.
- gg) The Monitoring Environmental Consultant shall prepare and submit to the Islands Trust a monitoring report on adherence to the 'Environmental Management Plan' within one (1) year of the issuance of this permit, and that report shall include a completed checklist as shown on Schedule 'E', attached to and forming part of this Permit.
- hh) The Islands Trust Bylaw Enforcement Officer may enter the property between the hours of 9:00 am and 5:00 pm on any day without prior consultation with the holder of the Permit for the purpose of investigating a complaint.

Rezoning Application Submission

- ii) The property owner shall submit a rezoning application to the North Pender Island Local Trust Committee for the long-term operation of the concrete batch plan on the property within six (6) months of the issuance of the permit or this permit shall cease to be valid.
5. Pursuant to Section 502 of the *Local Government Act*, the Local Trust Committee requires security to ensure that any damage to the natural environment resulting from the contravention of a condition of this permit is corrected:
- a) Where the Local Trust Committee considers that a condition in the permit has been contravened resulting in damage to the natural environment, the Local Trust Committee may undertake and complete the works required to correct the damage to the natural environment, at the cost of the permit holder, and may apply the security in payment of the cost of the works with any excess to be returned to the permit holder.
 - b) Any interest earned on the security provided under Condition 5.c.i shall accrue to the permit holder and be paid to them immediately on return of the security or, on default, become part of the amount of the security.

- c) The security provided by the permit holder shall be in the form of:
 - i. An irrevocable letter of credit with a clause for automatic renewal, or cash equivalent;
 - ii. Payable to the Islands Trust; And,
 - iii. In the amount of \$10,000.00
 - d) Where the use authorized by this permit has ceased; or a rezoning application has been received by the Islands Trust; or the permit has expired and the use on the land ceased prior to commencement of any work pursuant to this permit, the security shall be returned to the permit holder, minus any funds still required to satisfy the Condition 5.a of this permit, provided that the conditions have been met.
6. 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.
7. 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 for regulatory compliance and requirement to obtain other approvals necessary for the proposed uses with other authorities including the Provincial Ministry of Environment, Ministry of Transportation and Infrastructure, Capital Regional District, or Island Health.

AUTHORIZING RESOLUTION PASSED BY THE NORTH PENDER ISLAND LOCAL TRUST COMMITTEE THIS 28TH DAY OF JULY, 2023.

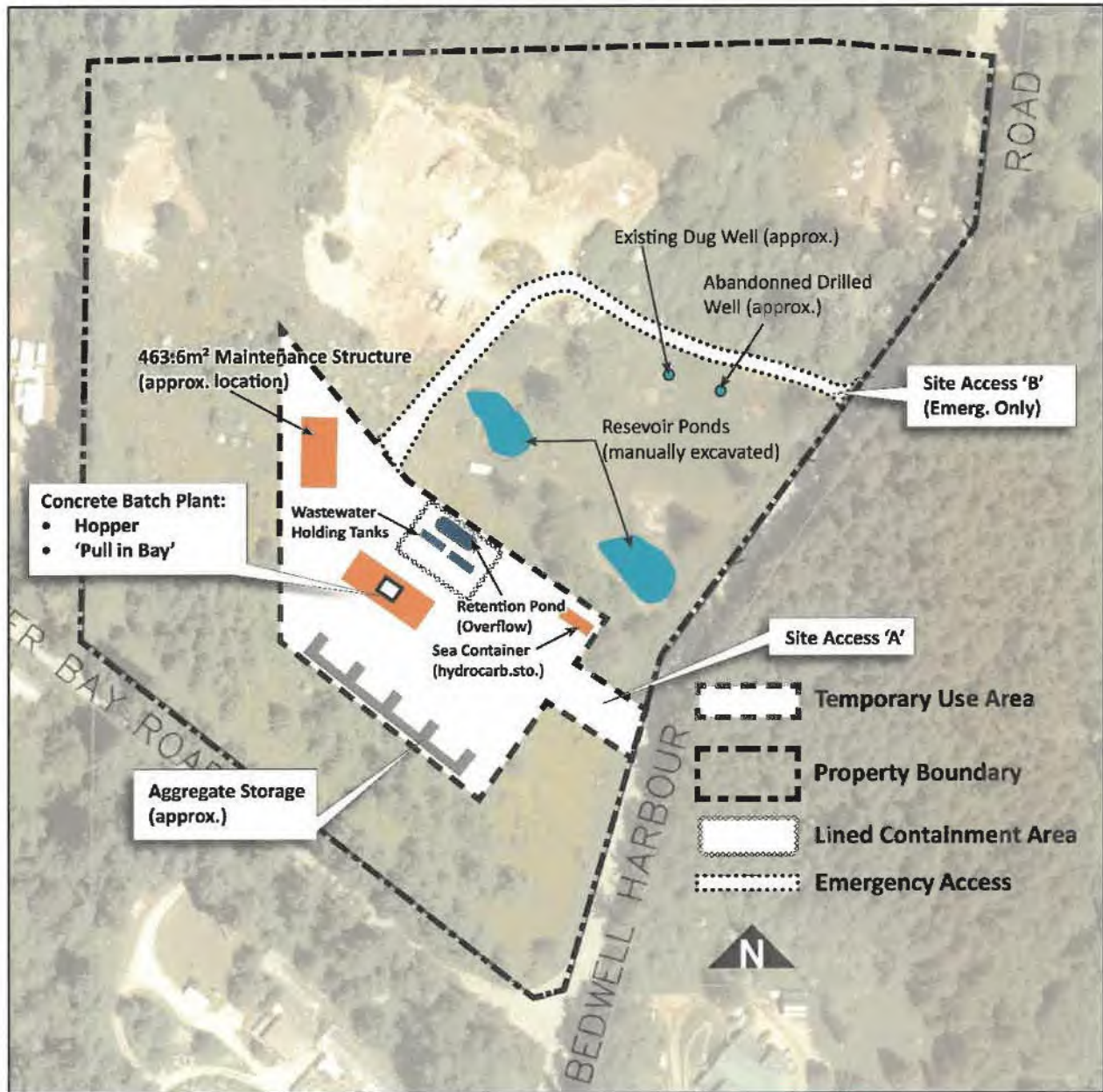

Deputy Secretary, Islands Trust

July 31, 2023

Date Issued

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
NP-TUP-2023.5
SCHEDULE 'A'

SITE PLAN



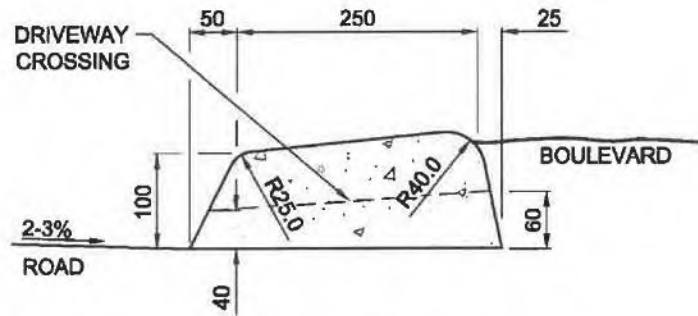
I hereby certify this to be Schedule A which is attached to and forms part of Temporary Commercial and Industrial Use Permit No. NP-TUP-2023.5.

 Signature of Islands Trust Official

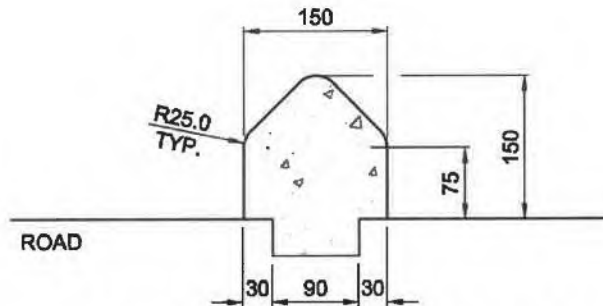
July 31, 2023
 Date of Issuance

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
NP-TUP-2023.5
SCHEDULE 'B'

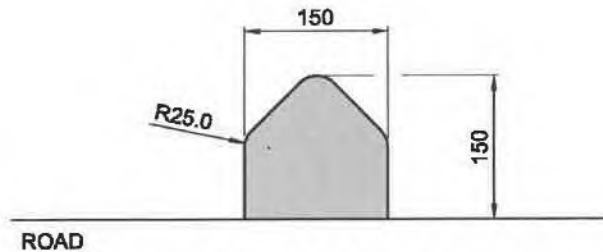
CURB CROSS SECTIONS



TEMPORARY CONCRETE CURB 1



TEMPORARY CONCRETE CURB 2



TEMPORARY ASPHALT CURB

I hereby certify this to be Schedule B which is attached to and forms part of Temporary Commercial and Industrial Use Permit No. NP-TUP-2023.5.

Signature of Islands Trust Official

July 31, 2023

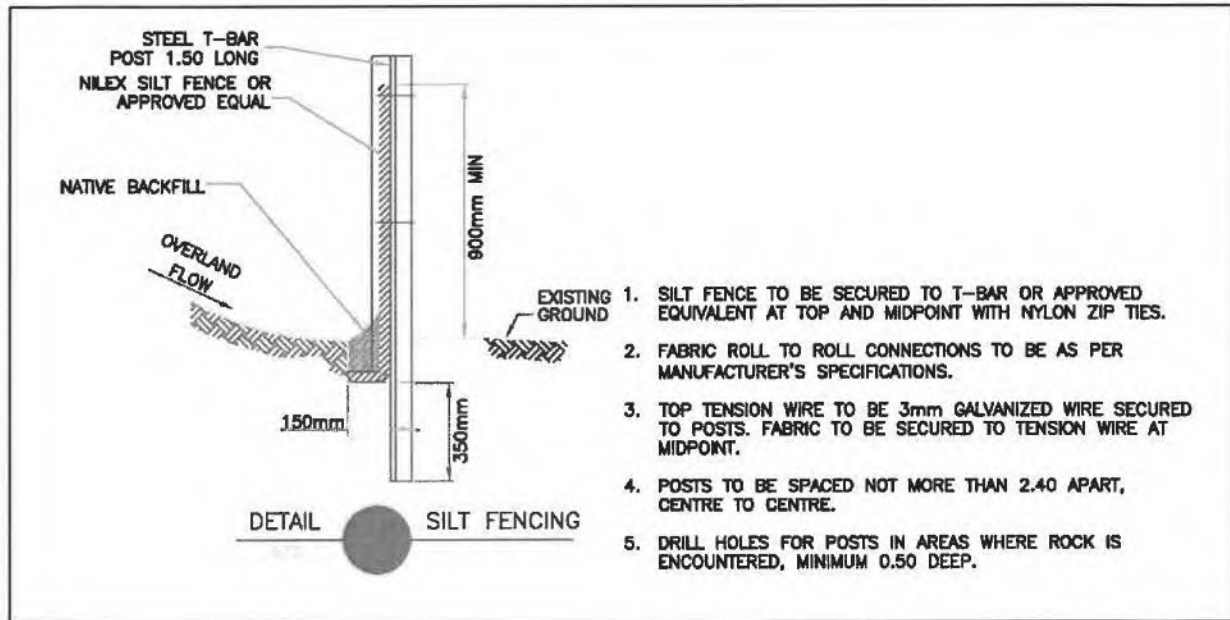
Date of Issuance

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

NP-TUP-2023.5

SCHEDULE 'C'

SILT FENCE SPECIFICATIONS



I hereby certify this to be Schedule C which is attached to and forms part of Temporary Commercial and Industrial Use Permit No. NP-TUP-2023.5.

Signature of Islands Trust Official

July 31, 2023

Date of Issuance

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
NP-TUP-2023.5
SCHEDULE 'D'

DUST SUPPRESSION

MINIMIZING SOURCES FOR DUST EMISSIONS – Excerpted from 'Recommended Guidelines for Environmental Management Practices for Canadian Ready Mixed Concrete Industry'

The plant manager's air quality management program should address the following objectives:

- Identify all sources for dust emissions that are released into the atmosphere from the plant and property by plant operations.
- Collect airborne particulates from point source dust emissions through air filtration mechanisms where practical.
- Suppress the airborne particles from fugitive source dust emissions generated from the plant and property site.
- It is important for any air quality management program to also consider local climatic conditions for the plant site, with consideration for prevailing wind directions, average daily temperatures and seasonal precipitation.

Batch Plant Operations

The handling or transfer of aggregates and other raw materials into or within the batch plant can help minimize and eliminate batch plant dust emissions. Some alternatives for minimizing dust emissions from batch plant operations:

- Fine tune the batching sequence to deliver a smooth, controlled flow of raw material into the plant mixer
- Consider covers or partial enclosures for elevated conveyors into plant
- Enclose or shield aggregate storage areas and transfer points

Aggregate Storage and Handling

The storage or handling of aggregates and any other raw materials around the plant site can help minimize and eliminate plant site dust emissions. Some alternatives for minimizing dust emissions from aggregates storage:

- Consider higher moisture content in aggregates delivered to yard
- Partial enclosures or below grade pads for aggregate stockpile areas
- Minimize exposed surface area of aggregate stockpiles
- Minimize number of transfer points for raw materials
- Minimize drop heights for conveyor or hoppers

Traffic Areas

Some alternatives for minimizing dust emissions from plant site traffic:

- Consider paving or hard surfacing of high traffic areas around yard
- Keep paved or hard surfaced areas clean
- Dust suppression using water or chemical dust suppressants

Diesel Engine Exhaust Emissions

Diesel engine exhaust systems for all fixed and mobile equipment in use at the plant site provide multiple point source emissions. As mixer trucks wait in the yard, it is important to minimize the amount of engine idling time to reduce exhaust emissions and save fuel.

Maintaining correct engine-operating temperatures also helps in reducing exhaust emissions and prolongs equipment life. A regular preventive maintenance program will keep equipment and vehicle

engines running at optimal performance. Equipment and vehicle pollution control devices should be included as part of the regular maintenance inspection.

Dust Suppression

Small water droplets, produced by water spray bars, are effective as a dust suppression measure. The dust particles cling to the small water droplets, preventing the dust particles from becoming airborne. Some best management practices for dust suppression:

- Using a water spray bar or spray ring to rinse down the charge hopper at the truck mixer load point.
- Using a water truck with spray bars for wetting down plant yard surfaces and roadways.
- Wetting down aggregate stockpiles using water spray bars or sprinklers.

