

Islands Trust

Raptor Nest Development Permit Area 7 (DPA 7) Review Project

North Pender Local Trust Committee
April 4, 2025



Agenda

- **Project Overview and study results**
- **Bylaw amendment recommendations**
- **Updated Mapping**
- **Next Steps**
- **Q/A with community and LTC**



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Project Overview

- Current DPA was adopted in 2008 based upon surveys conducted by local volunteers in 2005 and 2006 through the Wildlife Tree Stewardship initiative (WiTS).
- Nest trees were mapped with assistance of Islands Trust staff.
- The LTC has initiated an update of raptor and heron trees as new nests are established and older ones abandoned.

Project Scope: update DPA 7 Schedule O map, review DPA 7 OCP provisions, engage in consultation and undertake the legislative process to amend the OCP as required

More project information: <https://islandstrust.bc.ca/island-planning/north-pender/projects/>



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What Are DPA's

- The Official Community Plan (OCP) is a document that lays out a community's long-term vision and strategy for guiding future planning and land use
- Local governments have the authority to designate Development Permit Areas (DPAs) within OCPs.
- In this case, the intended purpose is for *the protection of the natural environment, its ecosystems and biological diversity*, in accordance with the *Local Government Act*.
- The OCP must describe the special conditions or objectives that justify the designation.
- The local government must also specify guidelines for how proposed development in that area can address the special conditions or objectives.



