

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 241

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, 2025”.

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. Section 1.1 – Interpretation, is amended by revising the definition of ‘cottage’:

““cottage” means a detached dwelling with a limited floor area that is located on the same parcel as another dwelling.”

2.2. Section 1.1 – Interpretation, is amended by inserting the definition ‘dwelling unit’:

““dwelling unit” means a building or portion of a building including a principal or additional dwelling, cottage or secondary suite, which is used as a residence for a single household and containing a single set of facilities for food preparation and eating, sleeping and living areas.”

2.3. Section 1.1 – Interpretation, is amended by inserting the definition ‘rental housing’:

““Rental housing” means residential use of dwelling units that are limited to residential rental tenure.”

2.4. Section 3.10 – Secondary Suite Regulations, Subsection 3.10(3) is amended by deleting the words ‘and it must not exceed 40 per cent of the *floor area* of the *principal dwelling*’ such that it reads:

“The maximum *floor area* for a *secondary suite* is 90m² (968 ft²).”

- 2.5. Section 5.1, Rural Residential 1 (RR1) Zone, Subsection 5.1.9 is amended by deleting the existing table and replacing it with the following table:

Lot Area	The total floor area of all buildings may not exceed:	The total floor area of all dwelling units per lot 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)

- 2.6. Section 5.2, Rural Residential 1 (RR2) Zone, Subsection 5.2.9 is amended by deleting the existing table and replacing it with the following table:

Lot Area	The total floor area of all buildings may not exceed:	The total floor area of all dwelling units per lot 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)

- 2.7. Section 5.3, Rural (R) Zone, Subsection 5.3.8 is amended by deleting the existing table and replacing it with the following table:

Lot Area	The total floor area of all buildings may not exceed:	The total floor area of all dwelling units 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)

- 2.8. Section 5.4, Rural Comprehensive 1 (RC1) Zone, Subsection 5.4.7 is amended by deleting the existing table and replacing it with the following table:

Lot Area	The total floor area of all buildings may not exceed:	The total floor area of all dwelling units 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. Section 5.5, Rural Comprehensive 2 (RC2) Zone, Subsection 5.5.7 is amended by deleting the existing table and replacing it with the following table:

Lot Area	The total floor area of all buildings may not exceed:	The total floor area of all dwelling units 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)

- 2.10. Section 5.6, Rural Agricultural (AG) Zone, Subsection 5.6.8 is amended by deleting the existing table and replacing it with the following table:

Lot Area	The total floor area of all buildings may not exceed:	The total floor area of all dwelling units 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)

- 2.11. Section 5.7, Commercial 1 (C1) Zone, Subsection 5.7.1 is amended by inserting a new Article 5.7.1(k.1) immediately after Article 5.1(k) such that it reads:

“(k) *Accessory dwelling;*

(k.1) *Rental housing; and*”

- 2.12. Section 5.7, Commercial 1 (C1) Zone, is amended by inserting a new Subsection 5.7.2.1 immediately after Subsection 5.7.2 such that it reads:

“(2) Only one (1) *accessory dwelling* permitted per *lot*.

(2.1) Up to three units of second-storey rental housing is permitted per lot with a maximum floor area of 80 m² per unit.”

- 2.13. Section 5.7, Commercial 1 (C1) Zone, Subsection 5.7.14, Table 5.7 is amended by deleting the existing Row 2 in Table 5.7 and replacing it with the following Row 2:

Table 5.7			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
2	C1(b)	Portion of Part C, DD69864I, Section 18 lying to the south of the main highway from Hope Bay to Port Washington.	Rescinded

- 2.14. Section 5.11, Community Service Zone, Subsection 5.11(8), Table 5.11 is amended by deleting the existing Table 5.11 and replacing it with the following Table 5.11:

