

DATE OF MEETING: May 29, 2026

TO: North Pender Island Local Trust Committee

FROM: Southern Team

COPY: Mary Storzer, Regional Planning Manager

SUBJECT: Rezoning Application – Reduction of minimum average lot size
Applicant: Jordan Litke as agent for Gary Henshaw
Location: 4609 Bedwell Harbour Road, North Pender Island

RECOMMENDATIONS

1. **That the North Pender Island Local Trust Committee directs staff to proceed with application PL-RZ-2026-0178 (Litke), and to prepare a draft bylaw for a site specific Rural zone for 4609 Bedwell harbour Road that:**
 - a. **Reduces the minimum average lot size to 2.0 hectares**
 - b. **Limits the number of dwellings to one dwelling per lot with no accessory cottages**
 - c. **Limits the floor area of each dwelling to 205 m².**

REPORT SUMMARY

The purpose of this preliminary report is to provide information regarding rezoning application PL-RZ-2026-0178 (Litke) and to seek direction from the North Pender Island Local Trust Committee (LTC) to proceed, or not proceed, with the application, including the preparation of a draft bylaw.

The above recommendations are supported as:

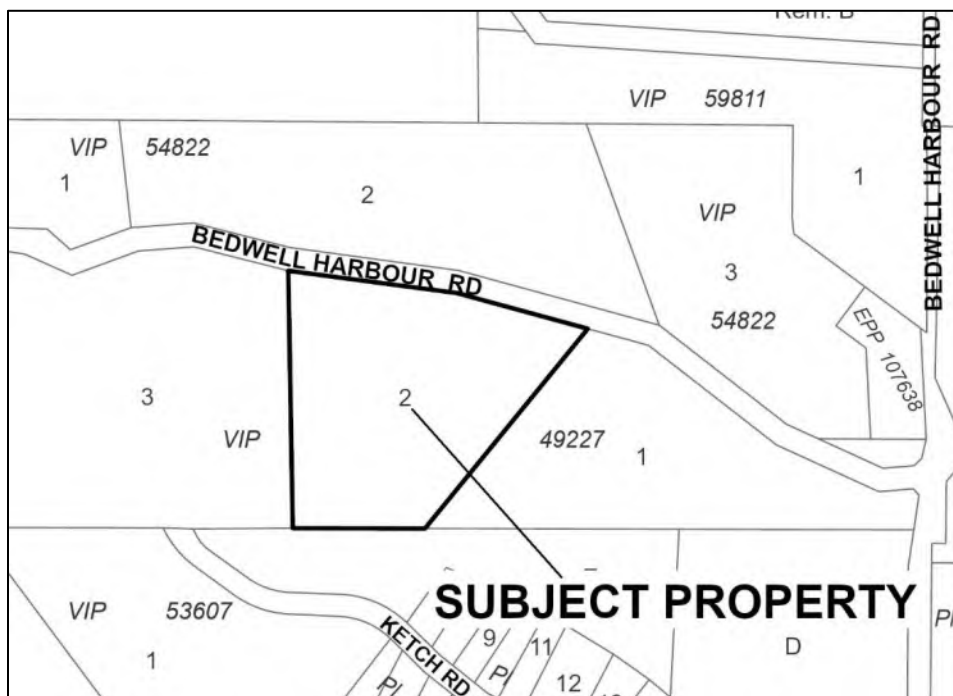
- The application is consistent with residential and rural land use policies of the North Pender Island Official Community Plan No. 171 (OCP), including minimum average lot size requirements in respect of lots with pre-existing dwellings or cottages;
- Directing staff to proceed will trigger the issuance of a terms of reference (TOR) that will identify any additional information and professional reports required from the applicant;
- A draft bylaw will facilitate First Nations and agency referrals and public input to identify any issues or concerns with the proposed rezoning.

BACKGROUND

The applicant has submitted a rezoning application for the property located at 4609 Bedwell Harbour Rd. The property is currently zoned Rural in the North Pender Island Land Use Bylaw No. 224 (LUB). The Rural zone has a minimum average lot size of 4 hectares. The parcel is approximately 4.1 ha in size, making subdivision under the current zoning impossible.

There is an existing dwelling and accessory cottage on the property, one occupied by the property owner's mother, and another occupied by his niece. The property owner is seeking to subdivide the property to create a separate title that can be transferred to his niece.

1 – Subject Property



If rezoning is successful, the lot would then be subdivided as shown in the proposed subdivision plan (Figure 2).

Figure 2. Proposed Subdivision Plan



Additional site context is included as Attachment 1, and maps and plans in Attachment 2. The applicant has submitted a letter further describing the proposed uses and rationale. It is included as Attachment 3.

Staff conducted a site visit and met with the applicant on March 20, 2026.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement

The proposed rezoning does not appear to be contrary or at variance with any Policy Statement directive policies; however a more comprehensive review with a checklist will be provided at consideration of first reading if the application proceeds to that stage.

Official Community Plan

The property is designated as Rural (R) in the North Pender Island Official Community Plan No. 171 (OCP).

The application is consistent with the Residential and Rural Land Use Policies of the OCP, including Rural Land Use Policy 2.1.2.4 in respect of minimum average lot size and density, which permits specific zoning regulations to be considered for lots with pre-existing dwellings or cottages in respect of minimum average lot size and density.

2.1.2.4 The Rural designation shall have a 4 hectare (10 acre) average lot size and a density of one dwelling per lot, with provisions for one additional dwelling in the form of a cottage on lots over 1.2 hectares (3 acres) in area. Specific zoning regulations may be considered for lots with pre-existing dwellings or cottages.

There are no Development Permit Areas on the parcel.

Land Use Bylaw

The subject property is zoned Rural (R) in the LUB. If the LTC proceeds, staff would recommend a site-specific Rural zone be established that permits subdivision with a minimum average lot size of 2.0 hectares, rather than the current minimum of 4.0 hectares for Rural zoned lots.

Rural zoning permits an accessory cottage on each lot greater than 1.2 hectares. However, as the existing lot is only permitted one dwelling and one accessory cottage, staff recommend that the site specific Rural zone only permit a maximum of two dwellings (i.e. one per new lot) with no accessory cottages.

Staff also recommend that the LTC consider establishing a maximum floor area provision for one of the dwellings. Under Rural zoning, the maximum floor area of a dwelling is 418 m², and a cottage 80 m².

The applicant is amenable to a restricted floor area on each lot, and has requested a maximum floor area of 205 m² for each lot, such that future land use is not overly restricted. Given that currently the lot would be permitted to have both a floor area of 418 m² for the primary dwelling and 80 m² for an accessory cottage, staff are of the view that a maximum floor area of 205 m² for the dwelling on each lot (i.e. 410 m² total) is a reasonable compromise, allowing for a moderate sized family home to be built on both lots in the future.

Issues and Opportunities

Community Benefit and Surrounding Uses

Rezoning would provide a viable alternative for land ownership for a lifelong island resident who may not otherwise be able to afford the opportunity to own land on North Pender Island.

Surrounding land uses are predominantly rural residential and at the outset it appears there would be minimal impacts of rezoning given there is no proposed increase in density or use. A minimum average lot size to 2.0 ha is consistent with the neighbourhood, with lots in the area ranging from 0.6 ha to 6.0 ha.

Terms of Reference

Should the LTC direct staff to proceed, staff will issue a terms of reference (ToR) consistent with the [North Pender Island Development Approval Information Bylaw No. 134 \(DAI\)](#). This ToR will further describe the reporting requirements of the applicant in respect of the rezoning proposal.

The LTC may also request that the applicant provide any additional information that is needed to support their decision-making as the application proceeds.

Water and Septic

In cases where rezoning is required prior to subdivision, typically, demonstration of proof of water and septic capacity for each new lot is required at time of rezoning.

Water supply is currently provided for both houses from the existing well on proposed Lot A. For septic, the house on proposed Lot A has a permitted septic field system, the accessory cottage on proposed Lot B has a non-permitted septic field system.

Should the LTC direct staff to proceed, staff will include requirements in the terms of reference for demonstrating water supply (i.e. minimum of 2000/L day) and septic capacity for both proposed lots, consistent with LUB subdivision standards.

Consultation

A draft amending bylaw would be sent to potentially affected government agencies and First Nations for referral.

In this case, as there is no required OCP amendment, the LTC could choose whether to hold a public hearing or not. If the LTC chooses to not hold a public hearing, then staff would need to provide notice of first reading.

If a public hearing is held, public hearing notice would be posted as per statutory and bylaw requirements in advance of a public hearing, including notification of the proposed rezoning to all properties located within 100 metres of the subject property.

Typically, a Community Information Meeting (CIM) is also held prior to a public hearing. With direction from LTC, these would be scheduled either separately or concurrently after draft bylaws are complete, reviewed and have received at least first reading. If no public hearing is held, the LTC could still choose to hold a CIM prior to first reading.

Archaeological Sites

Islands Trust reviews all applications/permits to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. In this case, there are no registered archaeological sites on the subject property, however there is archaeological potential identified in the vicinity.

Further to that review, staff will direct the applicant to the following guidelines:

- All archaeological and cultural heritage is protected under the *Heritage Conservation Act* and areas of archaeological potential may contain undocumented archaeological sites which would be automatically protected under the *Heritage Conservation Act* (including all intact or disturbed sites), and require a permit from the BC Archaeology Branch. Further information regarding permits: <https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/permits>
- In the event that archaeological features or materials are found, either intact or disturbed on the subject property, stop work immediately and contact the BC Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca.

Rationale for Recommendation

The recommendations on page 1 are supported as:

- The application is consistent with residential and rural land use policies of the North Pender Island Official Community Plan No. 171 (OCP), including minimum average lot size requirements in respect of lots with pre-existing dwellings or cottages;
- Directing staff to proceed will trigger the issuance of a terms of reference (TOR) that will identify any additional information and professional reports required from the applicant;
- A draft bylaw will facilitate First Nations and agency referrals and public input to identify any issues or concerns with the proposed rezoning.

ALTERNATIVES

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

1. Request further information

The LTC may refer back to staff requesting further information prior to making a decision. Recommended wording for a resolution is as follows:

That the North Pender Island Local Trust Committee request that staff report back with....

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 proceed no further with application NP-PL-RZ-2026-0178 (Litke).

3. Hold the application in abeyance

The LTC may choose to hold the application in abeyance.

4. Receive for information

The LTC may receive the report for information.

NEXT STEPS

Based on direction from the LTC, staff will initiate the drafting of an amending bylaw and issue a TOR to the applicant consistent with the DAI bylaw.

Submitted By:	Brad Smith, Island Planner	May 13, 2026
Concurrence:	Mary Storzer, Regional Planning Manager	May 19, 2026

ATTACHMENTS

1. Site Context
2. Mapping and Plans
3. Letter from Applicant

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	LOT 2, SECTION 10, PENDER ISLAND, COWICHAN DISTRICT, PLAN 49227
PID	014-931-168
Civic Address	4609 Bedwell Harbour Road, Pender Island, BC

LAND USE

Current Land Use	Rural residential
Surrounding Land Use	Rural residential

HISTORICAL ACTIVITY

File No.	Purpose
PLSUB20240179	Subdivision application - withdrawn by applicant as requires rezoning first

POLICY/REGULATORY

Official Community Plan Designations	Rural (R) There are no Development Permit Areas on the parcel
Land Use Bylaw Zoning	Rural (R)
Other Regulations	None
Covenants	None
Bylaw Enforcement	No active files.

