



# ADOPTED

## North Pender Island Advisory Planning Commission MINUTES

**Date:** August 12, 2024

**Location:** Electronic

**Members Present:** Peter Pare, Chair  
Mary Beth Rondeau, Vice-Chair  
Gregory Nicholls, Member  
Julia Nicholls, Member  
Lisa Baile, Member

**Staff Present:** Brad Smith, Island Planner  
Carly Bilney, APC Secretary

**There were no members of the public present.**

### 1. Call to Order

Chair Pare called the meeting to order at 9:00 a.m.

### 2. Approval of Agenda

**By general consent**, the agenda was approved as presented.

### 3. North Pender July 29, 2024 APC Minutes (for Adoption)

**By general consent**, the North Pender Advisory Planning Commission Minutes of July 29, 2024 were adopted.

### 4. Discussion of Referral NP-2024-36

Planner Smith explained that Advisory Planning Commissions are provincially legislated to meet in person in a public forum. Members of the Advisory Planning Commissions expressed a preference for meeting electronically, and Planner Smith agreed to look into the mechanism by which they may do so in the future. Planner Smith also will look into whether hybrid meetings are valid. (ie some members join an in-person meeting, electronically.

Planner Smith reviewed questions the Advisory Planning Commission posed since it last met.

#### ***Questions Regarding Housing Statutes and Housing Toolkit***

- 1. The project charter mentions that "Terms of Reference to guide the work of the Advisory Planning Commission is a project deliverable." When will they be available?*

- Staff will provide them to the Advisory Planning Commission before its next meeting.

2. *Are there any specific timelines that the Advisory Planning Commission should be aiming for to submit a response? In the project charter timeline “LTC Review of Options” starts in November. Is that a reasonable deadline or do you want input on the Project Charter, Statutes and/or Toolkit before that?*

- Staff will bring a report to the Local Trust Committee at the November 26 meeting that summarizes engagement meetings that have been held and the results of a survey that will be launched in the next couple of weeks.
- A report from the Advisory Planning Commission could also be received at that meeting.

3. *Specifically there is a planned Community Information session on Saturday, September 28. Should we be aiming to have our recommendations for that meeting?*

- The Community Information Meeting will likely be in October (possibly October 26 though not yet confirmed). It would be helpful if the Advisory Planning Commission provided preliminary information or draft recommendations at that time.

4. *As regards to community consultation the charter lists “Directed engagement with community groups, stakeholders and First Nations (including meeting with Pender Islands Housing Society) and the holding of several Community Information Meetings,” but these engagements are not specifically included on the timeline. Are these meetings scheduled in addition to the CIM? Should our report precede these meetings?*

- No, the Advisory Planning Commission is just to consider the referral it has been given.

5. *Can we be involved in formulating the questions on the housing survey?*

- The Local Trust Committee would need to make a referral to the Advisory Planning Commission about the housing survey questions, and could do so by Resolution Without Meeting. Planner Smith will follow up.

6. *Some of the Statutes are relevant to the Southern Gulf Islands, some are not. Bills 46 and 47 do not apply. To be clear, are we being asked to only advise on Bill 33, Bill 44 and the Speculation and Vacancy Act? Or is it specifically Bill 35?*

- The Advisory Planning Commission should primarily consider what is in the scope of the Islands Trust.
- Whether or not North Pender should opt into the short term accommodation regulation is the only item the Local Trust Committee has the ability to make decision on. However, it could be helpful for the Local Trust Committee to understand the community’s perspective on other Housing Statute Changes if the Advisory Planning Commission feels it is warranted.

7. *Are individual LTCs allowed to opt into specific statutes and not the whole statute? Or is it all or nothing?*

- The only Housing Statute Change where the Islands Trust has leverage is the short term accommodation regulation.
- Currently on North Pender, home occupation regulations allow owners to apply for a temporary use permit for short term accommodation of their house or cottage. Opting into

the new legislation will mean that short term accommodation can only be rented out if it is the owner's principal residence.

- There are ten temporary use permits currently issued for short term vacation rental on North Pender.
- Removing the ability to issue temporary use permits for short term accommodation could potentially free up the ten houses for long term rental, though some property owners may decide to not rent out their house so they can use it themselves.
- Planner Smith will follow up with Regional Planning Manager Kojima about what would happen to the ten temporary use permits if the provincial legislation changed – i.e. Would the adoption of the statute related to short-term vacation rentals be retroactive or proactive?

8. *Have any other Local Trust Committees in the Islands Trust opted into the new housing statutes?*

- Only Gabriola Island
- The decision to opt in has an annual deadline (next one is March 2025)

9. *Is there a plan to do a build out analysis for potential dwellings and potential subdivision? The Toolkit describes the process but does not give a timeline for completion.*

- Build out analysis could be considered as part of this project, but it is not yet a definite plan. It can be quite complex and challenging, but can provide some very useful information.
- Comment on a potential build out analysis from the Advisory Planning Commission would be helpful.

10. *The Executive Committee recommended that LTCs consider opting into the provincial short-term accommodation regulation for the 2025 intake which was due March 2024. Has this been considered? Please provide any background information on this.*

- The Local Trust Committee decided to defer it for a year.