Table 5.11			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	CS(a)	Lot 1, Section 11, Plan 27405.	The only <i>uses</i> permitted in this location are church and <i>affordable housing</i> up to a maximum of 30 units for the provision of <i>affordable housing</i> subject to: 1) A housing agreement under Section 483 of the <i>Local Government Act</i>; 2) The installation of a community water and septic system to service all units; 3) Units may only be in the form of detached or multiplex buildings up to and including four-plex buildings with a maximum of two storeys and a maximum height of 9.7 metres; 4) A maximum floor area of 120 m² per unit and a total maximum floor area of 3000 m² for all units combined; and, 5) The completion of an assessment report by a registered professional biologist to minimize impacts of development, consistent with the reporting requirements of Development Approval Information Bylaw No. 134 Part V, S 920 (15) in respect of sensitive ecosystems.
2	CS(b)	Lot A, Section 18, Plan 14409.	The only <i>uses</i> permitted in this location are library, preschool and charity retail stores.
3	CS(c)	Lot 8, Section 10, Plan 24778.	The only <i>uses</i> permitted in this location are public emergency services, public works yard and employee housing up to a maximum of two (2) units.
4	CS(d)	Lot 20, Section 10, Plan 24777.	The only <i>use</i> permitted in this location is water tank.
5	CS(e)	Lot 20, Section 10, Plan 24777.	The only <i>use</i> permitted in this location is church.
6	CS(f)	Lot A, Section 18 Plan 22835.	The only <i>uses</i> permitted in this location are public utility and employee housing up to a maximum of two (2) units.

7	CS(g)	Lot 1, Plan 29572, Section 11.	The only <i>uses</i> permitted in this location are <i>school</i> and <i>employee housing</i> up to a maximum of two (2) units.
8	CS(h)	Lot A, Plan 40871, Section 11.	The only <i>uses</i> permitted in this location are health clinic, public emergency services.
10	CS(i)	Lot A, Plan 65874, Section 18.	The only <i>use</i> permitted in this location is community hall.
11	CS(j)	Lots 1, Plan 30765, Section 15.	The only <i>uses</i> permitted in this location are public emergency and protection services, and one (1) <i>accessory dwelling</i> .
12	CS(k)	Lot 2, Plan 30765, Section 15.	The only <i>uses</i> permitted in this location are public emergency services and employee housing up to a maximum of two (2) units.
13	CS(l)	Lot 2, Plan 18611, Section 15.	The only <i>use</i> permitted in this location is cemetery.
14	CS(m)	Parcel A (DD47774W) of Lot 6 Plan 7196 Section 17.	(1) The only <i>uses</i> permitted in this location are private clubs including club hall rentals. (2) The gross <i>floor area</i> of the <i>uses</i> permitted in (1) may not exceed 483 m ² .
15	CS(n)	Lot 131, Sections 8 and 10, Pender Island, Cowichan District, Plan 17181	The only <i>use</i> permitted in this location is church.
16	CS(o)	A portion of Lot 3, Section 2, Pender Island, Cowichan District, Plan VIP54822.	(1) The only <i>uses</i> permitted in this area is the <i>retail sale</i> of used goods where all proceeds from sales are donated to community organizations and projects on North Pender Island. (2) Despite Subsection 5.11(7), no lot having an area less than 0.6 hectares may be created by subdivision in the Community Service CS (o) zone.
17	CS(p)	Portion of THAT PART of Lot 6, Section 7, Pender Island, Cowichan District, Plan 1695, Lying of the East of a Boundary Parallel to and Perpendicularly Distant 260 feet from the Easterly Boundary.	The only <i>use</i> permitted in this area is: the housing of equipment for the supply and distribution of telecommunications and cable service as a regulated service utility, not to include retail or office uses.
18	CS(q)	Lot A, Section 17, Pender Island, Cowichan District, Plan VIP75211 and Lot 2, Section 17, Pender Island, Cowichan District, Plan 31869.	The only permitted <i>use</i> in this location is <i>ferry terminal</i> .

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	2 ND	DAY OF	OCTOBER	2026.
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____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY