



ADOPTED

North Pender Island Local Trust Committee Minutes of Regular Meeting

Date: October 3, 2025
Location: Anglican Parish Hall
4703 Canal Road, RR#1, North Pender Island, BC

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

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

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

1. CALL TO ORDER

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

2. TERRITORIAL ACKNOWLEDGEMENT

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

3. APPROVAL OF AGENDA

The following addition to the agenda was presented for consideration:

17.4 Short Term Vacation Rentals – Discussion

By general consent, the agenda was adopted as amended.

4. TRUSTEE REPORT

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

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

5. CHAIR'S REPORT

Chair Maude reported the following:

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

6. ELECTORAL AREA DIRECTOR'S REPORT – None

7. TOWN HALL AND QUESTIONS

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

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

7.1 Policy Statement - Local Engagement

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

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

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

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

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

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

8. COMMUNITY INFORMATION MEETING - None

9. PUBLIC HEARING - None

10. MINUTES

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

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

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

Received for information.

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

Received for information.

11. BUSINESS ARISING FROM THE MINUTES

11.1 Follow-up Action List Dated Sept 2025

Received for information.

12. DELEGATIONS - None

13. CORRESPONDENCE

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

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

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

In response, Trustees provided the following comments:

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

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

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

14. APPLICATIONS AND REFERRALS

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

NP-2025-050

It was MOVED and SECONDED,

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

CARRIED

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

NP-2025-051

It was MOVED and SECONDED,

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

CARRIED

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

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

NP-2025-052

It was MOVED and SECONDED,

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

CARRIED

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

NP-2025-053

It was MOVED and SECONDED,

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

CARRIED

15. LOCAL TRUST COMMITTEE PROJECTS

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

The Planner summarized the staff report and highlighted the following:

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

Discussion ensued and the following comments were noted:

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

NP-2025-054

It was MOVED and SECONDED,

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

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

CARRIED

NP-2025-055

It was MOVED and SECONDED,

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

CARRIED

NP-2025-056

It was MOVED and SECONDED,

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

CARRIED

NP-2025-057

It was MOVED and SECONDED,

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

CARRIED

NP-2025-058

It was MOVED and SECONDED,

that North Pender Island Local Trust Committee directs staff to update the Raptor Nest DPA Review Project Charter to reflect new timelines and other updates as presented in the October 3, 2025 staff report.

CARRIED

NP-2025-059

It was MOVED and SECONDED,

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

CARRIED

15.2 Housing Access and Affordability Project – Staff Report

The Planner summarized the staff report and highlighted the following:

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

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

NP-2025-060

It was MOVED and SECONDED,

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

CARRIED

NP-2025-061

It was MOVED and SECONDED,

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

CARRIED

16. REPORTS

16.1 Work Program Report

16.1.1 Active Projects Report Dated Sept 2025

Received for information.

16.1.2 Future Projects Report Dated Sept 2025

Received for information.

16.2 Applications Report Dated Sept 2025

The Planner provided an update on the report.

16.3 Trustee and Local Expense Report Dated July 2025

Received for information.

16.4 Adopted Policies and Standing Resolutions

Received for information.

16.5 Local Trust Committee Webpage

No updates requested.

16.6 Islands Trust Conservancy Report - None

17. NEW BUSINESS

17.1 6601 Razor Point Road Covenant Update - None

17.2 North Pender Bylaw Compliance and Enforcement Policy - Staff Report

The Bylaw Compliance and Enforcement Manager summarized the staff report.

Discussion ensued and the following comments and clarifications were noted:

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

NP-2025-062

It was MOVED and SECONDED,

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

CARRIED

NP-2025-063

It was MOVED and SECONDED,

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

CARRIED

NP-2025-064

It was MOVED and SECONDED,

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

CARRIED

NP-2025-065

It was MOVED and SECONDED,

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

CARRIED

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

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

NP-2025-66

It was MOVED and SECONDED,

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

CARRIED

17.4 Short Term Vacation Rentals – Discussion

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

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

18. UPCOMING MEETINGS

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

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

19. TOWN HALL

No members of the public spoke.

20. CLOSED MEETING - None

21. ADJOURNMENT

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

David Maude, Chair

Certified Correct:

Lisa Millard, Recorder