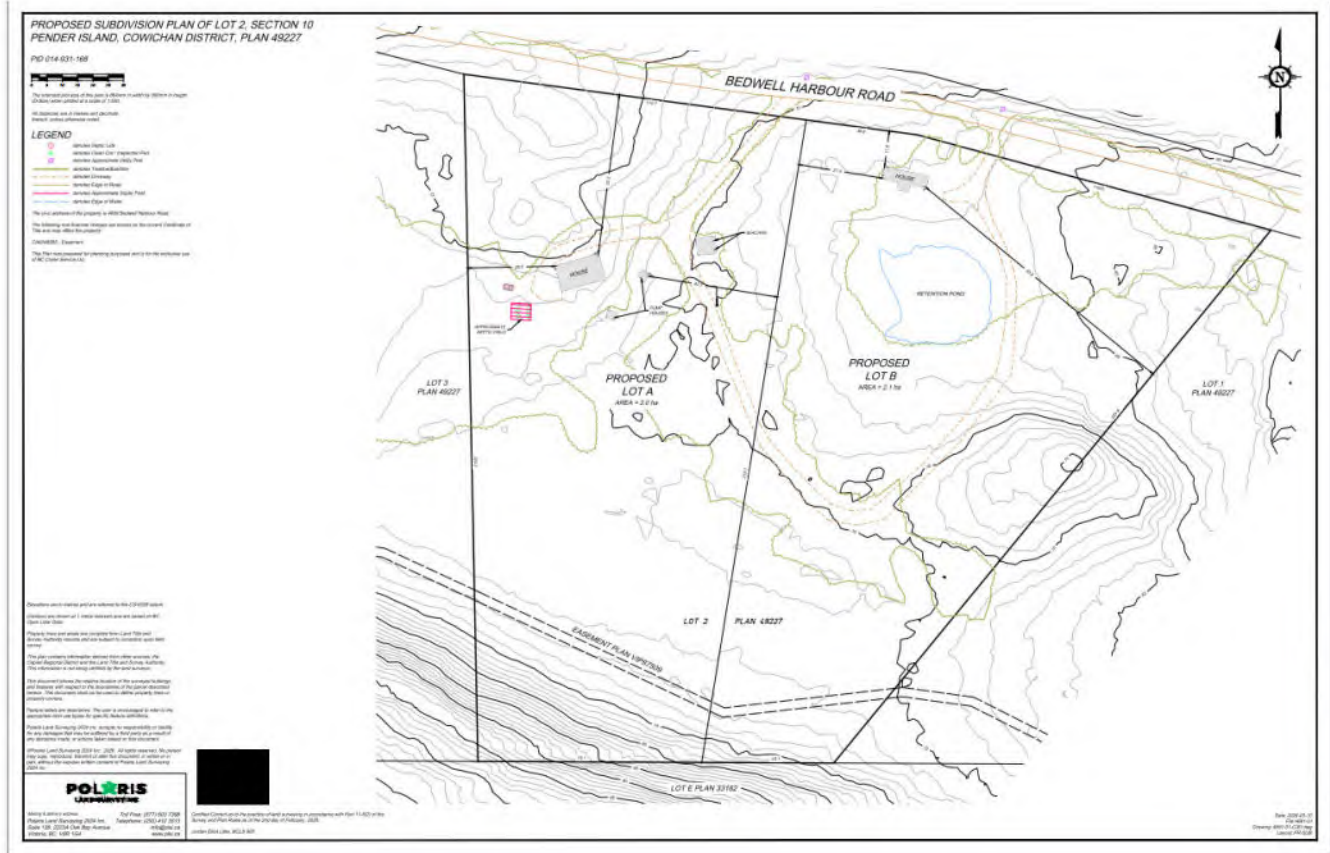
SITE INFLUENCES

Islands Trust Conservancy	No adjacent ITC covenants or parcels
Regional Conservation Strategy	Not applicable
Species at Risk	Grand Fir/Dull Oregon Grape habitat in mature forest band Secure CDC data extending across entire region
Sensitive Ecosystems	Band of mature forest along rear portion of lot (see mapping)
Hazard Areas	Moderate and low risk slope in back portion of lot (see mapping)
Archaeological Sites	There are no designated archaeological sites on the property or in the immediate vicinity. However, owners and the applicant should be aware that there is 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	N/A
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	Not Applicable

