



Islands Trust

ADOPTED

South Pender Island Local Trust Committee

Minutes of Regular Meeting

Date: February 13, 2026
Location: South Pender Fire Hall
8961 Gowlland Point Road, South Pender Island, BC

Members Present: Tobi Elliott, Chair
Dag Falck, Local Trustee
Kristina Evans, Local Trustee

Staff Present: Kim Stockdill, Acting Regional Planning Manager
Bruce Belcher, Planner 2
Lisa Millard, Meeting Facilitator (electronic)
Katherine Vogt, Recorder (electronic)

Others Present: Daniel Forslund, Representative for Applicant Christy (electronic)

There were approximately ten (10) members of the public present in a.m. and approximately seven (7) in p.m.

1. CALL TO ORDER

Chair Elliott called the meeting to order at 10:31 a.m. She thanked retiring Regional Planning Manager Robert Kojima for his 25 years of excellent service to the Islands Trust.

2. TERRITORIAL ACKNOWLEDGEMENT

Chair Elliott acknowledged that the meeting was held on the territory of the Coast Salish First Nations. She spoke on the commitment of the Islands Trust to uphold certain principles of engagement at public meetings so that Indigenous people felt welcome to attend and participate in them. The four principles to be upheld were respectful speaking, acknowledging concerns without causing harm, creating a space of cultural safety from an indigenous perspective, and keeping conversation constructive.

3. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Move Items 15.1 and 15.2 to after Item 11.1

By general consent the agenda was approved as amended.

4. TRUSTEE REPORT

Trustee Evans reported on the following:

- Joining the BC Ferry Project and providing online updates
- The Otter Bay project has been delayed until the fall and may involve an upgrade rather than just a repair
- The Village Bay Project involving the berth closure affecting travel to Tsawwassen will last until March 18
- Recent attendance at a Trust Programs Committee meeting at which Policy Statement amendment protocols were discussed
- Attendance at the December 2025 Trust Council meeting at which operational issues and budgets were discussed
- Recent posting of two articles in the Pender Post regarding Trust Council budget discussions

5. CHAIR'S REPORT

Chair Elliott reported on the following:

- The upcoming February 18, 2026, Financial Planning Committee meeting will allow for a comprehensive review of the 2026-2027 draft budget
- Currently set for a 13.7% general tax increase to compensate for lost revenue streams, lost grants, general inflation
- The CAO is recommending the creation of two new full-time staff positions: an Indigenous Relations Manager and an Engagement and Communications Manager
- The Islands Trust Conservancy is being challenged by the Ministry to engage with First Nations on possibilities for their hunting, fishing, and clamming on Conservancy lands, which further supports the need for an Indigenous Relations Manager

6. ELECTORAL AREA DIRECTOR'S REPORT

None

7. TOWN HALL AND QUESTIONS

Members of the public asked or noted the following:

- Regarding survey results on the Islands Trust draft Policy Statement, when will this feedback be available?
 - Chair Elliott answered that it will likely be in late spring; and that further public input is welcomed until the statement is adopted
- Regarding the long delayed short term vacation rentals project, a recent staff report suggested to further delay it to next year, which compromises it being an active project
- Thank you to the chair and trustee for speaking on creating a safe meeting space
- What was the reaching out process to Hereditary Chief Eric Pelkey to address his concerns raised in his letter of September 1, 2025?
 - Acting Regional Planning Manager Stockdill responded that the process involved two emails
- Commenting on variance applications when the applicant is a neighbor can be uncomfortable for being too personal

- Regarding the riprap retaining wall application, most of the trees are on the outside of the retaining wall and would be at greater risk of erosion with the retaining wall than without it because the force of the waves will be projected to the sides of the wall
- It can be intimidating to speak on the public record against a neighbor
 - A trustee suggested that residents could bring their concerns directly to trustees
 - A trustee suggested that neighbors speaking to neighbors was helpful in building a sense of community
 - The Chair clarified that bylaw enforcement complaints could not be anonymous. Any shoreline contraventions that occur in a protected area will be proactively investigated
- If there is faith in the bylaw enforcement process, people are more likely to come forward with concerns
- The apparent situation of an applicant attempting to bypass staff recommendations is intimidating
- Trustees should be significantly concerned that a required Archaeology Permit for the riprap wall was not considered by the applicant; and it is concerning for an applicant to seek for permission after having already acted on an application yet to be approved

