

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 229**

A BYLAW TO AMEND NORTH PENDER ISLAND LAND USE BYLAW NO. 224, 2022

The North Pender Island Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the North Pender Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2022”.

2. North Pender Island Local Trust Committee Bylaw No. 224, cited as “North Pender Island Land Use Bylaw No. 224, 2022,” is amended as follows:

2.1 Schedule “B” – Zoning Map, is amended by changing the zoning classification of:

- (1) a portion of Lot 1, Section 18, Pender Island, Cowichan District, Plan VIP59806 from Rural (R) to General Industrial (GI(e));
- (2) a portion of land northeast of Magic Lake from Rural Residential 1 (RR1) to Community Park 2 a ((CP2(a)));
- (3) Lot 1, Section 23, Pender Island, Cowichan District, Plan 3658 from Commercial 1a (C1(a)) to Rural Residential 2 b (RR2(b));
- (4) Lot 1, Section 23, Pender Island, Cowichan District, Plan VIP73194 from Commercial 1a (C1(a)) to Rural Residential 2 b (RR2(b)); and,
- (5) Lot 18, Section 10, Pender Island, Cowichan District, Plan 22424 from Rural Residential 1 (RR1) to Community Park 2 b ((CP2(b))).

as shown on Plan Nos. 1, 2, 3 and 4 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” to Bylaw No. 224 as are required to effect these changes.

2.2 By adding the following to Subsection 5.1(9):

The maximum *floor area per lot*:

Lot Area	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed:	The floor area of a dwelling may not exceed:
Less than 0.4 ha (Less than 1 acre)	500 m ² (5382 ft ²)	325 m ² (3500 ft ²)
0.4 ha to < 1.2 ha (1 to 3 acres)	1000 m ² (10,764 ft ²)	372 m ² (4000 ft ²)
1.2 ha or greater (3 acres or greater)	3000 m ² (32,292 ft ²)	418 m ² (4500 ft ²)

2.3 By adding the following to Subsection 5.2(9):

The maximum *floor area per lot*:

Lot Area	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed:	The floor area of a dwelling may not exceed:
Less than 0.4 ha (Less than 1 acre)	500 m ² (5382 ft ²)	325 m ² (3500 ft ²)
0.4 ha to < 1.2 ha (1 to 3 acres)	1000 m ² (10,764 ft ²)	372 m ² (4000 ft ²)
1.2 ha or greater (3 acres or greater)	3000 m ² (32,292 ft ²)	418 m ² (4500 ft ²)

2.4 By adding the following new site specific regulation to Table 5.2 in Subsection 5.2(18):

Table 5.2			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
2	RR2(b)	Lot 1, Section 23, Pender Island, Cowichan District, Plan 3658 and Lot 1, Section 23, Pender Island, Cowichan District, Plan VIP73194	Despite Subsection 5.2(2), there may not be more than one (1) dwelling the RR2(b) zone.

2.5 By adding the following to Subsection 5.3(8):

The maximum *floor area per lot*:

Lot Area	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed::	The floor area of a dwelling may not exceed:
Less than 0.4 ha (Less than 1 acre)	500 m ² (5382 ft ²)	325 m ² (3500 ft ²)
0.4 ha to < 1.2 ha (1 to 3 acres)	1000 m ² (10,764 ft ²)	372 m ² (4000 ft ²)
1.2 ha or greater (3 acres or greater)	3000 m ² (32,292 ft ²)	418 m ² (4500 ft ²)
16 ha or greater (40 acres or greater)		500 m ² (5382 ft ²)

2.6 By adding the following to Subsection 5.4(7):

The maximum *floor area per lot*:

Lot Area	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed::	The floor area of a dwelling may not exceed:
Less than 0.4 ha (Less than 1 acre)	500 m ² (5382 ft ²)	325 m ² (3500 ft ²)
0.4 ha to < 1.2 ha (1 to 3 acres)	1000 m ² (10,764 ft ²)	372 m ² (4000 ft ²)
1.2 ha or greater (3 acres or greater)	3000 m ² (32,292 ft ²)	418 m ² (4500 ft ²)
For dwelling located within the Agricultural Land Reserve		500 m ² (5382 ft ²)

2.7 By adding the following to Subsection 5.5(7):

The maximum *floor area per lot*:

Lot Area	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed::	The floor area of a dwelling may not exceed:
Less than 0.4 ha (Less than 1 acre)	500 m ² (5382 ft ²)	325 m ² (3500 ft ²)
0.4 ha to < 1.2 ha (1 to 3 acres)	1000 m ² (10,764 ft ²)	372 m ² (4000 ft ²)
1.2 ha or greater (3 acres or greater)	3000 m ² (32,292 ft ²)	418 m ² (4500 ft ²)
For dwelling located within the Agricultural Land Reserve		500 m ² (5382 ft ²)

2.8 By adding the following to Subsection 5.6(8):

The maximum *floor area per lot*:

Lot Area	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed::	The floor area of a dwelling may not exceed:
Less than 0.4 ha (Less than 1 acre)	500 m ² (5382 ft ²)	325 m ² (3500 ft ²)
0.4 ha to < 1.2 ha (1 to 3 acres)	1000 m ² (10,764 ft ²)	372 m ² (4000 ft ²)
1.2 ha or greater (3 acres or greater)	3000 m ² (32,292 ft ²)	418 m ² (4500 ft ²)
For dwelling located within the Agricultural Land Reserve		500 m ² (5382 ft ²)

2.9 By adding the following new site specific regulation to Table 5.10 in Subsection 5.10(12):

Table 5.10			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
5	GI(e)	Portion of Lot 1, Section 18, Pender Island, Cowichan District, Plan VIP59806	Despite Subsection 5.10(1), the only uses permitted in this location are: (a) <i>waste transfer facility</i> ; (b) commercial composting; (c) commercial recycling; (d) <i>Accessory storage</i> of a maximum of five (5) motorized or non-motorized trucks; and five (5) construction containers; and, (e) <i>Accessory buildings and structures</i> .

2.10 By adding the following new site specific use to General Industrial b ((GI(b)) zone:

“Commercial Boat Maintenance”

2.11 By adding the following to Section 5.13 ‘Rental Housing (RH) Zone’:

“Permitted Uses

(1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:

- (a) *Multi-family rental dwelling*; and,
- (b) *Accessory uses, buildings and structures*.

Density

(2) There may not be more than 16 *multiple-family rental dwelling units* per lot.

Siting and Size

- (3) No *building or structure* may exceed 9.7 metres in *height*.
- (4) The minimum *setback* for any *building or structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*;
 - (b) 3.0 metres from any interior side *lot line*; and,
 - (c) 4.5 metres from any exterior side *lot line*.

- (5) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.13(4) must be increased by 3 metres.
- (6) *Lot coverage* may not exceed 25 percent.
- (7) The maximum *floor area* of a *multiple-family rental dwelling unit* must not exceed 93 m².

Conditions of Use

- (8) Every external storage area must be screened from view by a *landscape screen* complying with Subsection 3.9(1).
- (9) Every *multi-family rental dwelling* must be screened from adjacent residential *uses* along lot lines abutting *lots* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, Rural Comprehensive 2 and Agricultural, complying with Subsection 3.9(2).

Subdivision Lot Area Requirements

- (10) No *lot* having an area less than 1.2 hectares may be created by subdivision in the Rental Housing Zone.”

2.12 By adding the following new site specific regulation to Table 5.18 in Subsection 5.18(5):

Table 5.18			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
2	CP2(b)	Lot 18, Section 10, Pender Island, Cowichan District, Plan 22424	(1) In addition to the uses permitted in Subsection 5.18(1), tennis courts are also permitted.