ATTACHMENT 2 – MAPS, PLANS, DRAWINGS

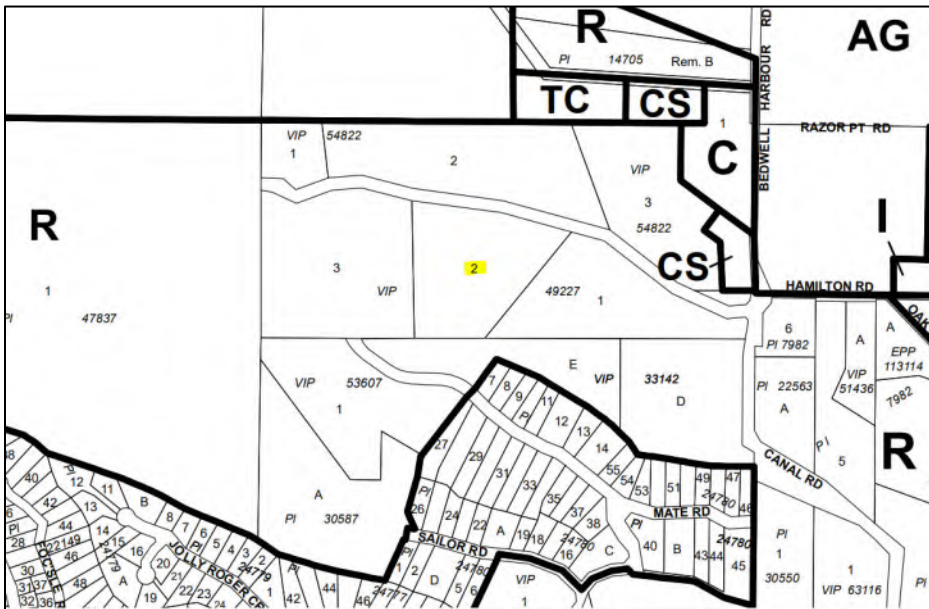
2.1 PRELIMINARY SITE PLAN



2.2 ZONING AND ORTHO



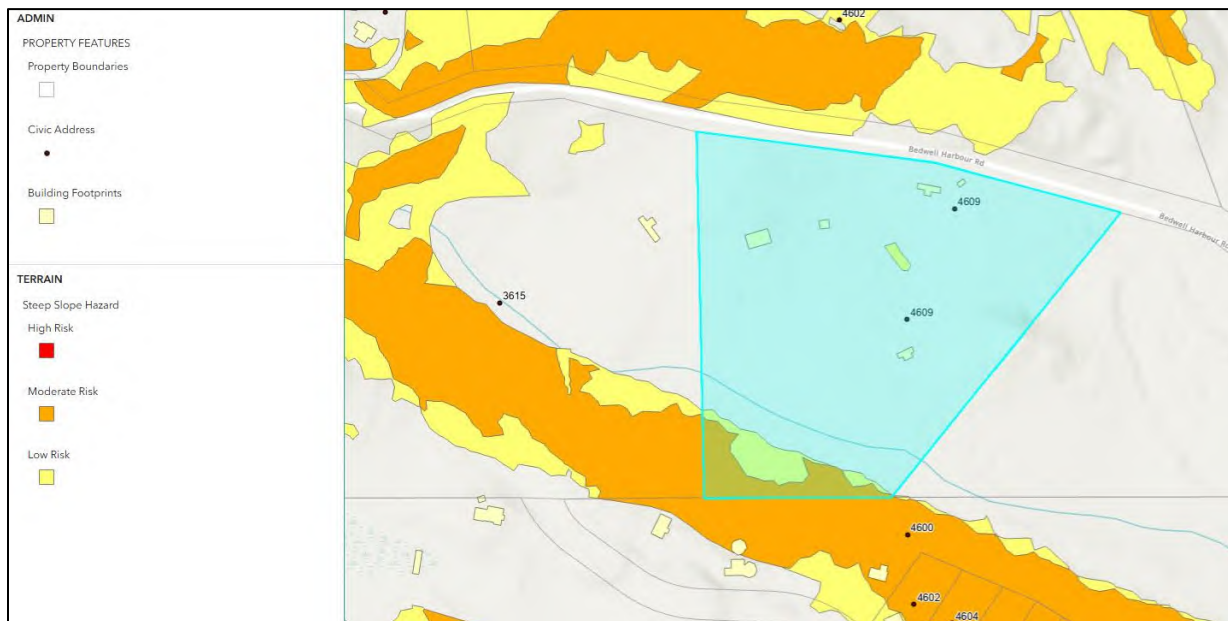
2.3 OCP DESIGNATIONS



2.4 BUILDING FOOTPRINTS



2.5 STEEP SLOPE MAPPING



April 23, 2026

Attention: North Pender Island Local Trust Committee

Re: Rezoning Application for 4609 Bedwell Harbour Road

PID: 014-931-168

Legal Desc.: Lot 2, Section 10, Pender Island, Cowichan District, Plan 49227

We are writing on behalf of Gary and Lynn Henshaw, the owners of BC Crane Services Limited. Through their company, they own 4609 Bedwell Harbour Road. Currently there are two dwellings on the property – one occupied by Gary’s mother and another occupied by his niece. Gary and Lynn would like to subdivide the property to create a separate title that can be transferred to his niece.

Gary’s mother is Lucille Henshaw, who has lived on the property for the past 6 years and on Pender Island for over 40 years. His niece is Michelle Page, who has lived on the property for 15 years and is a lifelong islander.

The property is currently zoned R – Rural, which has a minimum average lot size of 4 ha. Lot 2 is approximately 4.1 ha in size, making subdivision under the current zoning impossible. As such, we are seeking to rezone the property to a site specific variant of the Rural zone, allowing for average lot size of 2.0 ha.

Reducing the minimum average lot size to 2.0 ha allows for lot sizes that are consistent with the neighbourhood. Along Bedwell Harbour Road are lots that range from 0.6 ha to 6.0 ha.

We do not wish to change any of the permitted uses or site and sizing requirements of the Rural zone. The only request is a reduction in minimum average lot size to 2.0 ha, to allow creation of a second lot for a family member.

This rezoning does not change the overall land use and supports the objectives of the Rural zone, being:

- 1) To promote the retention of large parcels of land for scenic, aesthetic and natural resource values and long term rural use.
- 2) To support and promote the working landscape for sustainable agriculture and woodlot management.
- 3) To preserve the opportunity for a rural lifestyle.



4) To preserve natural features and environmentally sensitive areas.

We look forward to your response and hopefully your support of this application.

Sincerely,
Polaris Land Surveying 2024 Inc.



Jordan Litke, P.Surv, BCLS