8. COMMUNITY INFORMATION MEETING - None

9. PUBLIC HEARING - None

10. MINUTES

10.1 Adopted South Pender Island Local Trust Committee Minutes Dated September 5, 2025 (for Information)

Received for information

10.2 South Pender Island Local Trust Committee Public Hearing Record of September 5, 2025 (for Receipt)

Received for information

10.3 Adopted South Pender Island Local Trust Committee Special Meeting Minutes Dated December 5, 2025 (for Information)

Received for information

10.4 Section 26 Resolutions-without-meeting Dated Feb 2026

Received for information

10.5 Advisory Planning Commission Minutes - None

11. BUSINESS ARISING FROM THE MINUTES

11.1 Follow-up Action List Dated Feb 2026

Trustees agreed to remove the Targeted OCP Review draft business case from the Follow-up Action List and to keep it on the Potential Project List.

12. DELEGATIONS

13. CORRESPONDENCE

14. APPLICATIONS AND REFERRALS

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

SP-2026-001

It was Moved and Seconded,

that South Pender Island Local Trust Committee respond to the Mayne Island Local Trust Committee that interests are unaffected by draft Bylaws 196 and 197.

CARRIED

14.2 Mayne Island Local Trust Committee Referral for Proposed Bylaw No. 200 (for Response)

SP-2026-002

It was Moved and Seconded,

that South Pender Island Local Trust Committee respond to the Mayne Island Local Trust Committee that interests are unaffected by draft Bylaw No. 200.

CARRIED

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

The chair suggested the following improvements to the Draft Policy Statement:

- That a preamble be added, outlining a clear statement defining the meaning of the trust object
- A new general guiding principle on climate change adaptation and mitigation be added
- That Goal 3 introduction paragraph include "the health of natural ecosystems" as a high priority
- That Directive Policy 3.4.1 include consideration of the ecological integrity of each island and the ability of the natural ecosystems to support particular developments
- The addition of a new section on commitments of Trust Council or advocacy recommendations, to include long-standing advocacy positions such as:
 - No fixed links between Vancouver Island and the islands in the Trust Area (i.e. no bridge policy)
 - The elimination of clear-cut logging of old growth forests
 - Opposition to large vessel anchorages in the Salish Seas
 - Stronger tools for protection of biodiversity
- That Directive Policy 3.4.3 be amended to includes impacts on ecosystem services provided by the natural environment, in addition to "the aesthetic, environmental, and social impacts of development."

Trustees discussed widespread local public disapproval of the Draft Policy Statement.

SP-2026-003

It was Moved and Seconded,

that South Pender Island Local Trust Committee recommends to the Islands Trust Council that proposed Bylaw No. 183 not proceed for the following reasons:

1. Broad non-support from the community
2. This was a re-write not an amendment
3. The language contained in the re-write is problematic in general
4. Stepping into areas outside of the mandate of the Islands Trust
5. Missing the Islands Trust Object and its meaning
6. And as per correspondence submitted to Islands 2050 from South Pender

CARRIED

14.4 SP-PL-DVP-2024-0254 (Forslund) - Staff Report

Chair Elliott welcomed Daniel Forslund, representative for the applicant, to the meeting.