2.13 By adding the following new article to Section 5.25 ‘Water 6 (W6) Zone’ and renumbering accordingly:

“5.25(1)(c) Community dock accessory to the upland community park use.”

2.14 By adding the following new subsection after Subsection 5.25(2) under the heading ‘Density’:

“(3) A maximum of one (1) community dock is permitted in the Water 6 Zone.”

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.

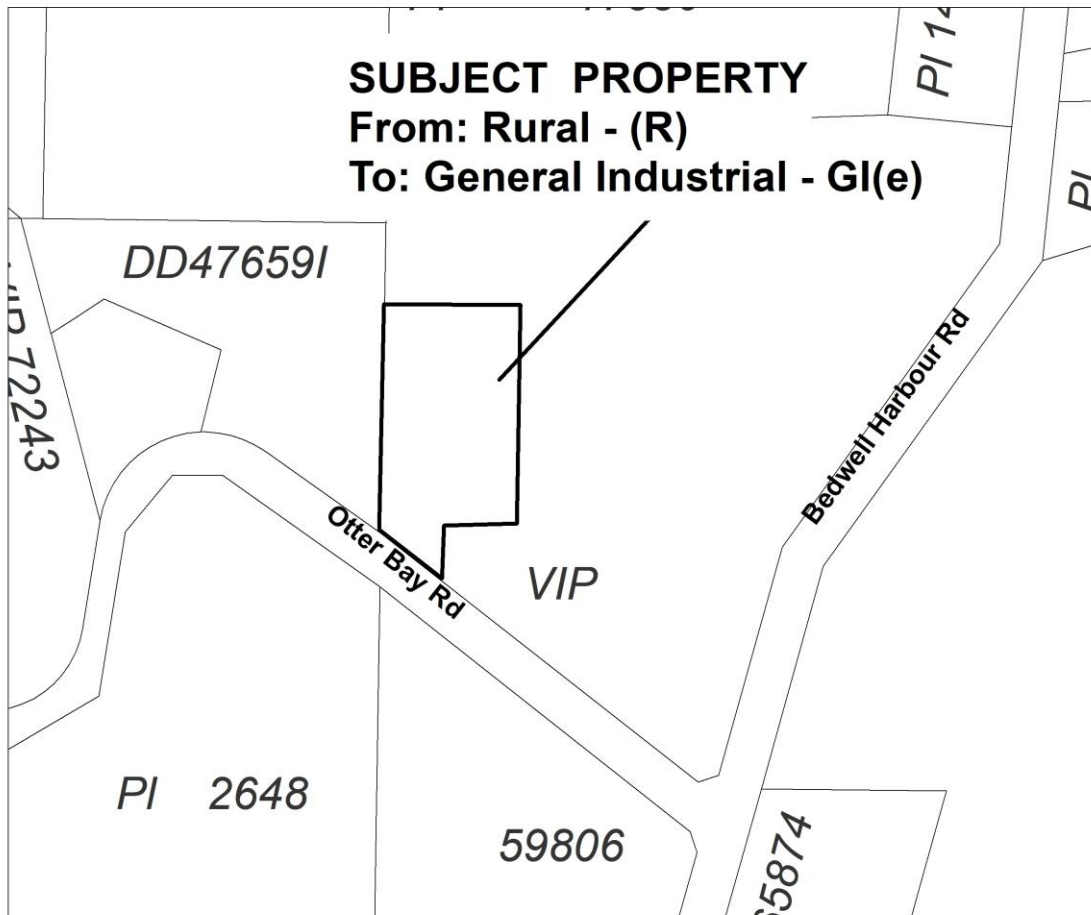
READ A FIRST TIME THIS	11 TH	DAY OF	MARCH	2023.
READ A SECOND TIME THIS	11 TH	DAY OF	MARCH	2023.
PUBLIC HEARING HELD THIS	13 TH	DAY OF	MAY	2023.
READ A THIRD TIME THIS	13 TH	DAY OF	MAY	2023.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	24 TH	DAY OF	MAY	2023.
ADOPTED THIS	12 TH	DAY OF	DECEMBER	2023.

