

# DRAFT

## NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 240

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### A BYLAW TO AMEND NORTH PENDER ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 171, 2007

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The North Pender Island Local Trust Committee in open meeting assembled enacts as follows:

#### 1. CITATION

This Bylaw may be cited for all purposes as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2025”.

#### 2. SCHEDULES

North Pender Island Official Community Plan Bylaw No. 171, 2007 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

#### 3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME THIS	_____	DAY OF	_____	20__
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20__
READ A SECOND TIME THIS	_____	DAY OF	_____	20__
READ A THIRD TIME THIS	_____	DAY OF	_____	20__
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20__
APPROVED BY THE MINISTER OF HOUSING AND MUNICIPAL AFFAIRS THIS	_____	DAY OF	_____	20__
ADOPTED THIS	_____	DAY OF	_____	20__

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
SECRETARY

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 240**

**SCHEDULE 1**

The North Pender Island Official Community Plan No. 171, 2007, is amended as follows:

1. Introduction Section is amended by deleting the two existing 'Population' paragraphs in their entirety and replacing with the following two paragraphs:

"North Pender Island is 2728 hectares (6741 acres) in area, with a permanent population of 2,467 people based on the 2021 census. This represents an overall 63% increase in permanent residents since the 1991 census and results in a population density of approximately one person per 1.1 hectares (2.7 acres). The population has increased each census period since 2001 when the population was 1,775 residents, with the most significant growth period between the years 2016-2021, with a 19.6% increase in permanent residents. There are also a significant number of part-time or seasonal residents on North Pender Island.

The mean age on North Pender in 2021 was 56, compared to a provincial mean age of 43. A significantly smaller proportion of the North Pender Island population is under age 35 compared to the province as a whole, while the proportion of the population in the 55-69 age range (33%) is more than one and a half times the provincial average (20.1%). The proportion of the population age 70 and over is nearly double the provincial average (32% on North Pender versus 16.3% provincially). The average household size on North Pender is 2.0 persons in 2021, the same as in 2016, and is smaller than the 2021 average household size for the province as a whole of 2.4 persons."

2. Introduction Section is amended by renaming 'Land Use' subsection to 'Land Use and Build-Out' and by deleting the five existing 'Land Use' paragraphs in their entirety and replacing with the following three paragraphs:

"The predominant land use on North Pender is residential. Over two-thirds of the land area is designated and zoned for residential use (Rural Residential and Rural). All residential land on the island is zoned to permit single family dwellings (and accessory cottages, secondary suites and accessory dwelling units under certain circumstances), there is no multiple unit zoning. The bulk of the remaining land is designated for agriculture (13%) or has protected status (15%). There are limited areas designated for various institutional and service uses (less than 1% of the island's land area), commercially designated land (also less than 1% of the island) and only around 6 hectares (15 acres) of land designated for industrial uses.

Based on a 2025 build-out analysis, there are approximately 1,990 total existing parcels that permit residential development in the Rural Residential, Rural and Agricultural land use designations. Of these 1,990 'residential' lots, 1,701 are currently developed (86% of all existing developable lots). The total potential for additional parcels to be created through subdivision is 199 lots, for a total potential build-out of 2,189 residential parcels. Based on the current average household size of 2.0 persons, this would result in a population of roughly 4,378 if all residential lots were occupied on a full-time basis. In 2021, approximately 71% of North Pender dwellings were occupied by permanent residents. Overall, approximately 60% of the existing lots on North Pender are in Magic Lake Estates.

Under the community plan and current zoning, approximately 200 additional lots that would permit residential use could be created through subdivision. A significant portion of this subdivision potential is situated in the north-west part of the island in the Port Washington and McKinnon Road areas. Other areas with unrealized subdivision potential include a number of larger rural zoned parcels throughout the island and several lots in the Razor Point area. Much of the currently designated and zoned residential land may be located in areas that are unsuitable for development due to the presence of environmentally sensitive areas, topography, lack of availability of groundwater, or poor access."

3. Introduction Section is amended by inserting a new left hand margin subsection entry entitled 'Housing Needs' after Land Use and Build-Out subsection and inserting the following two new 'Housing Needs' paragraphs:

"The BC Provincial Government requires all local governments in BC to consider its' most recent Housing Needs Report and housing information when amending OCPs. Based on the Islands Trust Housing Needs Assessment prepared by Urbanics Consultants Ltd in 2025, the projected housing need in the next 5 years is 208 units and in the next 20 years is 643 units. This calculation is based on the portion of growth projections for the Capital Regional District.