These best management practices for dust suppression would also require coordination with water management for the plant site and property:

- Using spray bars for dust suppression at aggregate transfer points (e.g., at the end of the conveyor belt which charges the aggregate bins).
- Installing a soaker hose or spray bar at the plant yard entrance for mixer truck wheel wash.
- Water used for dust suppression purposes should not be allowed to mix with surface runoff from the plant property.

I hereby certify this to be Schedule D which is attached to and forms part of Temporary Commercial and Industrial Use Permit No. NP-TUP-2023.5.



Signature of Islands Trust Official

July 31, 2023

Date of Issuance

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
NP-TUP-2023.5
SCHEDULE 'E'

CHECKLIST

Checklist for Compliance with Environmental Management Plan (Islander Engineering, Oct. 2019)

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
ENVIRONMENTAL MGMT ACT		
- Contaminated Sites Regulation		
- Fisheries Act		
- Waste Discharge Act		
- Spill Reporting Regulation		
- Hazardous Waste Regulation		
- Water Sustainability Act		
ASSIGNMENT OF ROLES & RESPONSIBILITIES (p.5)		
- Supervisor		
- Health, Safety & Environmental Representative		
- All Employees		

5. WATER MANAGEMENT		
5.1.1 Wastewater Reduction (BMP):		
- Minimize the need for exterior truck washing by controlling dust losses from the batching area;		
- Train employees with regards to water use, ensuring that they understand the importance of controls and the possible impact to the environment and company liability;		
- Limit or eliminate freshwater use by recycling processed water and using captured storm water runoff wherever possible; Reduce total water usage during drum washout by using multiple small rinses, rather than large volume single rinses;		

I hereby certify this to be Schedule E which is attached to and forms part of Temporary Commercial and Industrial Use Permit No. NP-TUP-2023.5.

 Signature of Islands Trust Official

July 31, 2023

Date of Issuance

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
- Consider the use of hydration stabilization admixtures;		
- Consider dry washout procedures;		
5.1.2 Water Collection/Containment (p.9)		
- All paved surfaces within the batching area should be curbed and graded to allow for effective capture and collection of wastewater;		
- Any surface water not related to concrete production should be directed away from wastewater collection areas;		
- Equipment and vehicular traffic should be minimized through batching area where wastewater may be present;		
- Sufficient capacity must be provided for wastewater holding tanks / basins;		
- Wastewater holding tanks / basin shall be impermeable;		
- Sufficient secondary containment (i.e., berms) shall be provided to capture any overflow from wastewater holding facilities.		
- Any breaches in containment facilities that cause release of wastewater to the environment shall be considered a spill incident and spill response measures, described in Section 6, shall be followed.		

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
5.2. Storm Water Runoff		
5.2.2 BMP:		
- Encourage surface water to seep into the soil naturally;		
- Preserve natural vegetation where possible;		
- If possible, retain woody debris and organic matter on-site as mulch;		
- Roughen or terrace slopes to prevent erosion. Limit slope steepness and length to reduce runoff velocity;		
- Cover soil stockpiles and bare slopes with mulch, tarps, etc;		
- Re-vegetate or landscape disturbed areas of the Site as soon as possible. If areas of the Site must be left disturbed during the rainy seasons, sow a temporary cover crop,		
- apply mulch or lay geotextile to stabilize exposed soils;		
- Keep machinery within specific access areas. Limit the extent of machine access areas to the minimum necessary to conduct operations in a feasible and practical manner;		
- Control disposal or runoff of water containing suspended materials or other harmful substances in accordance with federal, provincial and municipal requirements;		
- If it is not possible to isolate and divert flowing water from a work area (due to water depth and volume) isolate works with a structure (e.g., silt curtain, sand bags, earthen berm, etc.) to keep silty water from leaving the Site;		

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
- Avoid clearing vegetation from work zones during snowmelt or heavy rains;		
- Isolate work / excavation areas from all flowing water;		
- Inspect all silt fences and other controls (i.e., catch basin inserts, stop logs) on a daily basis prior to the start of work and correct deficiencies immediately. Pay special attention in areas where construction activities have changed natural contours or drainage patterns to ensure that controls are properly located for effectiveness		
5.3 Water Treatment		
- Protocol in place for overflow incidents		

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
6. CHEMICAL AND PETROLEUM HYDROCARBON MANGEMENT		
6.2 Storage and Handling		
- Concrete additives are currently stored within manufacturer containers within a covered, plastic sheet-lined secondary containment structure at the top of the batch plant.		
- Mechanical fluids (oils / waste oils) are stored within a transportation seacan with a welded lip at the entrance, which provides secondary containment to small jugs of hydraulic fluid within. Waste oil is stored within an above ground storage tank within a separate plastic sheet-lined cell within the seacan.		
- Fuel is stored within fuel tanks and tidy tanks aboard various vehicles and equipment throughout the Site. There is no bulk fuel storage on Site		
Best Management Practices		
- Locate storage facilities away from high traffic areas, with reasonable protection from vehicle / equipment damage;		
- Provide storage areas with a means (i.e., lock and key) to control access to the materials so that only authorized (e.g., trained) personnel may remove and use the materials;		
- Ensure tanks are corrosion-resistant and stable / anchored securely on a flat surface;		
- If possible, store drums and pails of related products in same area;		

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
- Ensure all materials are properly labelled and remain in original containers with lid intact for as long as reasonable for Site operations;		
- Protect liquids from freezing, where applicable;		
- Provide minimum 120% secondary containment for all volumes of liquid stored;		
- Provide with a means of segregating combustible and flammable materials from oxidizing agents and other sources of ignition (i.e., away from sparks and/or with physically separated storage areas)		
- Provide with a means of preventing water reactive and pyrophoric materials from coming in contact with accumulated water (i.e., roofed enclosures)		
- Provide emergency spill kits/supplies within the storage area, including fire extinguishers, non-sparking shovels, sand bags, etc.		
6.3 Disposal		
- Source reduction procedure in place		
- Returns procedure in place		

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
7. SPILL RESPONSE AND PREVENTION		
7.1 Spill Response		
- Spill Response Steps reviewed by all staff (pp. 14 -16)		
- Spill Response Steps posted in appropriate areas		
7.2 Spill Response Equipment		
- Standard Spill Kit		
- Vehicle Spill Kit		
7.3 Spill Prevention (BMP)		
- Equipment is to be inspected daily to ensure that it is leak-free and functioning as intended. All fuel/oil caps will be manually checked to ensure that they are tightened down. Equipment will be tagged out of service if found to be leaking. Servicing of equipment that is absolutely necessary on-site is to be done within containment areas (i.e., bermed or otherwise isolated) or at an appropriate work yard operated by the contractor or his supplier;		
- Equipment or machinery found to be leaking will have containment trays/buckets placed under drips/leaks that cannot be stopped (e.g., cannot be drained into an appropriate container), will have absorbent pads wrapped around leaky connections or placed under areas where a tray or bucket cannot be fitted, etc.). The person identifying the malfunction or accidental leak will notify the foreman or site supervisor, who will arrange repairs or transport off-site, and/or mechanic, if on site.		

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
- All workers/operators will be responsible for cleaning up observed leaks and/or wiping down equipment, even if the leak or spill is non-reportable.		
- Grease and oil required for maintenance will be properly applied. Excess will be cleaned up and disposed of in an environmentally appropriate manner, as will all containers, lids, and contaminated cloths and applicators.		
- During fuelling of larger compressors, light plants, etc., a portable drip tray lined with absorbent pads will be placed under the fuel tube and cap area. Absorbent pads will be used to wipe off any drips on the fuel spigot or side of equipment.		
- Jerry cans will be stored within a sealed tool box tray with lid or other suitable storage locker with ventilation, and placed in a containment tray when outside of the storage container.		
- When heavy machinery is not in use (i.e., overnight, weekends, or idle for the day), a portable drip tray will be placed under the main engine compartment.		

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
- Fire extinguishers and other emergency response equipment and supplies will be kept in known and visible locations and access to them will not be blocked by other materials or equipment. A list of emergency contacts will be posted at predetermined, accessible and visible locations, as well as kept with the emergency response equipment. By law, fire extinguishers are routinely inspected and certified, as is other fire-suppressant equipment and materials.		
- Waste oil or materials will be removed from site as soon as possible in accordance with Transportation of Dangerous Goods requirements and the BC Special Waste Regulations.		
- The Emergency Spill Response Plan will be implemented when required.		
- The Emergency Spill Response Plan will be posted on-site, and all personnel made aware of its content and location of response materials, as well as emergency contact names and numbers.		
- Oil spill response materials and equipment, such as absorbent pads, booms and leak proof containers, will be kept on-site in sufficient quantities and in an easily accessible location to contain and clean up the amount of fuel, oil or other petroleum hydrocarbons used/stored on site.		

CONDITION/REGULATION	COMPLETED /COMPLIANT (Y/N)	SCHEDULE DATE TO BE COMPLETED/COMMENTS
8. MONITORING AND REPORTING		
8.1 Environmental Consultant		
- Scheduled Follow-Up Monitoring (Wet Season)		
- Annual Monitoring		
8.2 Gulf Excavating Ltd.		
- Procedure for weekly Site Inspection including completion of 'Environmental Monitoring Checklist/Report' with each inspection.		

Additional Comments:		

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
NP-TUP-2023.5
SCHEDULE 'F'
LANDSCAPE PLAN



I hereby certify this to be Schedule F which is attached to and forms part of Temporary Commercial and Industrial Use Permit No. NP-TUP-2023.5.

Signature of Islands Trust Official

July 31, 2023

Date of Issuance

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
NP-TUP-2023.5
SCHEDULE 'G'

PLANTING SCHEME

Islandscapes

3724 Port Road, Pender Island, BC V0N 2M2 250.629.6053

July 4, 2018

Proposed Landscape Plan for Gulf Excavating Temporary Use Permit Application:

1. South and east areas bordering proposed new driveway at Bedwell Harbour Road and Otter Bay Road: restore farm pastureland by removing invasive species, primarily broom. Finish rake areas with farm equipment and seed with pasture seed mixture. Do not change existing grades or natural contours, retain native trees and shrubs. The natural contours completely screen the proposed temporary use application area from view.

2. There is a 50 foot strip below the upper pond and an adjacent 10 foot strip that should be planted to screen the temporary use application area from view from Bewell Harbour Road. These areas at base of upper pond dam to be planted with 10 *Chamaecyparis lawsonia* 5 gallon (Leyland cypress) on staggered 6 foot centers to provide coniferous screen **section deleted** 15 feet away from the base of the dam. The area in front of the cypress closest to Bedwell Harbour Road to be planted with 4 *Malus fesca* 3 gallon (Pacific crab apple), 3 *Holodiscus discolor* 3 gallon (ocean spray) and 3 *Philadelphus lewisii* 3 gallon (native mock orange). Sizes are suggested, and will depend on availability. These native shrubs will soften the informal cypress hedge and allow it to act as a pollinator-attracting hedgerow. Disturbed soils to be finish raked and seeded with a low growing fescue grass mixture to hold soils while plants are established. Plantings to be screened from deer and irrigated for a period of three years.

I hereby certify this to be Schedule G which is attached to and forms part of Temporary Commercial and Industrial Use Permit No. NP-TUP-2023.5.

Signature of Islands Trust Official

July 31, 2023

Date of Issuance

* Leyland cypress are fast-growing conifers that provide excellent screening. They are not native to the island. The native alternative would be *Thuja plicata* (Western Redcedar). It would not necessarily be appropriate to the area as it has higher water needs than the area will provide over time. Many of the island cedar are dying.

3. A 6 foot high solid cedar gate to be built at proposed emergency access road (existing driveway) at the entrance to the temporary use application area to complete visual screening from Bedwell Harbour Road.

4. Estimated cost:

- pull broom with excavator special attachment: 3,780.00
- finish rake and seed with farm equipment: 1,500.00
- seed: 570.00
- plant material: 1,019.20
- irrigation and screening: 450.00
- wooden gate: 1,500.00

File: 2501141

July 14, 2025

Barbara Johnstone and Aaron Grimmer
Pender Island BC

Attention: Barbara Johnstone and Aaron Grimmer

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

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

Site Location

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

Monitor Well Construction

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

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

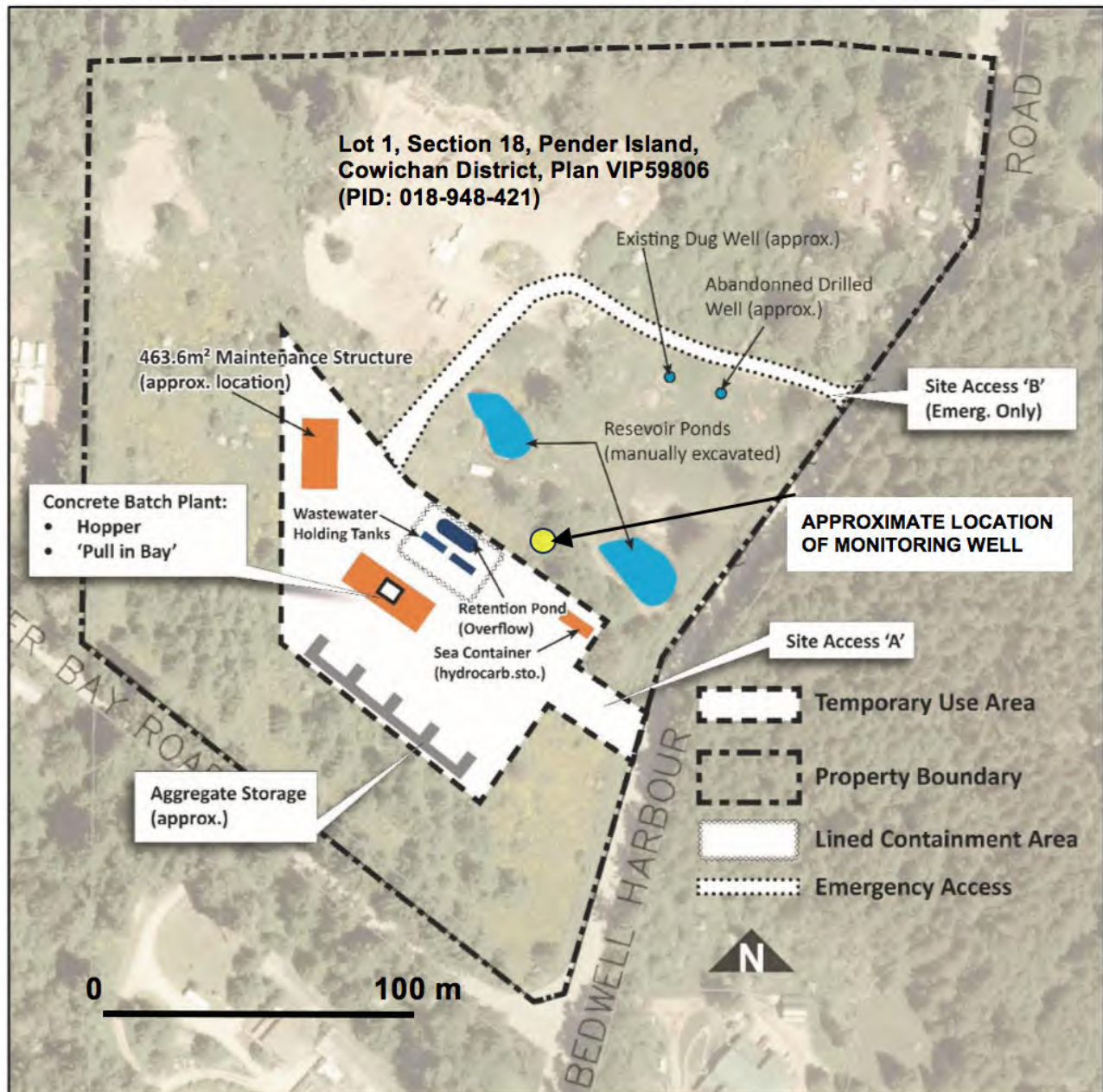


Figure 1. Approximate location of monitoring well constructed on June 30, 2025. Basemap from North Pender Island Local Trust Committee (2023).