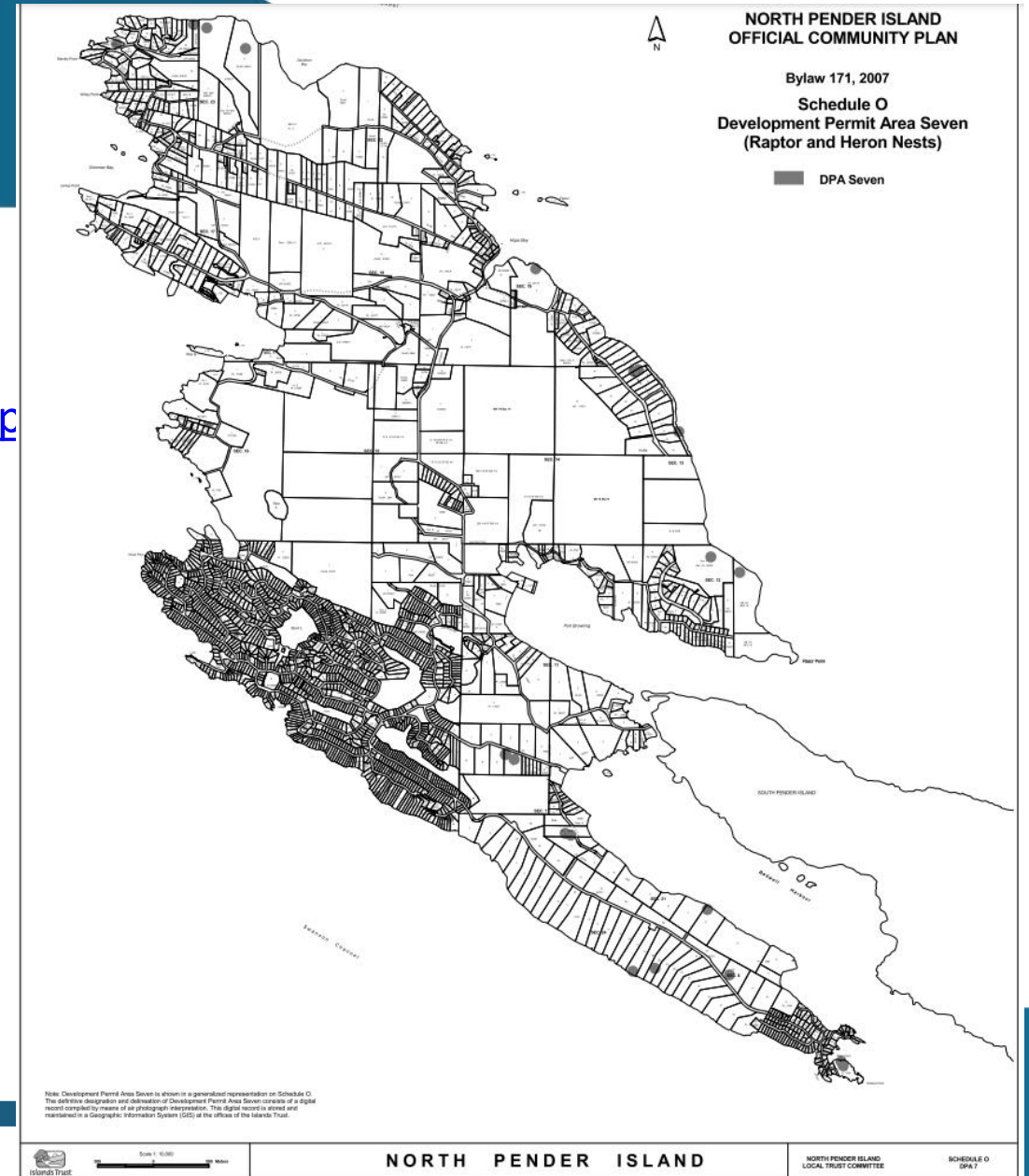
DPA 7 - Raptor Nests

- The North Pender OCP includes DPA provisions for the protection of habitat used by bald eagles, other raptors and great blue herons for nesting and breeding.
- General Applicability (exemptions may apply)
 - a) Subdivision of land.
 - b) Construction of, addition to, or alteration of a building or other structure.
 - c) Alteration of land
- OCP: <https://islandstrust.bc.ca/document/north-pender-island-ocp-bylaw-no-171/>
- Fact Sheet: <https://islandstrust.bc.ca/wp-content/uploads/2020/05/npedpa7raptor.pdf>



Schedule O – Raptor and Heron Nests

- Legal map showing locations of DPA 7
- Schedule O <https://islandstrust.bc.ca/document/north-p-bylaw-no-2023/>
- Map was last updated in 2008
- Part of project scope is to update map



Project Deliverables

- Engagement Letter to First Nations – Complete
- Development of Project Charter/Workplan – Complete
- Updated 2024 Raptor Nest Study - Complete
- Letter to property owners – Complete – 2nd letter pending
- Staff reports with analysis and recommendations - Ongoing
- Bylaw amendment options and legislative process – Draft bylaw drafted, referrals completed



2024 Raptor Nest Study

- Registered professional biologist (RP Bio) contracted to complete work with support from volunteer field naturalist – both with local expertise
- Scope of required work:
 - Data collection, analysis and ground-truthing
 - Provision of data points in a GIS format consistent with Islands Trust mapping standards
 - Summary report including:
 - Description of project scope, purpose and data collection methods
 - Summary and analysis of existing and new site specific nesting data o Recommendations for potential amendments to OCP
- [June 2024 Study Report](#)

Raptor and Heron Nests Development Permit Area
(DPA) Review
North Pender Island, Pender Island BC



