



North Pender Island Local Trust Committee Special Meeting Agenda

Date: October 21, 2023
Time: 1:00 pm
Location: Anglican Parish Hall
4703 Canal Road, RR#1, North Pender Island, BC

Pages

1. CALL TO ORDER
2. APPROVAL OF AGENDA
3. BUSINESS ITEMS
 - 3.1 Current Islands Trust Housing Initiatives – Staff Presentation and Q and A
 - 3.2 Housing Project Discussion
 - 3.3 NP-RZ-2023.1 (Pender Islands Housing Society) - Preliminary Staff Report (attached) 2 - 5
4. ADJOURNMENT

DATE OF MEETING: October 21, 2023
TO: North Pender Island Local Trust Committee
FROM: Brad Smith, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Plum Tree Court Rezoning Application Preliminary Report - 5719 Canal Rd
Applicant: Pender Islands Housing Society

RECOMMENDATION

1. That the North Pender Island Local Trust Committee directs staff to proceed with application NP-RZ-2023.1 (PIHS) and to prepare a draft bylaw.

REPORT SUMMARY

The purpose of this preliminary report is to provide information regarding rezoning application NP-RZ-2023.1 (PIHS) and to seek direction from the North Pender Island Local Trust Committee (LTC) to proceed, or not proceed, with the application, including the preparation of a draft bylaw.

The above recommendation is supported as:

- The proposal is reasonable and consistent with policies of the North Pender Island Official Community Plan No. 171 (OCP) and Islands Trust Policy Statement (ITPS);
- The creation of affordable and accessible housing solutions is a priority of the Islands Trust and the LTC;
- Proceeding with draft bylaws will facilitate First Nations and agency referrals to identify any outstanding issues or concerns with the proposed rezoning.

BACKGROUND

A rezoning application was received in October 2023. The property owners and housing provider, the [Pender Islands Housing Society](#) (PIHS), is seeking to rezone the subject parcel to permit multi-family dwellings. Currently, the North Pender Island Land Use Bylaw No. 224 (LUB) limits the use to only two-family dwellings.

ANALYSIS

Official Community Plan

The application is consistent with the policies of the OCP and no OCP amendments are required.

Land Use Bylaw

The subject property is zoned Community Housing (CH). The permitted uses are as follows:

5.12 Community Housing (CH) Zone Permitted Uses (1) The following <i>uses</i> are permitted, subject to the regulations set out in this Section and the general regulations, and all other <i>uses</i> are prohibited: (a) Two-family <i>dwellings</i> managed by a non-profit society; and, (b) <i>Accessory uses, buildings and structures.</i>
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The applicant is seeking rezoning to permit construction of multi-family units. The LUB amendment would read:

(a) ~~Two~~ *Multi-family dwellings managed by a non-profit society; and,*

There are no other proposed changes to the LUB.

Islands Trust Policy Statement

The proposal is consistent with Islands Trust Policy Statement (ITPS) policies, in particular with respect to policies related to ecosystem protection and preservation, stewardship of resources, groundwater, and growth and development.

If the LTC decides to proceed, the ITPS policy checklist will be presented to LTC for review and consideration in a future staff report when the draft bylaws are presented for 1st reading.

Water and Septic

If the LTC decides to proceed, the LTC could request that the applicant provide evidence of proof of water to meet LUB requirements for the proposed development of six new housing units. It is typical at time of rezoning to seek assurance on proposed water supply, although this is discretionary on the part of the LTC.

Staff will refer the amending bylaw to the Senior Freshwater Specialist and Island Health for comment.

Archaeological Sites

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

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

- All archaeological and cultural heritage is protected under the *Heritage Conservation Act* and areas of archaeological potential may contain undocumented archaeological sites which would be automatically protected under the *Heritage Conservation Act* (including all intact or disturbed sites) and require a permit from the BC Archaeology Branch. Further information regarding permits:
<https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/permits>

- In the event that archaeological features or materials are found, either intact or disturbed on the subject property, stop work immediately and contact the BC Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca.
- Any impacts, would include the following: landscaping, tree removal, digging, using heavy equipment, development, fencing, footings, or any form of groundwork.
- For more information regarding registered archaeological sites and archaeological potential on the subject property, submit an Archaeological Information Request Form: www.archdatarequest.nrs.gov.bc.ca.

Consultation

Statutory Requirements

In accordance with regular statutory requirements, a public hearing is typically required and it is normal practice to hold a Community Information Meeting (CIM) prior to that. This would occur after draft bylaws have received at least first reading. Public hearing notice would be posted as per statutory and bylaw requirements in advance of a public hearing.

In this case, consistent with *Local Government Act* s. 464 (2), the LTC could decide to not hold a public hearing. However notice would need to be given prior to First Reading.

Agencies

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

- CRD, Planning and Protective Services, Building Inspection
- Island Health
- Ministry of Transportation and Infrastructure
- Mayne Island Local Trust Committee
- South Pender Island Local Trust Committee
- Saturna Island Local Trust Committee
- Salt Spring Island Local Trust Committee

First Nations

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

ALTERNATIVES

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

1. Request further information

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

Resolution:

That the North Pender Island Local Trust Committee request that the applicant submit to the Islands Trust

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2. Deny the application

The LTC may deny the application.

Resolution:

That the North Pender Island Local Trust Committee proceed no further with application NP-RZ-2023.1(PIHS).

3. Hold the application in abeyance

The LTC may choose to hold the application in abeyance pending completion of a significant study or OCP process, etc.

Resolution:

That the North Pender Island Local Trust Committee hold application NP-RZ-2023.1 (PIHS) in abeyance.

NEXT STEPS

With direction from the LTC, staff will draft an amending bylaw and initiate referrals.

Submitted By:	Brad Smith, Island Planner	October 5, 2023
Concurrence:	Robert Kojima, Regional Planning Manager	October 10, 2023

ATTACHMENTS

None