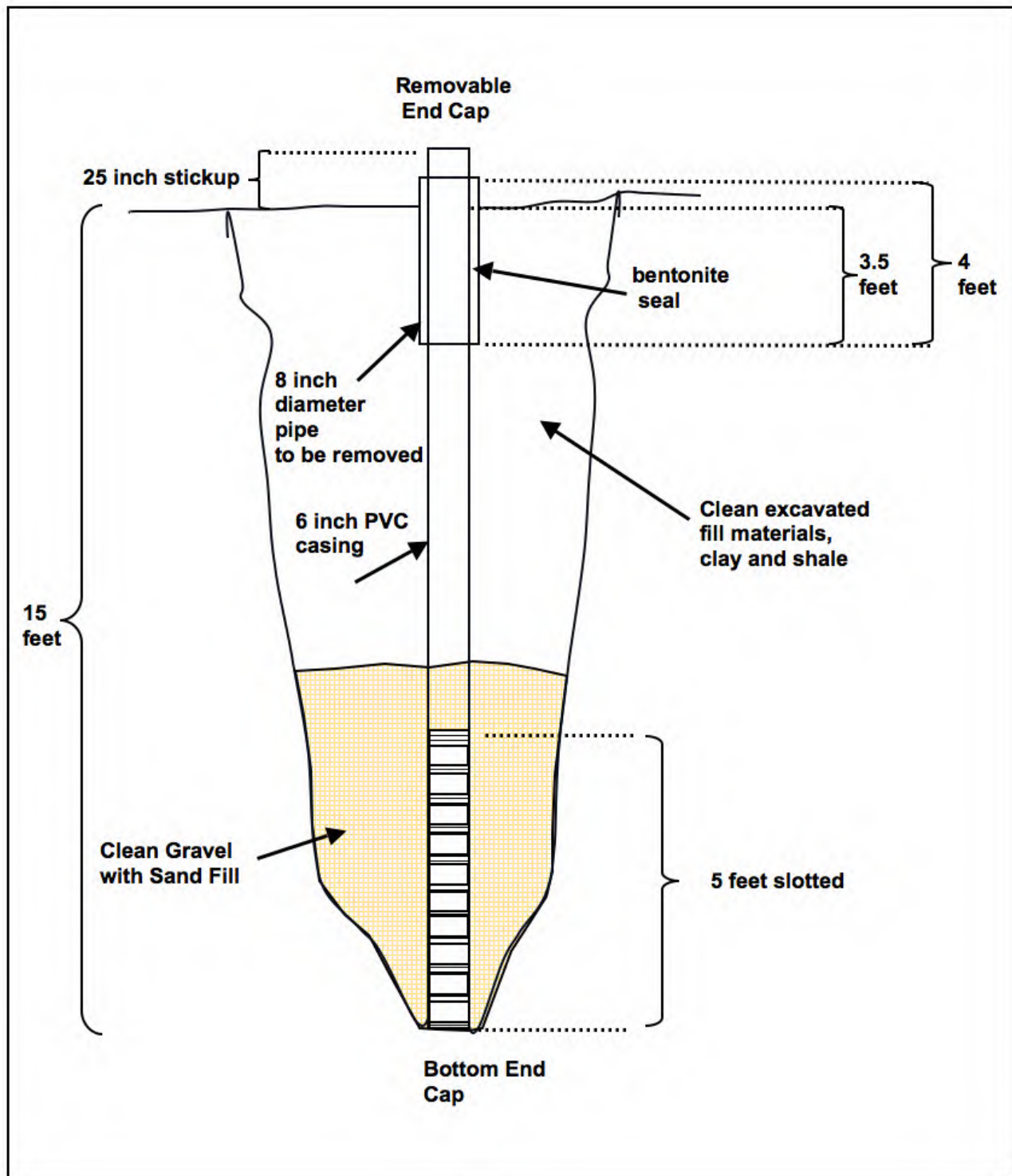


Figure 2. Schematic of monitor well installation, not to scale.

Conclusions

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

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

Recommendations

The following recommendations are provided for implementation.

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

Closure

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

Respectfully submitted,



Alan P. Kohut PEng.
Principal and Senior Hydrogeologist

HY-GEO CONSULTING
Permit to Practice Number: 1001034

References

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

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

Appendix A

Photographs taken June 30, 2025.



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



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



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



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



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



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



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



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



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

Appendix B

Well Construction Report



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

June 19, 2024

File Number: NP-RZ-2024.1 (Grimmer)

Attn: Aaron Grimmer
Via email:

Dear Aaron Grimmer

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

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

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

The information received by Islands Trust in your application package includes:

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

Additional information required to proceed with your application includes:

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

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

Groundwater Monitoring

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

- 6) **Development Permit Areas** - There are currently no development permit areas (DPAs) affecting the area proposed for rezoning. However, the applicant should be aware that if this area of the property is rezoned to an Industrial zone, the requirements of **DPA 9 - Commercial and Industrial Form and Character** will then apply and a Development Permit will be required for the commercial operation of the concrete plant. DPA 9 guidelines start on p. 85 of the [OCP](#).
- 7) **Land Title Act s. 219 covenant** - The applicant should be aware that the LTC may seek further conditions of rezoning to be established as part of a s.219 covenant. A s.219 covenant is a charge secured against the title to a property in favour of the LTC to impose an obligation on the property owner, as per the provisions of s.219 of the *Land Title Act*. In this case, a s. 219 covenant could include conditions not captured through rezoning in the LUB such as the inclusion of a detailed site plan, specific construction requirements, environmental monitoring and reporting obligations, and other limits on the proposed land use and development.
- 8) **Archaeological Material** - The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. In this case, there is a portion of a registered archaeological site located on the subject property near the proposed area of rezoning, and archaeological potential identified on other areas of the subject property.

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

Reporting Requirements

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

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

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

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

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

Sincerely,



Brad Smith
Island Planner, North Pender Island Local Trust Area

Attachment 1. Islands Trust Chance Find Protocol
Attachment 2. Provincial Archaeological Branch *Heritage Act* guidelines

pc: Robert Kojima, Regional Planning Manager

PROTECTED ARCHAEOLOGICAL SITES IN BRITISH COLUMBIA

Archaeological sites are the physical remains of past human activity. There are over 61,000 known archaeological sites in British Columbia representing thousands of years of human history. The **Heritage Conservation Act (HCA)** recognizes the historical, cultural, scientific, and educational value of archaeological sites to First Nations, local communities, and the general public. Archaeological sites on both public and private land are protected under the HCA and must not be altered or damaged without a permit issued by the Province of British Columbia's Archaeology Branch.

Receipt of this form indicates that your local government has reviewed the records of the Archaeology Branch to determine whether your proposed activities are likely to impact a protected archaeological site. By identifying overlaps with archaeological sites early in the planning and development process, appropriate and timely steps can be taken that support an efficient development process. You should be aware that there are limitations concerning this review; please read the Provincial disclaimer below.¹

Your property or project area falls into the selected category:

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

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

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

☐ **Direct overlap with an area of high archaeological potential**

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

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

☐ **No identified overlap or low potential for archaeological sites**

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

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

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

Archaeological Site Impact Management and Permit Process

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

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

You must obtain a s. 12.4 alteration permit issued by the Archaeology Branch before conducting activities that will impact a protected archaeological site. Permit applications are available on the Archaeology Branch website. However, completing a permit application usually requires archaeological expertise. Most applicants will therefore engage a professional archaeologist to review development plans, verify archaeological records, confirm that an alteration permit is required, complete the permit application, and work with the Archaeology Branch on the applicant's behalf to ensure all HCA permit requirements are met.

The archaeologist may conclude, after a desktop review or a preliminary walk-over, that your activities will not impact the archaeological site. The archaeologist should send a letter stating their professional opinion to the Archaeology Branch. You may no longer require an alteration permit to proceed with your activities, provided they don't change.

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

If an Archaeological Impact Assessment is recommended:

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

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

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

Contact an eligible consulting archaeologist:

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

Contact the B.C. Archaeology Branch:

B.C. Archaeology Branch, Ministry of Forests

Email: archaeology@gov.bc.ca

Telephone: 250-953-3334

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

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

www.archdatarequest.nrs.gov.bc.ca



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

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

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

Report finding possible sites or artifacts

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

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

Report finding possible human remains

If you think you have discovered human remains:

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

Heritage Conservation Act obligations

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

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

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

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

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



ISLANDER

ENGINEERING

September 13, 2026

Project No. 2181

**To: Aaron Grimmer
Gulf Excavation Ltd.
4415 Bedwell Harbour Road
North Pender Island BC**

**Re: Environmental Management Inspection (September 13 2026) at 4415 Bedwell
Harbour Road, North Pender Island BC**

Please find attached the Environmental Monitoring Checklist and Photo Log completed following the recent site inspection. The inspection was completed to review current site conditions and assess conformance with the existing Environmental Management Plan and applicable environmental management requirements.

Overall, site operations remain generally consistent with previous inspections. A number of housekeeping, and maintenance items were identified for correction; however, no evidence of significant uncontrolled discharge or obvious environmental impact was observed at the time of inspection.

A forthcoming update to the Environmental Management Plan will be prepared to reflect current site operations.

Please contact the undersigned with any questions.

Regards,
Sean Babulic, P.Eng



Attachments:

1. September 13 2026 Site Inspection Results
2. September 13 2026 Photo Log

Condition	Y / N	Comments	Photo
5. WATER MANAGEMENT			
5.1.1 Wastewater Reduction (BMP)			
Minimize the need for exterior truck washing by controlling dust losses from the batching area.	Yes	Calcium chloride dust suppressant is applied to site access roads by a third-party contractor, as required.	
Train employees regarding water use and the importance of controls and potential environmental/company liability.	Yes	Operator reports relevant staff are trained in operation of the water management system	
Limit or eliminate freshwater use by recycling processed water and using captured stormwater runoff wherever possible; reduce drum washout water through multiple small rinses rather than large single rinses.	Yes	Process waters appear to be used in closed loop and freshwater from dugout added only when needed to supplement.	
Consider the use of hydration stabilization admixtures.	Yes	Plastocrete -250 onsite in contained are next to batching area	3
Consider dry washout procedures.	Yes	Operator does not consider this to be appropriate.	
5.1.2 Water Collection / Containment			
All paved surfaces within the batching area should be curbed and graded to allow for effective capture and collection of wastewater.	Yes	Batching area is paved and loc-block production area is contained; however drainage requires maintenance to ensure free draining to water management area.	4-6
Any surface water not related to concrete production should be directed away from wastewater collection areas.	Yes	Concrete production area is generally contained to a small area with dedicated drainage to water management area.	
Equipment and vehicular traffic should be minimized through batching area where wastewater may be present.	Yes	Only concrete trucks entering batch area.	
Sufficient capacity must be provided for wastewater holding tanks / basins.	Yes	Available storage capacity was observed at the time of inspection; cleanout is required prior to the rainy season to maintain adequate wet-weather storage.	7-8
Wastewater holding tanks / basin shall be impermeable.	Yes	Liners observed within water-management area; no obvious breaches noted during visual inspection	

Condition	Y / N	Comments	Photo
Sufficient secondary containment (i.e. berms) shall be provided to capture any overflow from wastewater holding facilities.	Yes	Contained within lined lock-block water-management area; containment capacity appears adequate but volume not verified	
Any breaches in containment facilities that cause release of wastewater to the environment shall be considered a spill incident and spill-response measures followed.	Yes	Acknowledged by operator.	
Condition	Y / N	Comments	
5.2 STORM WATER RUNOFF – BMP			
Encourage surface water to seep into the soil naturally.	Yes	Acknowledged by operator.	
Preserve natural vegetation where possible.	Yes	No new disturbances noted.	
If possible, retain woody debris and organic matter onsite as mulch.	Yes	Acknowledged by operator.	
Roughen or terrace slopes to prevent erosion. Limit slope steepness and length to reduce runoff velocity.	Yes	Acknowledged by operator.	
Cover soil stockpiles and bare slopes with mulch, tarps, etc.	No	Some stockpiles uncovered. Ensure applicable stockpiles are covered during rainy season	9
Re-vegetate or landscape disturbed areas as soon as possible. If areas must remain disturbed during rainy seasons, sow a temporary cover crop.	Yes	No new disturbances noted.	
Apply mulch or lay geotextile to stabilize exposed soils.	Yes	No new disturbances noted.	
Keep machinery within specific access areas and minimize the extent of machine-access areas.	Yes	Acknowledged by operator.	
Control disposal or runoff of water containing suspended materials or other harmful substances in accordance with federal, provincial and municipal requirements.	Yes	Concrete-contact water is directed to the contained water-management area; no uncontrolled discharge was observed at the time of inspection	
Where flowing water cannot be isolated/diverted, isolate works with a structure such as silt curtain, sand bags or earthen berm to prevent silty water leaving the Site.	Yes	Acknowledged by operator.	
Avoid clearing vegetation from work zones during snowmelt or heavy rains.	Yes	Acknowledged by operator.	
Isolate work / excavation areas from all flowing	Yes	No excavations noted.	