Planner Belcher presented the staff report that considers a Development Variance Permit (DVP) to relax the setback to the natural boundary of the sea for the siting of an existing riprap retaining wall, noting the following:

- The application was submitted following Islands Trust bylaw enforcement action
- The retaining wall was constructed to prevent erosion of the upland property and to protect existing trees and a dwelling
- There is an existing archaeological site on the property which needs to be addressed by a permit from the BC Archaeology Branch
- The applicant is also being asked to submit a professional geotechnical engineering report to determine the design effectiveness of the shoreline wall and to examine possible alternatives
- Three letters opposing the application have been received

Daniel Forslund spoke on the application, noting the following:

- The desired scope of the geotechnical report has been unclear to the applicant
- Construction on the wall proceeded without a development variance permit, with the hope that attending a later LTC meeting, the application would not be denied, and the owner would receive further feedback regarding the requirement of a geotechnical report
- The Archaeological issue has also involved confusion. It was understood by the applicant that there was an archaeological site on the adjacent property but not on the applicant's property; but the staff report says there is a site on the applicant's property

Planner Belcher clarified that the purpose and scope of the geotechnical report is to provide a professional consideration of the purpose for the retaining wall, to

evaluate its sufficiency for the erosion taking place; and to consider feasible alternatives such as Green Shores development guidelines.

Planner Belcher clarified that there is an existing known archaeological site on the applicant's property and on the adjacent property; but that precise details are held by the Archaeology Branch; and it is unknown whether the rock wall is on this site or near to it.

Acting Regional Planning Manager Stockdill noted the following:

- That it is up to the property owner to get a permit from the Archaeology Branch, not planners, though planners offer information as a courtesy
- An archaeological permit may take 6-9 months
- The South Pender Official Community Plan (OCP) currently does not have Development Permit Areas for the protection of shoreline which guides development to address environmental concerns

Representative Forslund asked if the Land Use Bylaw exemption of structures 1.2 metres or less could be applied to the rock wall if some of the wall's height could be removed, as an alternative to compliance?

- Trustee Evans noted that it was applicant's original intent to keep the structure below 4 feet; but that he was not on site during the contractor's work and was subsequently surprised by the final height
- Trustee Falck commented that the rock wall was preventing erosion and trees from falling; and expressed concern that a geotechnical engineering report, if it was made to be too extensive, could cause further damage
- Trustee Evans suggested referring the application to the Advisory Planning Commission (APC) after the LTC had received required reports from the applicant

SP-2026-004

It was Moved and Seconded,

that South Pender Island Local Trust Committee defer issuance of PL-DVP-2024-0254 until a professional geotechnical engineering report has been received verifying the need for a riprap retaining wall for erosion protection, and proper permitting with the BC Archaeology branch is complete.

CARRIED

Trustee Falck clarified that he was supporting the motion provided that the geotechnical engineering report is mainly limited to the verification of a need for erosion protection; and provided that other impractical requirements are not added to the report.

Daniel Forslund left the meeting at 12:38 p.m.

By general consent the meeting was recessed at 12:38 and reconvened at 12:50

14.5 SP-PL-TUP-2025-0416 (Evans) - Staff Report

Planner Belcher presented the staff report that recommends renewal of a Temporary Use Permit (TUP) for a Short-Term Vacation Rental (STVR) within an existing dwelling, noting the following:

- The original TUP was issued 9 months ago and expires on February 15, 2026
- The original TUP was permitted for only while the property is for sale, to provide for extra income; and, because the property has yet to be sold, an extension has been sought; and, once the property is sold, the TUP is voided
- A long-term rental would be unviable given that the property is on the market
- A 3-year permit is being recommended by staff to reduce administrative burden
- Three letters opposed to the TUP due to lack of long-term rentals on the island have been received

Trustee Evans recused herself at 1:20 p.m. and sat as a member of the public and as an applicant.

The applicant addressed the LTC, noting that no rental operations had yet occurred at the property, but that it may be needed for future income; that it was staff that had recommended a full 3-year term for the TUP due to the expense of the application; and, that whether the house sold or not, a long-term rental would not ever be an option.

Trustee Evans left the meeting room at 1:27 p.m.