A limited rental supply, rising property costs, and a growing proportion of residents on fixed or lower incomes has contributed to housing insecurity. The portion of households experiencing core housing need (5.1% for owners and 22.9% for tenants as indicated in 2021 Census), and projected population growth, combined with demographic aging, points to increasing demand for more diverse, accessible, and affordable non market housing options. Market conditions and affordability challenges limit the ability of existing housing supply to meet community needs."

4. Section 1.2 is amended by inserting a new Goal immediately after Goal 18 as follows:

"19) To provide for a range of flexible housing options that meet the diverse needs of the community and island residents."

5. Policy 2.1.H is amended by deleting in its entirety and replacing with the following:

“Accessory housing options such as secondary suites and accessory dwelling units may be permitted as a way to increase the stock of rental housing without negatively impacting the rural sense of place or the carrying capacity of the island.”

6. Section 2.1 is amended by inserting a new policy after Policy 2.1.I as follows:

2.1.J Consideration may be given to rezone land for clustered, small footprint housing where:

- a) dwelling units consist of small footprint homes, including tiny homes on wheels or manufactured homes.
- b) dwelling units are constructed to the BC Building Code, or CSA standards for manufactured homes, or equivalent.
- c) dwelling units are anchored to the ground, connected to a source of potable water, and connected to an approved wastewater system.
- d) dwelling units shall have a limited floor area.
- e) the total floor area of dwelling units shall not exceed any maximum dwelling floor area for that zone.
- f) adequate communal facilities are available to meet the needs of the clustered, small footprint housing community.
- g) the proposed development is not located in areas containing sensitive ecosystems or of cultural or archaeological significance.”

7. Section 2.1.1 is amended by inserting a new policy after Policy 2.1.1.10:

“2.1.1.11 Accessory dwelling units may be permitted with the intent of providing long term rental housing options for residents on smaller lots. A maximum of one accessory dwelling unit or one secondary suite, limited in floor area, shall be permitted per lot.”

8. Section 2.1.2 is amended by inserting a new policy after Policy 2.1.1.9 as follows:

“2.1.2.10 Accessory dwelling units may be permitted with the intent of providing long term rental housing options for residents. A maximum of one accessory dwelling unit, limited in floor area, shall be permitted per lot.”

9. Section 2.3 is amended by inserting a new policy after Policy 2.3.3 as follows:

“2.3.3.1 Employee housing and affordable housing may be permitted in community service zones to provide options for ensuring housing for working people, young families, seniors and those who have special needs.”

10. Policy 2.3.9 is amended by deleting in its entirety and replacing with the following:

“Any additional density greater than that permitted by current zoning may be in the form of units reserved exclusively for occupancy by seniors.”

11. Policy 2.3.17 is amended by deleting in its entirety and replacing with the following:

“Applications may include provision of a housing agreement limiting occupancy of the dwellings to seniors. Such a housing agreement may also include provisions limiting rental, lease, sale or share prices of the units.”

12. Policy 2.3.20 is amended by deleting in its entirety and replacing with the following:

“Applications for rezoning to a higher density for affordable housing than permitted by current zoning may be considered within the Rural Residential, Rural, Community Service or Commercial land use designations, subject to the other policies in this plan.”

13. Policy 2.3.26 is amended by deleting in its entirety and replacing with the following:

“Applications for affordable housing may include provision of a housing agreement ensuring that rental, lease, sale or share prices are fixed below average rates within the region.”

14. Policy 2.3.35 is amended by renumbering it to Policy 2.3.34.

15. Section 2.4 is amended by inserting a new policy after Policy 2.4.13 as follows:

“2.4.13.1 Rental housing may be permitted on commercial-zoned lots and limits shall be established through zoning on maximum floor area per unit and maximum number of units per lot.”

16. Section 7.7 is amended by inserting the following definition immediately prior to the definition of Agri-tourism:

“Affordable Housing” - Rental or owned housing that can be acquired without exceeding 30 per cent of the median gross income of low to moderate income families on the Southern Gulf Islands.”