11. *The purpose of Bill 44 from the provincial housing statute change is to take action to deliver the kinds of homes people in B.C. are looking for (“homes for people”). Bill 44 requires action by local governments to amend their zoning bylaws. Could we be provided with information on what the North Pender Island LTC has done so far?*

- The Local Trust Committee is embarking on this project by looking at a range of potential bylaw and other policy amendments that would result in more housing and flexibility for increased density.
- The Housing Access and Affordability Project is meant to look at all the mechanisms to create a more flexible regulatory regime that would allow more housing to be considered in the future.
- The Advisory Planning Commission should be considering what policy changes would be the most effective for North Pender and what are some of the obstacles.

12. *The NPI Housing Project Charter is called: Housing Access and Affordability, and states that the purpose is: “To engage in community consultation, to consult with First Nations, and to engage with stakeholder groups to review housing options and to undertake amendments to the OCP and LUB and development of a housing action plan to improve access to affordable housing in the community.” There are all kinds of homes, and all kinds of people looking for them. Are we talking about homes*

*for minimal wage earners looking for affordable tiny homes? We need to know what population the LTC wants to encourage the development of housing for.*

- Everyone needs safe, adequate and affordable housing – young families, service workers, seniors; specific demographics related to housing needs have not yet been measured and the survey will hopefully provide greater input.
- At this point, housing needs should be examined broadly.
- The Advisory Planning Commission can target a broad range of housing options for people with consideration of those who need housing most significantly.
- The Commission can have input as to whom the effort should be aimed at.
- There are studies that measure housing shortages on North Pender such as the Capital Regional District's 2021 Housing Strategy Report, as well as the Census.
- There are a qualitative and quantitative studies planned for across the Trust area.

*13. Re: Speculation and Vacancy Tax Act. What obstacles are there to applying this tax on North Pender Island?*

- Currently the Speculation and Vacancy Tax does not apply to Islands Trust Area.
- It could potentially carry weight if enough Local Trust Committees recommended it be applied as Gabriola Island did.

*14. Has the North Pender LTC the authority to do what is needed to make variances for alternative, low-cost dwelling units possible, either on their own or in addition to a primary residence?*

- The Local Trust Committee has authority to allow for increased density, and allow for flexible dwelling unit approaches. It has a broad range within its land use planning authority to change bylaws to enable different schemes.

*15. Can we be involved in formulating the questions on the housing survey?*

- Planner Smith will confirm, though comments would be needed quickly so the survey can be distributed soon.

Discussion ensued about tiny homes and the following comments were made:

- The Capital Regional District issues building permits and does not have a mechanism for issuing building permits for structures that are portable (tiny homes on wheels).
- If someone wants a tiny home with a permanent foundation on their property, they need a building permit.
- A lot of working is going on to enable tiny homes, but it is a challenging regulatory environment.
- Tiny homes on wheels are considered recreational vehicles and have tight requirements to be able to be driven on roads.
- Tiny homes that are small footprint homes (on a permanent foundation) are regulated by the building code to ensure fire safety, wheelchair accessibility, protection of the natural environment, etc.

Planner Smith noted that Planner Chadwick would like to join a future Advisory Planning Commission meeting.

Planner Smith left the meeting at 9:51 a.m.

Discussion ensued among Commission members about how to proceed. It was suggested that Commission members individually meet with housing experts, such as Rob Fenton, Karl Hamson, Paul Hamson and Paul Brent, and bring input back to the group for discussion at a future meeting. Lisa and Peter agreed to come up with questions to be asked.

Discussion ensued about the Housing Toolkit and the Housing Access and Affordability Project. The following comments were made:

- There are many things about the Housing Toolkit that will lead to a good process for housing.
- The Advisory Planning Commission will benefit from getting into the Toolkit and all of its components.
- The Commission needs to determine which aspects of the Housing Toolkit are important steps to complete in a qualitative or quantitative way.
- There is not enough in the Housing Access and Affordability Project Charter to get into the detail of the important aspects of the Housing Toolkit.
- There are things in the Housing Toolkit that could be applied to a housing plan.
- There are value elements in the Housing Toolkit that should be incorporated into the Housing Access and Affordability Project Charter.
- We should ensure there is enough time to incorporate the components of the Housing Toolkit into the Project Charter.

Discussion continued about which areas of the Housing Toolkit should be emphasized.

**NP-APC-2024-001**

**It was Moved and Seconded,**

That the North Pender Advisory Planning Commission suggests that the Housing Toolkit is a valuable document and wants to ensure there is enough time incorporated into the Housing Access and Affordability Project Charter to implement the Toolkit's key elements, particularly: the Discussion Paper (Tool 2), Suitable Land Analysis (Tool 4), and Build-Out Analysis (Tool 5).

**CARRIED**

Discussion continued about how best to use Planner Chadwick's time if she is able to join a meeting of the Advisory Planning Commission. Suggestions were made to ask Planner Chadwick to walk the Commission through the Housing Toolkit and explain how, as an Advisory Planning Commission, the document could be used to influence the housing process.

## **5. Next Meeting**

Chair Pare will invite Planner Chadwick to join the next meeting of the Advisory Planning Commission at a date and time that suits her availability. The Advisory Planning Commission Secretary and Islands Trust staff will work with Commission members to confirm the next meeting, which will be in-person.

Commission members emphasized their preference for holding fully electronic meetings in the future.

## **6. Adjournment**

**By general consent** the meeting was adjourned at 10:26 a.m.

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Peter Pare, Chair

Certified Correct:

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Carly Bilney, Recorder