Trustee Falck noted the following:

- The complexity of rental laws makes it harder to sell a property that is being rented out long term; a decision on the application should not be made on the basis of a general lack of long-term rentals
- It would have been better to have had the STVR Review Project completed, so as to have had a guide available for evaluating all STVR applications in a consistent way
- Visitor access to the island should be accommodated by appropriate STVRs, or visitors may find inappropriate places to stay
- The applicant lives close to the STVR so as to be able to immediately respond to problems
- Approval of this application is not a reflection of favoritism of a trustee

SP-2026-005

It was Moved and Seconded,

that South Pender Island Local Trust Committee approve issuance of renewal Temporary Use Permit PL-TUP-2025-0416, as previously issued on May 15, 2025, for a period of three (3) years.

CARRIED

Trustee Evans returned to the meeting room at 1:42 p.m.

15. LOCAL TRUST COMMITTEE PROJECTS

15.1 Short Term Vacation Rental Review Project – Staff Report

Acting Regional Planning Manager Stockdill presented the staff report on the project, noting the following:

- Staff have been recently directed to not initiate any new projects for the 2026-2027 fiscal year
- The project is not considered to be underway for funding consideration because a project charter was never endorsed

The chair noted that it was recently recommended, in a final report by the retiring Regional Planning Manager Robert Kojima, that the criteria for evaluating minor projects be more stringent.

Trustees noted the following:

- The South Pender LTC has underspent their 2025 fiscal budget; and would be similarly able to manage an STVR Review Project in a responsible manner
- The STVR project would make the best use of trustee's time for their one year remaining in the term
- The South Pender LTC has not had time to consider the new Provincial regulations on STVRs
- Existing STVR operators have been left in limbo for 3 years under a Standing Resolution until the local bylaw can be changed to make their operations legal; and, the STVR operators had been previously assured that they would not have to apply for a TUP
 - The chair noted that previous trustees cannot fetter the decisions of future trustees; and, that all other LTCs use TUPs for STVRs; and, that staff availability is limited
- TUPs can be very expensive and may not be in the interest of the South Pender community
- It had been attempted to put the STVR issue on the current Minor Land Use Bylaw Amendment Project, but trustees were unable to do so as it was advised as a separate project

SP-2026-006

It was Moved and Seconded,

that South Pender Island Local Trust Committee request staff to update the draft project charter for the STVR project and request budget approval from the Director of Planning Services for the following reasons:

1. This issue was not permitted to be added to the current bylaw amendment project and the LTC was advised that this would need to be addressed as a separate bylaw amendment project
2. That this project is viewed as urgent by the LTC and will address the current needs of the community members due to the legislative changes which resulted in a known number of community members that lost their non-conforming status
3. The endorsement of the Project Charter was delayed due to running out of time during the September LTC meeting followed by the cancellation of the November meeting

CARRIED

Trustee Evans clarified that STVR operators who were not operating legally prior to the adoption of Land Use Bylaw 120 would still have to apply for a TUP.

15.2 Minor LUB Amendment Project – Staff Report

Trustees acknowledged the hard work and extensive engagement to achieve a balanced compromise on numerous issues; and that the process improved community relations.

The chair requested that staff continue to reach out to Hereditary Chief Pelkey regarding his recently emailed concerns, and to report back to the LTC on any further communications.

A member of the public attempted to raise a point of order but was advised by the chair that points of order could only be made by the LTC.

A trustee requested to hear from the member of the public.

The chair advised a recess.

By general consent the meeting was recessed at 11:44 a.m. and reconvened at 11:51

Trustee Falck announced that he was satisfied that there were no issues of concern to prevent giving third reading to the bylaw amendment.

SP-2026-007

It was Moved and Seconded,

that South Pender Island Local Trust Committee Bylaw No. 129, cited as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 1, 2025” be read a third time.

CARRIED

SP-2026-008

It was Moved and Seconded,

that South Pender Island Local Trust Committee proposed Bylaw No. 129 be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

CARRIED

16. REPORTS

16.1 Work Program Reports

16.1.1 Active Projects Report Dated Feb 2026

Received for information

16.1.2 Future Projects Report Dated Feb 2026

Received for information

16.2 Applications Report Dated Feb 2026

Received for information

16.3 Trustee and Local Expense Report Dated Dec 2025

A trustee noted that the Local Trust Committee was approximately 50% under budget.

16.4 Adopted Policies and Standing Resolutions

16.5 Local Trust Committee Webpage

16.6 Reconciliation and First Nation Relationship Building

Trustee Evans read out a report provided by Monica and Paul Petrie, which included the following:

- There is a new W̱SÁNEĆ First Nations welcome sign at the T-junction of Otter Bay Road and Bedwell Harbor Road
- There is a new cultural recognition sign at the entrance to the South Pender Hall which will be formally recognized with a cultural ceremony in the spring
- The film “Walking in Two Worlds,” produced by Emily Olson, will be showing at the Pender Island Community Hall on Sunday March 15, 2026, at 2:00 p.m., after which Emily Olsen will be present for discussion. The film tells the story of the founding of the Saanich Schoolboard and the founding of the Tribal School after the closure of the Indian Day School
- A new project is planned to build a W̱SÁNEĆ field school for students from W̱SÁNEĆ Tribal School at the reserve land at QENEN,IW

16.7 Islands Trust Conservancy Report – None

17. NEW BUSINESS

17.1 South Pender Island LTC Meeting Procedures Repeal Bylaw No. 130 - Request for Decision

The Chair clarified that the Trust Council’s Meeting Procedures Bylaw overrides all local trust committee meeting procedures bylaws; and that it would simplify matters if all local meeting procedures bylaws were repealed.

Trustee Evans noted that the Trust Councils Meeting Procedures Bylaw No. 197 differs from the local one only in that it addresses a number of items that the local one did not: including procedures for delegations, order and decorum, invited presentations, and public participation.

Trustee Falck expressed opposition to repealing the local Meeting Procedures Bylaw No. 130 on the principle that it takes away from local autonomy.

SP-2026-009

It was Moved and Seconded,

that South Pender Island Local Trust Committee give Bylaw No. 130, cited as “South Pender Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 130, 2025”, First Reading.

CARRIED

Trustee Falck opposed

SP-2026-010

It was Moved and Seconded,

that South Pender Island Local Trust Committee give Bylaw No. 130, cited as “South Pender Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 130, 2025”, Second Reading.

CARRIED

Trustee Falck opposed

SP-2026-011

It was Moved and Seconded,

that South Pender Island Local Trust Committee give Bylaw No. 130, cited as “South Pender Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 130, 2025”, Third Reading.

CARRIED

Trustee Falck opposed

SP-2026-012

It was Moved and Seconded,

that South Pender Island Local Trust Committee give Bylaw No. 130, cited as “South Pender Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 130, 2025” to the Islands Trust Executive Committee for consideration of approval.

CARRIED

Trustee Falck opposed

17.2 South Pender Island LTC Public Notification Bylaw No. 131 - Request for Decision

Bylaw No. 131, as amended, would provide for members of the public to be notified in a way that was reliable, suitable and accessible.

SP-2026-013

It was Moved and Seconded,

that South Pender Island Local Trust Committee rescind Third Reading of Bylaw No. 131, cited as "South Pender Island Local Trust Committee Public Notification Bylaw No. 131, 2025".

CARRIED

SP-2026-014

It was Moved and Seconded,

that South Pender Island Local Trust Committee amend Bylaw No. 131, cited as "South Pender Island Local Trust Committee Public Notification Bylaw No. 131, 2025", by replacing "2 (iii) by posting the notice on South Pender Fire Hall notice board" with "2 (iii) direct email or mailout."

CARRIED

SP-2026-015

It was Moved and Seconded,

that South Pender Island Local Trust Committee give Bylaw No. 131, cited as "South Pender Island Local Trust Committee Public Notification Bylaw No. 131, 2025", Third Reading as amended.

CARRIED

SP-2026-016

It was Moved and Seconded,

that South Pender Island Local Trust Committee Bylaw No. 131, cited as "South Pender Island Local Trust Committee Public Notification Bylaw No. 131, 2025" be forwarded to the Islands Trust Executive Committee for consideration of approval.