Condition	Y / N	Comments	Photo
water.			
Inspect all silt fences and other controls daily prior to start of work and correct deficiencies immediately, particularly where drainage patterns have changed.	No	Silt fencing present down gradient of trafficked areas but requires maintenance prior to rainy season.	10
5.3 WATER TREATMENT			
Protocol in place for overflow incidents.	Yes	Operator reports wastewater is treated/recycled within the closed-loop system and excess storage capacity is maintained for wet-weather conditions. Maintenance prior to rainy season is required to ensure sufficient storage volumes.	
6. CHEMICAL AND PETROLEUM HYDROCARBON MANAGEMENT			
Concrete additives are stored in manufacturer containers within a covered, plastic-sheet-lined secondary-containment structure at the top of the batch plant.	Yes	Additive shed remains locked and covered.	11
Mechanical fluids / waste oils are stored within a transportation sea-can with welded lip providing secondary containment; waste oil stored in an AST within a separate plastic-sheet-lined cell.	Yes	Mechanical fluids stored in sea can as previously noted.	12
Fuel is stored within fuel tanks and tidy tanks aboard vehicles/equipment; no bulk fuel storage onsite.	Yes	Concrete trucks fueled offsite as required. Tidy tanks and jerry cans used onsite as required.	
Locate storage facilities away from high-traffic areas and protect them from vehicle/equipment damage.	Yes		
Provide storage areas with controlled access so only authorized / trained personnel can remove and use materials.	Yes	All fluids stored within lockable containment areas.	
Ensure tanks are corrosion-resistant and stable / anchored securely on a flat surface.	N/A	All fuel stored within tidy tanks only.	
Where possible, store drums and pails of related products in the same area.	Yes	All fluids stored within lockable containment areas.	
Ensure all materials are properly labeled and remain in original containers with lids intact for as long as reasonable.	Yes		
Protect liquids from freezing, where applicable.	Yes		

Condition	Y / N	Comments	Photo
Provide minimum 120% secondary containment for all volumes of liquid stored.	Yes	Appears adequate via visual inspection – capacity not verified relative to stored materials.	
Segregate combustible and flammable materials from oxidizing agents and other ignition sources.	Yes		
Prevent water-reactive and pyrophoric materials from contacting accumulated water, e.g. roofed enclosures.	Yes		
Provide emergency spill kits / supplies within storage area, including fire extinguishers, non-sparking shovels, sand bags, etc.	Yes	Spill kit located within fluid storage area.	13
6.3 DISPOSAL			
Source-reduction procedure in place.	Yes		
Returns procedure in place.	Yes		
7. SPILL RESPONSE AND PREVENTION			
Spill Response Steps reviewed by all staff.	Yes	Operator reports spill response procedures have been reviewed with Site staff	
Spill Response Steps posted in appropriate areas.	Yes	Noted within fluid storage sea-can	14
Standard spill kit available.	Yes	Noted at batching area and fluid storage areas.	15
Vehicle spill kit available.	Yes	Noted within concrete trucks	16
Equipment inspected daily to ensure it is leak-free and functioning; fuel/oil caps checked; leaking equipment tagged out; required onsite servicing occurs in containment.	Yes	As required during pre-trip inspections. Pre-trip inspection books noted within concrete trucks.	
Leaking machinery/equipment is contained using trays, buckets or absorbents, and repair / transport is arranged.	Yes	Drip trays noted under most stationary equipment.	17
Workers/operators clean observed leaks and wipe down equipment, including non-reportable leaks/spills.	Yes		
Grease and oil used for maintenance are appropriately applied and excess / contaminated materials properly disposed.	Yes		
During fuelling of compressors, light plants, etc., portable drip trays / absorbent pads are used.	Yes	Operator reports drip trays/absorbents are used during onsite fuelling, as required	

Condition	Y / N	Comments	Photo
Jerry cans stored in sealed toolbox tray / suitable ventilated locker and placed in containment when outside the storage container.	Yes		
When heavy machinery is not in use, portable drip tray placed under main engine compartment.	Yes	Drip trays noted under most stationary equipment.	18
Fire extinguishers and emergency-response equipment kept visible/accessibly; emergency contacts posted; fire extinguishers routinely inspected/certified.	Yes	Extinguishers noted in trucks, and emergency contact noted within mechanical fluid storage area.	19
Waste oil or materials removed from Site as soon as possible in accordance with applicable transportation / hazardous-waste requirements.	Yes	Operator reports waste oils/materials are removed from Site as required.	
Emergency Spill Response Plan implemented when required.	Yes	Operator reports the Spill Response Plan is implemented where required.	
Emergency Spill Response Plan posted onsite and personnel aware of plan and location of response materials / emergency contacts.	Yes	Noted within mechanical fluid shed	
Oil-spill response materials and equipment kept onsite in sufficient quantities and accessible locations.	Yes		
8. MONITORING AND REPORTING			
Scheduled follow-up monitoring — wet season.	Yes	Wet-season follow-up discussed with operator; additional monitoring to be completed as required by regulatory or compliance requirements.	
Annual monitoring	Yes	Following implementation of the updated EMP, annual third-party environmental inspections may not be necessary unless otherwise required or triggered by operational changes, regulatory or compliance concerns.	
Procedure for weekly Site inspection including completion of Environmental Monitoring Checklist / Report with each inspection.	Yes	Weekly inspections documented within onsite binder.	20



Photo 1: Looking east across batch plant area.



Photo 2: Looking west across batch plant area.



Photo 3: Plastocrete 250 additive stored within contained area next to batch plant.



Photo 4: Lock block production area



Photo 5: Solids storage area



Photo 6: Batching area, requires maintenance to ensure drainage is not blocked.



Photo 7: Water management area showing one of two holding tanks with available capacity.



Photo 8: Water management area requires cleanout prior to rainy season.



Photo 9: Stockpiled material to be covered prior to rainy season.



Photo 10: Silt fencing down gradient from operations area, required maintenance prior to rainy season.



Photo 11: Additive storage area.



Photo 12: Mechanical fluids storage in sea can with welded lip and secondary containment at rear for spent fluids.



Photo 13: Spill supplies within fluid storage area.



Photo 14: Spill response steps posted in fluid storage area.



Photo 15: Spill kit located within batching area.



Photo 16: Spill kits observed within concrete trucks.



Photo 17: Drip trays noted below concrete trucks.



Photo 18: Drip tray noted below compressor.



Photo 19: Fire extinguisher noted within vehicles and throughout site.



Photo 20: Weekly site inspections documented and stored onsite.



Photo 21: Onsite dugout with pH of 6.55



Photo 22: Lower dugout with pH of 7.5.



Photo 23: PVC stickup for newly established groundwater monitoring well.

Jas Chonk

From: Emery Sanderson <Emery.Sanderson@cowichantribes.com>
Sent: Thursday, March 26, 2026 3:55 PM
To: Jas Chonk
Cc: Keisha Sampson; Stephanie Atleo; Brad Smith
Subject: Re: North Pender Island Local Trust Committee Draft Bylaws 236 and 237 Referral - For Response

Hi Jas and Brad,

Thank you for the referral regarding Draft Bylaws 236 and 237 on North Pender Island.

Cowichan Tribes has reviewed the proposed amendments and we have some concerns to note.

The proposed rezoning to permit a concrete production facility including, as the bylaw defines it, the handling, treatment and storage of waste materials, is a significant change for a small island environment. Concrete production can generate dust, noise, heavy vehicle traffic, and potentially hazardous runoff. The lot's proximity to Bedwell Harbour is a particular concern. We'd want to understand what stormwater and drainage controls are proposed, and how potential contamination of groundwater and nearshore marine areas will be prevented.

The waste materials language in the bylaw definition is also quite broad. We'd ask that the LTC clarify exactly what categories of waste are contemplated and ensure that adequate environmental protection conditions are attached to any approval.

We also expect that a heritage assessment be required before any ground disturbance proceeds. Shoreline-adjacent lots on Pender Island have archaeological modeled potential, and that needs to be addressed up front rather than after the fact.

Cowichan Tribes is not in a position to support this application as currently proposed without more information on the environmental safeguards and heritage considerations. We'd welcome the opportunity to discuss further if that would be helpful.'

Huy ch q'u,

Emery Sanderson

Referrals Advisor
Cowichan Tribes, Lulumexun
Phone: 250-732-7874
Email: emery.sanderson@cowichantribes.com

>>> Jas Chonk <jchonk@islandstrust.bc.ca> 02/23/2026, 03:24 PM >>>

Dear Cowichan Tribes Referral Coordinators,

The North Pender Island Local Trust Committee has asked that its draft Bylaws 236 and 237 (NP-RZ-2024.1 (Grimmer)) be referred to you for comment. The referral package prepared by Island Planner Brad Smith is attached.

The purpose of draft Bylaws 236 and 237, if adopted, would result in the following uses to be permitted on a portion of the lot through a land use designation change from Rural to Industrial, and a site specific zoning change from Rural (R) to General Industrial (g), or GI(g):

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

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

Professional reports and staff reports are available on the North Pender Island application webpage: <https://islandstrust.bc.ca/island-planning/north-pender/current-applications/>

A reply is respectfully requested by **Friday, April 24, 2026.**

Should you have any questions, or require further information, please contact Island Planner Brad Smith at 250-405-5194 or bsmith@islandstrust.bc.ca and he would be happy to answer any questions you may have.

Please direct referral responses to southinfo@islandstrust.bc.ca or by mail to: Islands Trust, Victoria Head Office – 200-1627 Fort Street, Victoria BC V8R 1H8.

Thank you for your time and attention to this matter.

Jas Chonk (she, her, hers)

Legislative Clerk

Islands Trust

200-1627 Fort Street | Victoria BC V8R 1H8

T 250-405-5164 | 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, MALEXEL, Qualicum, scəwaθən, səliwətał, SEMYOME, shishálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', STÁUTW, Stz'uminus, łəʔəmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOŁŁP, WSIKEM, Xeláłtxw, Xwémalhkwi, Xwsepsum, and xʷməθkʷəy̓əm First Nations. Islands Trust is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.

**STAUTW (Tsawout) First Nation**

Lands Department

7728 Tetayut Rd, Saanichton, BC

V8M 2E4

April 4, 2026

Islands Trust

200-1627 Fort St.

Victoria, BC

V8R1H8

Re: Referral – Draft Bylaw Nos. 236 and 237

Subject Property: Lot 1, Section 18, S,DÁ,YES (Pender Island) Cowichan District, Plan VIP59806

Islands Trust File No.: NP-BLs-236-237

STAUTW File No.: 2026-00075

STAUTW First Nation acknowledges receipt of the referral regarding draft Bylaw Nos. 236 and 237, which propose to amend the land use designation from Rural to Industrial and rezone a portion of the subject property from Rural (R) to General Industrial (GI(g)) to permit a contractor yard, concrete production facility, and associated accessory uses.

The subject lands are located on S,DÁ,YES, within STAUTW First Nation's traditional territory. This area is known to have high archaeological potential and ecological sensitivity. STAUTW has significant concerns regarding the introduction of industrial land uses, particularly a concrete production facility, in a rural island environment.

The proposed amendment represents a substantial increase in land use intensity. Industrial activities such as concrete production, material storage, and waste handling introduce risks to archaeological resources through ground disturbance and may adversely impact surrounding ecosystems.

STAUTW First Nation holds unextinguished Aboriginal rights and title within its traditional territory. As a signatory to the Douglas Treaties, STAUTW retains Treaty rights to hunt, fish, and carry-on traditional practices, as well as to protect village sites and maintain its CELÁÑEN (way of life). These rights are constitutionally protected under section 35 of the Constitution Act, 1982, affirmed by the United Nations Declaration on the Rights of Indigenous Peoples, and supported by established jurisprudence. The protection of these rights must be a central

consideration in land use planning and decision-making processes affecting STÁUTW's territory.

STÁUTW First Nation is particularly concerned about:

- Potential impacts to undocumented archaeological sites and cultural materials;
- Effects on groundwater and surface water quality, including contamination risks associated with concrete production and the storage and handling of materials and waste;
- Increased noise, dust, and traffic inconsistent with the surrounding rural context;
- Potential downstream impacts to the marine environment, including areas used for harvesting and other traditional practices;
- The cumulative effects of introducing industrial zoning within the Islands Trust Area.
- The impact to the Douglas Treaty rights held by STÁUTW First Nation

In addition to the above, STÁUTW notes that the proposed bylaws appear inconsistent with the object and guiding principles of the Islands Trust as set out in the Islands Trust Act, which require the preservation and protection of the Trust Area and its unique amenities and environment for the benefit of residents of the Trust Area and of British Columbia generally.

The introduction of heavy industrial uses, including concrete production and associated waste handling, into a rural island context raises significant concerns with respect to:

- The long-term protection of environmentally sensitive ecosystems;
- The preservation of cultural and archaeological resources;
- The maintenance of the rural and low-impact character that the Islands Trust Act is intended to safeguard;
- The potential for cumulative impacts arising from incremental industrialization within the Trust Area.
- Douglas Treaty Rights

STÁUTW First Nation expects that any proposal of this nature be carefully evaluated against the Islands Trust's mandate to "preserve and protect," and that a precautionary approach be applied where there is uncertainty regarding environmental or cultural impacts.

At this time, STÁUTW First Nation is unable to support this bylaw amendment. The Nation is open to reconsidering its position provided the following information is received:

1. Confirmation of whether an Archaeological Impact Assessment (AIA) has been completed for the subject property. If not, STÁUTW expects that an AIA be required prior to any further consideration of the proposed bylaws. Please forward along a completed AIA for review prior to reconsideration;
2. Provision of any environmental, hydrogeological, and servicing studies prepared in support of the proposed industrial use;

3. Detailed information regarding the management, treatment, and containment of waste materials associated with the proposed concrete production facility;
4. Ongoing consultation with STÁUTW First Nation as this proposal advances.

Given the potential for significant and irreversible impacts, and the apparent inconsistency with the Islands Trust's legislated mandate, STÁUTW First Nation recommends that consideration of draft Bylaw Nos. 236 and 237 be deferred until the above information has been provided and reviewed to STÁUTW's satisfaction.

We appreciate the opportunity to review this referral and look forward to continued engagement on this matter.

