



North Pender Island Local Trust Committee

Special Meeting Addendum

Date: May 5, 2025
Time: 2:00 pm
Location: Electronic Meeting

Pages

7. APPLICATIONS AND REFERRALS

7.3 *PL-DVP-2024-0350 (Smith) - Updated Staff Report (attached)*

2 - 31



File No.: PL-DVP-2024-0350

DATE OF MEETING: May 5, 2025
TO: North Pender Island Local Trust Committee
FROM: Bruce Belcher, Planner 2
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: PL-DVP-2024-0350
Applicant: Doug Smith
Location: 5410 Hooson Road, North Pender Island

RECOMMENDATION

1. That the North Pender Island Local Trust Committee approve issuance of PL-DVP-2025-0350.

REPORT SUMMARY

The purpose of this report is to consider a Development Variance Permit (DVP) to vary the maximum height and number of storeys for an accessory building from 4.6 metres and one storey, to 8.61 metres and two storeys for an existing agricultural building to be converted to an accessory building.

RATIONALE FOR VARIANCE

The applicant's rationale for the variance is to save and repurpose the existing barn and use the building as a shop, office, and storage space. The barn is a long-standing structure with no additions proposed that would create any new impacts on neighbours, and predates the current owners purchase of the property.

BACKGROUND

The variance application is following an Islands Trust Preliminary Plan Review for proposed alterations and a change of use for the existing barn on the property. Staff identified that since the building was changing its use from an agriculture building to an accessory building its current height and storeys would be non-conforming with the North Pender Land Use Bylaw No. 224, 2022 (LUB).

The specific variance to the LUB is as follows:

- a) Subsection 3.4 (3) which states that *an accessory building or structure may not exceed 4.6 metres in height and one storey* is varied to permit the conversion of an existing barn to an accessory building (workshop, office, and storage) with a maximum height of 8.61 metres and two storeys.

The subject lot is located at 5410 Hooson Road on North Pender Island. The parcel is zoned as Rural (R) and is 4.19 ha (10.348 ac) in area. The existing barn is sited lawfully on the property 7.73 metres from the interior side lot line which has a minimum required setback of 6.10 metres.

Additional to the existing barn, the property has a principal dwelling currently under construction, and an accessory carport under construction, as well as an existing greenhouse. The converted building would have a floor area of 183.54 m², bringing the estimated total floor area of all buildings on the lot to 325m² and well under the maximum permitted floor area of 3000m² for a parcel of this size. The existing lot coverage is also well below the maximum permitted coverage of 25% which would equal 10,475m².

A copy of the notice and proposed permit PL-DVP-2024-0350 are included with this report as Attachment 5 and 6. The applicant has provided a letter explaining their rationale for the variance application included as Attachment 3. Staff completed a site visit on the property on March 24th, photos of the site are included as Attachment 2.

If the application is denied, the owners could apply to the Board of Variance or alter the plans to conform with the LUB.

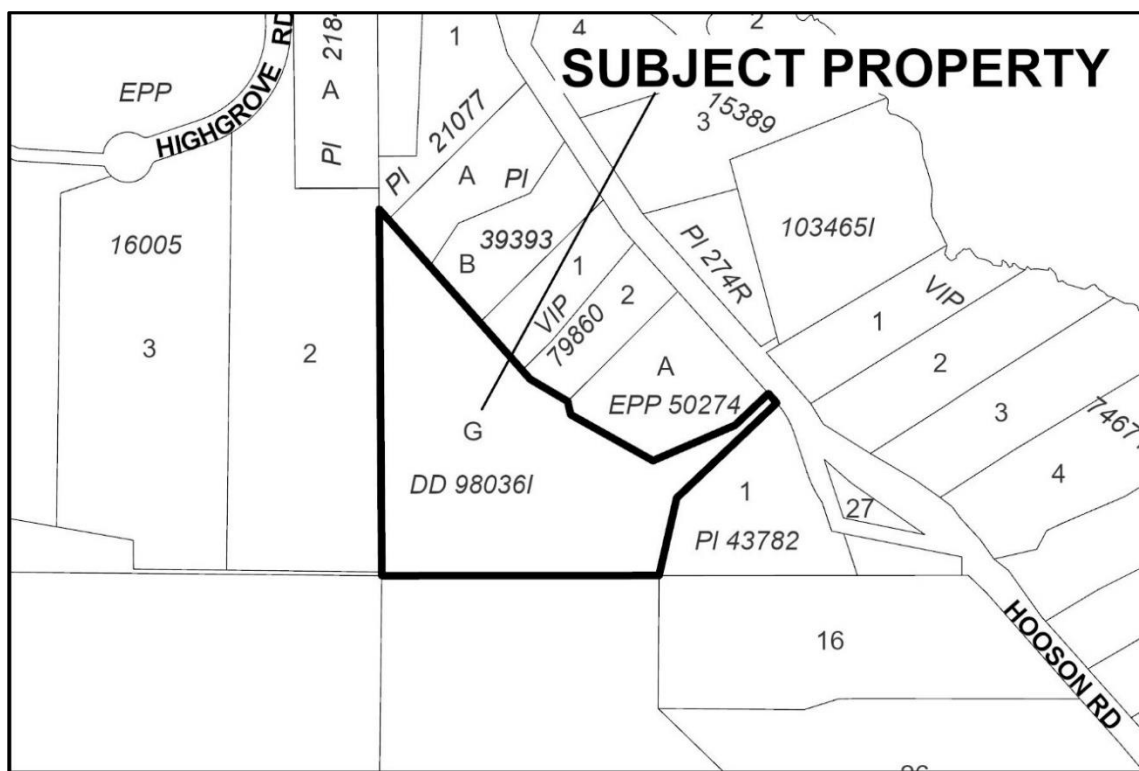


Figure 1 - Subject Property Location

ANALYSIS

Intent of Regulations being varied

The overall purpose of the maximum height and storey regulations are to minimize impacts on adjacent properties related to:

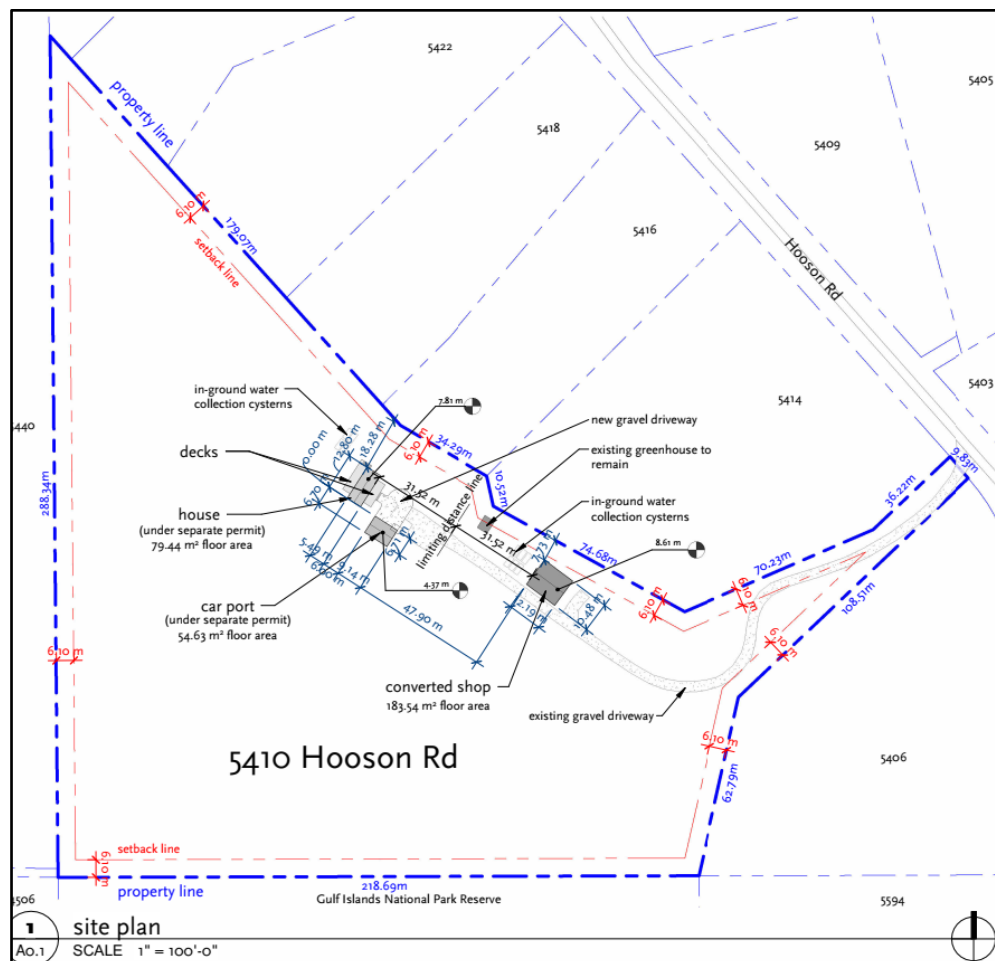
- Limiting the visual impact of development on adjacent properties;
- Establishing consistent development patterns within a local area;
- Protecting view, scenic areas, and distinctive features contributing to the overall visual quality and scenic value of the Trust Area;
- Maintaining rural character;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

Land Use Bylaw

The parcel is zoned Rural in the LUB. Among other permitted uses this zoning permits agriculture uses and accessory uses, buildings and structures.

- Agriculture is defined as the use of land, buildings or structures for a farm operation.
- Accessory is defined as, in relation to a use, building or structure means incidental, secondary and exclusively devoted to a principal use, building or structure expressly permitted by this Bylaw on the same lot or.

Granting a variance does not exempt an owner from complying with the permitted uses within the property's zone.



Potential impacts of granting to variance

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

If the variance is approved the anticipated impacts on neighbouring properties are minimal since it is a long-standing building with no proposed additions or expansion to the building. The existing building is not sited near any buildings on neighbouring properties and is shielded from the road and neighbouring properties by trees.

Circulation

The draft permit was circulated to surrounding property owners and residents on March 14, 2025. The notification period will end on March 26, 2025.

Prior to the April 4th LTC meeting staff received three letters objecting to the proposed variance with concerns regarding the intended use of the building, potential visual impacts, and noise impacts related to the change of use. Following the LTC meeting one letter of support was received. The correspondence is included with this report as Attachment 4.

Any comments received subsequently will be forwarded to the Local Trust Committee and reported at the meeting.

First Nations

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

Rationale for Recommendation

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

- Repurposing an existing building rather than building a new accessory building is considered a reasonable rationale for a variance;
- The proposed variance would not challenge the intent of the regulations due to no new impacts created on neighbouring property's views nor any additional land alteration;
- The building is consistent with the lot coverage, siting, and total floor area regulations;
- Granting the variance would not exempt the building from complying with the permitted uses associated with the property's zoning, specifically the building could not be used for human habitation.

ALTERNATIVES

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

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

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

2. Deny the application

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

That the North Pender Island Local Trust Committee refuse application PL-DVP-2024-0350.

Submitted By:	Bruce Belcher, Planner 2	March 26, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	March 26, 2025

ATTACHMENTS

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

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	PARCEL "G" (DD 98036-I) OF THE SOUTH EAST 1/4 OF SECTION 19, PENDER ISLAND, COWICHAN DISTRICT, EXCEPT THOSE PARTS IN PLANS 12147, 20226, 21077, 23416, 43782, VIP53926 AND EPP50274
PID	004-097-858
Civic Address	5410 Hooson Road, North Pender Island
Property Size	4.18 ha

LAND USE

Current Land Use	Residential
Surrounding Land Use	Residential, National Park

HISTORICAL ACTIVITY

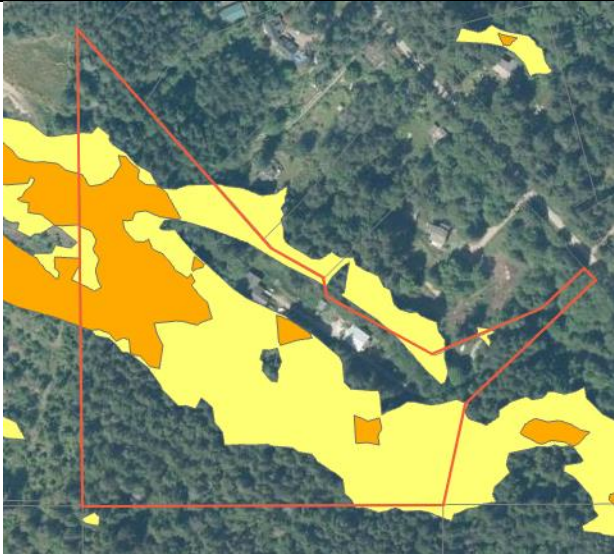
File No.	Purpose
NP-DVP-2014.2	Variance for split zoning subdivision
NP-SUB-2014.3	Boundary line adjustment subdivision
PLBP20240131	New single-family dwelling, carport

POLICY/REGULATORY

Official Community Plan Designations	Rural Land Use
Land Use Bylaw	Rural
Covenants	N/A
Bylaw Enforcement	N/A

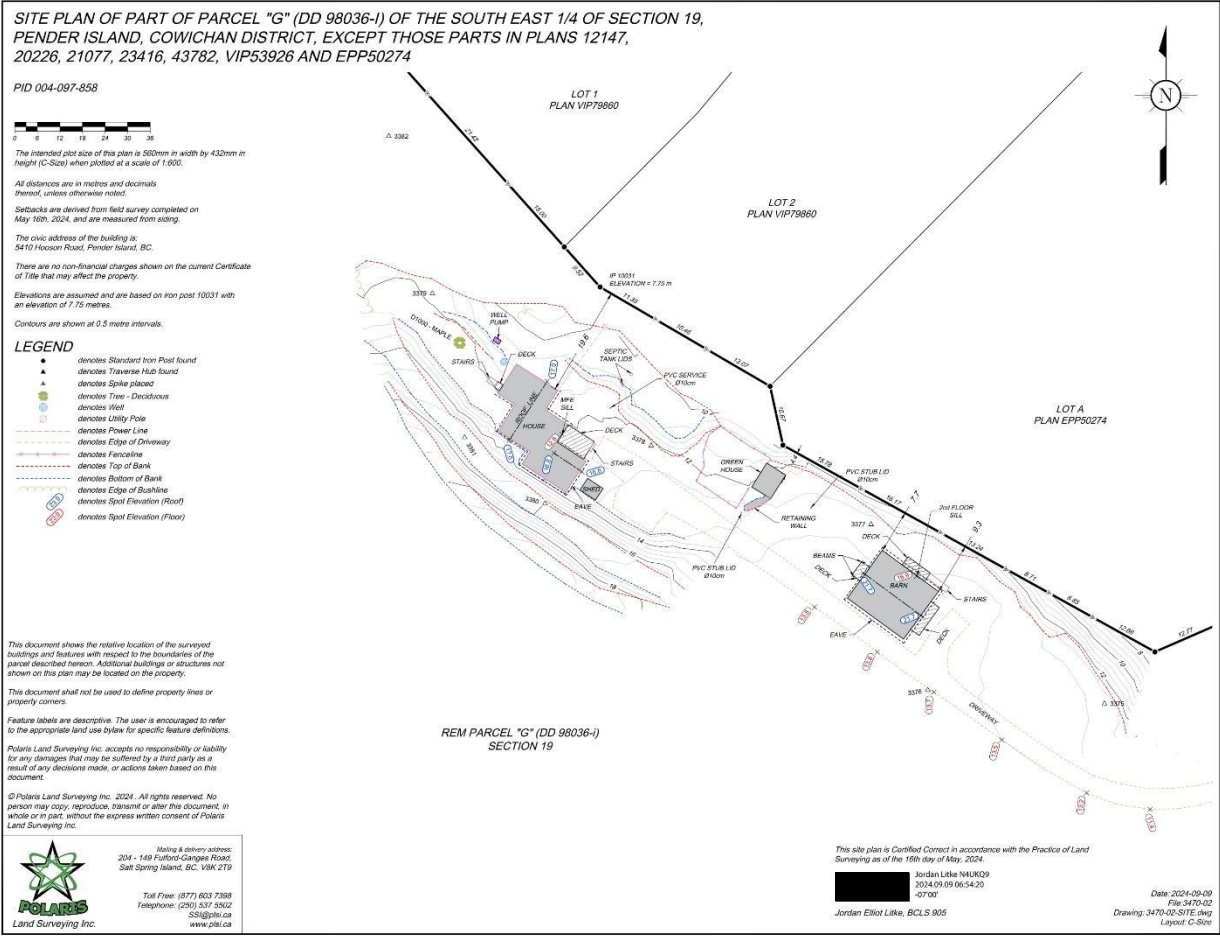
SITE INFLUENCES

Species at Risk	Douglas-fir / dull Oregon-grape ecological community
Sensitive Ecosystems	The subject property is identified within Sensitive Ecosystem Inventory mapping as Mature Forest Ecosystems. For additional details regarding the Mature Ecosystems, please refer to page 16 of the Islands Trust Sensitive Ecosystem Guide.
Hazard Areas	Moderate, Low-risk steep slopes

		
Archaeological Sites	Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i>. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.	
Climate Change Adaptation and Mitigation	No anticipated impacts associated with proposed variance.	

ATTACHMENT 2 – PLANS AND PHOTOS

2.1 SURVEY PLAN



2.2 PHOTOS



EXISTING BARN, LOOKING NORTH-WEST



EXISTING BARN, LOOKING SOUTH-EAST

2.2 PHOTOS, CONTINUED



PROPERTY LINE MARKER ADJACENT TO EXISTING BARN, LOOKING EAST



PROPERTY LINE MARKERS, LOOKING EAST

2.2 PHOTOS, CONTINUED



PROPERTY LINE MARKER ADJACENT TO EXISTING BARN, LOOKING NORTH-EAST



EXISTING BARN, LOOKING WEST

2.2 PHOTOS, CONTINUED



EXISTING BARN, VIEW FROM DRIVEWAY LOOKING NORTH-WEST



EXISTING BARN, VIEW FROM DRIVEWAY AND PROPERTY LINE LOOKING WEST

2024-12-09

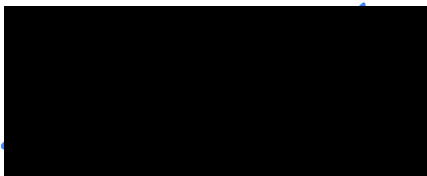
Re: 5410 Hooson Rd, Pender Island BC

Attention Island Trust Planning Department:

The home owners at 5410 Hooson Road are hoping to save and repropose the barn on their property into a shop with some storage & office space. This would include repairing the building and updating the exterior; however, this will also require changing the use from a farm building to an accessory building, and the existing structure is over the maximum height allowance for accessory buildings per the zoning bylaw. Due to this, we are seeking a variance for an accessory building height of 8.61m to save and reuse the existing building. As the barn is a long-standing structure there will be no changes to the visual or other (if any) impacts on the neighbors.

If you have any questions about any of this, please don't hesitate to reach out.

Sincerely,



Doug Smith
Third Axis Design Ltd.
dsmith@thirdaxis.ca

From: Anne Kaye [REDACTED]
Sent: Tuesday, March 25, 2025 7:07 PM
To: Bruce Belcher
Cc: [REDACTED] Aaron Campbell; Deb Morrison
Subject: Re: Regarding Notice PLDVP20240350

Thank you for your email, Bruce. First let me say that none of us want to unnecessarily constrain our new neighbors in legally using and enjoying their property, we are simply concerned that our quiet enjoyment of our homes and gardens is not impacted. We believe that the existing height of the barn, its location on a steep rise above the neighboring properties, and the number or openings in the side facing us pose an unusual risk of light and sound penetrating past the property line - depending on the use to which the building is put.

I understand that the zoning of the property will dictate allowable uses. And that the permitted uses determine the by-laws that apply. We do not know, however, the zoning of the property, or the owner's intention regarding the specific permitted use within that zoning. Could you please tell us how the property is zoned? Also, I assume that the specific, intended use for the accessory building was specified in the application. Please could we also have that information?

Again, it is not our intention to object unreasonably to our neighbours application, we simply need to better understand it in order to decide if it presents an issue for us or not.

We have, as you will note, cc'd our North Pender Trustees, Deb Morrison and Aaron Campbell, so that they are also aware of our request.

Yours sincerely
Anne and Anton Kaye
Marianne Davies
Alison and David Beal

On Tue, Mar 25, 2025 at 12:43 PM Bruce Belcher <bbelcher@islandstrust.bc.ca> wrote:

Hello everyone,

The notice identifies the use of the building as an accessory building intended to be used as a workshop, office, and storage. The existing building is 8.61 metres, the variance is to allow the maximum height of an accessory building to be over the maximum of 4.6 metres and equal to 8.61 metres. This variance is based on the proposal to change the use of the building from the existing agricultural use to an accessory use and would require this variance to keep the existing building at its current height. If permitted, the use would need to comply with the specific site zoning and the accessory uses outlined in the land use bylaw.

More information will be available on March 28th when the Local Trust Committee meeting agenda is posted online at the following link:

<https://islandstrust.bc.ca/event/north-pender-ltc-regular-meeting-23-2-2/>

Thanks,

Bruce Belcher

Planner 2
Islands Trust
200 1627 Fort Street, Victoria, BC, V8R 1H8
T 250-405-5179 | islandstrust.bc.ca

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

From: SouthInfo <SouthInfo@islandstrust.bc.ca>

Sent: Monday, March 24, 2025 3:13 PM

To: Anne Kaye <[REDACTED]>

Cc: [REDACTED] Bruce Belcher
<bbelcher@islandstrust.bc.ca>

Subject: RE: Regarding Notice PLDVP20240350

Re: Regarding Notice PLDVP20240350

Hello everyone,

The decision to include or exclude a topic from a tentative meeting agenda is made by the Planner and the Local Trust Committee. I have not yet received any direction on this matter. The agenda for the April 4th meeting will be posted on the Islands Trust website's [event page](#) on March 28, so a decision will need to be made before then. If this application remains on the agenda, the staff report on this application will be available for review at that time.

I also want to clarify that Trustees cannot discuss applications among themselves outside of an open meeting. They may have similar questions to those you've raised, which would be addressed during the meeting. Additionally, Trustees have the option to defer their decision to a future meeting, a choice they have made in the past.

I have cc'd Planner Belcher on this email in case he has anything to add.

Thank you,

Emily Bryant (she, her, hers)

Planning Team Assistant

Islands Trust | T 250-405-5163

From: Anne Kaye [REDACTED]

Sent: Monday, March 24, 2025 12:04 PM

To: SouthInfo <SouthInfo@islandstrust.bc.ca>

Cc: [REDACTED]

Re: Regarding Notice PLDVP20240350

Subject: Re: Regarding Notice PLDVP20240350

Thank you Emily for your quick response. When will we have confirmation that the issue will be removed from the upcoming Trust meeting? And when will we be given information on the specific use which we need in order to respond to the request appropriately?

Best regards

Anne, Anton, Marianne, David and Allison

On Mon, Mar 24, 2025 at 11:26 AM SouthInfo <SouthInfo@islandstrust.bc.ca> wrote:

Hello everyone,

Thank you for your email. Correspondence addressed to Trustees is circulated to the North Pender LTC. Please note that your correspondence will form a part of public record and as such may be posted to the Islands Trust website. All personal information except for your name will be redacted.

All the best,

Emily Bryant (she, her, hers)

Planning Team Assistant

Islands Trust

200-1627 Fort Street | Victoria BC V8R 1H8

T 250-405-5163 | islandstrust.bc.ca

Re: Regarding Notice PLDVP20240350

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 BOĶĖĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEŁ, Qualicum, scáwáθan, salilwataŁ, SEMYOME, shíshálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', SȦÁUTW, Stz'uminus, ŁaȦamen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WŁOŁŁP, WŚIKEM, XeláŁtxw, Xwémalhkwx, 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: Anne Kaye <[REDACTED]>
Sent: Friday, March 21, 2025 1:35 PM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Cc: [REDACTED]
Subject: Regarding Notice PLDVP20240350

Dear Mr Belcher, we are three neighbours whose properties are immediately adjacent to the subject property requesting the issuance of a Development Variance Permit.

We received the written notice in the mail on March 17, nine days before the deadline for enquiries and comments. Given that the notice does not provide a category, or give specific use of the proposed accessory building - Home Business, Home Industry or personal use - we are unable to express our particular concerns. We therefore ask that the resolution not be considered at the April 4th Trust Meeting but be put over to the next one, and that we be provided with the missing information.

In general, our concerns relate to noise and light pollution: The height and second storey of the current barn, it's position on the rise above our properties, the proposed design - which includes six openings on the North side facing our properties - and the fact that the owners have already removed several trees that formerly provided shielding from noise and light are of particular concern. Furthermore, if the proposed use includes the potential for creating fumes or dust, we would require an understanding of the applicable by-laws which protect us from such pollution.

Re: Regarding Notice PLDVP20240350

Since we do not know the proposed use of the building, we do not know which of the current by-laws will apply. Please provide this information so we can give appropriate consideration to whether or not we object to the proposal. And, as stated earlier, we respectfully ask for more time to do so.

Yours sincerely,

Anne and Anton Kaye: [REDACTED]

Marianne Davies: [REDACTED]

Alison and David Beal: [REDACTED]

--

Anne Kaye

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Anne Kaye

[REDACTED]

--

Anne Kaye

[REDACTED]

From: "Marianne Davies" <[REDACTED]>
To: southinfo@islandstrust.bc.ca
Sent: Thursday, April 3, 2025 2:13:20 PM
Subject: Application for Variance for [5410 Hooson Road, Pender Island](#) (PL-DVP-2024-0350)

To the North Pender Island Trustees regarding the application for a variance for [5410 Hooson Road, Pender Island](#) (PL-DVP-2024-0350)

As the owner of one of the neighbouring properties I wish to contribute to the discussion about this proposal. I am hoping that the Trustees will give consideration to my input with regard to how approval of this variance would affect my neighbourhood rather than relying on the assertion from Doug Smith, the developer who claims that “there will be no changes to the visual or other (if any) impacts on the neighbors(*sic*).” No offence to Mr. Smith but he does not live next door to the building in question nor will he have to contend with the sequeale of this development whereas I will.

[REDACTED] I know the barn well; it is a solid, well-built structure and it would be a shame to have to reduce it to one story just to comply with a regulation. But that regulation was not created frivolously; its purpose is to protect the neighbourhood, “to minimize impacts on adjacent properties”. I see the planners have recommended this variance be approved, citing repurposing of a building as a reasonable rationale. Repurposing a building may be admirable but it should not take precedence over impact on the neighbourhood as the criterion for deciding on this application. It is not fair to ask half a dozen neighbours to compromise the value and peaceful enjoyment of their properties just for the convenience of one property owner.

Nevertheless, the owners want a shop and the barn is already there so having given serious thought as to how all parties could be accommodated, how to provide protection for the neighbours while not obstructing the applicants in following their dream, I wish to offer the following as a possible solution.

With regard to visual impact, the barn has been there for about forty years. Visually it has not been offensive to the neighbours because it was shielded by trees and other vegetation and because the cedar siding was allowed to weather naturally so that it blended in with the forest setting. Since the present owners have removed every tree and shrub between the barn and the property line the building now looms above us. The owners have indicated that they intend to plant a hedge along the boundary to provide some screening; this is good however it will be years before we will see the benefit from that. Meanwhile I would like some assurance that as neighbours we will not be looking at a behemoth painted 'Barn Red' or 'Glaring White'. The plans indicate that there will be new exterior cladding. I would ask that the terms of the variance require that the exterior colours on the building be restricted to a natural palette which blends in with the forest.

Addressing the issues of noise and light pollution, consider that if the structure complied with the bylaws and was one story high instead of two there would be no openings, such as windows or doors, on the second floor since there would be no second floor. Likewise, if it was a one story

building any exterior lighting would be no higher than the peak of the roof which is regulated to not exceed 4.6 meters. Eliminating openings on the second floor and having exterior lights restricted to 4.6m would have the effect of making the second story 'disappear' insofar as light and noise impact on the neighbours. If the owners wish to have windows on the south side of the second floor, the side facing away from the neighbours, in order to allow light into the upper level then this should be offset by eliminating openings on the north side of the main level, further buffering noise and light pollution spilling onto the neighbouring properties. Bear in mind that current or future owners will be legally allowed to operate a home industry from this building and, since it is less than eight meters from the boundary line, noise would become a major issue in that event. No openings on the main floor of the north side would also offset some of the exposure to light penetration which has resulted from the removal of the vegetation that previously provided shielding. Applying these restrictions would not interfere with the owners' utilization of both floors of the building but would offer the neighbours some protection. The barn can still be repurposed, but not at the expense of the neighbours.

I feel these are reasonable conditions to apply to the variance. While none of the parties get exactly what they want neither can they claim they have been treated unjustly. If the applicants are willing to make modifications to their plans to exclude any openings on the east and west sides of the second story as well as any openings on both floors of the north side, restrict exterior lights to 4.6 meters or less and retain a neutral colour on the exterior of the building then I have no objection to the approval of this variance.

Note: attached photos of the barn were taken at the property line.

Marianne Davies

[REDACTED]

Pender Island

[REDACTED]

[REDACTED]

From: Alison Beal <[REDACTED]>

Sent: Thursday, April 3, 2025 9:12 PM

To: SouthInfo <SouthInfo@islandstrust.bc.ca>

Subject: Application for Variance for 5410 Hooson Road, Pender Island (PL-DVP-2024-0350)

To whom it may concern:

Please note that we are the owners [REDACTED]

[REDACTED], adjacent to the referenced property (above). We have reviewed the correspondence addressed to the Islands Trust from Marianne Davies and wish to make it known that we support the substance of her suggestions in the final paragraph.

Unfortunately we are unable to attend the meeting on April 4 and hope that this message will be helpful in productive discussions on this matter.

Very sincerely, Alison M. Beal and David F. Hatler

[REDACTED]

From: Lomax, Sherri <[REDACTED]>
Sent: Monday, April 7, 2025 11:43 AM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: Support for File# PL-DEV-2024-0350 (5410 Hooson Rd)

To Whom it May Concern,

I am writing to express my support for the property owners at 5410 Hooson Road in relation to their application File # PL-DEV-2024-0350, regarding renovations to their existing barn to an Accessory Building (workshop, office, storage).

The barn is a longstanding structure on the property and is part of the character and charm of this area of Pender Island. It is not only a functional outbuilding, but a meaningful part of the landscape and history of their property. The owners have consistently shown respect for the land and have made thoughtful, positive improvements to their property since their possession date.

Their intention to renovate the barn reflects the same care and stewardship they have demonstrated from the beginning. Rather than remove a structure with such deep roots in the property's history, they are choosing to preserve and enhance it – a decision that supports sustainability and the rural character of the island.

It would be truly disappointing to see them required to dismantle this barn due to opposition, especially when their approach is measured, respectful and in keeping with the nature of the community. I strongly encourage the Islands Trust to support this renovation and allow the barn to remain and be improved.

Thank you for your consideration.

Sincerely,

Sherri Lomax
[REDACTED]

Pender Island, BC
[REDACTED]

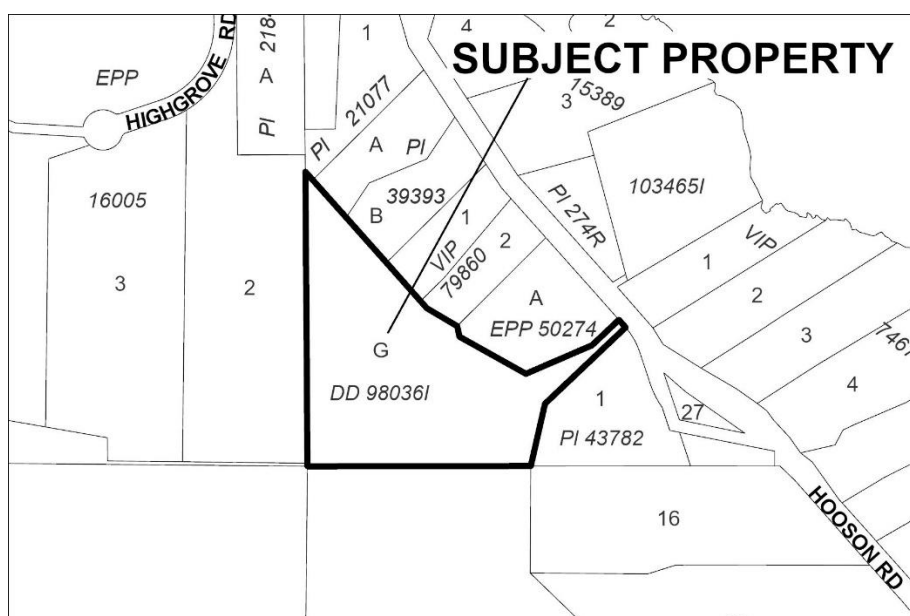
Disclaimer - This email and any attached files are confidential and intended solely for the intended recipient(s). If you are not the named recipient, you should not read, distribute, copy or alter this email. Any views or opinions expressed in this email are those of the author and do not represent those of [REDACTED] Warning: Although precautions have been taken to make sure no viruses are present in this email, [REDACTED] cannot accept responsibility for any loss or damages that arise from the use of this email or attachments.

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

- Increasing the maximum height regulations from 4.6 to 8.61 metres and from one to two storeys for the conversion of an existing barn to an accessory building (workshop, office, and storage).

The property is located at **5410 Hooson Road** and is legally described as PARCEL "G" (DD 98036-I) OF THE SOUTH EAST 1/4 OF SECTION 19, PENDER ISLAND, COWICHAN DISTRICT, EXCEPT THOSE PARTS IN PLANS 12147, 20226, 21077, 23416, 43782, VIP53926 AND EPP50274 (PID: 004-097-858).

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



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C. V8R 1H8 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **March 14, 2025** and continuing up to and including **March 26, 2025**.

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

Enquiries or comments should be directed to Bruce Belcher at (250) 405-5179, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: southinfo@islandstrust.bc.ca before 4:30 pm, **March 26, 2025**.

The North Pender Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular meeting starting at **10:00 a.m. on April 4, 2025**, to be held at the **St. Peter's Anglican Church Hall**, 4703 Canal Rd, North Pender Island.

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

Jas Chonk, Deputy Secretary



Islands Trust

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
PLDVP20240350**

To: Kevin Phillips and Tanya Prestay
c/o Doug Smith, Third Axis Design

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

PARCEL "G" (DD 98036-I) OF THE SOUTH EAST 1/4 OF SECTION 19, PENDER ISLAND, COWICHAN DISTRICT, EXCEPT THOSE PARTS IN PLANS 12147, 20226, 21077, 23416, 43782, VIP53926 AND EPP50274 (PID: 004-097-858)

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

- a) Subsection 3.4 (3) which states that *an accessory building or structure may not exceed 4.6 metres in height and one storey* is varied to permit the conversion of an existing barn to an accessory building (workshop, office, and storage) with a maximum height of 8.61 metres and two storeys.

The development shall be consistent with Schedule 'A', 'B' and 'C' attached to and forming part of this permit.

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

AUTHORIZING RESOLUTION PASSED BY THE NORTH PENDER ISLAND LOCAL TRUST COMMITTEE THIS TH DAY OF , 2025.

Deputy Secretary, Islands Trust

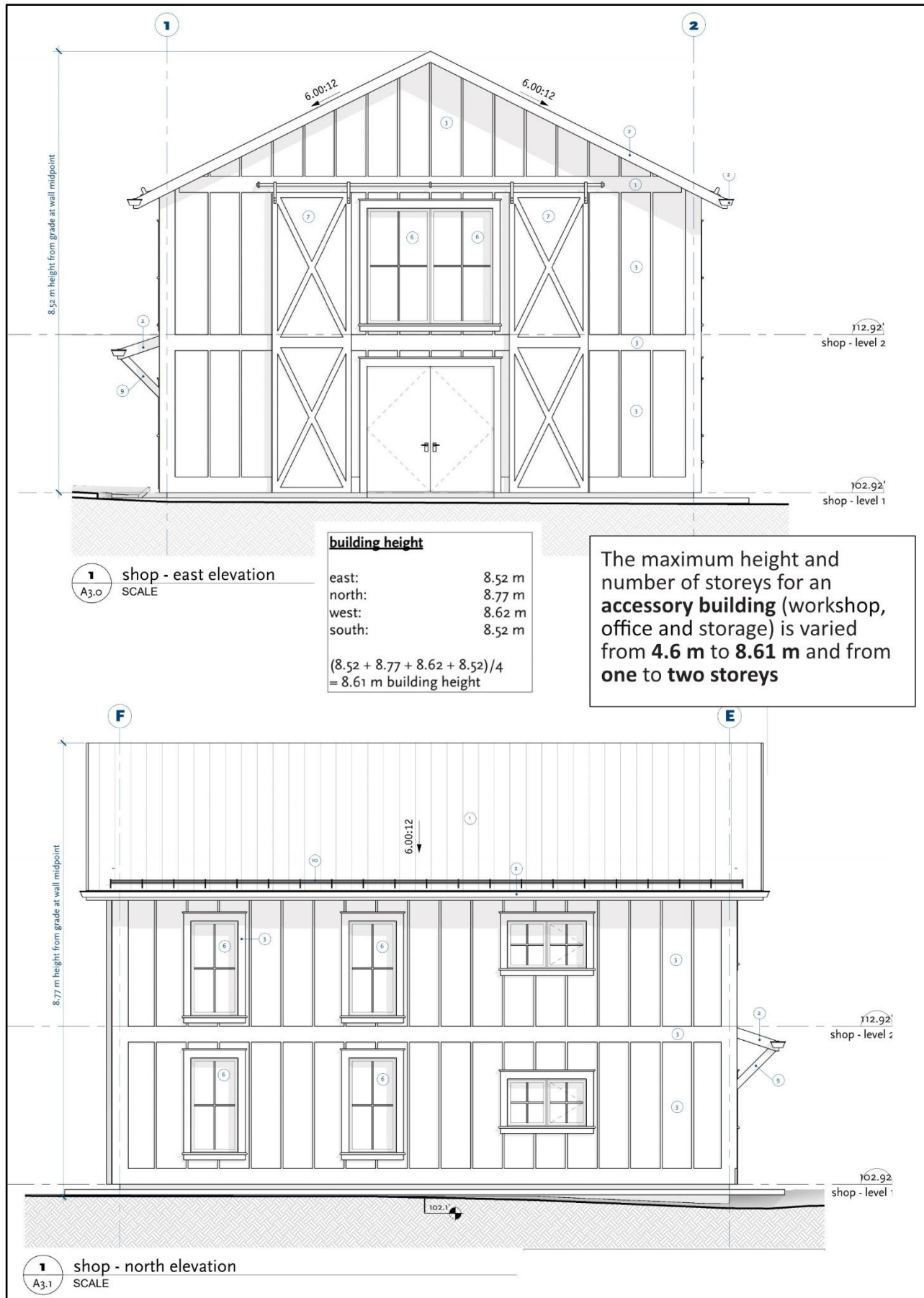
Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ##TH DAY OF MONTH, 2027 THIS PERMIT AUTOMATICALLY LAPSES.

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

PLDVP20240350

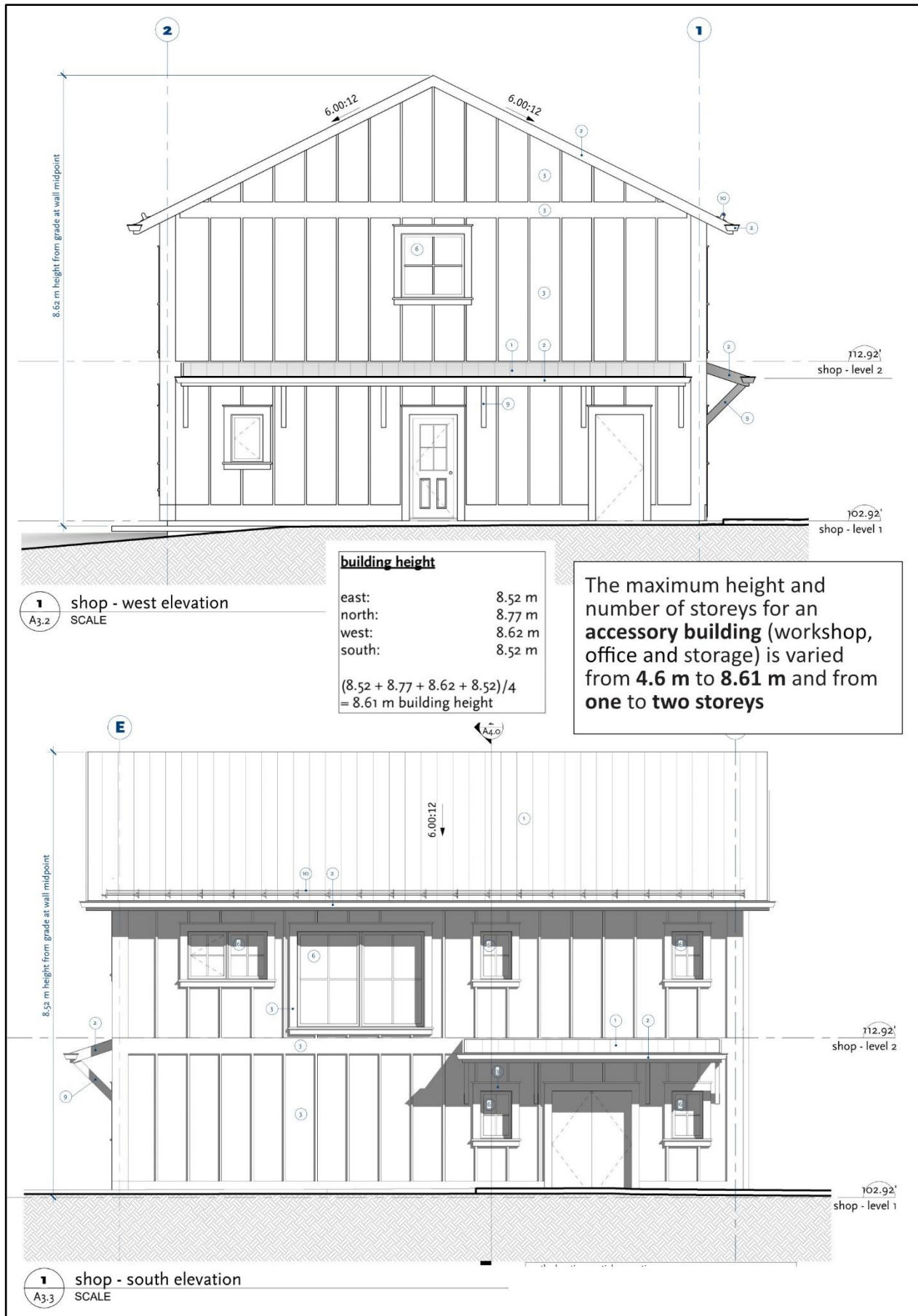
SCHEDULE 'A' (1 of 2)



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

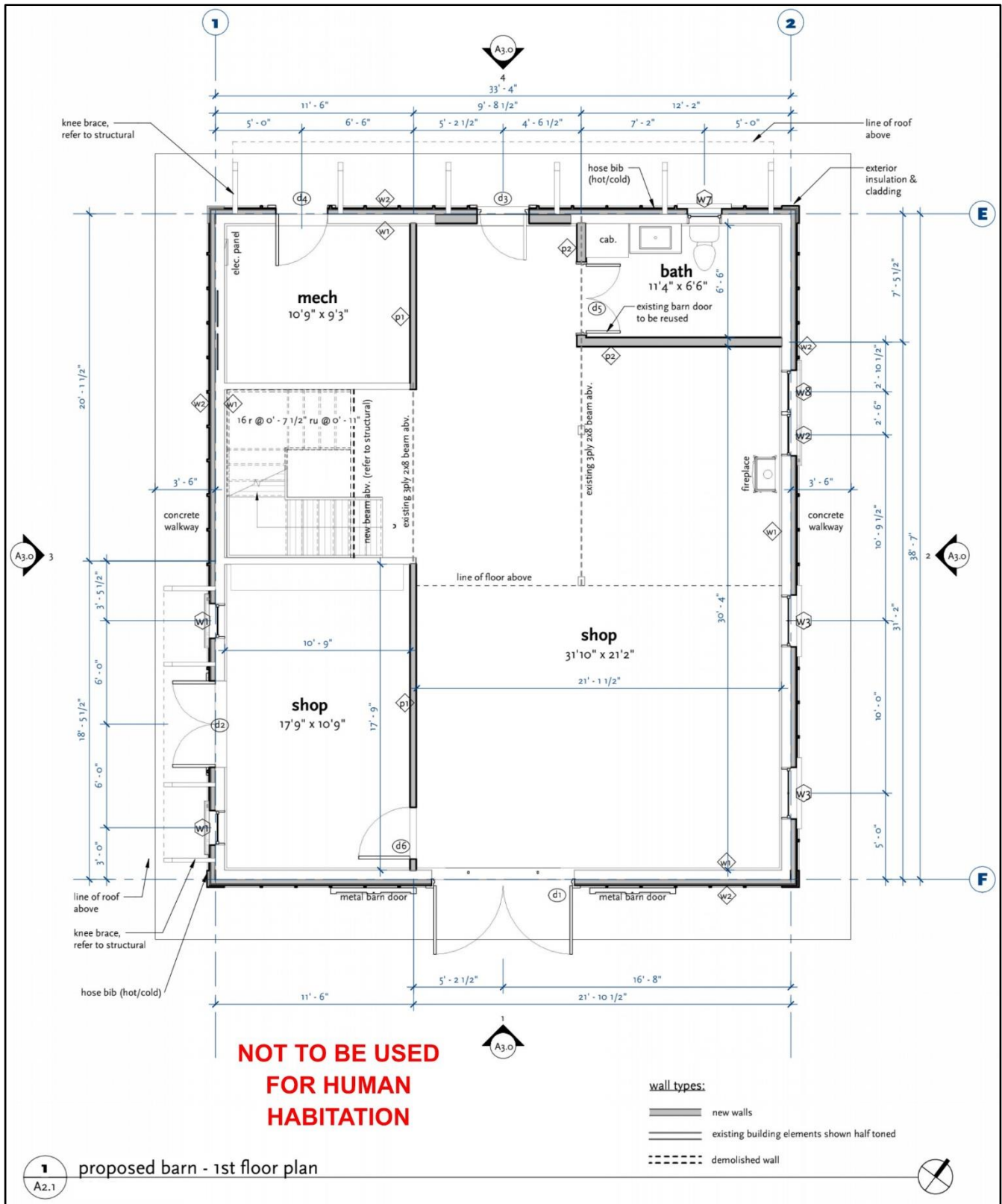
PLDVP20240350

SCHEDULE 'A' (2 of 2)



PLDVP20240350

SCHEDULE 'B' (1 of 2)



PLDVP20240350

SCHEDULE 'B' (2 of 2)