Caurinus Environmental

June 2024



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Raptor Nest Study Results

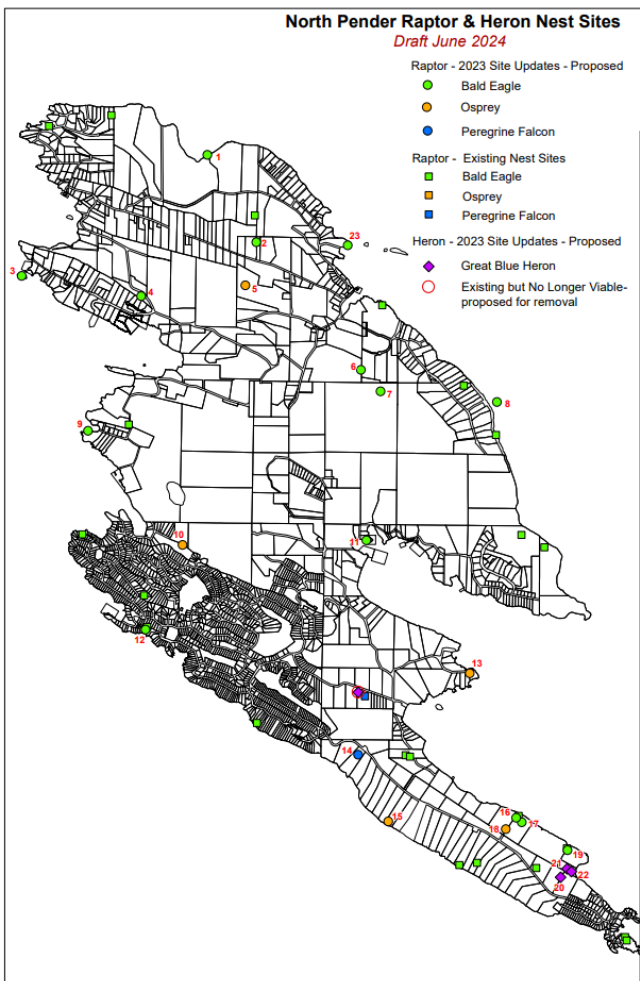
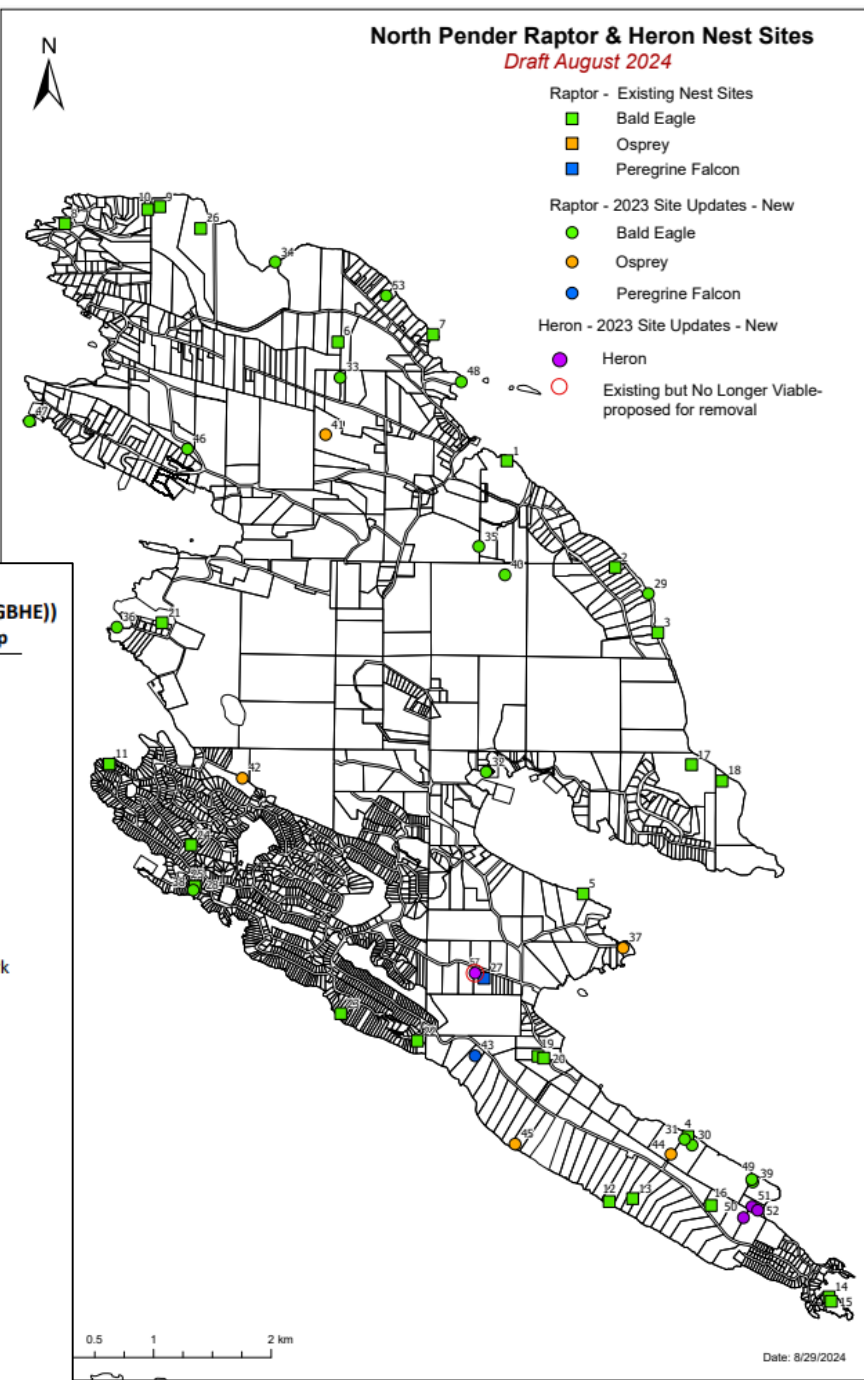


Table 1: New Raptor nests on North Pender Island since 2008
(Species Codes: Bald Eagle (BAEA), Osprey (OSPR), Peregrine Falcon (PEFA), Great Blue Heron (GBHE))

Site #	Species	Name	Easting	Northing	Address	Ownership
1	BAEA	Davidson Bay	478085	5407144	3206 Clam Bay Rd	Private
2	BAEA	Colston Cove B	478636	5406161	4312 Clam Bay Rd	Private
3	BAEA	Waterlea Island	475996	5405789	1309 McKinnon Rd	Private
4	BAEA	Golf Course	477338	5405554	2314 Otter Bay Rd	Private
5	OSPR	Corbett Rd	478513	5405676	4311 Corbett Rd	Private
6	BAEA	Hoosen Ridge	479815	5404725	5442 Hoosen	Private
7	BAEA	Wein Farm	480037	5404483	4506 Bedwell Harbour Rd	Private
8	BAEA	Bald Cone Middle	481348	5404362	Crown Land or Lot 14 or 15	Private
9	BAEA	Irene Bay	476739	5404038	2501 Irene Bay Rd	Private
10	OSPR	Masthead Trail	477805	5402753	Shingle Creek Pk	Comm Park
11	BAEA	Brackett Cove	479877	5402806	4601 Pecos	Private
12	BAEA	Thieves Bay South	477388	5401801	2731 Anchor Way	Private
13	OSPR	Shark Cove	481041	5401309	5747 Canal Rd	GINPR
14	PEFA	Pirates Rd	479783	5400392	4809 Pirates ?	Private
15	OSPR	Oaks Bluff	480123	5399641	5915 Pirates Rd?	Private
16	BAEA	Bedwell Harbour, Shark Pl-C	481564	5399682	6903 Pirates Rd	Private
17	BAEA	Bedwell Harbour, Shark Pl B	481627	5399632	6903 Pirates Rd	Private
18	OSPR	Shark Pl -	481448	5399555	6905 Shark Pl	Private
19	BAEA	Timbers, Bedwell Harbor	482143	5399318	6901 Shark Pl	Private
20	GBHE	Starvation Bay	482064	5399015	Pirates Rd	Private
21	GBHE	Starvation Bay	482137	5399109	Pirates Rd	Private
22	GBHE	Starvation Bay	482185	5399078	Pirates Rd	Private
23	BAEA	Welcome Cove	479666	5406125		Private



Date: 8/29/2024

Study Recommendations

- Recommendations consider updated provincial guidance and best practices
- 23 new nest sites in total, 1 existing site to be removed as is no longer functional
- Amendments to OCP Designation and Special Conditions and Objectives Sections
- Species specific changes to protection area buffers
- Has resulted in development of draft Bylaw No. 235