BManson

Sincerely,
Bel Manson, Referrals Coordinator
Lands and Environment Department
STÁUTW First Nation

Jas Chonk

From: Matthew Perkins <matthew.perkins@malahatnation.com>
Sent: Wednesday, August 5, 2026 9:23 AM
To: Brad Smith
Cc: Jas Chonk; Bethany Woodbridge
Subject: RE: Proposed Bylaw Change on Pender Island
Attachments: image002_emz was removed from this message; image009_emz was removed from this message

Good morning Brad,

Thanks for the response. Yes, that will suffice for now. If a CMT survey needs to be completed please reach out and Malahat Nation can coordinate this.

huy ch q'u



Matthew Perkins
Referrals Coordinator

Malahat Nation
7 Kwunew Kwasun Lane | Mill Bay, BC | V8H 1B8
Cel: (250) 884-1465 | Tel: (250) 743-3231
www.malahatnation.com

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From: Brad Smith <bsmith@islandstrust.bc.ca>
Sent: July 29, 2026 1:58 PM
To: Matthew Perkins <matthew.perkins@malahatnation.com>
Cc: Jas Chonk <jchonk@islandstrust.bc.ca>
Subject: RE: Proposed Bylaw Change on Pender Island

You don't often get email from bsmith@islandstrust.bc.ca. [Learn why this is important](#)

Hi Matthew,

I am the planner assigned to this file. I am just getting caught up on referral responses for BL 236/237.

Thank you for your letter dated April 28, 2026. Staff provide the following responses to the two concerns raised:

- 1) *Requiring cultural monitors during ground disturbance* – rather than through the bylaw itself, this is typically addressed by requiring it to be a *Land Title Act* s. 219 covenant condition. The applicant has already been directed to begin drafting a s. 219 covenant for other aspects of the application, such as a site plan indicating where structures and buildings can be located, an invasive species management plan, and recommendations of engineers in respect of stormwater management.

Staff will further recommend that the LTC direct the applicant to also include a covenant condition requiring cultural monitors during land development as requested by the Malahat Nation.

- 2) *Cultural Modified Tree (CMT) survey* – the area proposed for rezoning has been significantly disturbed both through current industrial activities and historic farm use. The Islands Trust commissioned an AIA in 2018 at 4415 Bedwell Harbour Rd as part of a Local Trust Committee (LTC) project to locate the community recycling and waste transfer facility in the area of the lot now zoned General Industrial e(GIe).



The 2018 AIA report is attached. It concludes there is low risk for archeological impacts in the area studied, and makes no reference to CMTs.

That said, other Nations have also expressed similar concerns and may request additional AIA work to be completed. Staff will ensure that the scope of that work includes explicit review of any CMTs in the area.

Can you please confirm if this will adequately addresses the concerns of Malahat Nation at this time. Happy to connect directly over a zoom call as well if needed.

Thanks, Brad

Best regards,

Brad

Brad Smith, PAg

Island Planner, Southern Team

200-1627 Fort Street | Victoria BC V8R 1H8

(778) 679-5185 | bsmith@islandstrust.bc.ca | www.islandstrust.bc.ca

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

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

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

From: Matthew Perkins <matthew.perkins@malahatnation.com>

Sent: Wednesday, April 29, 2026 10:38 AM

To: Jas Chonk <jchonk@islandstrust.bc.ca>

Subject: Proposed Bylaw Change on Pender Island

Good morning,

Attached is Malahat Nation's response to the proposed bylaw change.

Huy ch q'u



Matthew Perkins

Referrals Coordinator

Malahat Nation

7 Kwunew Kwasun Lane | Mill Bay, BC | V8H 1B8

Cel: (250) 884-1465 | Tel: (250) 743-3231

www.malahatnation.com

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Malahat Nation

110 Thunder Road | Mill Bay, BC | V0R 2P4

Tel: (250) 743-3231 | Fax: (250) 743-3251

info@malahatnation.com | www.malahatnation.com

April 28, 2026

Malahat Referral No: R26057

Jas Chonk

Legislative Clerk

Islands Trust

Via email: jchonk@islandstrust.bc.ca

RE: Malahat Nation Response to the Bylaw Change on Pender Island

Dear Jas Chonk,

Thank you for your consultation request dated February 3rd, 2026, regarding draft Bylaws 236 and 237 on Pender Island, which is located in Malahat Nation's traditional territory.

Malahat Nation has reviewed the documents sent and there are a few concerns with the proposed land-use change. Cultural monitors should be present if any sort of ground disturbing work was proposed and if stands of trees were to be logged a Cultural Modified Tree (CMT) survey needs to be completed as well. Are you able to write these requests into your bylaw to ensure that work going forward is completed in a culturally sensitive manner?

Thank you for your time and consideration to build and maintain respectful ongoing relationships with First Nations of the area.

Sincerely,



Matthew Perkins
Referrals Coordinator
Malahat Nation

From: Brad Smith
Sent: Wednesday, July 15, 2026 10:43 AM
To: Jas Chonk
Subject: FW: NP-BL-236/7
Attachments: S7ÁUTW_Response_-_Referral_Conditions NP-BL-236-237.pdf

Please file along with my response. Thanks.

From: Brad Smith
Sent: Wednesday, July 15, 2026 10:42 AM
To: 'Bel Manson' <bmanson@stautw.ca>
Subject: RE: NP-BL-236/7

Thanks for this. I will pass this on to the applicant and will provide you with his overdue engineering monitoring report when it is received.

I will also provide further response to each of the referral items in due course as requested.

Please also note that his TUP expires at end of July and he has been requested to reapply so that the TUP will continue to regulate the use while the rezoning application continues to be considered.

From: Bel Manson <bmanson@stautw.ca>
Sent: Tuesday, July 14, 2026 3:01 PM
To: Brad Smith <bsmith@islandstrust.bc.ca>
Subject: NP-BL-236/7

Hi Brad, please find attached the response to the bylaw amendment above.

I am away at EoD Monday so hopefully this is sufficient.

Bel Manson (They/Them) / Referrals Coordinator

[TFN2024_Consultation-Protocol-Policy-May-1-2024-Approved.pdf](#)



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2026-07-14

Islands Trust
200-1627 Fort St, Victoria, BC, V8R 1H8

SṪÁUTW First Nation File No. 2026-00075

RE: North Pender Island Local Trust Committee Bylaws 236 and 237 - NP-BLs-236-237

Dear Brad Smith,

Thank you for your referral to SṪÁUTW First Nation regarding your project on our traditional territory. Based on the results of our review and the materials you provided, SṪÁUTW First Nation will require the proposed activities outlined in North Pender Island Local Trust Committee Bylaws 236 and 237 to meet the following conditions:

1. If the proponent plans on disturbing the ground in his activities that he has a complete AIA (archeological impact assessment) complete due to the proximity to DeRt-55
2. Concrete Facility Maintenance
 - Confirm existence of a regular maintenance schedule to prevent leaks from wastewater holding tanks and rubber pond liner.
3. Containment for Concrete Additives
 - Clarify type and enclosure of containment structure for additives and materials.
 - Determine year-round cement powder storage method.
 - Recommendation: Install a fully enclosed storage area.
4. Water Management
 - SṪÁUTW would like to receive the water quality monitoring data from the concrete processing plant, and if he is able, provide us with historical water quality data as well (pre-concrete plant) as that would be very useful to determine the extent of change happening in nearby groundwater.
 - Recommend comprehensive water testing for all potential contaminants due to vulnerability risk.
5. Derelict Equipment
 - Identify plan for removal or management of abandoned trailers, agricultural machinery, and vehicles.

6. Used Lubricant Storage

- Confirm interim storage method before recycling at Hetherington Industries (Port Alberni).
- Note: Lubricants reportedly brought to Hetherington site only as needed.

Please advise SṪÁUTW First Nation in writing as to your ability to meet the above listed conditions. Failure to meet these conditions will result in revocation of our conditional non-objection of the proposed activities outlined in North Pender Island Local Trust Committee Bylaws 236 and 237.

SṪÁUTW First Nation holds unextinguished Aboriginal rights and title within its traditional territory. As a signatory to the Douglas Treaties, SṪÁUTW retains Treaty rights to hunt, fish, and carry-on traditional practices, as well as to protect village sites and maintain its ĊELÁNEN (way of life). These rights are constitutionally protected under section 35 of the Constitution Act, 1982, affirmed by the United Nations Declaration on the Rights of Indigenous Peoples, and supported by established jurisprudence. The protection of these rights must be a central consideration in land use planning and decision-making processes affecting SṪÁUTW's territory.

HÍSŬKĒ,

Bel Manson | Referrals Coordinator
BManson@tsawout.ca

File No.: Raptor Nest DPA Review
Project

DATE OF MEETING: October 2, 2026
TO: North Pender Island Local Trust Committee
FROM: Brad Smith, Island Planner
Southern Team
COPY: Mary Storzer, Regional Planning Manager
SUBJECT: Raptor Nest DPA Review Project – Adoption of Bylaw No. 235

RECOMMENDATIONS

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

REPORT SUMMARY

The purpose of this staff report is to seek direction from the North Pender Island Local Trust Committee (LTC) on adoption of proposed Bylaw No. 235 (Attachment 1).

The recommendation above is supported as:

- Proposed Bylaw No. 235 has been given 2nd and 3rd reading by the LTC, has been considered at a public hearing as per statutory requirements, and has been approved by the Islands Trust Executive Committee and the Minister of Municipal Affairs; and,
- There are no other administrative or statutory steps required prior to the LTC considering adoption.

BACKGROUND

The LTC has been working on the Raptor Nest Development Permit Area Review project since May 2023. If adopted, proposed Bylaw No. 235 would update nest tree locations on Schedule O of the OCP based on recent field studies, and associated Development Permit Area 7 (DPA 7) guidelines consistent with the recommendations of a registered professional biologist and current provincial best practices.

Proposed Bylaw No. 235 was given first reading on October 3, 2025. The LTC also considered and determined that the bylaw is not contrary to or at variance with the Islands Trust Policy Statement on October 3, 2025.

A public hearing was held on April 10, 2026. Following the completion of the public hearing, the LTC gave proposed Bylaw No. 235 second and third reading.

Executive Committee approval was on May 6, 2026, and Ministry of Municipal Affairs approval on July 24, 2026.

Rationale for Recommendation

The recommendations on page 1 are supported as:

- Proposed Bylaw No. 235 has been given 2nd and 3rd reading by the LTC, has been considered at a public hearing as per statutory requirements, and has been approved by the Islands Trust Executive Committee and the Minister of Municipal Affairs; and,
- There are no other administrative or statutory steps required prior to the LTC considering adoption.

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. Recommended wording for the resolution is as follows:

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

2. Not Proceed with the Project

The LTC may decide to not proceed any further with the project.

3. Receive for information

The LTC may receive the report for information.

NEXT STEPS

If adopted, staff will update the base OCP bylaw to reflect the changes initiated by adoption of Bylaw No. 235.

Submitted By:	Brad Smith, Island Planner	September 3, 2026
Concurrence By:	Mary Storzer, Regional Planning Manager	September 8, 2026

ATTACHMENTS

1. Proposed Bylaw No. 235

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 235

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

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

1. CITATION

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

2. SCHEDULES

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

3. SEVERABILITY

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

READ A FIRST TIME THIS	3 RD	DAY OF	OCTOBER	2025.
PUBLIC HEARING HELD THIS	10 TH	DAY OF	APRIL	2026.
READ A SECOND TIME THIS	10 TH	DAY OF	APRIL	2026.
READ A THIRD TIME THIS	10 TH	DAY OF	APRIL	2026.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	6 TH	DAY OF	MAY	2026.
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS	24 TH	DAY OF	JULY	2026.
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

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

SCHEDULE 1

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

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

“5.2.8 DEVELOPMENT PERMIT AREA SEVEN - RAPTOR AND HERON NESTS

5.2.8.1 Development Approval Information

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

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

5.2.8.2 Designation

Development Permit Area Seven is shown in a generalized representation on Schedule O and includes a minimum 60 metre radius around identified eagle, Great Blue Heron and other raptor nest trees, including for Peregrine Falcons and Osprey.

Development Permit Areas are designated as follows:

- a) For Bald Eagle Nest Trees – the Development Permit Area applies to all mapped trees containing Bald Eagle nests and is:
 - i. a 60 m radius from nest trees in high density areas (lands zoned Rural Residential One in North Pender Island Land Use Bylaw No. 224, 2022.
 - ii. a 100 m radius from nest trees in all other zones in North Pender Island Land Use Bylaw No, 224, 2022.
- b) For Great Blue Heron Nest Trees – the Development Permit Area applies to all mapped trees containing Great Blue Heron nests, and is:
 - i. a 200 m radius from nest trees in all zones of North Pender Island Land Use Bylaw No. 224, 2022.
 - ii. an additional 200 m radius from any nest tree during the breeding season of January 15 to September 15.

- c) For Osprey Nest Trees – the Development Permit Area applies to all mapped trees containing Osprey nests and is:
 - i. a 100 m radius from nest trees in all zones of North Pender Island Land Use Bylaw No. 224, 2022.
 - ii. an additional 100 m radius from any nest tree during the breeding season of April 21 to September 5.
- d) For Peregrine Falcon Nest Trees – the Development Permit Area applies to all mapped trees containing Peregrine Falcon nests and is:
 - i. a 200 m radius from nest trees in all zones of North Pender Island Land Use Bylaw No. 224, 2022.
 - ii. an additional 100 m radius from any nest tree during the breeding season of March 30 to July 20.

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

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

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

5.2.8.3 Special Conditions or Objectives that Justify the Designation

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

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

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

Eagle nest trees requirements are specialized: typically large, very old trees near the water and although second growth trees are sometimes used, most nest trees are Douglas-firs over 150 years of age, usually within one kilometre of the shoreline. Human activity related to logging and land development have resulted in the loss of nest trees, which results in a permanent reduction in the nesting population. Gradual loss of nesting habitat is considered to be the most significant factor affecting bald eagle abundance in B.C. (Province of BC. Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development) and specifically on Vancouver Island and the Gulf Islands, habitats within low-elevation coastal habitats in the Coastal Douglas-fir Biogeoclimatic zone have been degraded by human developments (Province of BC. Guidelines for Raptor Conservation during Urban and Rural Land Development in British Columbia 2013).

During their breeding season (Feb 5 to Aug 31), especially during early courtship and egg-laying periods, bald eagles are very sensitive to noise disturbances and may abandon their nests and young.

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

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

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

Colonies are dynamic, especially in areas of high disturbance and habitat destruction and human disturbance has been implicated in historical colony abandonment. In particular, disturbance from humans can cause herons to temporarily abandon breeding attempts, allowing predators to take eggs.