CHAIR

SECRETARY

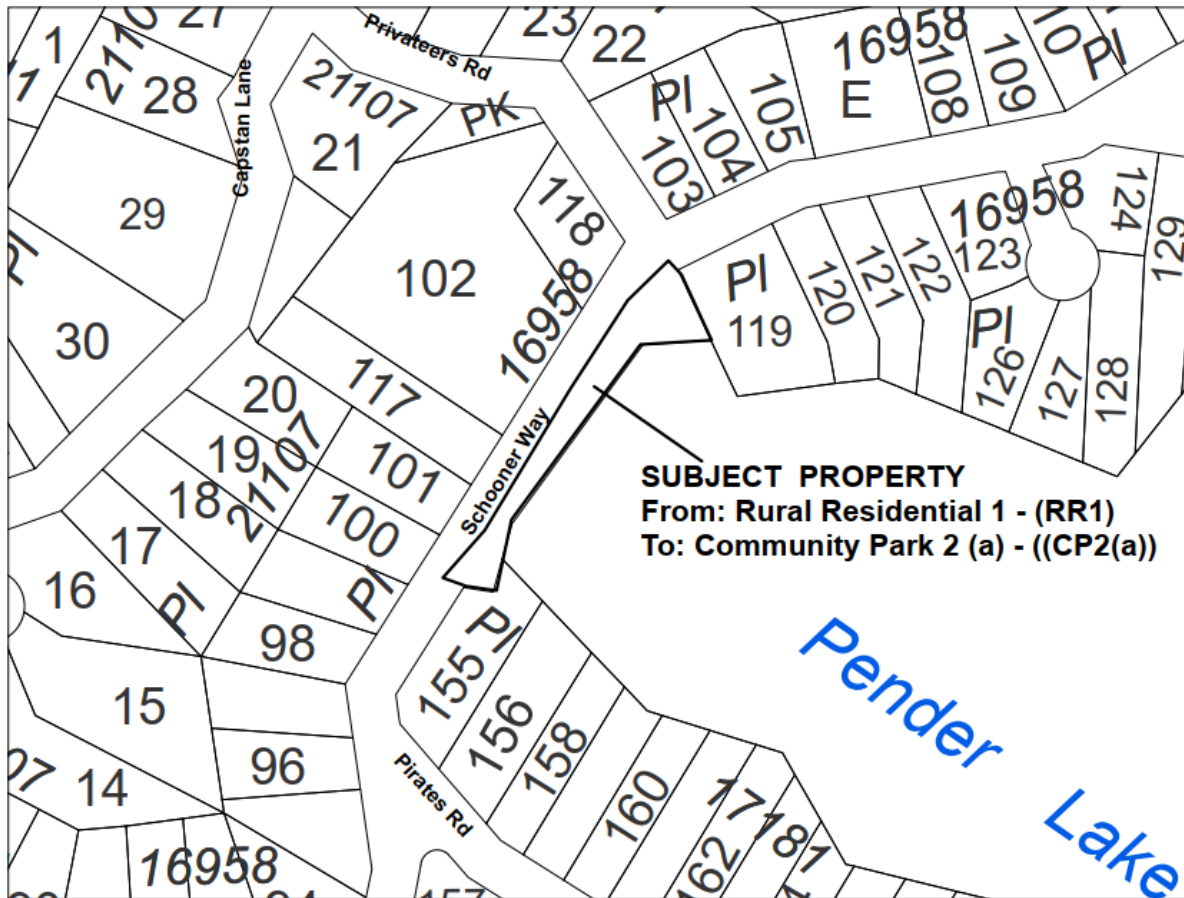
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Plan No. 1



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
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Plan No. 2



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
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Plan No. 3