Buffer Area Proposed Changes

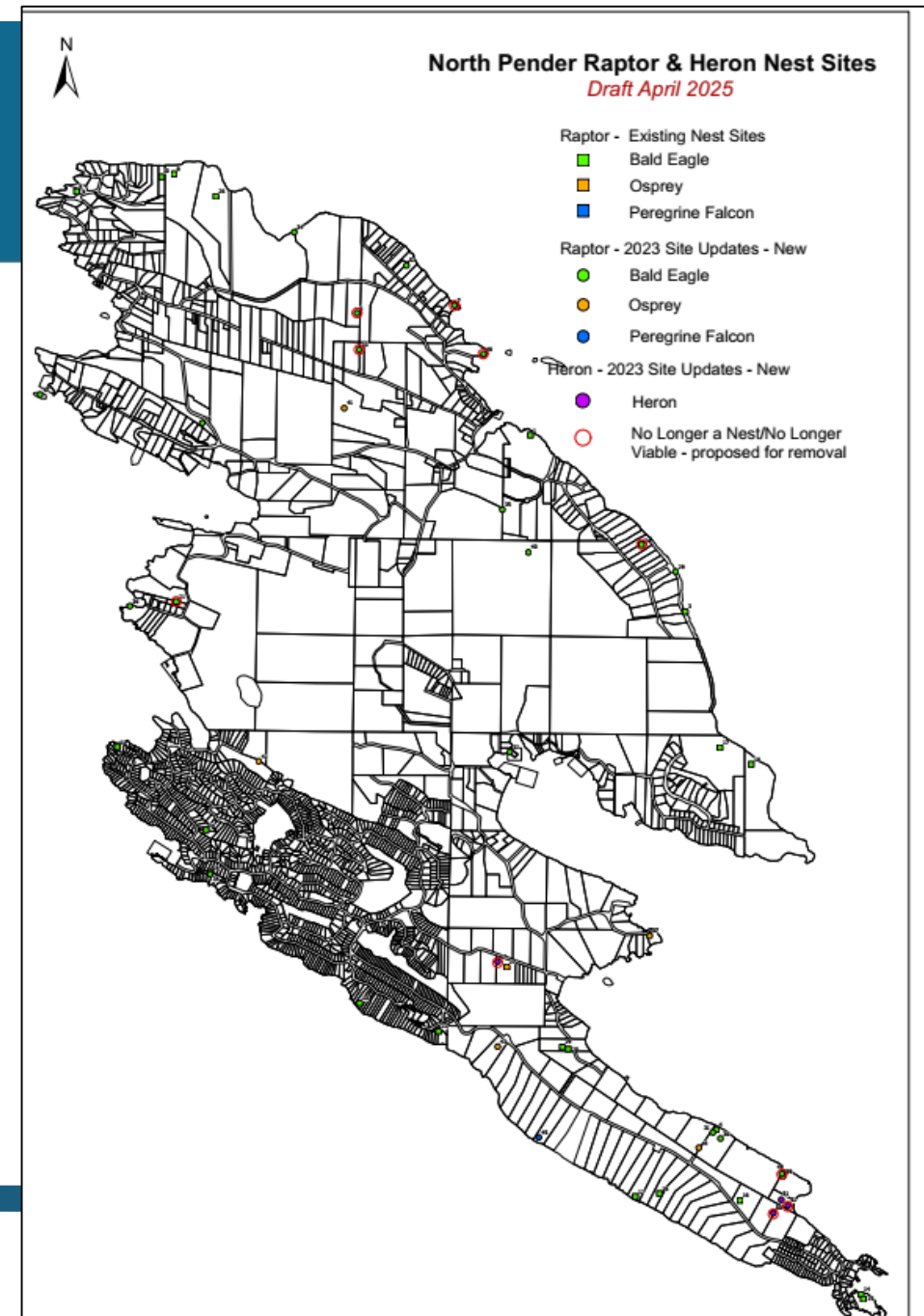
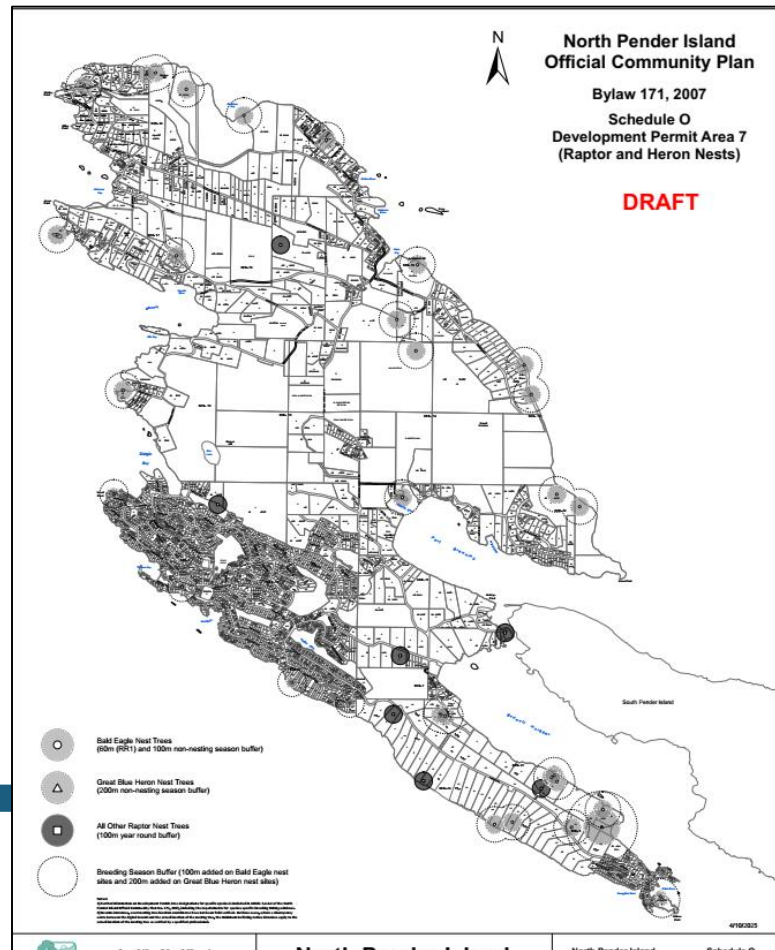
- Current buffer area is 30-50 metres
- Proposed changes in accordance with provincial guidelines
- RP Bio states:

A single strict buffer size for all species and situations is not generally feasible or biologically appropriate. Best management practices help determine buffers for certain habitat values, but their application can differ based on different criteria. For example, the provincial guidelines specify buffers for raptor nests, but the standard is different depending on the ability of individual birds to tolerate human disturbance, the time of year, and whether the nest is located in urban, rural or undeveloped areas. As a result, depending on species, the buffer may be as little as 1.5 tree lengths (60 m) or as wide as 500 metres.



2025 Updated Mapping

A number of sites have been removed, consolidated, updated for species type or sited more accurately based on further field studies



BL 235 Referrals

- The Pender Island Conservancy has responded in support of the proposed updates.
- CRD – no concerns.
- The Islands Trust Conservancy – in support and have provided comments regarding the potential addition of seasonal buffering areas for Screech Owls and ‘other raptors’ in accordance with provincial best practices. Staff are following up with ITC and may suggest amendments to the draft bylaw at the next meeting based on comments received.
- Tsawwassen First Nation (TFN) has responded indicating no concerns.
- Ts'uubaa-asatx Nation, defers to any Nation(s) whose title and governing authorities are directly affected but retain the right to provide input should greater interests be identified in the future.



Proposed Next Steps

- Continued engagement with property owners and others potentially affected by changes
- 2nd letter mailed to all property owners within annual and seasonal buffer areas
- Further QA/QC on mapping data and study findings including staff site visits as necessary
- Recommendations to LTC at summer or fall meeting with consideration of First Reading
- OCP amendment, so a public hearing required prior to third reading
- Amending the OCP would also require Minister of Municipal Affairs approval prior to final adoption in accordance with the *Islands Trust Act*



Questions?



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