The Province of British Columbia recommends a buffer of at least 300 m in undeveloped areas, 200 m in rural areas, and 60 m in urbanized areas for herons. An additional 200 metre 'no disturbance' buffer is recommended during the nesting season, especially for colonies not previously accustomed to people and their activities. (Develop with Care 2014: Fact Sheet #11 - Great Blue Heron: Environmental Guidelines for Urban and Rural Land Development in British Columbia).

Other mapped raptor nest trees include for Ospreys and Peregrine Falcons. Healthy raptor populations are important in maintaining a balance in prey populations. Protection of habitat, including nesting areas, is important in order to maintain raptor populations. The Province of British Columbia recommends a buffer from nest trees of at least 100 m in rural areas for Osprey and 200 m for Peregrine Falcons. An additional 100 metre 'no disturbance' buffer is recommended during the nesting season for Osprey and Peregrine Falcons.

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

The objective of this development permit area is as follows:

1. To preserve and protect raptor and heron nest trees.

5.2.8.4 Authority

This development permit area is established, pursuant to Section 488(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity. In considering the issuance of a development permit, the LTC should be satisfied that the objective of the DPA has been met where applicable and may impose conditions where appropriate.

5.2.8.5 Applicability

Section 489 of the *Local Government Act* provides that within areas designated as Development Permit Areas in an official community plan:

- (a) land must not be subdivided;
- (b) construction of, addition to or alteration of a building or structure must not be started;
- (c) land must not be altered;

unless the owner first obtains a Development Permit or an exemption under s 488(4) applies.

5.2.8.6 Development Permit Exemptions

The following activities are exempt from any requirement for a development permit. Despite these exemption provisions, owners must satisfy themselves that they meet any other applicable local, provincial or federal requirements.

- a) for certainty: development or alteration of land occurring outside of a development permit area;
- b) the placement of impermanent structures, such as benches, tables and garden ornaments;
- c) submission to the Islands Trust of a written statement from a registered professional biologist with relevant experience, stating that the proposed work would have no impact on any raptor or heron nest tree;
- d) forest management activities on land classified as managed forest land under the *Private Managed Forest Land Act*;

- e) forest management activities on land that is the subject of a valid and subsisting woodlot license or tree farm license under the *Forest Act*;
- f) work undertaken by an agent of the Crown;
- g) gardening and yard maintenance activities within an existing landscaped area, including mowing, pruning, planting and minor soil disturbance that does not alter the general contours of the land;
- h) the removal of dangerous trees that have been examined by an arborist and certified to pose an immediate threat to life or property;
- i) the removal of invasive, non-indigenous trees or vegetation;
- j) the removal of trees or vegetation minimally necessary for the construction of any of the uses, buildings or structures exempted from the requirement for a development permit;
- k) the repair, maintenance, alteration or reconstruction of existing legal or legal non-conforming buildings, structures or utilities provided there is no alteration of undisturbed land or vegetation (building permit may be required);
- l) the repair and maintenance of existing roads, driveways, paths and trails, provided there is no expansion of the width or length of the road, driveway, path or trail, and no creation of additional impervious surfacing, including paving, asphaltting or similar surfacing;
- m) farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in the *Agricultural Land Reserve Use Regulation*; or,
- n) The construction or placement of a small accessory building or structure such as a pump house, gazebo, garden shed or storage structure if all the following apply:
 - i) The accessory building or structure is located entirely within the seasonal buffer;
 - ii) No native trees are removed or land altered by machinery;
 - iii) No building permit is required; and
 - iv) The total area or coverage of the accessory building or structure is less than 10 m².

5.2.8.7 Guidelines

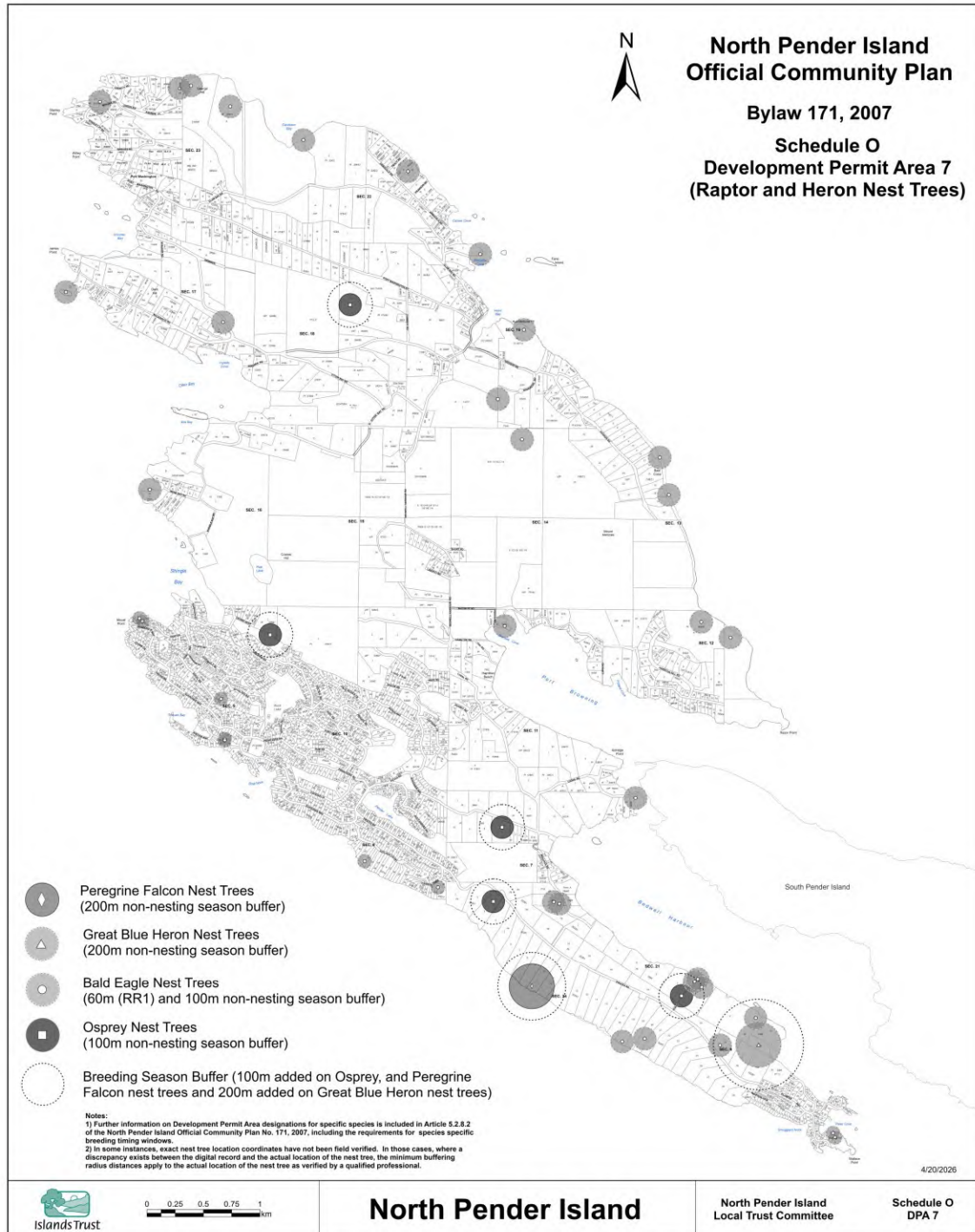
1. Where an application involves a proposal to subdivide land, the layout of proposed lots should be configured in such a manner as to ensure, to the extent practical, that Bald Eagle, other raptor, or Blue Heron nesting trees are protected by clustering lots through lot averaging or bare land strata. Where feasible, the lot containing the nesting tree should be of a sufficient size to accommodate the permitted level of development, including driveway access, septic disposal systems, and accessory uses, in addition to an adequate buffer around the nest tree.
2. Where an application involves proposals to construct or locate new buildings, structures, roads, driveways, utility corridors, or to clear or alter undisturbed land or vegetation in areas within the DPA, development should, where feasible:
 - a) Avoid disturbance of occupied nesting, roosting and feeding areas;
 - b) Consider potential impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development in the area;

- c) Consider the timing of development in respect of minimizing impacts during breeding season timing windows and ensure that species specific breeding season quiet buffers are applied where applicable;
 - d) Retain existing natural habitats suitable for raptors and herons, such as potential or currently unoccupied nesting trees, perches, roosting trees, snags, and trees with cavities;
 - e) Where possible, retain groups of trees rather than isolated single trees to provide an inter-locking canopy;
 - f) Maintain an effective buffer of undisturbed vegetation around nest trees. Larger buffer areas may be suitable on larger lots; lesser buffer areas may be suitable in areas of longstanding development, on small lots and where on-going activity has habituated birds to human presence;
 - g) Locate new trails, buildings and roads away from nesting, roosting and foraging areas; and
 - h) Consider restoration or enhancement of key habitat features where they have been disturbed.
3. Permits may include conditions respecting the timing or phasing of development work, including conditions restricting significant work to periods when eggs and young are not present in the nest tree, and restoration or enhancement of key habitat features.
4. Where a qualified professional recommends additional mitigation measures within the DPA based on site-specific observations, permits may include conditions to:
- a) protect trees, cliffs or other specific sites that are in regular use for roosting, perching or feeding; and
 - b) protect primary foraging sites such as shorelines, wetlands, shrubby areas, hedgerows and riparian areas.
5. Where an application involves the development of a primary residence on a previously undeveloped residential parcel, and a significant portion or all of the developable area of the parcel falls within a raptor or heron DPA, development is permitted and should, where feasible:
- a) Be designed and sited in a way that minimizes impacts to raptor and heron activities within the DPA, including siting development outside the DPA where possible; and
 - b) Consider the establishment of a 'residential home plate' as a permit condition that delineates an area within the parcel where residential uses, including dwellings, driveways, and ancillary uses, must be sited.

6. The LTC may consider variances to relax siting, size or subdivision regulations where the variance may result in enhanced protection of a nesting tree or colony or habitat feature.
2. Part 7 Administration and Implementation Section 7.7(45) is amended by adding the following definition: '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.'
3. Schedule O - Development Permit Area 7 Map (Raptor and Heron Nests) is deleted in its entirety and replaced with an updated Schedule O - Development Permit Area 7 Map (Raptor and Heron Nests) attached to and forming part of this bylaw.

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

SCHEDULE O - DEVELOPMENT PERMIT AREA 7 MAP (RAPTOR AND HERON NEST TREES)



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

DATE OF MEETING: October 2, 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 – First Reading – Bylaw No. 240 and No. 241

RECOMMENDATIONS

1. That the North Pender Island Local Trust Committee amends draft Bylaw No. 240, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2025” by amending Heritage Resource Policy 4.6.6 to read:

“4.6.6 The Local Trust Committee will encourage the granting of covenants to the LTC to protect heritage features including for the completion of archaeological impact assessments prior to land altering activities, and requiring the presence of First Nation site monitors during land altering activities.”

2. That the North Pender Island Local Trust Committee amends draft Bylaw No. 241, cited as “North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2025” by adding a fifth condition under the site specific Community Service (a) zone for affordable housing development that reads:

5) The completion of an assessment report by a registered professional biologist to minimize impacts of development, consistent with the reporting requirements of Development Approval Information Bylaw No. 134 Part V, S 920 (15) in respect of sensitive ecosystems.

3. That the North Pender Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 240, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2025”, and Bylaw No. 241, cited as “North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2025”, are not contrary to or at variance with the Islands Trust Policy Statement.
4. That the North Pender Island Local Trust Committee Bylaw No. 240, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2025”, be read a first time.
5. That the North Pender Island Local Trust Committee Bylaw No. 241, cited as “North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2025”, be read a first time.

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 consideration of first reading.

The recommendations above are supported as:

- Additional input from the Advisory Planning Commission and the public, including via a fourth Community Information Meeting, have indicated limited interest in pursuing more flexibility in residential zoning at this time, while interest is strong for affordable, non-market, and worker housing amendments;
- Staff are of the view that the draft bylaws are not contrary to or at variance with the Islands Trust Policy Statement (ITPS);
- Bylaw referrals did not identify any significant concerns or issues from agencies and First Nations; and,
- As the current term is nearing an end, staff recommend leaving direction to schedule a public hearing to the next LTC.

BACKGROUND

The LTC endorsed the [Housing Action Plan](#) at the May 30, 2025 LTC meeting. At the May 29, 2026 LTC meeting, the LTC directed staff to initiate referrals for draft Bylaw No. 240 and No. 241. Bylaw referrals are now completed and staff are seeking direction on how to proceed with the draft bylaws.

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

At the May 29 meeting, two further resolutions were passed in respect of draft Bylaw No. 240 and No. 241:

NP-2026-037**It was MOVED and SECONDED,**

that 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.

CARRIED

NP-2026-038**It was MOVED and SECONDED,**

that 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".

CARRIED

The attached draft bylaws reflect this direction. No other changes to the draft bylaws have been requested by the LTC since the May meeting. To summarize, the scope of all the changes in the proposed draft bylaws as follows:

OCP Changes:

- Added an overarching goal to provide for a range of flexible housing options that meet the diverse needs of the community and island residents.
- Updated population, demographic and build-out statistics in OCP introduction
- Added 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
- Amended language for the need for a housing agreement to be determined at the time of rezoning rather than an outright requirement.
- Added a definition of Affordable Housing
- Added 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.
- Amended 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]
- Amended 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:

- Permits up to two units of employee housing in site specific Community Service zones for both fire halls, police station and school property
- Amended site specific Anglican Church diocese property to permit affordable housing as a permitted use up to 30 units subject to proof of water, septic, a housing agreement and form and character limits, completion of ecological assessment report
- Added 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)
- Added definition of Rental Housing
- Added definition of Accessory Dwelling Unit (ADU) and integrate use of ADUs throughout bylaw (eg. General regulations on use, height, home business regulations, parking etc)
- Amended 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]
- Removed maximum 40% floor area provision from secondary suite regulation
- Amended 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

Islands Trust Policy Statement

Staff have reviewed the ITPS Directives Only Checklist and determined that Bylaw No. 240 and Bylaw No. 241 are not contrary to or at variance with the Islands Trust Policy Statement. A completed checklist is included as Attachment 3.

Consultation

First Nation Referrals

Draft Bylaw No. 240 and No. 241 were sent to the standard list of First Nations for the North Pender Island Local Trust Area. The Malahat First Nation provided this comment:

The Gulf Islands, including Pender Island, are considered to have high potential for archaeological sites. With Bylaws No. 240 and 241 creating increased opportunities and flexibility for housing development across North Pender, Malahat Nation is concerned with changes regarding permits for land development and any other ground disturbing work, especially with the notification of nearby Nations. Any housing development requires Nations to be notified, even in areas that are already developed given the **historical oversight of First Nations presence**. Cultural monitors need to be present with any ground disturbing activities. Malahat Nation is able to provide a representative for this purpose. Please contact us promptly when this is needed.

The only specific new development site at this time would be the Anglican Church lands. To address this concern, the LTC could seek to enter into a s. 219 covenant with the owner of the Church lands to require site monitors from Malahat Nation at time of future development.

As this would be LTC directed covenant resulting from an LTC project, it may be feasible to pay for the legal fees for drafting the covenant through project funds. There is \$2400 remaining in project funds for the 2026/27 fiscal, although some of that funding would be needed for public hearing expenses, should it occur.

The completion of archaeological impact assessments prior to development, and the presence of site monitors during land altering activities, are common requests of First Nations across many Islands Trust development related files. To further support First Nations reconciliation, staff recommend that the LTC consider amending OCP Heritage Policy 4.6.6 to be more explicit in supporting the need for archeological impact assessments and cultural site monitors.

Staff suggest the following OCP amendment:

4.6.6 The Local Trust Committee will encourage the granting of covenants to the LTC to protect heritage features ***including for the completion of archaeological impact assessments prior to land altering activities, and requiring the presence of First Nation site monitors during land altering activities.***

The Pauquachin, Ts'uubaa-asatx, Penelakut, Tsawwassen and Snuneymuxw First Nations responded with either no comment or deferring comment to other First Nations. No other responses were received.

Agency Referrals

Draft Bylaw No. 240 and No. 241 were sent to:

- Ministry of Transportation & Transit (MOTT)
- Ministry of Water, Land and Resource Stewardship - Ecosystems Branch
- Islands Trust Conservancy
- Pender Island Parks and Recreation Commission
- Gulf Islands School District No. 64
- Outer Gulf Islands RCMP
- Pender Island Conservancy
- CRD
- Island Health
- North Pender Island Fire Rescue
- Mayne, South Pender Salt Spring and Saturna Island LTCs

The Ministry of Water, Land and Resource Stewardship, MOTT, and the CRD responded with either no comments or that their interests are unaffected. Island Health provided a few general comments related to drinking water, septic, and healthy built environments (Attachment 4).

The Islands Trust Conservancy considers the referral at their September 29 meeting; ITC staff have confirmed that they will recommend a response of interests are unaffected to the Board. Mayne, Salt Spring and South Pender LTCs responded that their interests are unaffected. No other responses were received.

Issues and Opportunities

Ecological Assessment Report – Anglican Church lands

Staff have noted that by rezoning the Anglican Church property to permit affordable housing as part of an LTC project, there will be no future Terms of Reference requiring an ecological assessment, unlike applicant-driven rezoning applications. To address this, staff recommend that the LTC consider amending draft Bylaw No. 241 by adding the following condition to the requirements for the Anglican Church property:

5) The completion of an assessment report by a registered professional biologist to minimize impacts of development, consistent with the reporting requirements of Development Approval Information Bylaw No. 134 Part V, S 920 (15) in respect of sensitive ecosystems.

APC Referral

At the May 29, 2026 meeting the LTC passed the following resolution:

2026-039	Carried	Resolution: That North Pender Island local trust committee request that the Advisory Planning Commission on Housing report back on analysis and recommendations for development of the Anglican church lands, including a housing agreement.
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The APC has met once over the summer to discuss the referral, and a report will be prepared by the APC for the new LTC, assuming the project continues in the next term.

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).

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 - DONE
Staff complete bylaw referrals	June – August - DONE
LTC considers 1 st reading	September 4 Oct 2 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 <u>Oct 2 - Staff recommend leaving direction to schedule a public hearing to the next LTC</u>

As the current term is nearing an end, staff recommend leaving direction to schedule a public hearing to the next LTC. In the new term, staff will bring the project to the new LTC, and seek direction on whether to continue to proceed with the project, including completing the remaining statutory steps for Draft Bylaw No. 240 and No. 241.

An updated project status table is included with an update on each Plan Action (Attachment 5). Good progress has been made with the bylaws now ready to be considered for first reading and most other Action Items completed.

RECOMMENDATIONS

The recommendations on page 1 are supported as:

- Additional input from the Advisory Planning Commission and the public, including via a fourth Community Information Meeting, have indicated limited interest in pursuing more flexibility in residential zoning at this time, while interest is strong for affordable, non-market, and worker housing amendments;
- Staff are of the view that the draft bylaws are not contrary to or at variance with the ITPS;
- Bylaw referrals did not identify any significant concerns or issues from agencies and First Nations; and,
- As the current term is nearing an end, staff recommend leaving direction to schedule a public hearing to the next LTC.

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. Give direction to schedule a public hearing

The LTC may give direction to schedule a public hearing following first reading. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee directs staff to schedule a public hearing for proposed Bylaw No. 240, cited as "North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2025", and proposed Bylaw No. 241, cited as "North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2025".

3. 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...

4. Receive for information

The LTC may receive the report for information.

NEXT STEPS

With direction from the LTC, staff will make recommended amendments to the proposed bylaws.

Submitted By:	Brad Smith, Island Planner	September 16, 2026
Concurrence:	Mary Storzer, Regional Planning Manager	September 24, 2026

1. Draft Bylaw No. 240
2. Draft Bylaw No. 241
3. ITPS Checklist
4. Island Health referral response
5. Housing Action Plan Status Table, Sep 2026

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 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.”

2.2. 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 or secondary suite, 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.”

2.3. 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.”

2.4. 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).”

- 2.5. 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)

- 2.6. 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)

- 2.7. 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)

- 2.8. 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)

- 2.9. 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)

- 2.10. 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)

- 2.11. 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*”

- 2.12. 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.”

- 2.13. 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

- 2.14. 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 30 units for the provision of <i>affordable housing</i> subject to: 1) A housing agreement under Section 483 of the <i>Local Government Act</i>; 2) The installation of a community water and septic system to service all units; 3) Units may only be in the form of detached or multiplex buildings with a maximum of three storeys and a maximum height of 14 metres; and, 4) A maximum floor area of 120 m² per unit and a total maximum floor area of 3000 m² for all units combined.
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	The only <i>uses</i> permitted in this location are

		15.	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 <i>uses</i> 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> .

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



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw No: 240&241

Housing Access and Affordability Project

LTC Endorsement: October 2, 2026 Res:

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✗ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A** if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
✓	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
✓	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
N/A	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
✓	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
✓	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
✓	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.

N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE

✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

From: Black, Elena [ISLH] <Elena.Black@islandhealth.ca>
Sent: Tuesday, July 14, 2026 4:28 PM
To: Jas Chonk
Cc: Cranch, Jana [ISLH]; Xu, Iris [ISLH]
Subject: RE: North Pender Island Local Trust Committee Draft Bylaws 240 and 241 Referral - For Response
Attachments: NP-BLs-240_241_Housing-Project_Referral_PKG.pdf

Hello,

Please see the completed referral form attached and the following comments/considerations below:

Drinking Water

- With respect to secondary suites, accessory dwelling units, and cottages note that any water supply system serving more than one single family residence* is required to obtain necessary approvals/permits and meet the requirement for a drinking water system under the [Drinking Water Protection Act](#) which includes requirement to provide potable water.

*Refer to the latest version of the [Drinking Water Officers' Guide - Province of British Columbia](#) pg. 10 for definition of **single family residence**)

- Water availability and sustainability are important considerations in land use planning and when considering additional density and the potential negative health impacts, and this is reflected in the draft Islands Trust 2050 Policy Statement Goal 5: Foster Sustainable Stewardship of Lands and Waters through policy direction related to freshwater sustainability, freshwater demand and supply, and saltwater intrusion. [Provincial groundwater monitoring information](#) which includes data for [Observation well 283](#) on North Pender island which is showing signs of depletion stress and [Best Practices for Prevention of Saltwater Intrusion factsheet](#) can provide useful information.

Sewage Disposal

- Construction (including alteration) on any sewerage systems must be in accordance with the [Sewerage System Regulation](#), which requires a property owner to obtain the services of an Authorized Person (Registered On-site Wastewater Practitioner or Professional) to file with the health authority the required documentation for certification of the system.

Healthy Built Environment

- The proposed amendments aimed at providing more flexibility and options to increase affordable, non-market, and working housing alternatives to meet identified housing needs. are aligned with healthy built environment principles. Access to affordable and appropriate housing is an important determinant of health and contributes to healthy, inclusive, and resilient communities.
- While it is understood that the scope of the amendments are limited to housing, future planning and land use decisions should consider opportunities to improve access to daily needs through safe, connected, accessible routes that support active modes of travel and access to key destinations. This is particularly important to support equity and access to daily needs and key destinations for those who do not drive or have access to a vehicle.

For questions related to drinking water or on-site sewerage systems, please reach out to Elena Black or Iris Xu Environmental Health Officers for Pender Island. For questions related to healthy built environments, please reach out to Jana Cranch, Healthy Built Environment Consultant.

Regards,

Elena Black, BSc, BEPH, CPHI(C)

Environmental Health Officer | Island Health

Gateway Village Health Unit | Environmental Public Health Services

Address | #201-771 Vernon Ave, Victoria, BC, Canada V8X 5A7

Tel. | 250-519-3401 ext. 32290

Fax | 250-519-3402

Email | Elena.Black@islandhealth.ca

Confidentiality Notice: This e-mail and attachments are only for the use of the intended recipient and must not be distributed, disclosed, used or copied by or to anyone else. This e-mail and any attachments may be confidential, privileged or subject to the provisions of the Freedom of Information and Protection of Privacy Act. If you receive this in error, please contact me immediately and delete all copies of this e-mail and any attachments.

From: Jas Chonk <jchonk@islandstrust.bc.ca>

Sent: Friday, June 12, 2026 2:44 PM

To: 'Josie.Beruldsen@gov.bc.ca' <Josie.Beruldsen@gov.bc.ca>; Wendy Tyrrell <wtyrrell@islandstrust.bc.ca>; 'jjensen@sd64.org' <jjensen@sd64.org>; 'marc.lesperance@rcmp-grc.gc.ca' <marc.lesperance@rcmp-grc.gc.ca>; Pender Island Conservancy Association <info@penderconservancy.org>; 'Jessica Arnet' <jarnet@crd.bc.ca>; 'Aggie Chan' <ACHan@crd.bc.ca>; HBE (Healthy Built Environment) [ISLH] <HBE@islandhealth.ca>; 'chief@penderfire.ca' <chief@penderfire.ca>; Britt Holowaty <bholowaty@islandstrust.bc.ca>

Cc: Brad Smith <bsmith@islandstrust.bc.ca>

Subject: North Pender Island Local Trust Committee Draft Bylaws 240 and 241 Referral - For Response

Hello Referral Coordinators,

The North Pender Island Local Trust Committee has asked that its draft Bylaws 240 and 241 (Housing Project) be referred to you for comment. The referral package prepared by Island Planner Brad Smith is attached.

The purpose of draft Bylaw No. 240 and No. 241 is to make amendments to the North Pender Island Official Community Plan No. 171 and North Pender Island Land Use Bylaw No. 224 to provide more flexibility and options for increasing affordable, non-market, and worker housing alternatives on North Pender Island.

Professional reports and staff reports are available on the Projects webpage:
<https://islandstrust.bc.ca/island-planning/north-pender/projects/>

A reply is respectfully requested by **Tuesday, July 14, 2026**.

Should you have any questions, or require further information, please contact Island Planner Brad Smith at 250-405-5194 or bsmith@islandstrust.bc.ca and he would be happy to answer any questions you may have.

Please direct referral responses to southinfo@islandstrust.bc.ca or by mail to: Islands Trust, Victoria Head Office – 200-1627 Fort Street, Victoria BC V8R 1H8.

Thank you for your time and attention to this matter.

Jas Chonk (she, her, hers)

Legislative Clerk

Islands Trust

200-1627 Fort Street | Victoria BC V8R 1H8

T 250-405-5164 | 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 BOŖEĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEL, Qualicum, scəwəθən, səliwətəʔ, SEMYOME, shíshálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', SĀĀUTW, Stz'uminus, ʔəʔəmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WĴOŁŁŁP, WSIKEM, Xeláltxw, Xwémalhkww, Xwsepsum, and x"məðk"əyám First Nations. Islands Trust is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.

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

Please see email for comments

North Pender Island Local Trust Area

(Island)

Elena Black

(Signature)

14 July, 2026

(Date)

240/241

(Bylaw Number)

Elena Black, Environmental Health Officer

(Name and Title)

Island Health

(Agency)

North Pender Island Housing Action Plan Implementation Tracking Table – October 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-	Included as draft OCP policy, not enabled in LUB as community/LTC decided against
5	Explore opportunities for zoning changes to permit higher density Multi-Unit Development in areas with a concentration of community amenities	Complete	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	Complete
7	Explore opportunities to permit worker accommodation (e.g at community firehalls, Driftwood Center.)		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		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	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	Complete
11	Explore rezoning of a portion of Anglican Church lands to permit affordable housing.	Fall/Winter 2025	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	Complete

		Implementation – Fall 2026	
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	APC scoping feasibility requirements for development of Anglican Church lands
14	Engage with community members to increase participation in community housing initiatives and non-profit community housing organizations.	Ongoing	Complete
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	Complete
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	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	Complete
19	Collaborate with the Capital Regional District (CRD) and other levels of government on harmonization of compatible housing projects and programs.	Ongoing	Complete – see Action 13
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	Complete
22	Ensure that known registered archeological site and archeological potential information is considered when developing housing related bylaw amendments	Winter 2025 – Spring 2026	Complete

Active Projects Report

North Pender Island

0. Major project - Housing Access and Affordability

Responsible

Dates

Activity:

Brad Smith

Rec'd: 26-May-2023

Pre-project phase: establish project scope and submit business case for Trust Council

Target: 26-Jun-2026

approval - Completed

Consultation - special APC to review issues and provide recommendations - Completed

Direction to draft bylaws

Future Projects Report

North Pender Island

1. *Coastal Douglas Fir Ecosystem*

Responsible

Date Received

Consider implementation of toolkit and mapping
- LPC to develop model bylaw in 2021-22

01-Feb-2019

2. *Accessory Dwelling Units*

Responsible

Date Received

Review options for accessory dwelling units on North Pender.

26-May-2022

3. *Review DPAs*

Responsible

Date Received

To review the Development Permit Areas in the NP Official Community Plan to update guidelines, requirements, and outline options for new DPAs including forest cover, tree cutting and removal.

11-Aug-2022

4. *Browning to Driftwood Corridor Plan*

Responsible

Date Received

Coordination on a transportation plan for the Driftwood to Port Browning corridor.

11-Aug-2022

5. *Soil Bylaw Project*

Responsible

Date Received

Work on Soil bylaw was undertaken in 2021 and 2022. Project deferred prior to bylaw readings

29-Apr-2021

Future Projects Report

North Pender Island

6. *Public engagement on groundwater data*

Responsible

Date Received

Project to present information on groundwater project to public and educate landowners

26-May-2023

7. *Fire Inspection requirements for STVRs*

Responsible

Date Received

05-Apr-2024



North Pender Local Trust Committee

Open Applications

Report

Print Date: September 24, 2026

Agricultural Land Reserve

Application Number	Applicant Name	Date Received	Address	Purpose
PLALR20260353	Quinn Daly (CRD)	8/24/2026	4414 BEDWELL HARBOUR RD, PE	Application to subdivide land in the ALR.
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Under Review	Generate Complete Application Letter	

Application Number	Applicant Name	Date Received	Address	Purpose
PLALR20260377	Charles Eigl	9/16/2026	2305 OTTER BAY RD, PENDER ISL	Application for non-farm use in the agricultural land reserve.
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Under Review	Generate Complete Application Letter	

North Pender

Board of Variance

Application Number	Applicant Name	Date Received	Address	Purpose
PLBOV20260376	Theodore Janzen	9/15/2026	4559 BEDWELL HARBOUR RD, PE	Appeal to Board of Variance for the siting of a carport in a setback.
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Under Review	Generate Complete Application Letter	

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	

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		In Abeyance	Planning Review	

North Pender

Rezoning

Application Number	Applicant Name	Date Received	Address	Purpose
PLRZ20260299	Anne Burdett	7/13/2026	4606 RAZOR POINT RD, PENDER I	Application for rezoning to amend the LUB to permit RV storage.
Planner		Status	Most Recent Completed Activity	
Kim Stockdill		Under Review	Generate Complete Application Letter	

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	

North Pender

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	

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	Email Applicant of LTC Meeting	

North Pender

Subdivision

Application Number	Applicant Name	Date Received	Address	Purpose
NP-SUB-2023.1	Brent Mayenburg	9/22/2023		2218 Clam Bay Road - Edgewood Estates - Re-activated subdivision for 12 lot bare land strata
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Waiting for Conditions	Determine Next Steps - PL	

Application Number	Applicant Name	Date Received	Address	Purpose
NP-SUB-2023.2	Greg Atkins	10/18/2023	0 JAMES ISLAND	Lots 1-5, James Island: Referral of a subdivision application for 79 new lots
Planner		Status	Most Recent Completed Activity	
Brad Smith		Administrative Review	Record and File PLR	

Application Number	Applicant Name	Date Received	Address	Purpose
NP-SUB-2020.1	Bradford Gilbert	3/5/2020	1610 SCHOONER WAY, PENDER I	A subdivision referral for a boundary adjustment subdivision.
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Administrative Review	Record and File PLR	

North Pender

Temporary Use Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLTUP20260325	Barbara Johnstone	7/31/2026	4415 BEDWELL HARBOUR RD, PE	New Temporary Use Permit for aggregate storage (gravel, sand) and a redimix concrete batch plant.
Planner	Status		Most Recent Completed Activity	
Brad Smith	Under Review		Add Optional Referrals	

Islands Trust
LTC EXP SUMMARY REPORT F2027
Invoices posted to Month ending July 2026

650 North Pender	Invoices posted to Month ending July 2026	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
LTC Local				
65050-650	LTC "Executive Expense on LTC's"	894.00	287.27	606.73
65200-650	LTC - Local Exp - LTC Meeting Expenses	1,220.00	660.82	559.18
65210-650	LTC - Local Exp - APC Meeting Expenses	1,580.00	440.10	1,139.90
TOTAL LTC Local Expense		<u>3,694.00</u>	<u>1,388.19</u>	<u>2,305.81</u>
Projects				
73001-650-4137	North Pender Housing Access & Affordability	3,000.00	568.30	2,431.70
TOTAL Project Expenses		<u>3,000.00</u>	<u>568.30</u>	<u>2,431.70</u>

Standing Resolutions Log

North Pender Island

Resolution Number	Action	Date
2023-040 (Standing) Proposed Bylaws 224 & 229 - 4606 Razor Point Rd That the North Pender Island Local Trust Committee move to suspend bylaw enforcement on the Industrial zoned portion of 4606 Razor Point Road until the completion of Bylaw 224 and 229.	Carried	11-Mar-2023
2020-010 (Standing) 15.1 Policy options for Bylaw Enforcement Compliance on unlawful uses that the North Pender Island Local Trust Committee adopt the following policy on unlawful land uses and planning applications: a. Where an application is received and a use is continuing in contravention of a land use bylaw, staff are directed to request that the applicant cease the use prior to processing the application, and staff are directed to continue with enforcement until the use is ceased. b. The applicant may request that the Local Trust Committee proceed with consideration of the application while the use is continuing; and, where the Local Trust Committee considers there is a community need to process the application while the prohibited use is continuing, the Local Trust Committee may direct that bylaw enforcement actions, including the issuing of notices, cease. c. Where the Local Trust Committee does not consider that there is a community need, or the applicant has not made such a request of the Local Trust Committee, bylaw enforcement actions, including the issuing of notices will continue d. In deciding whether to grant land use approval for a use that was commenced in contravention of a land use bylaw, the Local Trust Committee may consider whether the applicant has suspended the prohibited land use pending a decision on the application.	Carried	30-Jan-2020
2019-074 (Standing) 13.3 Model Cell Tower Strategy - Staff Briefing that the North Pender Island Local Trust Committee adopt the model cell tower strategy for future review and consideration of proposals.	Carried	04-Jul-2019

Standing Resolutions Log

North Pender Island

Resolution Number	Action	Date
2019-072 (Standing)	Carried	04-Jul-2019
13.2 Standing Resolution - Reconciliation Report that the North Pender Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to: a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.		
2019-061 (Standing)	Carried	30-May-2019
16.2. Rise and Report that the North Pender Local Trust Community refer Short Term Vacation Rental Temporary Use Permits in the Magic Lake sewer catchment to the Magic Lake Sewer and Water Committee to confirm infrastructure capacity.		
2019-030 (Standing)	Carried	28-Feb-2019
13.2 Advisory Planning Commission - Staff Memo that the North Pender Island Local Trust Committee request that prior to expiration of Advisory Planning Commission members terms of office, staff write to commissioners asking if they wish to be reappointed and also advertise for expressions of interest for new commissioners.		

Standing Resolutions Log

North Pender Island

Resolution Number	Action	Date
2018-070 (Standing)	Carried	06-Sep-2018
12.2 Retail Cannabis Licensing - Staff Report that the North Pender Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications: - Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property, where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: o Name of the applicant and a description of the proposal in general terms. o The location of the proposed establishment and the subject site. o The place, date and time when, both a build meeting will be held and a resolution of the Local Trust Committee is considered. o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application. o How public comments may be submitted to the local trust committee.		
2006-080 (Standing)	Carried	25-May-2006
Communications Policy Policy Number NP-LTC-01-06 (Communications Policy) establishes guidance for the preparation and dissemination of routine non-statutory notices, extraordinary notices and trustee newsletters.		



REQUEST FOR DECISION

To: Local Trust Committees **For the Meeting of:** October 2, 2026
From: Finance and Employee Services **Date Prepared:** July 14, 2026
SUBJECT: Proposed Draft 2027/28 LTC Operating Budgets – North Pender Island

RECOMMENDATION:

That the North Pender Island Local Trust Committee submit the proposed draft 2027/28 local trust committee operating budget for inclusion in the Trust Council draft 2027/28 budget.

DIRECTOR, FINANCIAL AND EMPLOYEE SERVICES COMMENTS:

Seeking early input from local trust committees (LTCs) on their proposed draft operating budgets for the upcoming fiscal year ensures planned operating activities of the LTC are appropriately captured and funded. This approach brings the LTC budget processes into alignment with other Trust-legislated bodies, as well as Trust Council's policy on budget process.

1 PURPOSE:

To seek input and endorsement from the LTCs on their proposed draft operating budgets.

LTCs are asked to consider both their project budget needs (reviewed under a separate agenda item), **as well as** their operating expense budget needs (the subject of this RFD), in accordance with Trust Council's policy, in this and future budget cycles. This approach provides an opportunity for LTCs to be directly involved in setting budgets for all their areas of oversight and ensures appropriate consideration of actual future plans for the LTC.

2 BACKGROUND:

Trust Council's [Budget Process policy](#) states the following:

"Local trust committees (LTCs) are asked to provide their project needs and review their local trust committee expense budgets, passing any resolutions required to adopt/modify their budget proposals."

In recent history, LTCs have appropriately submitted budget requests for projects, but have omitted submissions for operating expense budgets. In the absence of these submissions, Islands Trust Financial and Employee Services staff have drafted LTC operating budgets for inclusion in Trust Council's draft budgets. Figures have been based on historical spending trends for each LTC, plus anticipated changes in LTC operations or activity levels as

communicated to Financial and Employee Services staff via the Planning Services department.

Planning Services staff prepare draft funding request business cases for major LTC projects; these are reviewed under separate agenda item(s). Financial and Employee Services staff have prepared proposed draft LTC operating expense budgets, which have been refined by Planning Services staff as needed to reflect actual known plans of the LTC. The proposed draft LTC operating expense budget amounts (attached) have been developed based on the following:

BUDGET LINE	PAYS FOR	METHODOLOGY
Trustee Expenses	Travel and other reimbursable expenses for local trustees on LTC business, trustee training/conference attendance associated with the role on the LTC.	Based on recent spending trends for recurring costs, increased by estimated 3% for inflation. No amounts for training have been included in the proposed draft budget attached, as budget requests for local trustee training must be submitted to the budget cycle by way of resolution and training request form for specific identified training needs. See TC Policy 6.12.1 Trustee Training/Conference s 1.3.
Executive Committee on LTC	Travel expenses for LTC Chairs to participate in LTC business, such as LTC meetings, public hearings, and CIMS.	Amounts are set by Executive Committee , based on spending trends for the current year, increased by an estimated 3% for inflation. This budget line is challenging to budget for in an election year when it is not known where new LTC chairs may be travelling from in the new term. This line is presented to the LTC for their information as LTC operations impact this budget.
LTC Meeting Expenses	Travel expenses for staff attending LTC meetings, public meeting notices, meeting venue rental, and contracted minute taker costs where applicable.	Based on recent spending trends for LTC meetings, and the estimated number of LTC meetings to be held next fiscal year. Election years can see disruptions to regular meeting schedules; however, it is assumed the number of meetings will remain stable despite potential changes in scheduling for outgoing/incoming trustees.

APC Meeting Expenses	Travel expenses for staff attending APC meetings, public meeting notices, meeting venue rental, contracted minute taker costs where applicable.	Amounts are set by RPMs , based on actual number of planned APC meetings - RPMs to inform Finance and Employee Services or amend the draft budget before presenting to LTCs, increased by 3% for estimated inflation.
Local Exp: Communications	Cost of Trustee communications in local publications, where applicable.	Based on recent spending trends, increased by 3% for estimated inflation.

LTCs should be aware of, and pay attention to, the following Trust Council policies, as identified in section 4 of this policy, to inform their budget discussions.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None.

FINANCIAL: LTC involvement in setting their operating budgets as well as project budgets reduces the risk of budget amounts being misaligned with planned LTC activities.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Planning Services staff will forward the LTC's proposed draft budget requests, amended as necessary, to Financial and Employee Services staff by **September 4th** each year, for incorporation in Islands Trust Council's draft budget. Financial Planning Committee and Trust Council will review and endorse the requests in the consolidated draft budget for Islands Trust Council approval.

FIRST NATIONS RELATIONS: None.

OTHER: None.

4 RELEVANT POLICY(S):

[Policy 6.3.1 Budget Process](#)

[Policy 6.3.2 Special Property Tax Requisition](#)

[Policy 6.12.1 Trustee Training/Conference](#)

[Policy 5.9.1 Best Management Practices for Delivery of Local Planning Services](#) – to be mindful of the impact of staff overtime and to schedule regular business meetings accordingly

RESPONSE OPTIONS

Recommendation (Resolution):

“That the North Pender Island Local Trust Committee submit the proposed draft 2027/28 local trust committee operating budget for inclusion in the Trust Council draft 2027/28 budget.”

Alternative:

The LTC may direct changes to the proposed draft 2027/28 LTC operating budget prior to submission. The LTC should specify the changes, and the following resolution is suggested:

“That the North Pender Island Local Trust Committee submit the revised draft 2027/28 local trust committee operating budget for inclusion in the Trust Council draft 2027/28 budget.”

5 ATTACHMENT:

Proposed Draft 2027/28 LTC Operating Budget (include prior years current actuals and budget for comparative purposes)

Prepared By:	Derek Cockburn, Director, Financial & Employee Services
Reviewed By:	Stefan Cermak, Director, Planning Services/ July 14, 2026
Approved By:	Rueben Bronee, CAO / July 17, 2026

North Pender Island Local Trust Committee										
LTC Budget Request										
Fiscal Year:	2027-28		In \$							
Account #	Description	Account includes these expenses	2023-24 Actual Spending	2024-25 Actual Spending	2025-26 Actual Spending	2026-27 Approved Budget (and year-to-date Spent)	Recommended 2027-28 Budget Request	\$ Change	% Change	Comments
66500-665	Trustee Expenses	<i>Local trustees (not Chair) travel to conferences/ meetings with outside organizations approved by resolution, office supplies, etc.</i>	-	-	-	-	-	-	0%	
65050-610	EC on LTC	<i>All Chair costs for travel to meetings of the LTC including PH and CIM</i>		541	432	894 (287.27)	810	(84)	-10%	EC sets budget - do NOT override
65200-665	LTC Meeting Expenses	<i>All travel by Planning staff to attend Meetings, minute taking, meeting ads, and Hall rental</i>	2,958	1,023	1,341	1,220 (660.82)	1,260	40	3%	
65210-665	APC Meeting Expenses	<i>Minute taking, ads for members, and Hall rental</i>	42	1,540	2,327	1,580 (660.15)	1,630	50	3%	
65220-665	Communications	<i>Trustee summary, notes and communications to the public that go into publications</i>	-	-	-	-	-	-	0%	
Totals			3,000	3,104	4,100	3,694	3,700	6	0%	