CARRIED

17.3 Short Term Rental Accommodation – Principal Residence Opt-In - Briefing

Trustees received the briefing from the Executive Committee for information.

A trustee noted that the principal residence opt-in may not work well for many on the island; and that it could be revisited next year.

By general consent the meeting was recessed at 1:58 p.m. and reconvened at 2:10 p.m.

Chair Elliott, Island Planner Stockdill, and Planner Belcher left the meeting at 1:58 p.m.

18. UPCOMING MEETINGS

18.1 November 27, 2026 Meeting - Change to Electronic

SP-2026-017

It was Moved and Seconded,

that South Pender Island Local Trust Committee direct staff to change the November 27, 2026 regular meeting to an electronic meeting.

CARRIED

18.2 Next Regular Meeting Scheduled for May 8, 2026 at the South Pender Fire Hall, South Pender Island

19. TOWN HALL

Members of the public made the following comments:

- It is unfortunate that the draft Policy Statement has been entirely rewritten, which is a very hard task, rather than incrementally improved so as to maintain its history
- Regarding the riprap retaining wall, I have read numerous reports that indicate that foreshore hardening can disrupt the natural processes by which siltation and nutrients regenerate the beach
 - there are species at risk, sensitive ecosystem, and archaeological site overlays on the property
- The only benefit of foreshore hardening is the maintenance of property values
- It is a dangerous precedent to allow illegal structures to remain on a landscape because their removal may cause further damage
- Whether the applicant acted consciously or unconsciously, their actions should not be rewarded; many other waterfront property owners are affected by this retaining wall which covers a very large swathe of the waterfront
- It is very much appreciated that local trustees have strongly considered local community input regarding the Draft Policy Statement
- Have trustees changed their views on the Draft Policy Statement over time?
 - A trustee responded that the Draft Policy Statement was prepared by staff, and had already gone through a First Nations referral process by the time it reached the Programs Committee who were tasked with minor improvements of the language of the document
 - A trustee expressed frustration that the structure of the Trust bureaucracy gives little power to trustees; and that this needed to be lived with or addressed
- What is the current view of trustees of the definition of “unique amenities”?
 - A trustee noted that the ministry does not want to define it but would rather have trustees determine it in keeping with that they remain unfettered in their discretion
 - A trustee considered it an unfortunately ambiguous term which can breed contention; one opinion is that it refers to unique landscapes, or unique functions of nature, not buildings
- What are the trustees’ views on development and the consensus statement on unique amenities?

- A trustee responded that negative effects on unique natural amenities were a high priority criterion by which they would evaluate any developments
- A trustee responded that unique amenities would include the natural landscape and anything on the island that uniquely supports the community, including buildings and developments
- The strength of the economy on the island should not be a unique amenity
- The Southern Gulf Islands have a very unique mild Mediterranean climate which is drier than the rest of BC which gives rise to unique species

Chair Elliott rejoined the meeting electronically at 2:42 p.m.

By general consent the regular meeting was recessed at 2:45 p.m. and reconvened at 2:49 p.m.

20. CLOSED MEETING (Distributed Under Separate Cover)

20.1 Motion to Close Meeting

SP-2026-018

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)(a):

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

AND that the recorder and staff attend the meeting.

CARRIED

The regular meeting was closed at 2:49 p.m.

20.2 Recall to Order

The regular meeting was recalled to order by the chair at 2:53 p.m.

20.3 Rise and Report

Chair Elliott reported that that the South Pender Island Local Trust Committee appointed Audrey Green, Paul Petrie, Rodney Kirkwood, John Kuharchuk, and Shelley Henshaw to the South Pender Island Advisory Planning Commission, commencing immediately for a term ending January 1, 2028.

21. ADJOURNMENT

By general consent the meeting was adjourned at 2:54 p.m.

Tobi Elliott, Chair

Certified Correct:

Katherine Vogt, Recorder