

ADOPTED

North Pender Island Local Trust Committee Minutes of Regular Meeting

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

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

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

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

1. CALL TO ORDER

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

2. TERRITORIAL ACKNOWLEDGEMENT

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

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

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

4. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

5. TRUSTEE REPORT

Trustee Campbell reported the following:

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

Trustee Morrison did not provide a report.

6. CHAIR'S REPORT

Chair Maude reported the following:

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

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

7. ELECTORAL AREA DIRECTOR'S REPORT - None

8. PUBLIC PARTICIPATION PERIOD

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

9. COMMUNITY INFORMATION MEETING

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

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

The following questions and answers were recorded:

What is a nest tree?

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

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

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

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

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

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

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

The title of the document is *Best Management Practices for Raptor Conservation During Urban Rural Land Development in British Columbia* and primarily for developers that are developing rural areas and looking at how to work around existing raptor nests.

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

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

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

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

No.

Has any jurisdiction rejected the Provincial best practices?

Only a few jurisdictions have applied them.

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

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

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

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

What was process to determine nesting trees?

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

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

The bylaw does not apply on federal land.

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

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

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

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

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

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

What other jurisdictions of have done this?

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

Have other Local Trust Areas done this?

No

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

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

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

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

Can a referendum be undertaken.

No.

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

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

10. PUBLIC HEARING

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

10.1.1 Recess for Public Hearing

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

10.1.2 Recall to Order

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

11. MINUTES

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

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

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

Received for information.

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

Received for information.

12. BUSINESS ARISING FROM THE MINUTES

12.1 Follow-up Action List Dated April 2026

Received for information.

13. DELEGATIONS

13.1 North Pender Island Housing Advisory Planning Commission - APC Report

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

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

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

- Islands Trust Mayne Island template for flexible housing is not applicable on North Pender Island

- The Local Trust Committee should look at how accessory dwelling units could be implemented without impacting density as these units can create the type of housing that might be desirable if limits are in place
- Hard caps are an acceptable tool to control density
- Options for consideration are summarized in the report
- If the Local Trust Committee does not want to accept the concept of caps, then downzoning should be considered as there is need to reduce population density based on the current possibility of tripling the population

14. **CORRESPONDENCE**

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

15. **APPLICATIONS AND REFERRALS**

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

Planner Belcher summarized the staff report and highlighted the following:

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

The applicant was in attendance and spoke to the application.

Discussion ensued and the following comments were noted:

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

NP-2026-016

It was MOVED and SECONDED

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

CARRIED

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

Planner Belcher summarized the staff report and highlighted the following:

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

The applicant was in attendance.

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

NP-2026-017

It was MOVED and SECONDED

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

CARRIED

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

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

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

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

NP-2026-018

It was MOVED and SECONDED

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

CARRIED

NP-2026-019

It was MOVED and SECONDED

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

CARRIED

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

16. LOCAL TRUST COMMITTEE PROJECTS

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

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

Discussion ensued and the following comments were noted:

- There is not a way to provide an update mechanism for a tree that has come down, the language in the *Local Government Act* specifies trees be designated

and if a tree comes down then the property owner would be required to provide a professional report stating the tree is now exempt

- The map would need to be amended in order to remove a tree and, as the map is embedded in the Official Community Plan, the Official Community Plan would need to be amended to remove a tree from the map
- The non-seasonal permanent buffer zone was minimally changed from a 50-metre zone to a 60-100-metre zone in accordance with provincial guidelines
- The seasonal buffer zone affects the community and consideration of removing the seasonal buffer on eagle trees could be undertaken

NP-2026-020

It was MOVED and SECONDED,

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

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

CARRIED

NP-2026-021

It was MOVED and SECONDED,

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

CARRIED

NP-2026-022

It was MOVED and SECONDED,

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

CARRIED

NP-2026-023

It was MOVED and SECONDED,

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

CARRIED

16.2 Housing Access and Affordability Project – Staff Report

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

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

Discussion ensued and the following comments were noted:

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

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

NP-2026-024

It was MOVED and SECONDED,

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

CARRIED

NP-2026-025

It was MOVED and SECONDED,

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

CARRIED

NP-2026-026

It was MOVED and SECONDED,

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

CARRIED

NP-2026-027

It was MOVED and SECONDED,

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

CARRIED

17. REPORTS

17.1 Work Program Report

17.1.1 Active Projects Report Dated April 2026

Received for information.

17.1.2 Future Projects Report Dated April 2026

Received for information.

17.2 Applications Report Dated April 2026

Received for information.

17.3 Trustee and Local Expense Report Dated Feb 2026

Received for information.

17.4 Adopted Policies and Standing Resolutions

Received for information.

17.5 Local Trust Committee Webpage - None

17.6 Islands Trust Conservancy Report Dated Feb 2026

Received for information.

18. NEW BUSINESS

18.1 2025/26 Annual Report - Request for Decision

NP-2026-028

It was MOVED and SECONDED,

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

CARRIED

19. UPCOMING MEETINGS

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

20. PUBLIC PARTICIPATION PERIOD

There were no public comments.

21. CLOSED MEETING (Distributed Under Separate Cover)

21.1 Motion to Close Meeting

NP-2026-029

It was MOVED and SECONDED,

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

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

AND that the recorder and staff attend the meeting.

CARRIED

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

21.2 Recall to Order

21.3 Rise and Report

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

22. ADJOURNMENT

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

David Maude, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder