



**GAMBIER ISLAND
LOCAL TRUST COMMITTEE
AGENDA**

A BUSINESS MEETING OF **THE GAMBIER ISLAND LOCAL TRUST COMMITTEE**
held at 10:30 am on Friday, November 29, 2013
at Gleneagles Community Centre,
6262 Marine Drive, West Vancouver, BC

LATE ITEMS, ADDITIONS

**AMENDMENTS/ADDITIONS
TO ITEMS:**

3. MINUTES

- 3.1 Local Trust Committee Meeting Minutes dated October 24, 2013 – *for adoption - deferred*

4. BUSINESS ARISING FROM MINUTES

- 4.1 Follow-up Action List dated November 20, 2013 – *attached - deferred*

5. CHAIR'S REPORT - deferred

6. TRUSTEES' REPORT - deferred

10. LOCAL TRUST COMMITTEE PROJECTS

- 10.3 Official Community Plan Advocacy Policies Implementation – *for discussion - deferred*

11. APPLICATIONS AND PERMITS

- 11.1 GM-DVP-2013.1 (Crompton - 366 Mary Road, Gambier Island)
11.1.2 Staff Report dated November , 2013 – *attached*
11.1.3 Correspondence – November 25 to 28, 2013 - *attached*

13. REPORTS

- 13.1 Work Program Reports – *deferred*
13.2 Applications Log - *deferred*
13.3 Trustee and Local Expenses - *deferred*

14. NEW BUSINESS

- 14.2 Proposed Port Mellon Waste Incineration Plant - *discussion*
14.3 Hunting Issues, Southwest Corner of Gambier Island – *deferred*
14.4 MLA Meeting Discussion – *deferred*

15. ISLANDS TRUST WEBSITE

- 15.1 Gambier pages – *for discussion - deferred*

STAFF REPORT

Date: November 21, 2013

File No.: 3190 – 25
GM-DVP-2013.1
(Crompton)

To: Gambier Island Local Trust Committee
For meeting November 29, 2013

From: Marnie Eggen, A/ Planner 2

CC: Aleksandra Brzozowski, Island Planner
Courtney Simpson, Regional Planning Manager

**Re: Development Variance Permit – Lot 1 of Lot 1, Block 2 of Block C,
District Lot 847, Plan 4991, Gambier Island; PID 007-295-928**

Owner: Margaret Crompton
Applicant: Garry Peters
Location: 362 Mary Road, Gambier Harbour, Gambier Island

THE PROPOSAL:

The applicant requests the following variances in order to allow the location of the following:

- A reduction of the setback from the natural boundary of the sea from 15.0 metres to 2.56 metres (8.4 feet) to allow the location of the following:
 - i) a single family dwelling consisting of an existing cottage and a connected cottage annex, including decks;
 - ii) an existing freestanding wooden deck;
 - iii) an existing wood shed;
 - iv) an existing retaining wall north west of the dwelling.
- A reduction of the setback from the western interior side lot line from 3.0 metres to 0.0 metres (0.0 feet), and the eastern interior lot line from 3.0 metres to 0.64 metres (2.1 feet) to allow the location of the following:
 - i) a single family dwelling consisting of an existing cottage and a connected cottage annex, including decks;
 - ii) an existing garage deck.

Background

This is the third application for a variance made by the applicant in order to allow the location of already constructed buildings and structures. The first application was closed due to lack of information to proceed further. Bylaw enforcement began an investigation subsequent to the first application being closed, in which enforcement staff then put on hold when the applicant applied a second time for a variance. The second application was denied in July of 2011, due to lack of information to proceed further. In the case of an application that has been denied by the Local Trust Committee, an applicant may not reapply for one year unless they have specific permission from the Local Trust Committee as per the Gambier Island Local Trust Committee Development Procedures Bylaw No. 50.

Since the last application for a variance, an updated survey by a BC Land Surveyor was submitted, and a proposed development variance permit and notice were sent out for consideration at the July 2013 Local Trust Committee meeting. The proposed development variance permit and notice in July only included the dwelling and associated decking and no other structures. The proposed variances were 0.0 metres to both interior lot lines and 2.4 metres (7.8 feet) to the natural boundary of the sea. The application was not considered at the July meeting because there was an error in the notice package. Subsequently, further information was requested of the applicant. A more recent survey by a BC Land Surveyor and updated elevation plans were submitted to staff. This information helped to clarify that other buildings and structures in addition to the dwelling required a variance. It also provided more accurate distances of the buildings and structures to lot lines and more accurate elevations.

The applicant has made some physical alterations to the buildings that are subject to the variance since the last application:

- A portion of the decking off the northeast corner of the cottage annex was removed so that it is now at a distance of 0.85 metres (2.8 feet) instead of 0.0 metres (0.0 feet) from the eastern interior lot line.
- The decking that encroached onto the adjacent regional district park was removed and is no longer encroaching and is 0.0 metres (0.0 feet) from the western interior lot line.
- A new set of stairs was constructed off the decking on the western side of the dwelling that is 0.91 metres (0.3 feet) from the western interior lot line.

In addition, the updated survey and elevation plans revealed that there are other buildings and structures already constructed on the property that are unlawful in regard to siting and would require a variance:

- An existing freestanding wooden deck;
- An existing wood shed;
- An existing retaining wall north west of the dwelling;
- An existing garage deck.

Reasons for the Variance

The application includes the reasons for the proposed variance and why the current bylaw requirements cannot be met in the following excerpts (a copy of the application is attached to this report):

“The Applicant submits that the Bylaw’s setback requirements create hardship on property owners of small lots on Gambier Island. The Property, and 9 other lots on Mary Road, were subdivided in 1920. Each of the properties on Mary Road that were subdivided in 1920 is less than 0.3 acres in area. The Property is 50 feet wide at the north end of the lot and 80 feet wide at the south end of the lot.”

“The setback requirements contained in the Bylaw limit the ability of property owners like the Owner to build on their lots.”

“In addition to the size of the Property, the Applicant submits that the GILTC should consider the erosion to the south natural boundary. The Applicant is not able to determine exactly how far the south natural boundary of the Property has eroded; however, it is estimated that the south natural boundary has been eroded by at least 5 feet since the original survey of the Property was completed in 1920. This erosion increases the hardship faced by the Applicant in complying with the setback requirements contained in the Bylaw.”

“The Applicant respectfully submits that the variances proposed in this Application should be granted. The variances sought will only minimally affect the Property and surrounding lands. The Hot Tub Deck is no longer located on the park lands to the west of the Property. The only neighbour who may be affected by the variances sought to the east and south natural boundary setback requirements is the owner of 370 Mary Road. The Applicant has consulted this neighbour and has taken reasonable steps to accommodate her requests.”

“Given the size of the Property, and in light of the erosion to the south natural boundary, the Bylaw places hardship on the Owner and the Applicant by limiting their ability to build structures on the Property that meet the setback requirements.”

SITE CONTEXT:

The subject property is a waterfront lot that is partially treed and situated on Mary Road, Gambier Harbour, Gambier Island as shown below. The property is approximately 0.13 ha (0.32 acres) in size and is bordered to the east side by a privately owned lot and to

the west by a regionally managed park. Staff note that the regional park is a waterfront lot on Gambier Harbour and is less than 15 metres (49.2 feet) wide in places such that the subject property is subject to the 15 metres (49.2 feet) setback to the natural boundary of the sea along the length of the property on the west side, in addition to the setback to the natural boundary of the sea along the south end of the property.

A single family dwelling (consisting of a pre-existing cottage and a more recently constructed and connected cottage annex, including decks), garage, freestanding wooden deck, woodshed, septic system, retaining wall and pump house are currently located on the property. The western side of the property exhibits a moderately sloped area. The top of the slope runs along the length of the western side of the dwelling, cutting into the subject property along that side. The retaining wall is located along a small portion of the sloped area.

Subject Property Map

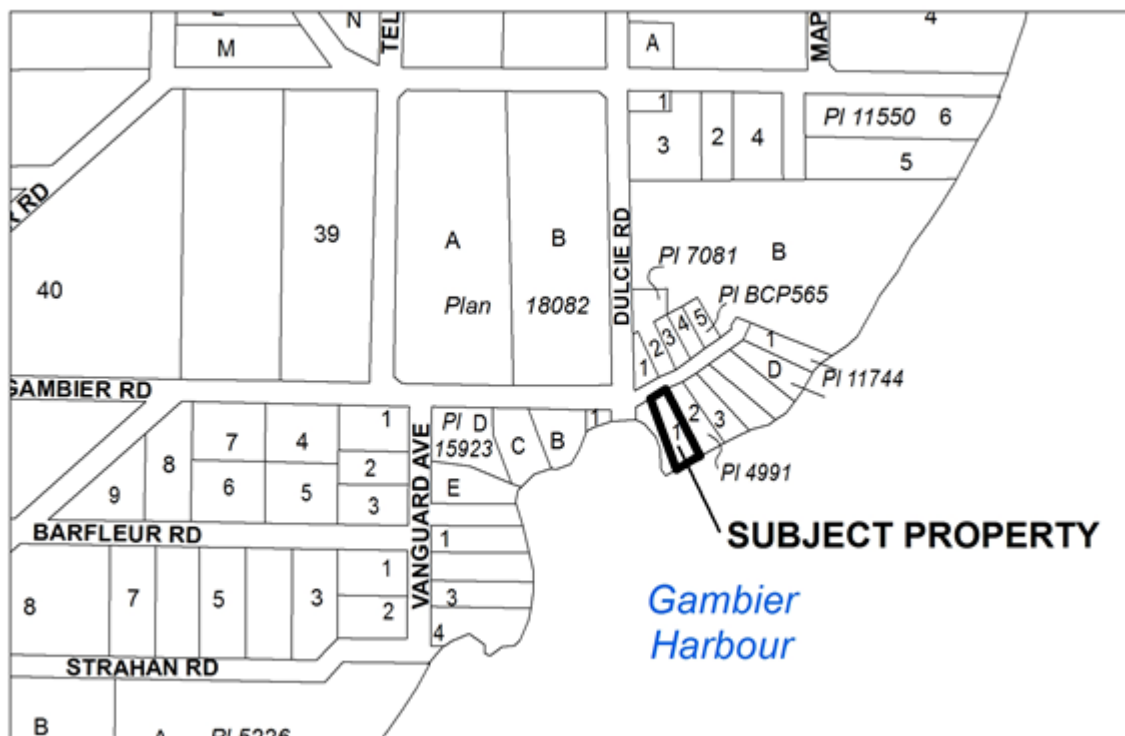


Photo 1

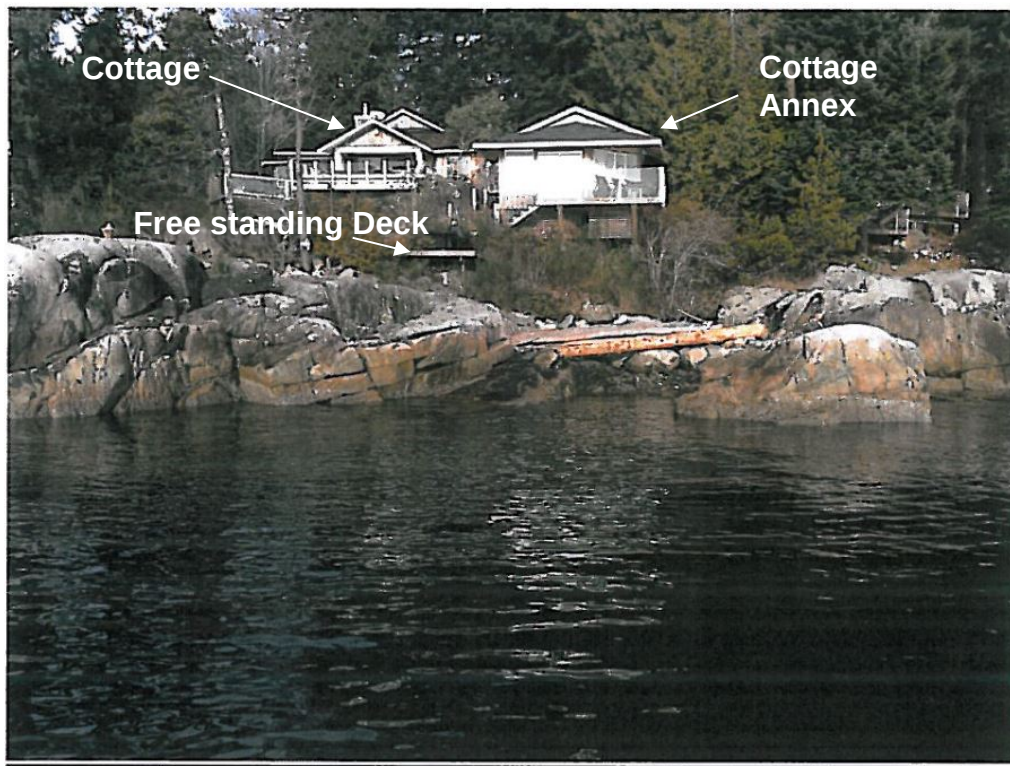


Photo 2

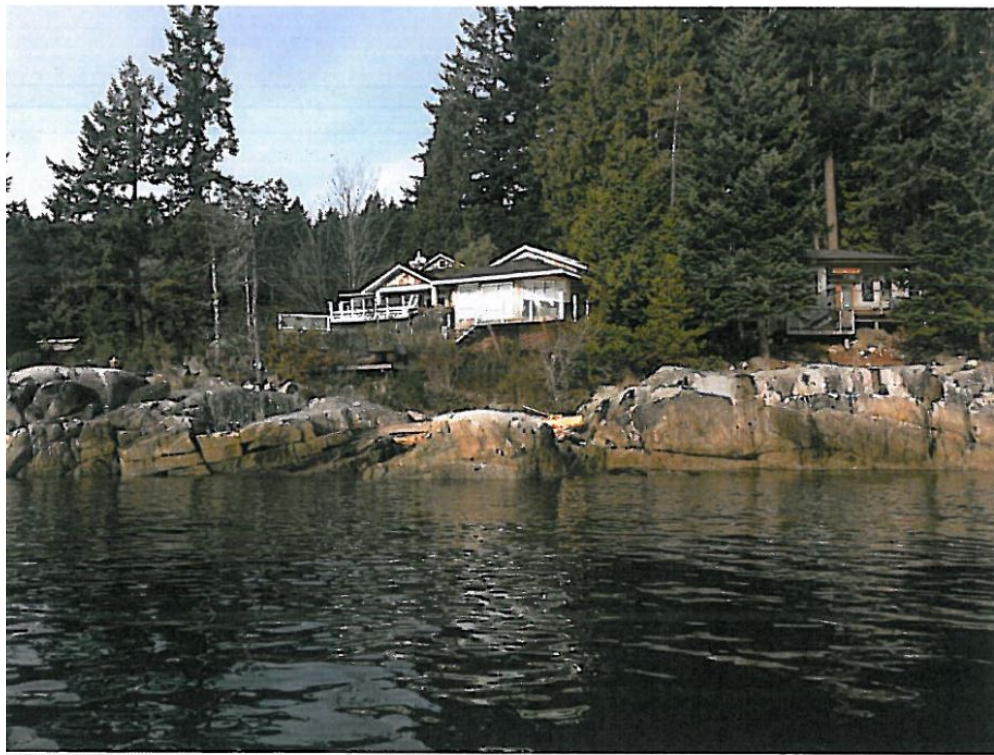


Photo 3

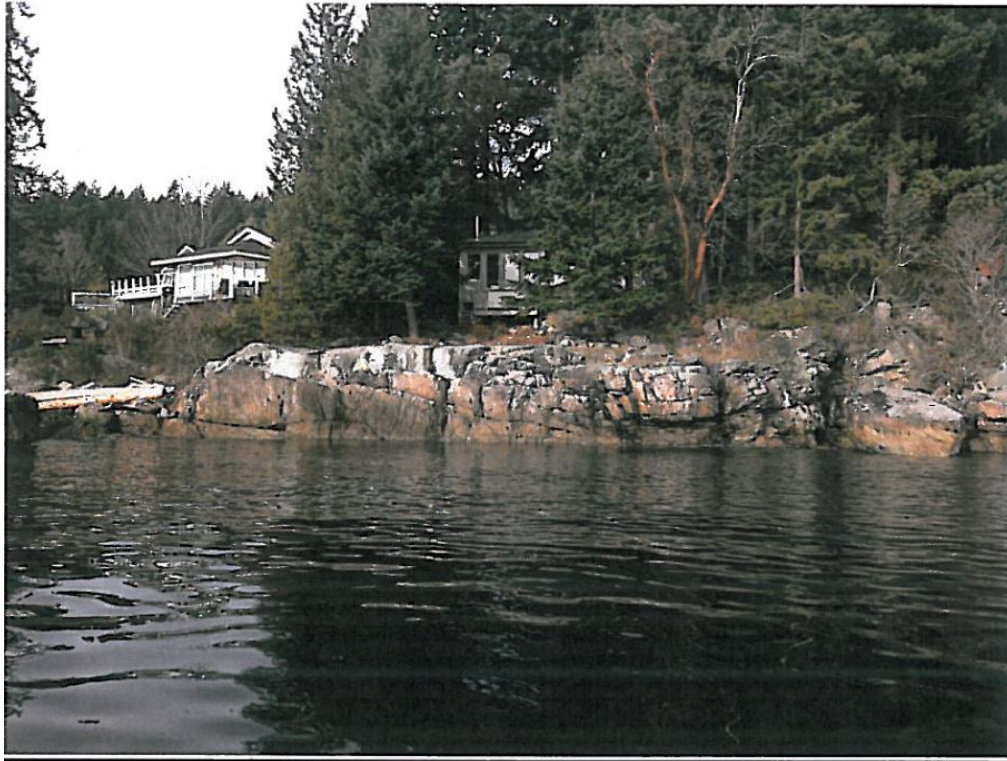


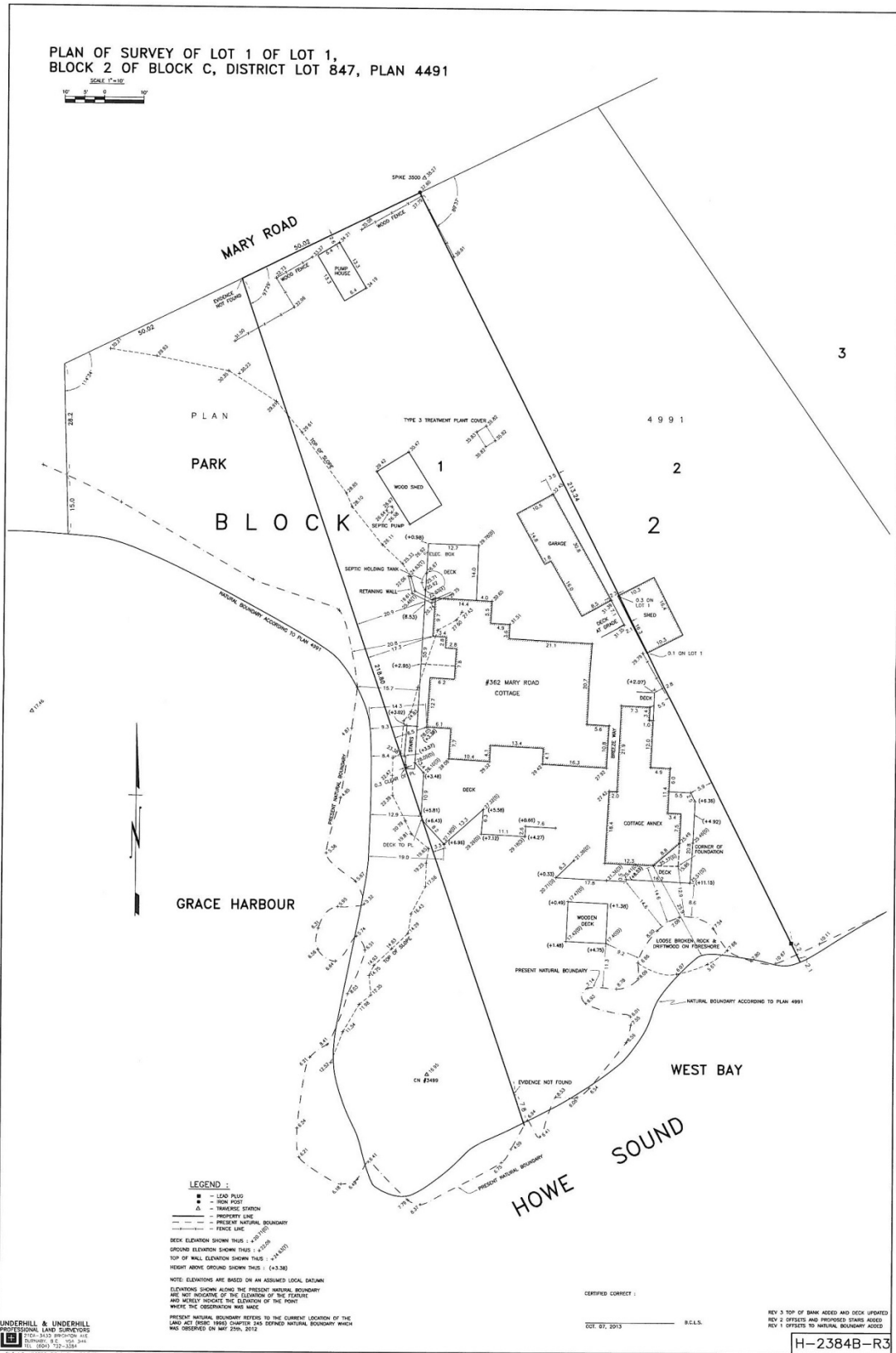
Photo 4



Photo 5



Survey of Property



CURRENT PLANNING STATUS OF SUBJECT LANDS:

Islands Trust Policy Statement:

The following policies pertain to this application:

4.5 Coastal Areas and Marine Shorelands

Commitments of Trust Council

4.5.4 It is the position of Trust Council that development, activity, buildings or structures should not restrict public access to, from or along the marine shoreline.

Directive Policies

4.5.10 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.

5.1 Aesthetic Qualities

Commitments of Trust Council

5.1.1 Trust Council holds that the overall visual quality of the Trust Area and its scenic values should be protected from disturbance, particularly those areas that have distinctive features or are highly visible.

Directive Policy

5.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.

Gambier Island Official Community Plan (OCP) Bylaw No. 73, 2001:

The subject property is located in the Settlement Residential Land Use Designation. The following Residential Objective of the OCP is pertinent to this application:

Objective 4.4 to ensure that any new residential development accommodated in the Gambier Island Planning Area is undertaken in a manner which is respectful of the privacy of adjoining property owners.

Gambier Island Land Use Bylaw (LUB) No. 86, 2004:

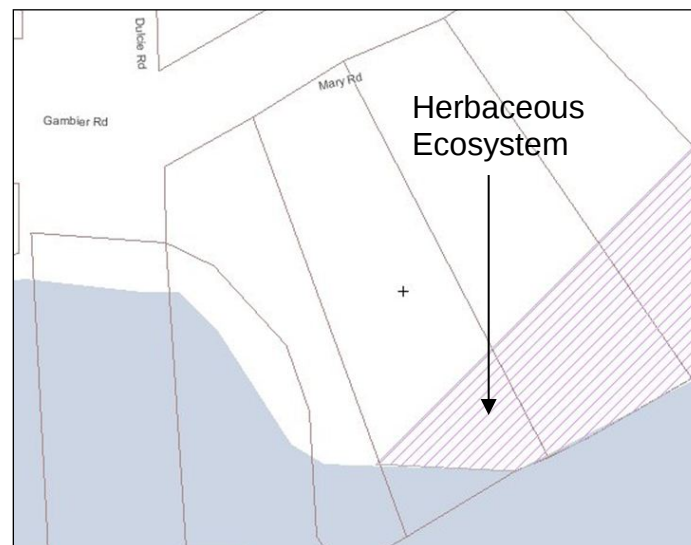
The subject property is located in the Settlement Residential Zone (SR) of which the interior side lot line setback of 3 metres (9.8 feet) is requested to be varied. Also, the setback to the natural boundary of the sea of 15 metres (49.2 feet) in the General Regulations of the LUB is requested to be varied. Staff note that the 25% lot coverage regulation is not currently exceeded; however, development is very close to reaching 25% coverage.

Regional Conservation Plan:

There are no identified interests in the immediate area pertaining to the Islands Trust Fund Regional Conservation Plan.

Sensitive Ecosystems, Hazard Areas, and Riparian Areas:

According to Islands Trust Sensitive Ecosystem mapping, there is a sensitive herbaceous ecosystem located on the south east portion of the property, in the same vicinity as the existing cottage annex. There are no hazardous areas mapped on the Schedule E of the Official Community Plan. However, staff notes that the dwelling is located at the top of a slope on the western edge of the property. The property is not subject to the Riparian Areas Regulation.



Archaeological Sites:

According to the provincial Remote Access to Archaeology Data (RAAD), there are no archaeological sites on or within 50 metres of this property.¹

Covenants:

There are no covenants on this property.

Bylaw Enforcement:

This property has an active bylaw enforcement file in which a petition was filed against the applicant/owner by the Gambier Island Local Trust Committee to remove structures from the property that are not in compliance with bylaws. In an attempt to bring these

¹ Fifty metres is the recommended buffer from the BC Archaeology Branch to determine if there is a conflict with an identified archaeological site.

structures into compliance with the Gambier Island Land Use Bylaw, the applicant/owner has applied for this variance.

Climate Change Mitigation and Adaptation

The proposed variance to lot line setbacks is not anticipated to affect greenhouse gas emissions in any way. Allowing a dwelling within the setback from the sea is generally not recommended when trying to adapt to the effects of climate change. However, the shoreline in this area is relatively protected from erosion (see Shoreline section below).

Shoreline

The shoreline mapping along the subject property indicates the shoreline is classed as a low rock/boulder shoreline. It is a mixture of sediment and rock, and this type of shoreline is known to be moderately resistant to erosion. It also tends to have a limited sediment supply and be stable over a human time scale. Eelgrass mapping indicates that there are patchy fringes of eelgrass present along the shoreline of the subject property. The buildings and structures that require a variance on the property are not expected to have any impact on the sensitive eelgrass habitat in the foreshore area.

The applicant has suggested that they are prepared to remove the loose rock wall placed at and below the natural boundary at the southern boundary to the lot, but has not yet done so, or provided a time frame for doing so. The applicant has given notice to Fisheries and Oceans Canada (FOC) of its proposed method of removal and no objection was raised by FOC. Removal of the rock wall remains an enforcement matter until completed.

Other

Schedules 'A1' through 'A5' of the Proposed Development Variance Permit

Based on the variance necessary for the constructed buildings and structures, staff has drafted the proposed development variance permit so that if issued, it would allow the more recently constructed:

- cottage annex;
- decking around the main cottage and cottage annex; and
- garage deck

to remain in their current location, as close as 2.56 metres (8.4 feet) from the natural boundary of the sea, 0.0 metres (0.0 feet) from the western interior lot line, and 0.64 metres (2.1 feet) from the eastern interior lot line as shown in Schedules 'A1' through 'A5'.

In addition, the proposed development variance permit restricts all the portions of the dwelling, the freestanding wooden deck, wood shed, retaining wall, and garage deck located within setback areas from being any closer to lot lines than as indicated on the

Schedules 'A1' through 'A5'. Any portions of those buildings and structures within setback areas cannot be altered in the future to encroach horizontally or vertically any further into the setback areas unless another variance is granted for those purposes.

The application and schedules also anticipate the removal of the loose rock wall at and below the natural boundary to the sea at the south property line.

Building Permit

The applicant did not obtain a building permit prior to construction of the buildings and structures subject to this variance. It is expected that the applicant would apply for a building permit if the development variance permit is granted. The Sunshine Coast Regional District building department typically does not process a building permit for construction of buildings or structures that contravene the Gambier bylaws until such time that they have become conforming; for example, either through an approved variance or the structures have been removed.

Legal Non-Conforming Buildings

The connected cottage annex and decks, decking of the garage and decking of the main cottage are recent alterations of legal non-conforming buildings (the original cottage and garage). As per Section 911 of the *Local Government Act* (LGA), legal non-conforming buildings with respect to siting within setbacks may be maintained as such; however, any alteration or extension that encroaches further into the setback is not permitted. As such, the garage and original cottage are no longer in compliance with Section 911 of the LGA, and they have become unlawful in the absence of a variance that permits the extension of their encroachments. A variance can be obtained to permit this further encroachment. Therefore all the listed structures, including the original single-family dwelling and garage are a part of this variance application.

Regional District Park Access

The small regional park adjacent to the subject property is unusually shaped, with limited public access. The park exhibits a coastal bluff at the southern end, where a viewscape of the harbour and Howe Sound can be taken in. The park is not easily accessible from Mary Road due to heavy vegetation and moderate slope, but would be accessible for pedestrians to access from along the beach at low tide.

Setback Coverage of the Subject Property

The setback to the natural boundary of the sea of 15 metres (49.2 feet) covers more than half of the subject property (see figures 1 and 2 below). In combination with the front lot line setback to Mary Road and the interior lot line on the east side of the property, the area not covered by setbacks is relatively small in comparison to other lots in the area. As a result, typical residential development on this lot would likely require a variance to setback(s). See the approximate coverage of setbacks on the lot in the

figure 1 below. Also see the approximate area of the lot not covered by setbacks in the figure 2 below.

Figure 1: Sketch of Coverage of Setbacks on Subject Property (approx.)

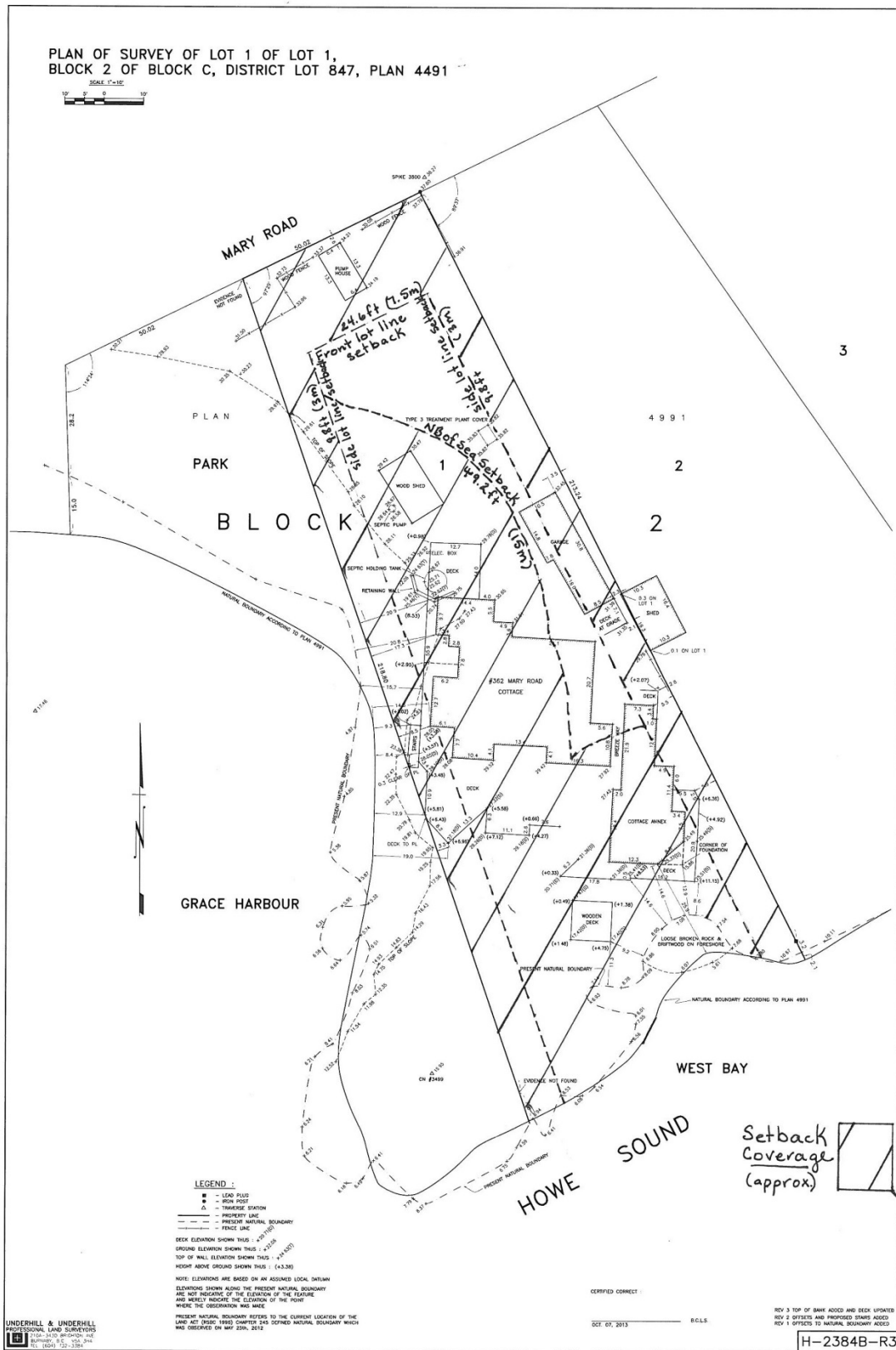
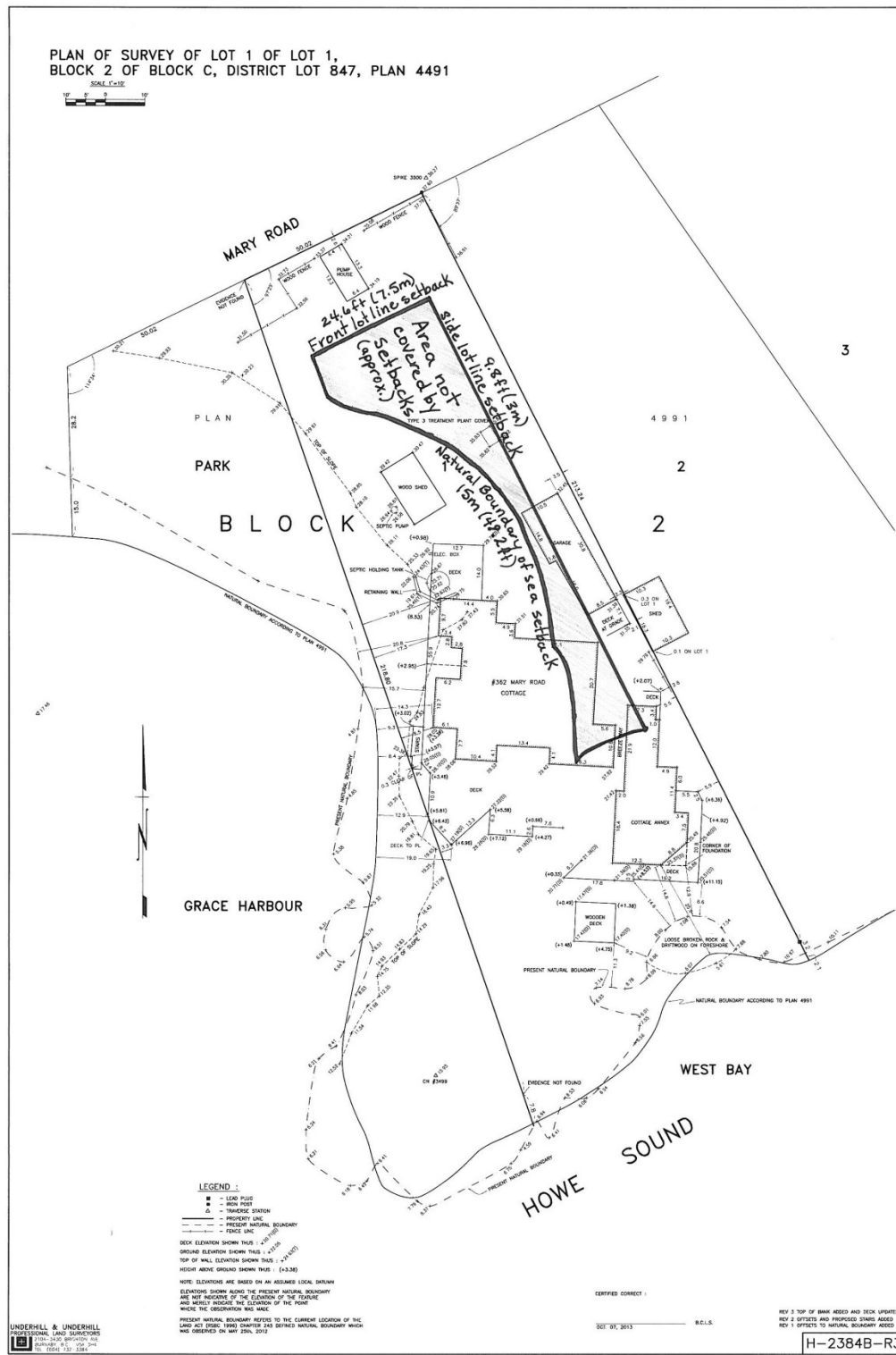


Figure 2: Sketch of Area of Lot not Covered by Setbacks on Subject Property (approx.)



Effect on Surrounding Lands and Mitigation

In the application, the applicant describes how they believe the surrounding lands may be affected:

“The Property and surroundings lands will be minimally affected by the proposed variances. The Cottage Annex is located entirely within the boundaries of the Property and the Applicant has consulted with the owner of 370 Mary Road, the only neighbour who may be affected by the proposed variances (see [consultation with neighbours] below).”

Consultation with Neighbours

In the application, the applicant describes consultation they had with neighbours:

“The Applicant has discussed the location of the Cottage Annex with the owner of 370 Mary Road and the impact on her. As previously mentioned, the owner of 370 Mary Road is the only neighbor who may be impacted by the proposed variances.

There are trees and a fence along the east side lot line of the Property that block the view from 370 Mary Road to the west. The Cottage Annex was constructed behind these trees, such that this neighbour’s view to the west was minimally impacted by the Cottage Annex [see Schedule F of Application attached for photos of the trees between the Property and 370 Mary Road and the view from 370 Mary Road to the west].

The Cottage Annex initially featured a deck that ran along the east side of the Annex. The owner of 370 Mary Road advised the Applicant that she felt this deck negatively impacted her privacy. As a result, the Applicant removed the deck along the east side of the Cottage Annex.

The Cottage Annex currently features a small deck at the south. At the request of the owner of 370 Mary Road, the Applicant installed a glass railing around this deck to ensure her view was minimally impacted. In addition, the Cottage Annex features a number of levels that progress down towards the south natural boundary in an effort to minimize the structure’s interference with this neighbour’s view. [see Schedule G of the Application attached for a photo of the deck]”

COMMUNITY INFORMATION MEETING(S):

Community information meetings are not required for Development Variance Permit applications.

RESULTS OF CIRCULATION:

A copy of a proposed development variance permit and notice were sent to adjacent property owners in June with the intension of consideration by the Local Trust Committee at the July 11, 2013. The application was not considered by the Local Trust Committee at the July 11 meeting due to an error in the notification package (see Background section above). Two comments were received in response to the notice, one from the Sunshine Coast Regional District (SCRD), and one from a neighbor on Mary Road. Both were unsupportive (See attachments). Staff have also received six unsupportive comments based on the currently proposed development variance permit and notice (attached). Staff expect that the two comments received in response to the earlier proposed development variance permit remain relevant to the currently proposed development variance permit.

Any further comments received will be presented to the LTC at the November 29th regular business meeting.

STAFF COMMENTS:

Although some neighbouring properties have been granted setback variances and others may apply in the future, each request for a variance is evaluated on its individual merits.

Potential Impacts: Shoreline Access, Visual Qualities, Neighbouring Properties

As the cottage annex and main cottage decking are located upwards in elevation of the shoreline, public access along the shore is not expected to be impacted as a result of those being sited closer to the natural boundary of the sea than permitted. The decking along the south west corner of the main cottage right at the boundary of the park may limit public use of the regional district park due to the close proximity of that private space to public space. Additionally, the Sunshine Coast Regional District has liability concerns with respect to the steep drop in elevation from the same decking into the regional park.

While staff recognize that the lot is relatively small and that setbacks cover a large majority of the lot, staff also note that significant portions of the recent construction on the lot not only encroach into the setback areas, but that the encroachments are very close if not right up to lot line boundaries.

The cottage annex is located at 2.62 metres (8.6 feet) from the natural boundary of the sea. The addition of the cottage annex to the subject property in combination with the older existing cottage and the annex's close proximity to the sea at the south end of the property make it highly visible and not consistent with maintaining a rural aesthetic. There appears to be sufficient area to build closer to Mary Road where the building envelope is largest. While staff recognises that development in this area may require a

variance depending on the size of the development, such a variance could be considered further away from the natural boundary of the sea and less obtrusive than where it is located now.

The applicant has built right up to the western interior lot line and built as close as 0.64 metres (2.1 feet) along the eastern interior lot line. The recently received comments from the neighbours directly adjacent to the east of the subject property state that their concerns have not been alleviated with regard to construction within the setbacks, particularly with the cottage annex. They continue to be unsupportive of the currently proposed development variance permit. The Sunshine Coast Regional District has indicated concern with respect to liability issues that may result in the steep drop in elevation from decking along the western edge of the dwelling into the regional park.

Staff has received two unsupportive comments based on the previously proposed development variance permit and notice that was sent out in June, the one from the Sunshine Coast Regional District and one from a property owner on Mary Road. At the time that this staff report was prepared, staff had received six comments in total based on the currently proposed development variance permit and notice (attached), none of which were supportive.

The woodshed, the free standing wooden deck, the retaining wall and decking around the existing cottage that is located further away from the western interior lot line, but within the setback to the natural boundary of the sea have little visual impact. This is due to either being low profile and/or being located towards the north end of the property and further away from the natural boundary of the sea where they are less visible. The Sunshine Coast Regional District has specific concerns with varying the western interior lot line setback only and the decking within that setback area.

As stated above, the loose rock wall placed by the owner/applicant at and below the natural boundary on the south end of the property would not be permitted as a result of this application, and would remain an enforcement matter if not removed voluntarily by the owner.

SUMMARY:

As a result of the visual impacts and the neighbours' concerns with respect to the privacy and the compatibility of the cottage annex in the area, staff does not recommend approving the variances with respect to the cottage annex or the garage deck. As a result of the impact on the regional park and the concerns of the SCRD with respect to the decking on the western side of the cottage, staff does not recommend approving the decking to the western lot line.

Staff recommend approving within the setback to the natural boundary of the sea the following:

- an existing free standing wooden deck
- an existing wood shed

- an existing retaining wall north west of the dwelling
- existing decking around the existing cottage, but not all the way to the western lot line. Staff would support a smaller variance that allows a small portion of the existing cottage which encroaches into the setback of the western interior lot line and requires the setback to be reduced from 3 metres (9.8 feet) to 2 metres (6.6 feet), and that decking also be permitted to up to 2 metres from the western lot line.

Summary Table of Requested and Recommended Variances and Outcomes

Building or Structure subject to variance	Variance necessary for structure	Staff Recommended Variances	Explanation of Recommended Variances	Outcome of recommendation for building or structure
Existing freestanding wooden deck	2.8 metres (9.2 feet) to the natural boundary of the sea	2.8 metres (9.2 feet) to the natural boundary of the sea		Remains on property as shown on Schedules 'A1' through 'A2'
Existing wood shed	No more than 8.8 metres (29 feet) to the natural boundary of the sea	2.8 metres (9.2 feet) to the natural boundary of the sea	2.8 metres is the distance of closest structure (existing freestanding wooden deck) to natural boundary of the sea that is recommended	Remains on property as shown on Schedules 'A1' through 'A2'
Existing retaining wall north west of the dwelling	No more than 5.8 metres (19 feet) to the natural boundary of the sea	2.8 metres (9.2 feet) to the natural boundary of the sea	2.8 metres is the distance of closest structure (existing freestanding wooden deck) to natural boundary of the sea that is recommended	Remains on property as shown on Schedules 'A1' through 'A2'
Existing cottage and decking (does not include cottage annex or its decking)	2.56 metres (8.4 feet) to natural boundary of the sea; and	2.8 metres (9.2 feet) to the natural boundary of the sea; and	2.8 metres is the distance of closest structure (existing freestanding wooden deck) to natural boundary of the sea that is recommended	Outcome for this building is affected by the recommended setback from the western interior lot line, see below
	0.0 metres (0.0 feet) to western interior lot line	2 metres (6.6 feet) to western interior lot line for existing cottage; and	Staff recommends variance for some but not all of the decking	- Decking within 2.0 metres (6.6 feet) of the western interior lot line to be removed; - Existing cottage remains as shown on Schedules 'A1' through 'A2'
Existing cottage annex and decking	2.62 metres (8.6 feet) to natural boundary of the sea; and 0.0 metres (0.0 feet) to western interior lot line; and 0.64 metres (2.1 feet) to eastern interior lot line	No variance recommended	No variance recommended	Cottage annex and decking to be removed
Existing garage deck	0.64 metres (2.1 feet) to eastern interior lot line	No variance recommended	n/a	Garage decking to be removed

RECOMMENDATION:

THAT the Gambier Island Local Trust Committee issue a Development Variance Permit for GM-DVP-2013.1 (Crompton) that authorizes the reduction of the minimum setback to the natural boundary of the sea from 15 metres to 2.8 metres (9.2 feet) to allow the location of the following:

- i) a single family dwelling consisting of only an existing cottage and its decks, up to within 2 metres (6.6 feet) from the western interior lot line;
- ii) an existing freestanding wooden deck;
- iii) an existing wood shed;
- iv) an existing retaining wall north west of the dwelling;

and to authorize the reduction of the setback from the western interior side lot line from 3 metres to 2 metres (6.6 feet) to allow the location of the following:

- i) a single family dwelling consisting of only an existing cottage, and decking;

located on Lot 1 of Lot 1, Block 2 of Block C, District Lot 847, Plan 4991, Gambier Island; PID 007-295-928 in accordance with Schedules 'A1' through 'A2' attached to and forming part of the permit, and amended to show:

- i) the removal of the existing garage deck;
- ii) the removal of the portion of the single family dwelling that is less than 3 metres from the eastern interior lot line and that is less than 15 metres from natural boundary of the sea;
- iii) the removal of the portion of the decking of the single family dwelling that is less than 2 metres (6.6 feet) from the western interior lot line.



November 21, 2013

Marnie Eggen, MCIP, RPP
A/Planner 2

Date

Concurred in by:

David Marlor

November 22, 2013

David Marlor, MCIP, RPP
Director, Local Planning Services

Date

Attachments:

1. Proposed Development Variance Permit
2. Notice
3. Application for Development Variance Permit
4. Public submissions
5. Revised draft development variance permit based on staff recommendation

PROPOSED

	GAMBIER ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT GM-DVP-2013.1 (Crompton / Peters)
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TO: Margaret Crompton

1. This Development Variance Permit applies to the land described below:

Lot 1 of Lot 1, Block 2 of Block C, District Lot 847, Plan 4991
PID 007-295-928

2. Pursuant to Section 922 of the *Local Government Act*, the *Gambier Island Land Use Bylaw No. 86, 2004* is varied as follows:

a) Section 3.3 (1) "Siting and Setback Regulations" is varied to reduce the setback from the natural boundary of the sea from 15.0 metres to 2.56 metres (8.4 feet) in accordance with Schedule "A1" to allow the location of the following:

- i) a single family dwelling consisting of an existing cottage and a connected cottage annex, including decks;
- ii) an existing freestanding wooden deck;
- iii) an existing wood shed;
- iv) an existing retaining wall north west of the dwelling;

AND

b) Section 5.1 (9)(b) "Siting and Size" is varied to reduce the setback from the western interior side lot line from 3 metres to 0 metres (0 feet), and the eastern interior lot line from 3 metres to 0.64 metres (2.1 feet) in accordance with Schedule "A1" to allow the location of the following:

- i) a single family dwelling consisting of an existing cottage and a connected cottage annex, including decks;
- ii) an existing garage deck;

AND

c) Such reductions apply only to the buildings and structures as located, built and shown on Schedules "A1" through "A5," attached to and forming part of this permit including the heights, forms and elevations shown on those Schedules.

3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of *Gambier Island Land Use Bylaw No. 86, 2004*, including use and density, and to obtain other appropriate approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE GAMBIER ISLAND LOCAL TRUST COMMITTEE THIS ____ DAY OF ____, 2013.

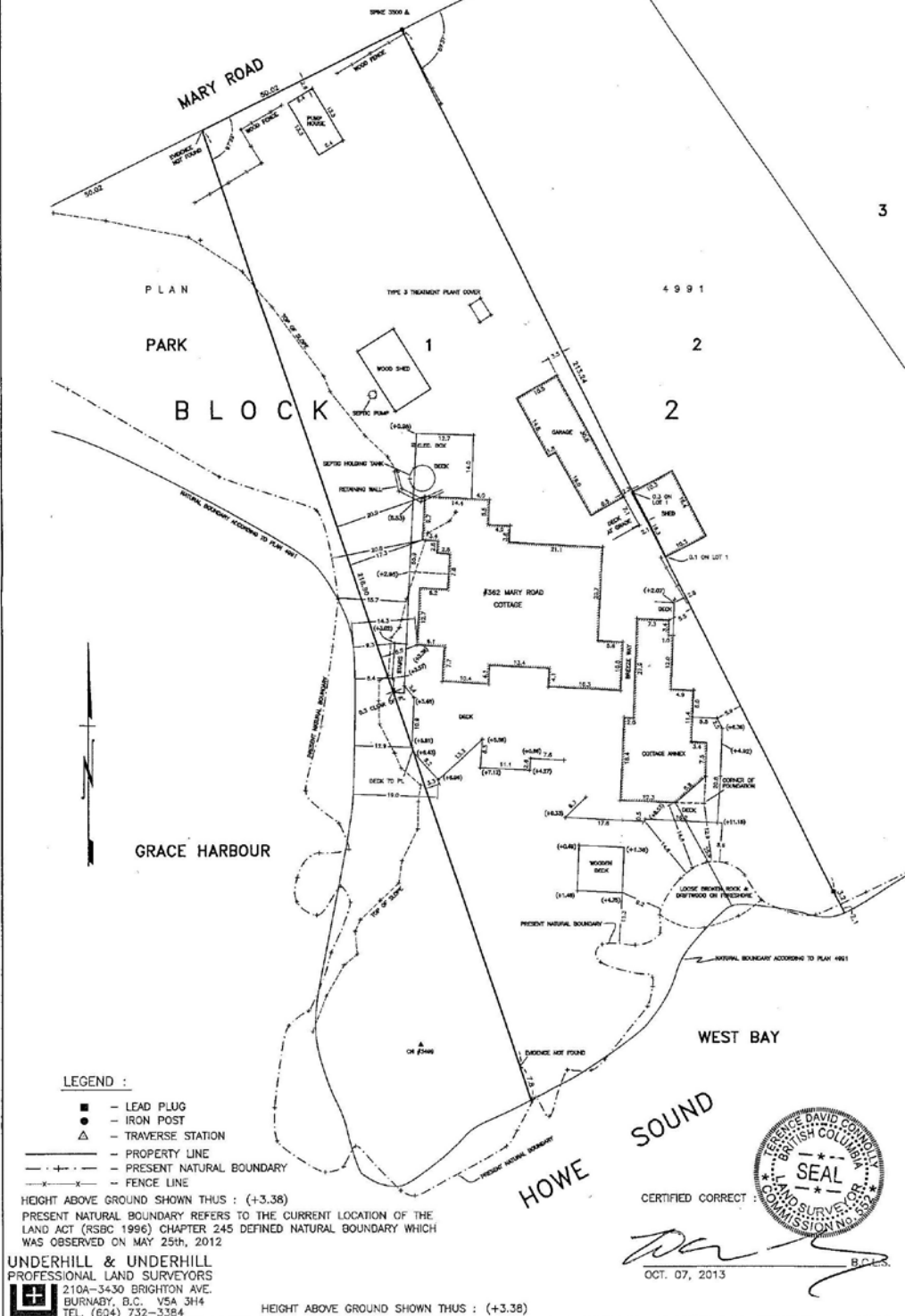
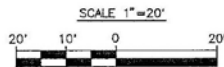
Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF ____, 2015, THIS PERMIT AUTOMATICALLY LAPSES.

SCHEDULE "A1"

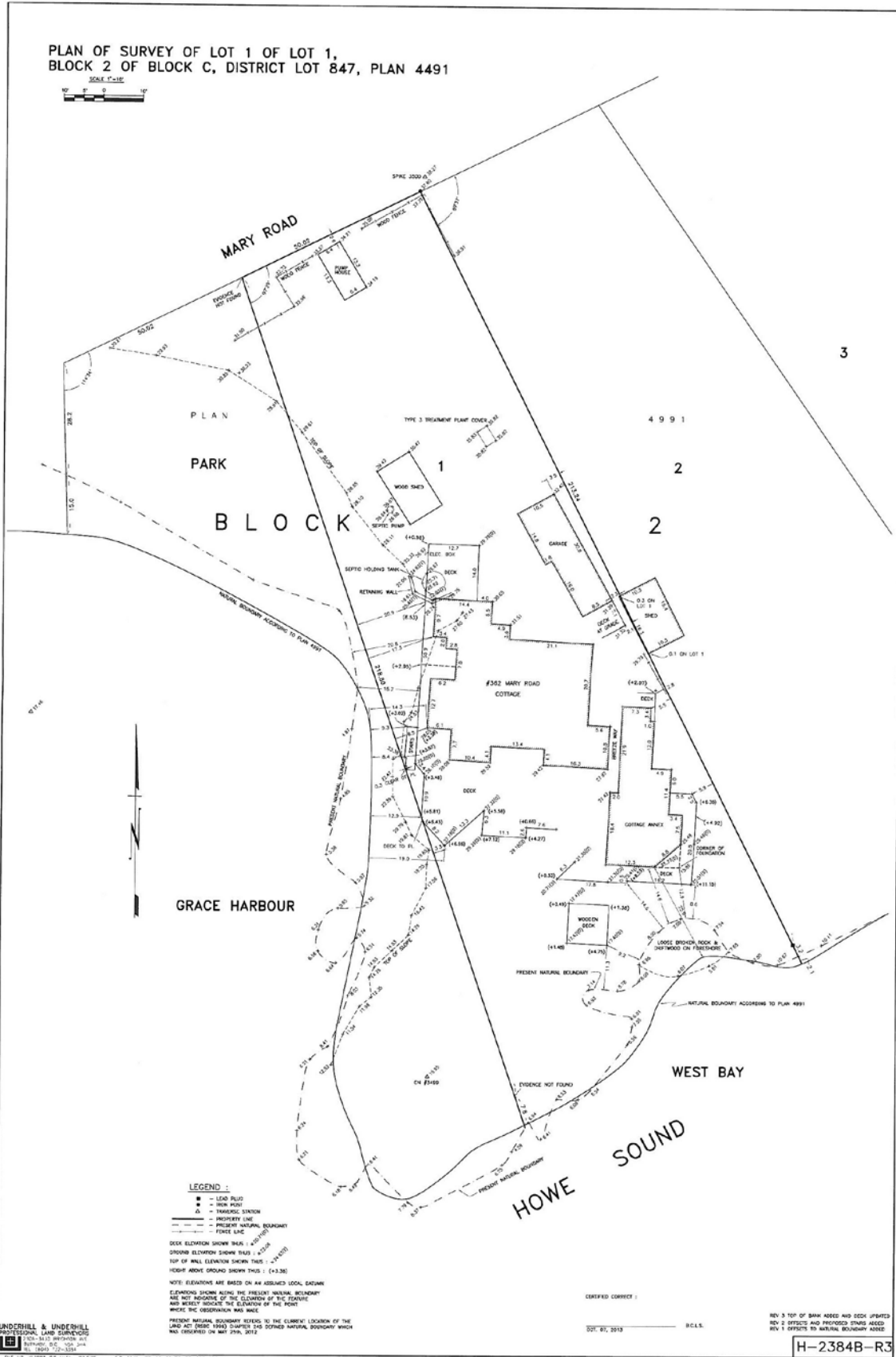
PLAN OF SURVEY OF LOT 1 OF LOT 1,
BLOCK 2 OF BLOCK C, DISTRICT LOT 847, PLAN 4491



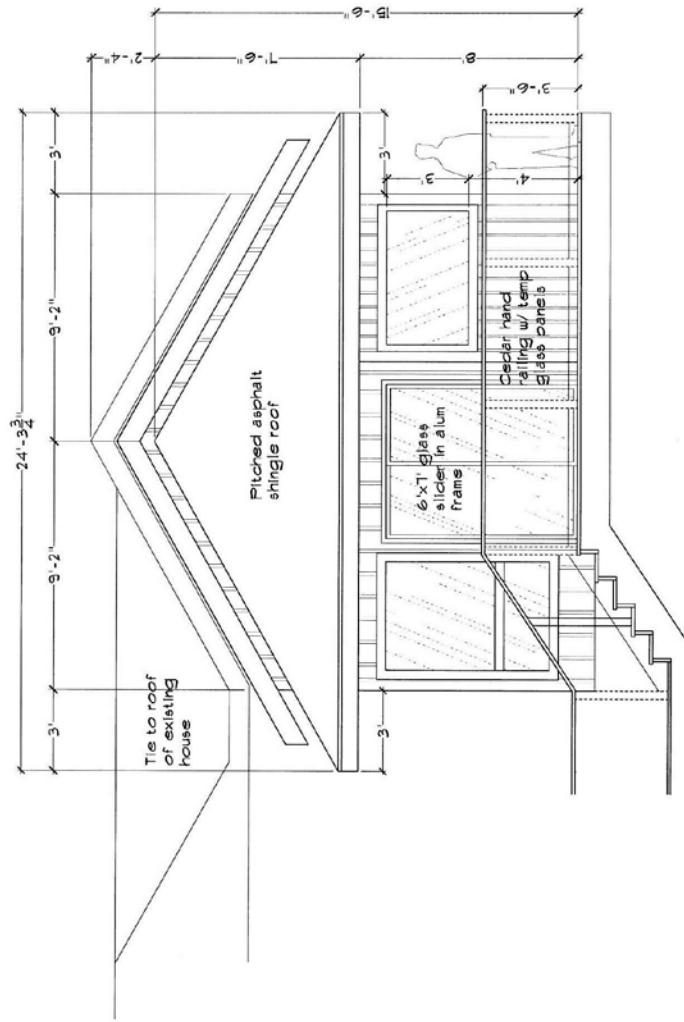
SCHEDULE "A2"

PLAN OF SURVEY OF LOT 1 OF LOT 1,
BLOCK 2 OF BLOCK C, DISTRICT LOT 847, PLAN 4491

SCALE 1"=10'



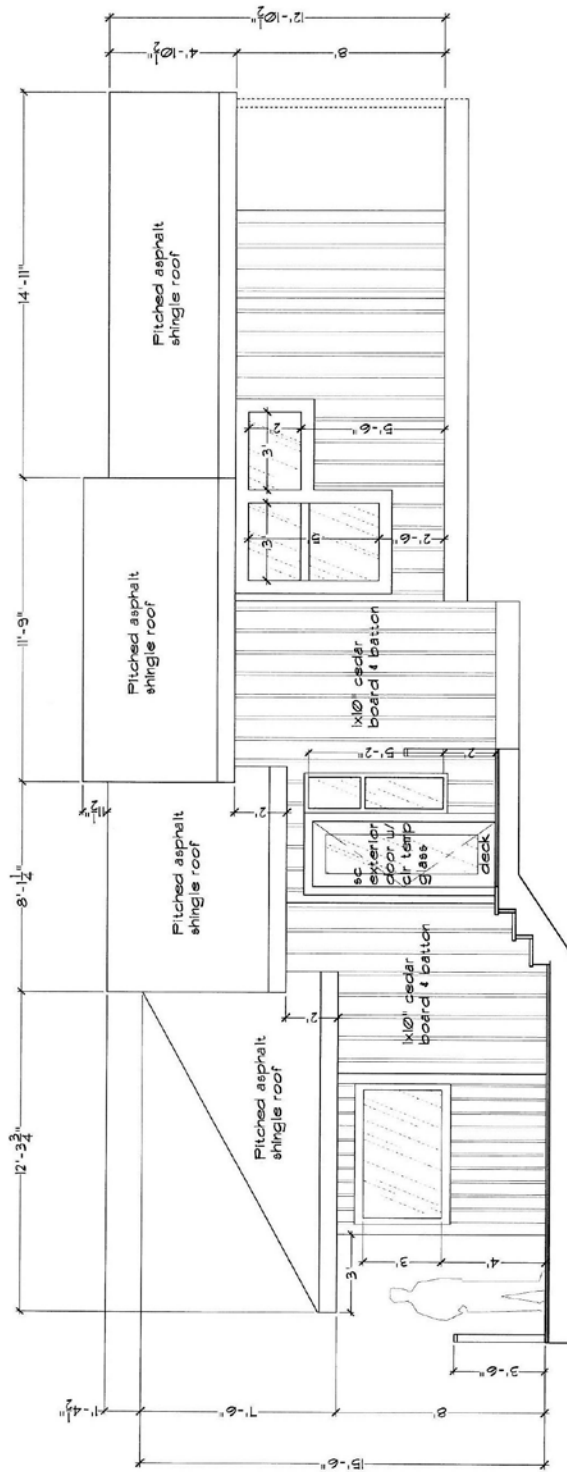
SCHEDULE "A3"



FRONT/SOUTH ELEVATION

	Project:	New Rec Room	Date:	Oct26/13	Project No.	07-025
			Rev:	Oct26/13	Drawing No.	
			Scale:	1/4" = 1'-0"		
			Drawn By:	vw		
			Approved By:	-		SK-5
	Address:	362 Mary Road Gambier Island, BC				

SCHEDULE "A4"



SIDE/EAST ELEVATION



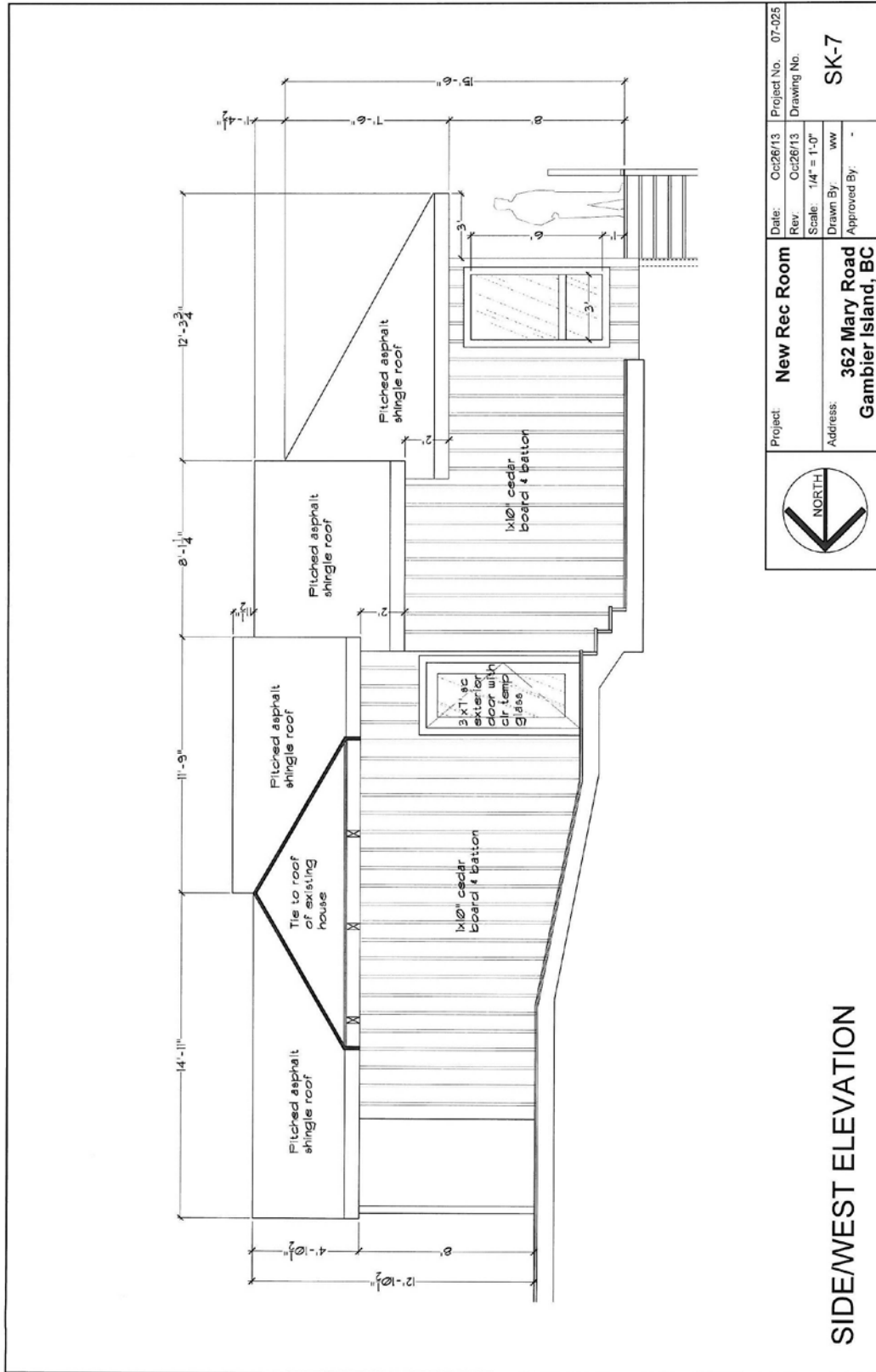
Project: **New Rec Room**

Address: **362 Mary Road
Gambier Island, BC**

Date:	Oct26/13	Project No.	07-025
Rev:	Oct26/13	Drawing No.	

SK-6

SCHEDULE "A5"



SIDE/WEST ELEVATION

Project:	New Rec Room		Date:	Oct26/13	Project No.:	07-025
			Rev:	Oct26/13	Drawing No.:	SK-7
Address:			Scale:	1/4" = 1'-0"	Drawn By:	ww
			Approved By:	-		



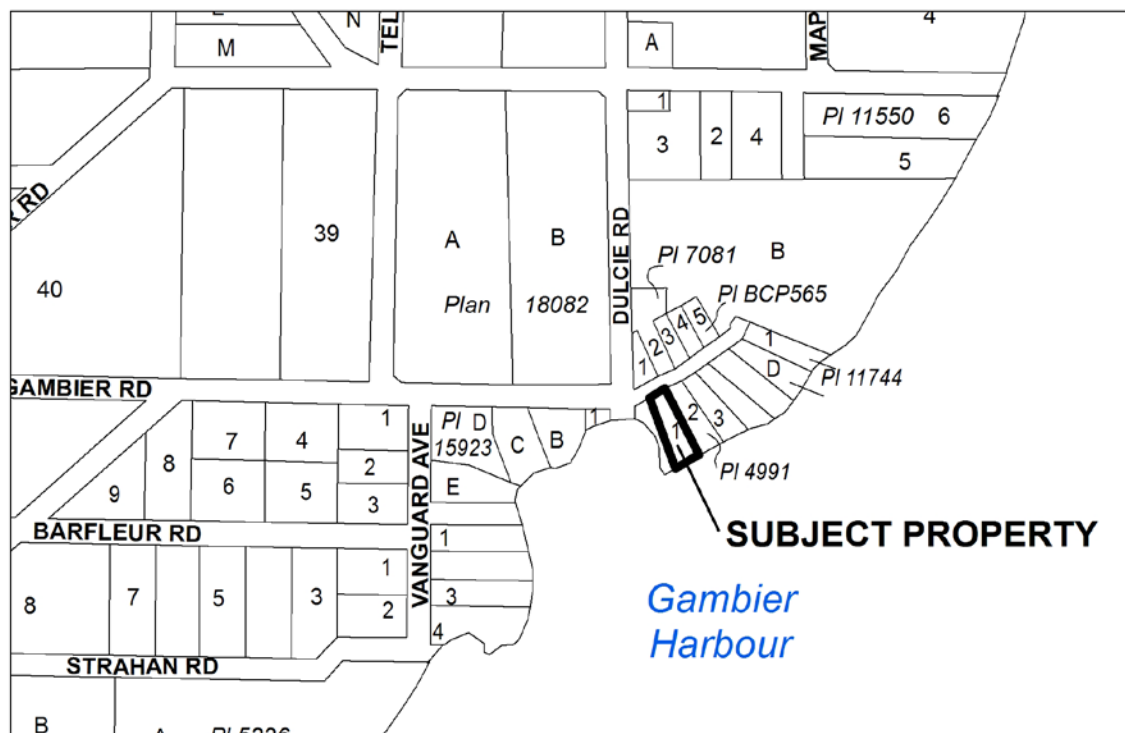
Islands Trust

NOTICE
GM-DVP-2013.1
GAMBIER ISLAND LOCAL TRUST COMMITTEE

Notice is hereby given that the Gambier Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 922 of the *Local Government Act*, varying Section 3.3(1) and Section 5.1(9)(b) of the *Gambier Island Land Use Bylaw No. 86, 2004* at its meeting to be held at 10:30 am on November 29, 2013.

In general terms, the purpose of the proposed Permit is to authorize the reduction of the setback to the natural boundary of the sea from 15.0 metres to 2.56 metres (8.4 feet) and authorize the reduction of the setback from the western and eastern interior lot lines from 3 metres to 0 metres (0 feet) and from 3 metres to 0.64 metres (2.1 feet), respectively to permit an already constructed single family dwelling, freestanding wooden deck, wood shed, retaining wall, and garage deck.

The subject property is legally described as Lot 1 of Lot 1, Block 2 of Block C, District Lot 847, Plan 4991, PID 007-295-928, and is shown in the following sketch.



A copy of the proposed Permit may be inspected at the Islands Trust Northern Office, 700 North Road, Gabriola Island, BC, V0R 1X3 between the hours of 8:30 am to 4:00 pm, Monday to Friday inclusive, excluding statutory holidays, commencing Friday, November 15, 2013 and continuing up to and including Thursday, November 28, 2013. Also, attached for your convenience, is a copy of the proposed Permit.

If you have any questions or comments regarding the proposed permit, please submit them before 4:00pm, November 28, 2013 to:

Mail: Islands Trust,
700 North Road,
Gabriola Island, BC,
V0R 1X3
Fax: 250- 247-7514
Email: meggen@islandstrust.bc.ca
Phone: Marnie Eggen, Planner 2 at 250-247-2210; Toll-free via Enquiry BC in
Vancouver: 604-660-2421; elsewhere in BC: 1-800-663-7867

Following the end of the notice period, the Gambier Island Local Trust Committee may consider issuance of the proposed Permit at its meeting to be held at 10:30 am on November 29, 2013 at Gleneagles Community Centre, 6262 Marine Drive, West Vancouver, BC.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Lisa Webster-Gibson
Deputy Secretary

SCHEDULE "A"

SECTION 5: Describe the current uses of the land and buildings on the property.

There is a single family residence located on 362 Mary Road (the "Property") that is used by Margaret Crompton (the "Owner") and her family, including Garry Peters (the "Applicant").

SECTION 6: Describe the proposed uses of the land and buildings, and show on your site plans the location of any proposed buildings or structures. If required, submit an elevation plan showing side views of the proposal.

As above.

SECTION 7: Describe the proposed variances to the bylaw requirements that are needed for the proposed development of the property. On your site plan, show the existing bylaw requirement and your proposed variance with accurate dimensions.

In addition to the site plan of the Property, included with this Application are copies of the following eight surveys of the Property:

- Original survey prepared October 21, 1929 by Henry Rhodes, B.C.L.S.;
- Survey prepared July 18, 2009 by Don Smith, B.C.L.S. of Don Smith Land Surveys;
- Survey prepared August 6, 2008 by Don Smith, B.C.L.S. of Don Smith Land Surveys;
- Survey prepared November 3, 2009 by Richard Fu, B.C.L.S. of McElhanney Associates Land Surveying Ltd.;
- Survey prepared February 26, 2010 by Don Smith, B.C.L.S. of Don Smith Land Surveys;
- Survey prepared November 21, 2011 by Richard Fu, B.C.L.S. of McElhanney Associates Land Surveying Ltd. (the "McElhanney Survey");
- Survey prepared May 31, 2012 by Terrance Connolly of Underhill & Underhill Professional Land Surveyors (the "Underhill Survey");
- Updated sketch prepared February 25, 2013 by Underhill & Underhill Professional Land Surveyors (the "Underhill Sketch").

Each of the surveys depicts the structures on the Property differently due to confusion over the location of the survey markers of the west and east side lot lines at the south end of the Property. The most recent survey of the Property is the Underhill Survey, which was commissioned at the request of the Gambier Island Local Trust Committee (the "GILTC"). The Applicant does not accept that the Underhill Survey shows the correct dimensions of the Property and relies on the Underhill Survey solely for the purposes of this Application only and not otherwise.

The Applicant seeks a variance with respect to the setback of the cottage annex depicted in the Underhill Survey (the "Cottage Annex") from the east side lot line. Section 5.1(9)(1)(b) of the Gambier Island Land Use Bylaw No. 86 (the "Bylaw") stipulates that the minimum setback for any building or structure from any interior side lot line is 3 meters, or 10 feet. Based on the measurements provided in the Underhill Survey, the Applicant seeks a variance of the setback of the Cottage Annex from the east side lot line to 1.68 meters, or 5.5 feet. The Applicant notes,

however, that the McElhanney Survey shows the Cottage Annex as located 10 feet from the east side lot line.

The Applicant also seeks a variance with respect to the setback of the deck located to the south west of the main cottage (the "Hot Tub Deck") from the west side lot line. Section 3.4(1)(c) of the Bylaw provides that unenclosed balconies, patios, porches or terraces may be located in the 2 meter, or 6.56 foot, setback from a side lot line, as long as they do not project more than 1 meter, or 3.28 feet, into the setback. Based on the measurements provided in the Underhill Survey, the Applicant seeks a variance of the setback of the Hot Tub Deck from the west side lot line to 1.1 inches, or 0.09 feet.

Finally, the Applicant seeks a variance with respect to the setback of the Cottage Annex from the south natural boundary of the sea. Section 3.3(1) of the Bylaw stipulates that no building or structure shall be situated within 15 meters, or 49.2 feet, from the natural boundary of the sea. The Underhill Survey does not provide a measurement of the distance of the Cottage Annex from the south natural boundary; however, the Underhill Sketch does. Based on the Underhill Sketch, the Applicant seeks a variance of the setback of the Cottage Annex from the south natural boundary to 7.89 meters, or 25.9 feet.

SECTION 8: Describe the reasons for the proposed variance and why the current bylaw requirements cannot be met in the proposed development.

The Applicant submits that the Bylaw's setback requirements create hardship on property owners of small lots on Gambier Island. The Property, and 9 other lots on Mary Road, were subdivided in 1920. Each of the properties on Mary Road that were subdivided in 1920 is less than 0.3 acres in area. The Property is 50 feet wide at the north end of the lot and 80 feet wide at the south end of the lot.

The setback requirements contained in the Bylaw limit the ability of property owners like the Owner to build on their lots. The GILTC has previously granted variances in recognition of the difficulties faced by owners of smaller lots in complying with the setback requirements contained in the Bylaw. For example, the owner of the 370 Mary Road, the property immediately to the east of the Property, applied for and was granted a variance on July 23, 2009. The minutes of the GILTC meeting during which this variance application was considered show that the owner of 370 Mary Road was granted a variance of the maximum projection of her deck into the setback from south natural boundary of the sea to 3.74 meters (12.3 feet).

The owner of 370 Mary Road also has a shed on her property that is located 1.28 meters, or 4.2 feet, over the lot line separating 370 Mary Road from the Property. The Applicant has not been able to determine whether a variance has been granted with respect to the location of this shed. Attached as **Schedule "B"** to this Application is a photograph of the location of the shed.

The owner of 390 Mary Road was also granted a variance with respect to the setback of an addition to their cottage from the south natural boundary of the sea on July 23, 2009. The minutes of the GILTC meeting during which this variance application was considered show that the cottage on 390 Mary Road was wholly located within the setback area. The GILTC granted

a variance reducing the south natural boundary setback requirement from 15 meters (49.2 feet) to 9.05 meters (29.72 feet) to permit the construction of an addition to the cottage.

The owner of 367 Mary Road was granted a variance with respect to the front, rear, interior and exterior lot line setbacks of an existing cottage on February 3, 2011. The minutes of the GILTC meeting during which this variance application was considered reveals that the owner of 367 Mary Road constructed a cottage on the property without the requisite permits. The GILTC granted a variance of the following setback requirements:

- Front side lot line setback of 7.5 meters (24.6 feet) was reduced to 6.1 meters (20 feet);
- Rear side lot line setback of 7.5 meters (24.6 feet) was reduced to 4.1 meters (13.5 feet);
- Interior lot line setback of 3 meters (9.8 feet) was reduced to 0.82 meters (2.7 feet); and
- Exterior lot line setback of 4.5 meters (14.7 feet) was reduced to 2.8 meters (9.33 feet).

There are a number of properties on or around Mary Road that have structures located within the required setback area. The Applicant has not been able to determine whether these properties have been granted variances. Attached as **Schedule "C"** to this Application are photographs of other properties with structures located within the required setback area, with addresses where available. Please note that the addresses of these properties were determined based on reliance on the map attached to this Application as **Schedule "D"** and as a result, may not be accurate. Indeed, the map at Schedule "C" shows the civic address of the Property as 366 Mary Road, instead of 362 Mary Road.

In addition to the size of the Property, the Applicant submits that the GILTC should consider the erosion to the south natural boundary. The Applicant is not able to determine exactly how far the south natural boundary of the Property has eroded; however, it is estimated that the south natural boundary has been eroded by at least 5 feet since the original survey of the Property was completed in 1920. This erosion increases the hardship faced by the Applicant in complying with the setback requirements contained in the Bylaw.

SECTION 9: Describe how the property and the surrounding lands may be affected by the proposed variance, show any of the affected features on your site plan, and describe how you propose to mitigate.

The Property and surrounding lands will be minimally affected by the proposed variances. The Cottage Annex is located entirely within the boundaries of the Property and the Applicant has consulted with the owner of 370 Mary Road, the only neighbour who may be affected by the proposed variances (see below).

The park lands to the west of the Property will also be minimally affected by the proposed variance to the west side lot line. The Underhill Survey depicts the Hot Tub Deck as 0.2 feet, or 2.4 inches, on the park to the west of the Property. On October 26, 2012, the Applicant relocated the Hot Tub Deck 3.5 inches to the east. As a result, the Hot Tub Deck is now entirely within the boundaries of the Property by 1.1 inches. Attached as **Schedule "E"** to this Application are photographs of the location of the Hot Tub Deck before and after it was moved on October 26, 2012.

In April 2011, the Applicant added rocks to the foreshore south of the Property. On October 23, 2012, the Applicant submitted an application to the Department of Fisheries and Oceans (the "DFO") with respect to whether the rocks deposited on the foreshore should be removed or relocated. The Applicant understands that the DFO is the only government body that must be consulted prior to making any alterations to the foreshore. The Applicant is awaiting a response from the DFO before any steps are taken with respect to the removal or relocation of the rocks.

SECTION 10: Describe any consultation you have undertaken with your neighbours and strata corporation (if applicable).

The Applicant has discussed the location of the Cottage Annex with the owner of 370 Mary Road and the impact on her. As previously mentioned, the owner of 370 Mary Road is the only neighbour who may be impacted by the proposed variances.

There are trees and a fence along the east side lot line of the Property that block the view from 370 Mary Road to the west. The Cottage Annex was constructed behind these trees, such that this neighbour's view to the west was minimally impacted by the Cottage Annex. Attached as **Schedule "F"** to this Application are photographs of the trees between the Property and 370 Mary Road and of the view from 370 Mary Road to the west.

The Cottage Annex initially featured a deck that ran along the east side of the Annex. The owner of 370 Mary Road advised the Applicant that she felt this deck negatively impacted her privacy. As a result, the Applicant removed the deck along the east side of the Cottage Annex.

The Cottage Annex currently features a small deck at the south. At the request of the owner of 370 Mary Road, the Applicant installed a glass railing around this deck to ensure her view was minimally impacted. In addition, the Cottage Annex features a number of levels that progress down towards the south natural boundary in an effort to minimize the structure's interference with this neighbour's view. Attached as **Schedule "G"** to this Application is a photograph of the deck at the south end of the Cottage Annex.

CONCLUSION:

The Applicant respectfully submits that the variances proposed in this Application should be granted. The variances sought will only minimally affect the Property and surrounding lands. The Hot Tub Deck is no longer located on the park lands to the west of the Property. The only neighbour who may be affected by the variances sought to the east and south natural boundary setback requirements is the owner of 370 Mary Road. The Applicant has consulted this neighbour and has taken reasonable steps to accommodate her requests.

The Property is small in comparison to other properties on Gambier Island. The total area of the Property is less than 0.3 acres, with the north lot line of the Property measuring 50 feet wide and the south natural boundary measuring 80 feet wide. In addition, the size of the Property has been reduced by erosion to the south natural boundary. Given the size of the Property, and in light of the erosion to the south natural boundary, the Bylaw places hardship on the Owner and the

Applicant by limiting their ability to build structures on the Property that meet the setback requirements.

The GILTC has recently granted variances similar to that sought by the Applicant in recognition of the difficulties faced by owners of small lots in complying with the setback requirements contained in the Bylaw. The Applicant submits that this Application is no different than the numerous other variance applications recently granted by the GILTC, including those outlined above. As a result, the Applicant respectfully submits that the variances requested in this Application should be allowed.

SCHEDULE "B"

Photograph of the shed between the Property and 370 Mary Road:



SCHEDULE "C"

Photographs of 390 Mary Road, with cabin located within the required setback area:



Photograph of 382 Mary Road, with cabin located within the required setback area:



Photographs of lots 3 and 4 located between 371 and 398 Mary Road (no street address noted on map at Schedule "C"), with cabin located in setback areas:





Photographs of 398 Mary Road, with cabin located in setback area:



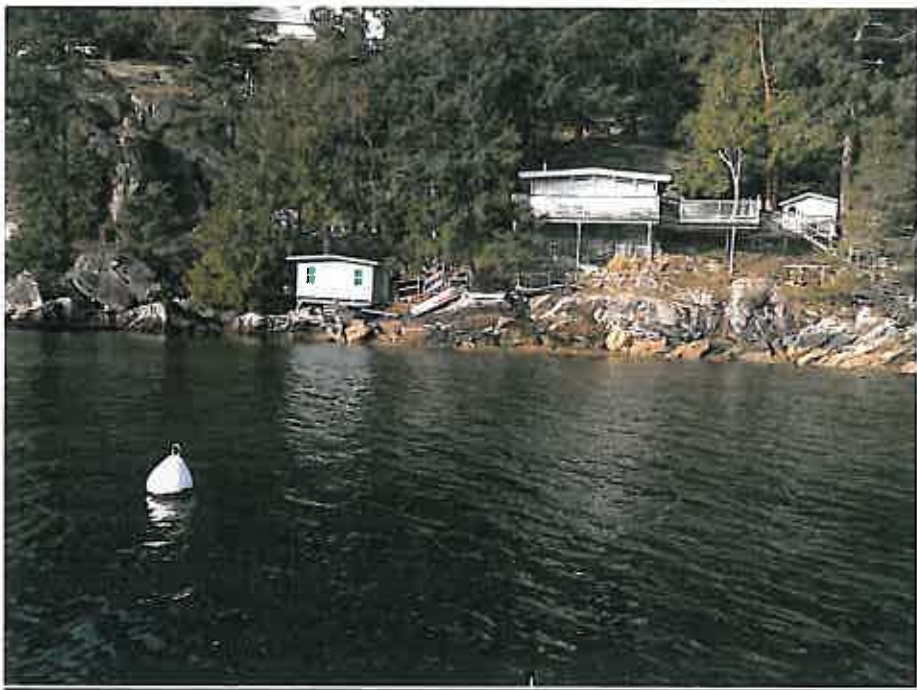


Photograph of 374 and 378 Mary Road, both of which had structures located in setback areas before the structures were destroyed by fire:



Photographs of additional properties with structures located in setback areas that do not have ascertainable addresses:







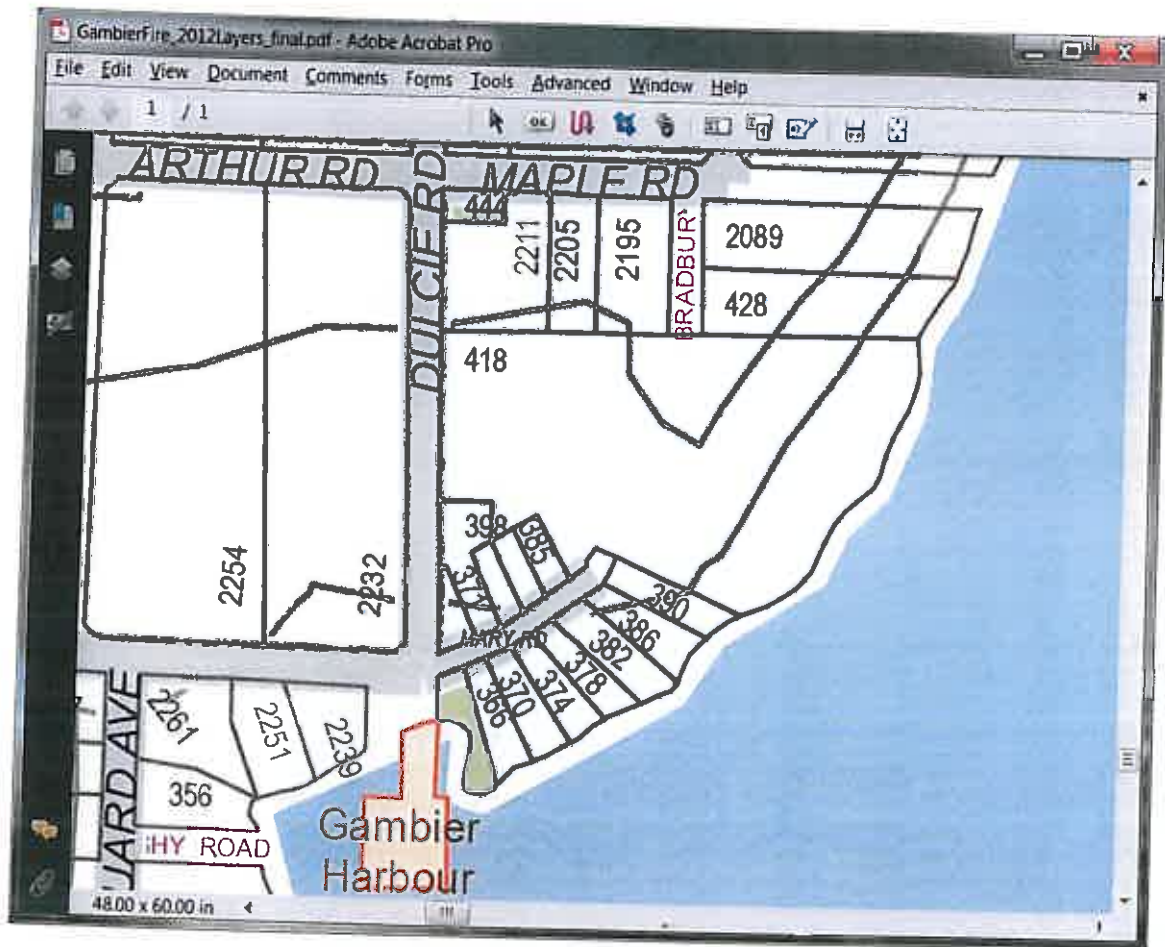






SCHEDULE "D"

Map of the civic addresses of the properties on Mary Road:



SCHEDULE "E"

Photograph of the location of the Hot Tub Deck before it was moved on October 26, 2012:



Photograph of the location of the Hot Tub Deck after it was moved on October 26, 2012:



SCHEDULE 'F'

Photographs of the view from 370 Mary Road to the Property to the west:





Photographs showing the trees between the Property and 370 Mary Road:





SCHEDULE "G"

Photograph of the deck at the south end of the Cottage Annex, looking east to 370 Mary Road:



Sunshine Coast Regional District

1975 Field Road
Sechelt, British Columbia
Canada V0N 3A1

P 604.885.6800
F 604.885.7909
Toll free 1.800.687.5753

info@scrd.ca
www.scrd.ca



September 17, 2013

Marnie Eggen, MSc
Islands Trust, Northern Office
700 North Road
Gabriola Island, BC
V0R 1X3



Subject: GM-DVP-2010.1 Peters and Crompton

Dear Marnie:

Parks staff have reviewed the file on this Development Variance Permit. The SCRD's concern is the encroachment of the deck on the west side of the property into an SCRD park. The Plan of Survey completed by Underhill and Underhill and sealed by a BCLS on May 31, 2012 shows a 2.4" encroachment into the SCRD park. Due to liability and legal issues the SCRD cannot permit a building or structure to encroach on park land. Although we have not pursued a legal opinion, the SCRD also has liability concerns about the steep drop in elevation from the deck into the park. Without a setback from the interior property line to the deck, there could be a liability issue in the event of an accident or structural failure.

Please be advised that if Islands Trust does grant a variance on the sideyard setbacks, the SCRD will require the property owner to remove the encroachment.

Please contact me if you have any questions.

Thank you,
SUNSHINE COAST REGIONAL DISTRICT

A handwritten signature in blue ink, appearing to read "Carleen McDowell".

Carleen McDowell
Parks Services Manager

Marnie Eggen

From: The Bates <thebates@telus.net>
Sent: July-04-13 11:30 AM
To: Marnie Eggen
Subject: Development Variance Permit Application GM-DVP-2013.1 (Crompton/Peters)

390 Mary Rd
Gambier Harbour
Gambier Island

July 4, 2013

Dear Ms. Eggen,

We are very sorry that it is necessary to have to communicate again regarding Lot 1 of Lot 1, Block 2 of Block C, District Lot 847, Plan 4991. The sentiments that we expressed last year have not changed, except that we find this application more egregious. If permission is granted for the requested setbacks Gambier's landscape in this locality has the potential to become like that of a city, and that saddens us. We believe that, if granted, this sets a precedent that does not follow what islanders want or follow the mandate of the Islands Trust. We regret that this situation may cause divisions in our community but we feel that we must speak against the application.

Sincerely,
Colin and Shirley Bates

November 18, 2013

Dr. Sheldon Green
#313-1424 Walnut St.
Vancouver, B.C. V6J 3R3

Gambier Island Local Trust Committee
c/o Islands Trust,
700 North Road,
Gabriola Island, BC,
V0R 1X3

(sent by e-mail to Marnie Eggen, meggen@islandstrust.bc.ca)

**Re: Development Variance Permit application for Lot 1 of Lot 1, Block 2 of Block C,
District Lot 847, Plan 4991, PID 007-295-928**

Dear Committee members,

I co-own a property in Gambier Harbour, which I use throughout the year. Every time that I land at the Gambier Harbour dock I walk past the above-referenced property, for which a Development Variance Permit has been sought. I am therefore very familiar with the property.

I write you now to express my strong opposition to granting of a Development Variance Permit (DVP) for the subject property. I believe that a DVP should be granted only if each of the statements below is true:

1. The development is done only after a DVP is granted.
2. The development does not materially affect the neighbours.

For the proposed DVP, neither statement is true. The owners have recently built their house extensions and added their outbuildings. These renovations were done a few years ago, well after the Gambier Island Land Use Bylaw No. 86, 2004 was made law, and (obviously) well before a DVP was granted.

The proposed developments have resulted in buildings and outbuildings that are excessively close to the sea, to their nearest neighbour, and to the community park. These infringements materially affect both the immediate neighbours and the entire community; for example, as a result of the proximity of the hot tub to the community park, I and other owners do not feel comfortable accessing the community park. This sort of blatant disregard for the bylaws should not be sanctioned.

In summary, granting a Development Variance Permit for this property would be to reward un-neighbourly behaviour that is clearly in violation of both the Land Use Bylaws and the Golden Rule. I encourage you to reject this Development Variance Permit application.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Sheldon" followed by a stylized flourish or monogram.

Dr. Sheldon Green

Margo Gram & Kevin Pike
456 East 18th St.
North Vancouver, BC
V7L 2Y2

Islands Trust
700 North Road,
Gabriola Island, BC
V0R 1X3

November 18, 2013

Dear Trustees,

Re: Gambier Island - GM-DVP-2013.1

Thank you for the opportunity to provide feedback regarding the variance request for Lot 1 of Lot 1, Block 2 of Block C, District Lot 847, Plan 4991, PID 007-295-928, known as "The Hollies".

Our property is Lot 2 in Gambier Harbour, immediately adjacent to the Hollies on the east side. Our position regarding this proposed variance hasn't changed since the previous request in July 2011. We do not support the variance application.

We believe that the front and side yards setbacks in Official Community Use Plan Bylaws serve a valuable purpose, in terms of preserving physical and visual space between neighbours, and in this particular case, from the ocean.

We learned the value of the side yard setbacks on January 12 this year, when a fire destroyed the two cabins immediately to our east. We were fortunate to have more than the designated setback, which helped to save our cabin from burning. Based on that experience, we will be removing our legal but non-conforming shed that sits on the lot line between our property and the Hollies, so that we are both better protected in case of a fire.

We are concerned that approval of this variance would send a message to other Gambier Islanders that there is no need to comply with the local planning bylaws.

The building of this addition on the Hollies property and the ensuing years of discussion regarding compliance have strained the relationships among many neighbours in Gambier Harbour. We wish to live in harmony with our neighbour and will abide with whatever decision is made by the Trustees. Our hope for all parties concerned is that the decision is final.

Sincerely,

Margo Gram & Kevin Pike

Marnie Eggen, Planner 1
Islands Trust
700 North Road
Gabriola Island, BC V0R 1X3

July 12, 2011

Dear Marnie,

RE: GM-DVP-2010.1

Thank you for the opportunity to provide feedback regarding the variance request for Lot 1 of Lot 1, Block 2 of Block C, District Lot 847, Plan 4991, PID 007-295-928, known as "The Hollies".

Our property is adjacent to the Hollies on the east side. We do not support the variance application as we have been negatively impacted both by the structure and by the process of building.

Impact of Structure

We designed and built our cabin to maximize on the views. There was enough distance between the two cabins to ensure visual and sound privacy. Both have been compromised with the addition. Our west windows now directly face the addition.

Directly across from our front door is a screened outdoor shower. It is disconcerting to be talking with people at our entrance while listening to our neighbours having a shower.

Our waterfront privacy has been reduced. The southern deck on the addition is above the rock and close enough that Garry and Barb can both see and hear us when we sit by the ocean. While I don't expect our waterfront to be completely private, the proximity of the new deck and cabin is uncomfortably close.

Impact of Process

The addition was built between Dec and March of 2008 without any consultation with neighbours. Had we known that Garry intended to build the addition, we would not have oriented our cabin to face directly into it.

When Garry proceeded with a Building Permit and Variance Application, he used incorrect survey information that didn't use our shared front pin. Although we brought in the same surveyors to point out the front pin, we are still uncertain whether they are using correct survey information in this application.

Garry proceeded to complete and move into the addition even after he received notice from the SCRD regarding a building permit and variance application.

On two occasions, neighbours have witnessed barges bringing in large rocks to the beach in front of their property.

We looked forward to getting to know our Gambier neighbours, including Barb and Garry. This development strained that relationship and the length of time that this application has taken has only increased the strain. It has also strained relationships with other Gambier Harbour neighbours. I have been approached by another neighbour to support this variance application.

It may seem that I am the pot calling the kettle black because we also began building without a building permit and required variance approval for a 4 ft of deck that extends into the required 15 m. from the sea. Both Garry and I received notices at the same time in 2008 that we required a building permit to proceed.

While we cannot be commended for initially building without a permit, there are differences in the way that we have proceeded including:

- We discussed our building plans with our neighbours so they were aware of our plans;
- We designed our cabin to minimize the visual impact from the water;
- Our variance doesn't impact our neighbours;
- We stopped all building once we received notice from the SCRD and did not proceed until we had approval of the variance and our building permit in August 2009.

If this variance request is approved, I believe it will send the wrong message to the community that it is acceptable to build without regard for any regulations from Islands Trust or Sunshine Coast Regional District.

Our desire is to enjoy our new cabin and to live amicably with our Gambier Harbour neighbours, including Garry Peters and Barb Crompton.

Thank you for your consideration,

Margo Gram
Kevin Pike
370 Mary Road

cc. Garry Peters
Stuart Watson

From: [Barbara Carver](#)
To: [Mamie Eggen](#)
Cc: [Kate-Louise Stamford](#)
Subject: "GM-DVP-2013, 1 GAMBIER ISLAND LOCAL TRUST COMMITTEE"
Date: November-18-13 7:27:46 PM

The DVP application for "The Hollies" has already been dealt with but as it is so important that our Land Use Bylaws be upheld I am writing to encourage our Local Trust Committee to once again TURN THIS DOWN and not waste any more of the Taxpayer's money.

Yours truly,

Barbara Carver
328 Vanguard Ave.,
Gambier Harbour

Marnie Eggen

From: blanthny@telus.net
Sent: November-18-13 10:30 AM
To: Marnie Eggen
Cc: Kate-Louise Stamford
Subject: NOTICE GM-DVP-2013.1 GAMBIER ISLAND LOCAL TRUST COMMITTEE

THIS IS TO ENCOURAGE OUR ELECTED OFFICIALS ON THE ISLANDS TRUST TO, ONCE AGAIN, REJECT THIS APPLICATION, AND REQUIRE THAT ALL STRUCTURES ON THE HOLLIES PROPERTY BY BROUGHT INTO CONFORMANCE WITH THE GAMBIER LAND USE BYLAWS FOR SETBACKS. IF THIS IS NOT DONE IT WILL SET A PRECEDENT WHICH COULD HAVE SERIOUS CONSEQUENCES NOT ONLY FOR THE ISLAND BUT ALSO FOR THE ISLAND TRUST. THERE WILL BE NO RESPECT FOR THE ISLANDS TRUST OR THE BYLAWS.

VERY SIMPLY, THE BYLAW MUST BE ADHERED TO AND THIS APPLICATION FOR A VARIANCE PERMIT TURNED DOWN.

Sincerely,

Brian and Leiani Anthony
2290 Gambier Road,
Gambier Harbour, B.C.

Marnie Eggen

From: Stu Watson <stuwatson.gfeg@gmail.com>
Sent: November-17-13 5:14 PM
To: Marnie Eggen
Subject: Objection to Hollies GM-DVP 2013.1 Application (Crompton/Peters)

To the Gambier Island Local Trust Committee:

As Gambier Harbour residents, we value the protection afforded to us by our Official Community Plan Land Use Bylaws. They both protect us and prohibit us from building too close to property lines of our neighbours, of our parks or of our public beaches without following due process of asking permission of everyone affected beforehand. We are concerned that if the Hollies Development Variance Permit application were to be approved, it would send a message that our Land Use Bylaws have become so weakened that setback requirements can henceforth be ignored by those who have the inclination and resources to do so without due regard for their neighbours or for their community. Please do not allow such a precedent to be set.

We urge the Committee to again reject this application for a DVP for setback encroachments at the west, south and east lot lines of the Hollies property. We encourage you to direct that all encroachments into these setbacks be brought promptly into conformance with the Gambier Land Use Bylaws without variance.

Respectfully,

Stu & Katie Watson
398 Dulcie Rd
Gambier Harbour
Gambier Island, BC
Canada V0N 1V0

Tel: 604-886-7901

Marnie Eggen

From: Don Francis <donorpat74@hotmail.com>
Sent: November-21-13 5:19 PM
To: Marnie Eggen
Subject: RE: The Hollies, 362 Mary Rd, Gambier Harbour application for variance permit GM-DVP-2013.1

We are the owners of lots 4 and 5 on the north side of Mary Road, Gambier Harbour. We are repeating what we have previously stated regarding the prior applications for variance permits regarding “the Hollies”.

We do not support the variance application for “the Hollies”. We feel that the additions that were built shows a total disrespect for Gambier Harbour residents and should not be rewarded with retrospective approval of the multiple variances cited.

Donald R Francis

Patricia F St. Marie

Revised Draft DVP based on Staff Recommendations

	GAMBIER ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT GM-DVP-2013.1 (Crompton / Peters)
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TO: Margaret Crompton

1. This Development Variance Permit applies to the land described below:

Lot 1 of Lot 1, Block 2 of Block C, District Lot 847, Plan 4991
PID 007-295-928

2. Pursuant to Section 922 of the *Local Government Act*, the *Gambier Island Land Use Bylaw No. 86, 2004* is varied as follows:

a) Section 3.3 (1) "Siting and Setback Regulations" is varied to reduce the setback from the natural boundary of the sea from 15.0 metres to 2.8 metres (9.2 feet) in accordance with Schedule "A1" to allow the location of the following:

- i) a single family dwelling consisting of an existing cottage and its decks; except with respect to the decks compliance with the setback from the western interior lot line, and for clarity the authorization does not apply to the cottage annex and its decks shown as "to be removed" in Schedules "A1" and "A2";
- ii) an existing freestanding wooden deck;
- iii) an existing wood shed;
- iv) an existing retaining wall north west of the dwelling;

AND

b) Section 5.1 (9)(b) "Siting and Size" is varied to reduce the setback from the western interior side lot line from 3 metres to 2 metres (6.6 feet) in accordance with Schedule "A1" to allow the location of the following:

- i) a single family dwelling consisting of an existing cottage, and portions of the existing decks up to 2 metres (6.6 feet) to western interior lot line;

AND

c) Such reductions apply only to the buildings and structures as located, built and shown on Schedules "A1" through "A2," attached to and forming part of this permit including the heights, forms and elevations shown on those Schedules, and amended to show:

- i) the removal of the existing garage deck;
- ii) the removal of the portion of the single family dwelling that is less than 3 metres from the eastern interior lot line and that is less than 15 metres from natural boundary of the sea;
- iii) the removal of the portion of the decking of the single family dwelling that is less than 2 metres (6.6 feet) from the western interior lot line.

3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of *Gambier Island Land Use Bylaw No. 86, 2004*, including use and density, and to obtain other appropriate approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE GAMBIER ISLAND LOCAL TRUST COMMITTEE THIS ____ DAY OF ____, 2013.

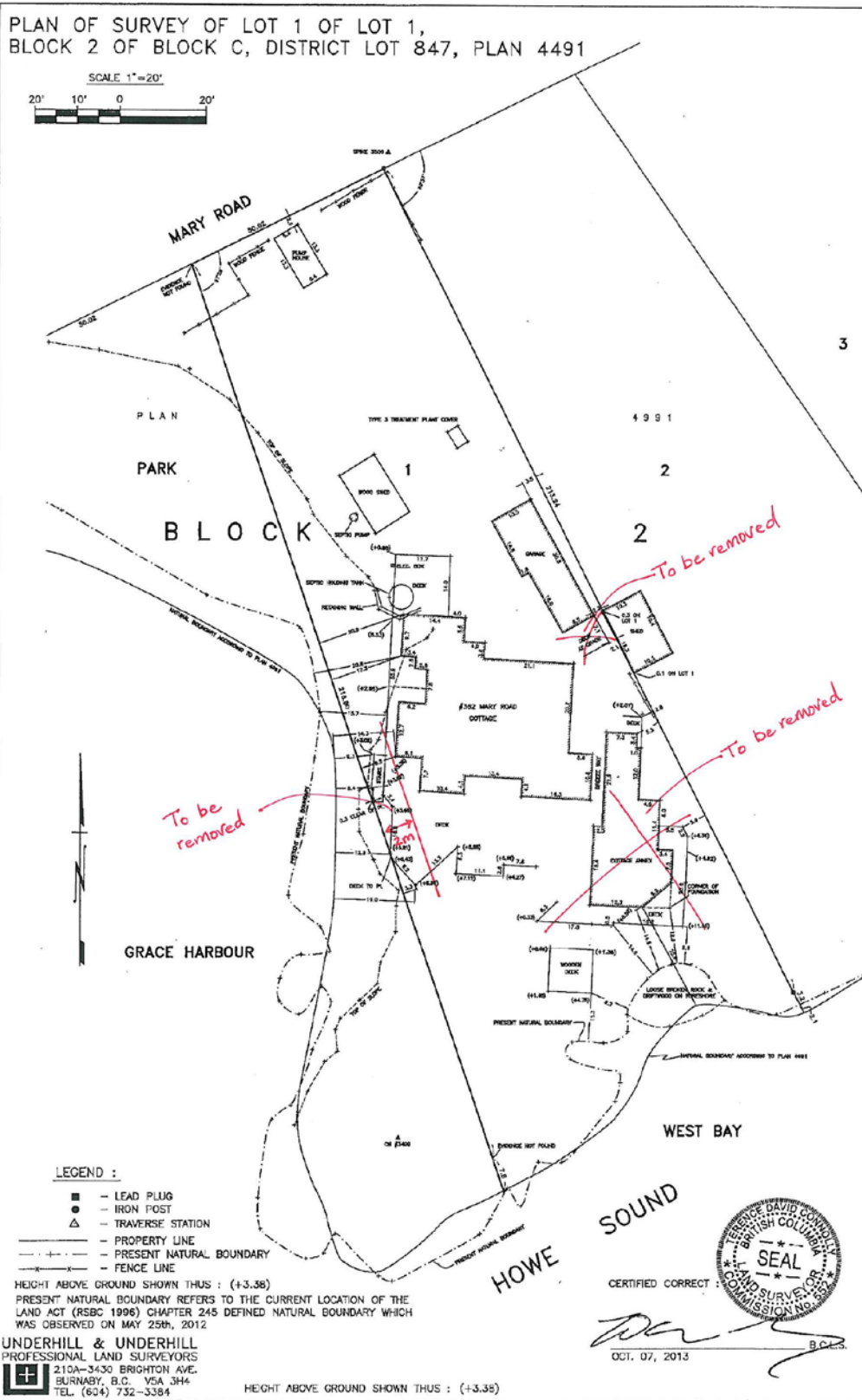
Deputy Secretary, Islands Trust

Date of Issuance

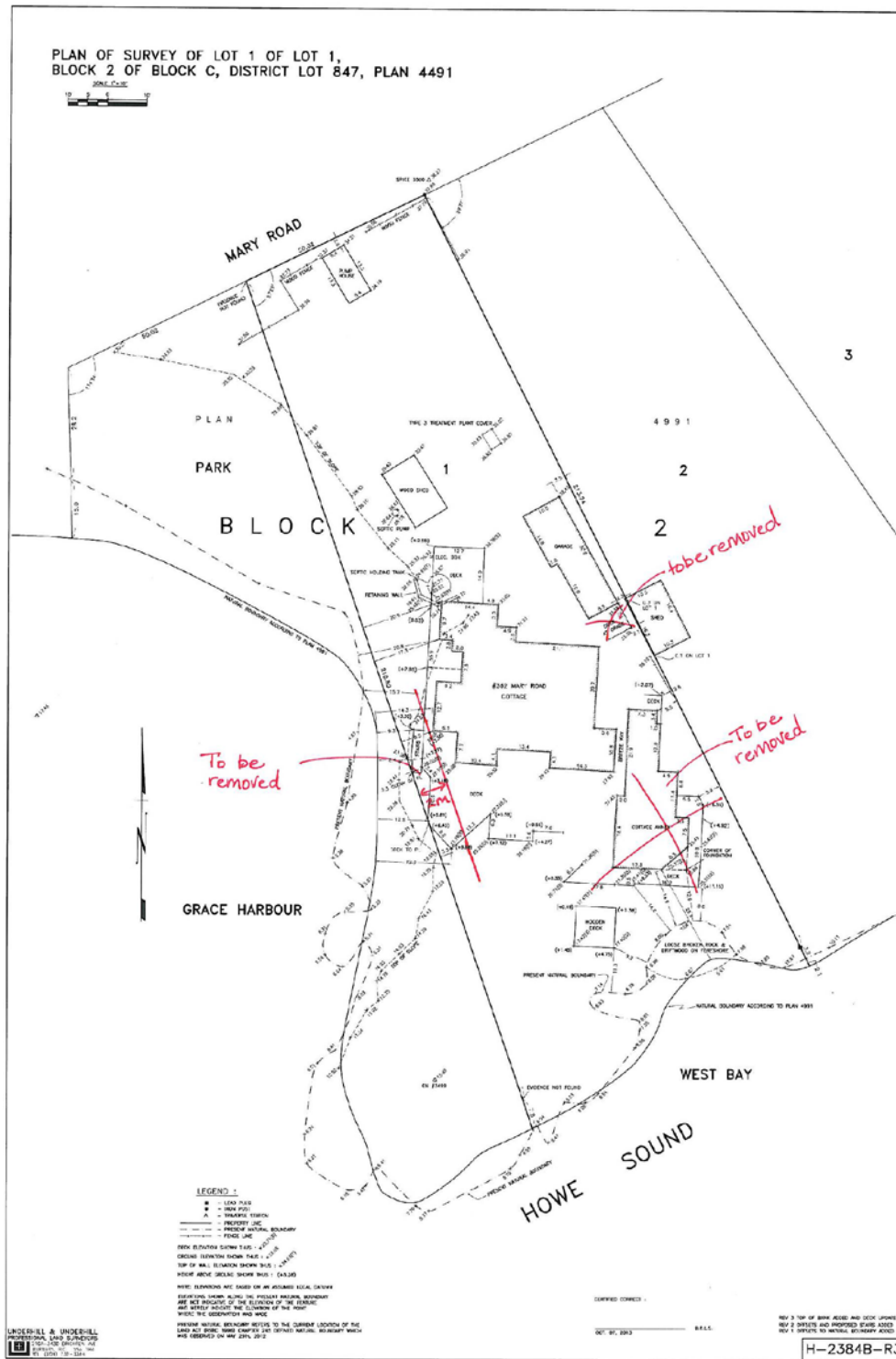
IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF ____, 2015, THIS PERMIT AUTOMATICALLY LAPSES.

SCHEDULE "A1"

PLAN OF SURVEY OF LOT 1 OF LOT 1,
BLOCK 2 OF BLOCK C, DISTRICT LOT 847, PLAN 4491



SCHEDULE "A2"



GM-DVP-2013.1 (Crompton)
COMPILATION OF CORRESPONDENCE DATED
NOVEMBER 25 AND 28, 2013

Islands Trust
700 North Rd.
Gabriola Island
B.C. V0R 1X3
Ref: GM-DVP-2013.1

5240 Meadfeild Rd.
West Vancouver
B.C. V7W 3C3

25 November 2013

Dear Ms. Eggen,

It disappoints us to be writing yet again on this issue. However, once more we must begin by saying how much we regret that we cannot support our neighbour's application.

Approval of the setbacks as outlined in the application sets a precedent that has the potential of changing our rural landscape to a densely built, urban one; which also contravenes our Official Community Plan Land Use Bylaws. Neighbouring properties and our parks and waterfront would be adversely affected. The lots adjacent to this cabin, like ours, are extremely small and allowing building to the lot lines would have disastrous effects visually and create a dangerous situation with respect to the migration of fire should it occur. Within the same community of cottages we have had an example of this latter point in recent months when fire spread, with disastrous results, between two adjacent cottages which although setback from each other were destroyed when a fire spread from one to the other.

Privacy is difficult to achieve on our small lots so intrusion of privacy is another reason for us to speak against this application. As a result of the recent addition on the east side of the applicant's cottage, the immediate neighbours are adversely impacted in this regard.

We understand our neighbour's desire to have a pleasant refuge, but we cannot support this being achieved by the addition's infringement on the neighbours, parkland and the waterfront.

We feel very uncomfortable speaking against our neighbours but we must ask you to uphold our Gambier Island Land Use Bylaw and disallow this application.

Sincerely,

Colin & Shirley Bates

From: Alan Pronger [mailto:pronger@gmail.com]
Sent: November-26-13 10:05 PM
To: Marnie Eggen
Subject: Development Variance GM-DVP-2013.1

Hello,

I am writing to express my support for the development variance at 362 Mary Road, Gambier Harbour, Gambier Island. I have been visiting Gambier Harbour for 6 years, and throughout these years I can honestly say little has changed to the sight lines and aesthetics of the coast as a result of the recent addition to the property. Unlike other houses in Gambier Harbour, the addition blends perfectly into its surroundings. Further, the addition does not block any sight lines to the properties next to it as it does not go past the existing trees on either side, thereby not blocking the neighbours' views.

The Islands Trust has allowed for variances of a number of properties in Gambier Harbour. These variances have been for extensions that are much more obtrusive and jarring than the extensions to the Hollies, some of which have been built much higher than they would otherwise be allowed, and others who have been built closer to water and property lines than the Hollies addition. Allowing for these variances, while denying the Hollies' variance, would be an unjust inconsistency in decision making unbecoming of a reputable institution like the Islands Trust.

Many of the people in Gambier Harbour who are encouraging the Island Trust to deny this variance have variances on their own properties. That they would expect the Island Trust to accept their own variances, while denying the variance of the Hollies demonstrates a very selfish and entitled view of their community. A child who runs to its parent to tell on a sibling is not always in the right, they just know how to work the system better to get their way, often at the expense of the unwitting other.

The Hollies is an institution to Gambier Harbour, and the founding families of Gambier Harbour who have lived there over the past century are the heartbeat of the Gambier Harbour community. People have met, fallen in love, grown together, married, expanded families, and grown old at the Hollies. The Hollies is the essence of community. To have this variance denied and the addition torn down would be an unwarranted blow to the very institution that makes Gambier Harbour great.

Thank you for your consideration.

Best,

Alan Pronger

From: Ben Crompton [<mailto:benjamin.j.crompton@gmail.com>]
Sent: November-26-13 9:45 PM
To: Marnie Eggen
Subject: In Support of Margaret Crompton

Dear Islands Trust,

Attention: Marnie Eggen

I am writing in support of the variance applications of my Grandmother, Margaret Crompton. I spent most of my childhood summers running barefoot around Gambier Harbour. My Grandparents built and updated the Hollies as a family retreat where we could experience family community and island life. It meant the world to us growing up, as it does to the new generations of Cromptons. We have continually done projects together to improve the Hollies as time and money and labour permitted.

They have done it with great care with the whole community in mind. The annex has increased our ability to use the property for the whole family. The addition was not done with any malice, but in keeping with her forward thinking that she has done over the years for her family. The annex is tastefully set on the property in trees and further back from the water than many others in the area. While I understand the Trust's concern, I truly believe that very few people, if any, have been adversely affected by the annex, and I know many people would be heart-broken to see it go.

I would ask that the Islands Trust approve my Grandma's application for the variances. Thank you for your time.

Yours truly,

Ben Crompton
#3, 2200 Heather Street
Vancouver, BC
V5Z 3H6

From: Daniel [<mailto:danielcrompton@hotmail.com>]
Sent: November-26-13 9:26 PM
To: Marnie Eggen
Subject: Variance The Hollies, at 362 Mary Road, Gambier Harbour

Dear Island's Trust,

I am writing to support the application for the variance for The Hollies, at 362 Mary Road, Gambier Harbour.

I am one of Margaret Crompton's grandsons and have been going to The Hollies my entire life. I love The Hollies, and enjoy the beauty of the islands of Howe Sound. Even though I live in Prince George, I travel to Gambier every year to visit that magical spot.

The Crompton family has been a long time fixture on the island. We have contributed to island life for over half a century, and continue to be stalwart members of the community.

It is wonderful how the island still maintains the rustic beauty that it had when I was a child. Upgrades to the various cabins that dot the harbours, have been made in tasteful, and largely unobtrusive ways. I believe that the upgrade made to the Hollies follows that same mold. From what I understand, some of the upgrades to other properties have been made with variances in place before the building began, while others variances were granted after the building was completed.

As a long time visitor of Gambier, I support how the islands trust has helped to guide Gambier's development so that it continues to remain the beautiful place that so many of us can enjoy. I regret that the variance for the Hollies was not in place before the building began, but would hope that the island's trust would grant grace in this situation. It has been done with other cabin upgrades in the past. I would respectfully request that a family that has been such a loyal fixture of the island community and life would be treated fairly in this regard.

Yours truly,

Daniel Crompton
#342 - 3271 Westwood Drive
Prince George, BC
778-349-1779

From: Don Crompton [<mailto:don@paradigmmortgage.ca>]

Sent: November-26-13 11:05 PM

To: Marnie Eggen

Cc: Barbara Crompton (barbara.crompton@gmail.com); Garry Peters

Subject: Variance Applicaiton, the Hollies 362 Mary Road, Gambier Harbour, Crompton/Peters

Islands Trust

Attention: Ms. Marnie Eggen

Dear Island Trustees:

I am writing this letter in favour of the above Variance Permit Application made by Garry Peters on behalf of Margaret Crompton.

I am one of Margaret Crompton's sons and have been going to Gambier Harbour for the last 59 years. My mother and father purchased the Hollies in 1954 and it has been used by our family ever since. I live in Kelowna and holiday on Gambier for large parts of the summer. I grew up on the island as did my sons and now my grandchildren. We have had and continue to have a serious interest in the proper development of this beautiful rural island and I believe the Hollies is consistent with it.

In fall of 2003, I donated my hot tub to the Hollies and Garry Peters, my brother-in-law installed it soon thereafter. It has been used there since. I understand it is close to the park boundary and there is a concern of safety on the cliff adjacent to the park property. Presently, the tub and deck protect children and adults alike from falling down the cliff, its removal would create far more of a hazard and liability for the park user than presently exists.

Gambier Island as well as most of the other islands in Howe Sound, have evolved over the last 59 years that I have been there. Most of the owners bought their properties inexpensively and improved them over the years as energy and money allowed. Many have been done with the requisite permits and variances and yet the preponderance of them have not. The Hollies has been developed to accommodate our family for the last 59 years as it has grown and expanded just as many many other owners have done in the Harbour and in the islands. No more and no less. It is peculiar that the Hollies has been singled out while many others in the same boat are not.

The only people at all affected by the annex is the property immediately east of the Hollies and there are large trees and fences protecting them. The home and annex are tastefully set in trees and the only place the annex can be viewed is from the water. In fact, in my opinion, approving the variances in question will in no way inhibit the use and enjoyment of any other property owner.

Many of the complaining property owners have received variances. Some got variances before, and some after construction. Some have still not even been acknowledged and some have septic fields encroaching on their neighbour's property. Some owners have 3 homes on a single legal description. Some homes are situated far closer to the water than the Hollies and the annex. This is the state of development throughout the Islands. I am not interested in reporting others, disenfranching other owners, forming a vigilante committee or starting witch hunts but I simply want to point out the existing inconsistencies. It has come to my attention that the variances should have been applied for in advance of the construction. It is indeed very unfortunate that they were not.

The purpose of my letter is to respectfully request that the Islands Trust grant some grace in this situation to allow these variances to be approved. It seems only fair and equitable. Thank you for your consideration.

Yours truly,

Don Crompton,

#210 1980 Cooper Rd., Kelowna, B. C , V1Y 8K5

From: gregcrompton@gmail.com on behalf of [Greg Crompton](#)
To: [Marnie Eggen](#)
Subject: Variance Application for 362 Mary Road - Gambier Island
Date: November-26-13 8:48:22 PM

Attention: Islands Trust - Marnie Eggen

I am writing this letter in support of my grandma Margaret Crompton for the variances application for The Hollies situated at 362 Mary Road in Gambier Harbour on Gambier Island.

Gambier Island has been a special place for my family since the 50s. Generations of us have come up to enjoy the beautiful Howe Sound over the decades. I have been going there since I was born and find it a special and tranquil place. I look forward to these weeks and weekends each year.

The Hollies itself was built a long time ago and over the years our family has kept it standing by fixing it up year after year. We have done this with the goal of respecting our neighbours and in the spirit of Gambier Island. The annex has allowed more of our family to stay up at Gambier together. We built it with our neighbours in mind and attempted to keep the footprint small and having no sight infractions for our neighbours. As the trees and shrubs were between the annex and our neighbours, we felt the annex was in-keeping the spirit of Gambier Island renovations.

Many of us renovate our cabins on the island to both create a livable place for our growing families and keep within the codes set out. At times these two elements don't always share a common outcome. Granting the variance would allow us to keep celebrating life and the beauty of nature on Gambier Island.

I would ask that the Islands Trust approve my grandma's application for the variances.

I appreciate you taking the time to read this letter.

Sincerely,
Greg Crompton

--

Greg Crompton | Creative Director

Artaban Video & Strategy | Mobile [778 846 4704](tel:7788464704) | www.artaban.ca
414-119 West Pender Street | Vancouver BC | V6B 1S5

Marnie Eggen

From: Ilona Kostolansky <ilonakostolansky@gmail.com>
Sent: November-26-13 3:31 PM
To: Marnie Eggen
Subject: Barb Crompton/Garry Peters - Variance for The Hollies on Gambier Island

Dear Ms Eggen,

I am a resident on Gambier Island and am writing in support of allowing a variance to Barb Crompton and Garry Peters for the very beautiful addition to their home, The Hollies, on Gambier Island. The design and construction of the addition is impeccable both inside and out. The addition is in scale with and in harmony with the original building when viewed from the water and in no way dwarfs its neighbours or stands out.

Its position on the property and coverage behind mature trees ensures that it has little impact on the sight lines of the neighbouring property. I understand that Barb and Garry may be asked to tear down this wonderful addition. It would be a terrible shame to take such a strong punitive action and I would hope that some alternative could be reached.

Sincerely,

Ilona Kostolansky
604-363-3084

John L. Leathley
304-181 Athletes Way
Vancouver, B.C., V5Y 0E5
604 263-8640

November 26, 2013

Islands Trust
Northern Office 700
North Road Gabriola Island, BC
V0R 1X3

Attention: Ms. Marnie Eggen

via email: meggen@islandstrust.bc.ca

Dear Ms. Eggen:

Re: Crompton Application, Gambier Harbour

I am writing this letter in support of this Application which, I understand will be considered at a meeting on November 29, 2013 of which you have conduct.

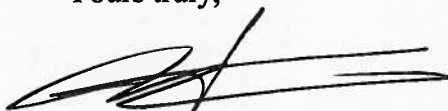
The Crompton family have been residents and owners of the subject property for many decades. The entire family have been well known to me and my family for more than 30 years and we have frequently visited, by land and by water, the Crompton residence at Gambier Harbour. We have had several visits during 2013.

I am aware of the renovations to "the Hollies" and have closely inspected the very attractive and quality extension and interior renovations to the property which have substantially improved the appearance and use of the residence. I can say without equivocation that these improvements have little or no impact on the neighbouring property or its use.

From an esthetic point of view, the renovations are attractive from the water and also from the road views.

It is my hope that the Islands Trust will favourably consider the pending application.

Yours truly,



John L. Leathley, QC

From: [Jack Crompton](#)
To: [Marnie Eggen](#); [Carolyn Crompton](#); [Barbara Crompton](#); [Garry Peters](#)
Subject: Gambier Harbour Annex
Date: November-26-13 4:43:21 PM

Dear Islands Trust Board,

I am in favour of providing the variance for the annex at the Crompton home at Gambier Harbour. I have been spending summers there since I was born and it is special place for me and now for my children for many reasons.

I have heard some talk that there may be a requirement for the "annex" to be torn down. This seems like a rash decision in a place that has so little bylaw compliance. I would hope there is an alternate remedy that isn't so costly for our family and destructive for the time invested.

A denial of this variance and a requirement for deconstruction of the building seems (to me) like a step toward enforced compliance on a level not currently applied on Gambier Island. There are many unvaried buildings all over the island and this one seems to have been treated differently than most of those similarly constructed buildings. If the Islands Trust intends to start applying deconstruction orders it seems reasonable that it apply them to all similarly constructed buildings. I think that would be a shame.

Our family enjoys time at Gambier and if the annex is removed our time on the island will be significantly decreased as there will no longer be room for us. Carolyn and I have 4 kids and I would like them to grow up experiencing one of the best places in the world just like I did.

Please try and come up with an alternate remedy. Thanks for taking the time to consider my thoughts.

--

Jack Crompton
1.604.902.8747 - Local Whistler
1.866.943.0516 - Toll Free North America
1.403.536.3977 - International
1.403.206.7147 - Fax
jack@ridebooker.com
www.ridebooker.com

From: [Grant & Marylyn Needham](#)
To: [Marnie Eggen](#)
Subject: Crompton/Peters Variance input
Date: November-26-13 9:21:21 PM

Dear Islands Trust:

I am sending this letter in favour of the variance that is under consideration.

My family and I have been guests of the Crompton/Peters Families at the Hollies. We stayed there for a week and enjoyed their secluded and tasteful home. It is nestled in the trees and fits well to the overall topography and quite comfortably on the lot. As we looked at it from the water, it fits well into the overall topography of the Harbour and is not in any way intrusive or overbearing. I particularly enjoyed their hot tub which is protected very well from the steep cliff on the side of the property. The deck as they have it configured protects anyone from falling off the park property. If that was not there, the parks would have a difficult time protecting the public.

The home seems very much in keeping with all the other homes and cabins in the area. In fact, in my opinion it adds greatly to the overall appeal of the Harbour.

Yours truly,

Marylyn Needham, CGA, CA, CPA

Cell: 250-878-4305

Marnie Eggen

From: Norbert Jakubke <norbert@theideapartner.com>
Sent: November-26-13 3:47 PM
To: Marnie Eggen
Subject: Letter supporting Barbara Crompton and Garry Peters application for variance for the addition of an Annex at the Hollies

To: Marnie Eggen, The Islands Trust

Re: application for the addition of an “Annex” at the Hollies on Gambier Island

My wife and I have lived on Gambier Island for 5 years in the West Bay area and are very familiar with the Hollies and Barbara Crompton and Garry Peters application for a variance for the addition of an “Annex”. Having been on the actual site as well as having viewed the addition from our boat on the water it appears that it would be tragic loss and considerable unnecessary expense to vote for its removal.

Firstly from an architectural perspective the additional “Annex” compliments the existing structure and fits beautifully within the rock outcrop. From the water it appears as a natural form without visually obstructing sight lines. The design of the addition, compliments this old historic site and actually adds considerably to its appeal. More importantly the “Annex” in no way, looks out-of-place or oversized for this location.

From the neighbouring property perspective the annex is separated by a natural outcrop of trees that have divided the property. Its addition does not impede the view corridor that existed prior to its construction. In addition the annex provides a suitable sound barrier for any neighbourly activities that might happen.

As a citizen of this small lovely community, which as you know must live harmoniously together I would strongly urge the Islands Trust to consider allowing in favour of the Crompton and Peters application for a variance for an “Annex”. The impact of its removal will leave a deep scar on the very soul of what has become a most wonderful place to live.

Kind regards,

Norbert Jakubke
866 The Grove Road
Gambier Island BC
604 833 3300

From: [Rita Dodge](#)
To: [Marnie Eggen](#)
Subject: Gambier
Date: November-26-13 4:07:01 PM

Hi Meggan. I realize we've never met but I feel I would be remiss if I didn't add my two cents to the debate that is currently up for a vote on November 28th

My family and I have been constant visitors to the Hollies for the last 40 years . We knew all the neighbours and loved the feeling you got as soon as you landed... The appreciation of nature and the common goal to preserve that beauty was evident. When Gary and Barbara added the hot tub I thought what an ideal location ... Hardly noticeable from land and sea. It seems sad to me to force them to remove it when it's not very obvious and I think it may do irreversible harm to the spirit and harmony of Gambier Island.

Thank you for the opportunity to express my thoughts

Sincerely
Rita dodge

Sent from my iPhone

From: thwake@gmail.com on behalf of [Tim Wake](#)
To: [Marnie Eggen](#)
Cc: [Garry Peters](#); [Barbara Crompton](#)
Subject: Variance Application for The Hollies, Gambier Island
Date: November-26-13 6:22:22 PM

Islands Trust, Marnie Eggen

re: Variance Application for The Hollies, Gambier Island

I was disappointed to learn of the recommendation to deny the variance for The Hollies, Garry Peters and Barbara Crompton, on Gambier Island.

While I understand the approvals process was not properly followed, the decision on the variance should be made based on its impact on the immediate neighbour and how it looks from the water. From both these perspectives, this addition has been carefully designed and built, is visually more pleasing than most waterfront development and is not intruding on anyone's privacy.

Requiring removal of the addition and associated decks cannot be the best remedy to this situation. Surely a more sensible resolution is available.

Yours sincerely,



Tim Wake
Bowen Island
tim@timwake.ca
604 992-8634

From: Ann Dies <01gambierann@gmail.com>

Date: November 27, 2013 at 4:21:56 PM PST

To: "meggan@islandtrustbc.com" <meggan@islandtrustbc.com>

Subject: Variance for Gambier Harbor

Re: lot1of lot1, block 2 of block c, district lot 874, plan 4991, Gambier Island
PID 007- 295- 928

Unfortunately "The Hollies", as it is known, has become a bone of contention in Gambier Harbor.

Everyone must learn to live within their means. Financially, according to ones lot size, according to ones physical issues.

The retrofit a number of years ago to add an upper story, etc did not faze the community. Only when building again started a few years later with disregard to neighbours and the community did people become upset. The addition negatively impacts the neighbours enjoyment of their getaway not to mention any effect on property values. It does not sit well on an island that is rural in nature. The lot lines they are asking for are close to 0 which even in the city is not allowed on residential. The ocean is dear to everyone.

As the main cabin was built years ago it is non conforming as many on Howe Sound islands are. That does not mean new construction can blatantly disregard rules today.

As much as we like Barbara and Gary we cannot condone the current format.

Yours

Ann and Ron Dies
Gambier Harbor

From: Betty Forbes [<mailto:forbes84@shaw.ca>]
Sent: November-27-13 4:19 PM
To: Marnie Eggen
Subject: Variance Application, re Gambier Harbour cottage "The Hollies"

To: Islands Trust
From: Betty Forbes

It saddens me to know of the animosity that is growing regarding the property at Gambier Harbour, known as The Hollies.

My family (including my parents) purchased said property in 1956, known as "St. Neots", which was in a very poor condition and required many, many years to upgrade it. Four generations later we now see the property in full use and the name of the cottage is well known "The Hollies". An "Open Door" policy has always been in effect and countless family and friends enjoy the hospitality of Barbara Crompton and her husband Garry Peters.

The outside of the property has been landscaped and is like a park and the inside is cosy and inviting. One cannot help but leave without good vibes and memories.

Barb and Garry put a great deal of effort and time into entertaining their friends. They never hesitate to offer help in any way they are able and they are outstanding community citizens of Gambier. How sad it is to see this neighborhood breakdown for what may be years and years to mend.

Yes, an error in judgment made but who among us has not erred at one time or another? As the Bible says "He that is without sin among you, let him first cast a stone" St. John...Chapter 8, verse 7.....

Thank you for listening.

From: Brent Page [<mailto:bdgpage@gmail.com>]
Sent: November-27-13 6:46 AM
To: Marnie Eggen
Subject: Gambier Island - The Hollies

Dear Ms. Eggen,

I am writing you with regards to The Hollies on Gambier Island. The Hollies is a place that is very dear to my heart. I have lovingly been accepted into the Crompton family as one of their own and have spent time at The Hollies on many occasions over the past five years. It was with great surprise that I heard about the ongoing controversy.

I would like to firmly voice my opinion that the addition at The Hollies has not created any visual disturbance for the surrounding cabins and community. This addition was beautifully done and suits the island architecture. Furthermore it was constructed with minimal impact on the surrounding vegetation and landscape. The addition of the annex was necessary to allow the growing Crompton family to continue to share in the enjoyment of Gambier Island.

It would be deeply saddening if they were forced to remove this addition. The Crompton family are fantastic members of the Gambier Island community and it would be devastating to them if the addition was removed.

Sincerely,

Brent Page
+46 076 941 5548
bdgpage@gmail.com

From: Charlie Brezer [<mailto:charlie@breathemat.com>]
Sent: November-27-13 9:40 AM
To: Marnie Eggen
Subject: The Hollies Cabin

When I first went to the Hollies the view from the water was one of a rustic classic cabin which had endured many hard winters. Today with the addition of the charming coach house and the updated patios the sight is breath taking. It blends in brilliantly with respect to the surrounding trees and rustic rock it delicately lays on. The updates to the Hollies have brought attention to the warmth and love that can only exist after 50 years of family memories.

Warm Regards,

--

Charlie Brezer
Breathe Yoga Wear Inc.

TF.1.866.900.9642

From: James Moxon [<mailto:moxon.james@yahoo.com>]
Sent: November-27-13 10:26 PM
To: Marnie Eggen
Subject: GM-DVP-2013.1 Notice

To: Islands Trust, 700 North Road, Gabriola Island BC

From: James Moxon, 366 Mary Road, Gambier Island BC; and, 9-3939 Indian River Drive, North Vancouver, BC V7G 2P5

My family has property at the above noted address on Gambier Island. I would like to register my objection to the Development Variance Permit GM-DVP-2013.1 regarding subject property Lot 1 of Lot 1, Block 2 of Block C, District Lot 847, Plan 4991, PID 007-295-928.

I strongly believe that any approval of the variance permit sought would immediately serve to undermine and render meaningless the Gambier Island Land Use Bylaw. The purpose of the bylaw document is to provide a fair, reasonable, and sustainable planning framework to land use on Gambier Island. Such a framework supports and protects the value that property owners have in land, compatible use of land by land owners, and the sustainability of the surrounding environment. Given this framework, the variance permit must not be approved by the Island Trust for the following reasons:

- Variance permits are intended to be sought in advance of construction and changes to property. Many of our neighbours follow these principles in order to ensure that the integrity of the planning framework is maintained and followed.

- The changes sought in the variance permit are significant and broad in scope. The variance seeks to reduce significantly the set-back to side lot lines- in one case to 0 metres and in another case to approximately 2 feet from the regulated set-back of approximately 9.8 feet. The set back from the water is sought to be changed to 8.4 feet from the regulated set-back of approximately 49 feet. These changes are not small and insignificant; they are a dramatic alternation to the regulations. Property owners understand the permitting process and it is not at all clear why a permit was not sought in advance of any construction. To approve now such significant changes that fundamentally change the regulations would in essence render meaningless the bylaw document. The message that will be communicated is that the bylaw document and any regulations in it are toothless, meaningless, and serve no purpose. It will be evident that any property owner can make whatever alterations desired to a property with no concern for how they meet the land use plan of the community and enforcement of that plan. It will also serve to communicate that there is no need to follow the proper process and seek permit approval before construction.

- The Trust Committee itself appears to be adopting a definition of "single family dwelling" that is not in accordance with the bylaw. This raises two principle concerns: 1. a variance should be sought not only for the set back changes but in fact for the actual secondary building constructed on the property; and 2. the Trust Committee is prepared to enter into an incorrect and damaging interpretation of its own bylaw.

- The variance permit reads at point 2i) "a single family dwelling consisting of an existing cottage and a connected cottage annex, including decks....". The definition of DWELLING or DWELLING UNIT in the Gambier Island Land Use Bylaw is given as "means one or more habitable rooms in a building that are used, or constructed so as to be capable of being used, as a residence by a single household and containing a common access, one kitchen and eating, sleeping, sanitary and living areas." The definition of DWELLING - SINGLE FAMILY reads "means a detached building containing one dwelling unit." The plan of survey indicates that the two buildings are not in fact joined as one structure (you will note the clear break in the plan). The renderings of the "New Rec Room" which one must assume is the cottage annex referred to in the variance permit illustrates separate and multiple doors or common access to that

building. The two building do not share a common access. It is also I understand common knowledge that this secondary building contains cooking, eating, and sleeping areas such that it functions as a separate dwelling independent in function and form from the original building. Given the definitions in the bylaw document, the plans submitted, and the understanding of the actual use of the secondary building, it is I believe incorrect to classify this group of buildings as a single family dwelling. I also note that the term "Annex" is not a defined term in the bylaws. It is therefore clear that what is referred to as an "annex" is in fact what is defined in the bylaws as an ASSOCIATED SECONDARY DWELLING. A secondary dwelling is defined as "a single family residential dwelling regulated by floor area and lot area and that is secondary in use and smaller in area than the principal dwelling on the lot." According to the bylaws the allowable square footage for this particular lot does not allow for the size of the second building on the lot. I believe that the variance permit should in fact be seeking a variance to the bylaws for the construction and location of what is referred to as a cottage annex that is in fact a secondary dwelling. Again, I am very concerned that the Island Trust appears to be incorrectly and inappropriately applying the definitions of the bylaws such that the structures are being considered as one single family dwelling when in fact it is clear that they are not. This should be corrected in the variance permit. Should it not be corrected, and should the variance permit be approved, this will further serve to make meaningless the bylaws. Property owners will receive the message that any number of buildings, of any size, of any distance from the original building, as long as they are connected in some way to the original building, may be constructed on the lot. This will of course undermine completely all regulations dealing with density and use in the bylaws. Immediate residents of this property will conclude that unrestricted, unrestrained, and building without permit on lots is allowed and encouraged and that residents can use this current variance as a precedent to justify and substantiate any such building after the fact.

For the reasons above, the Island Trust must not approve this variance permit. If the Gambier Island Bylaws are to have any meaning, be respected as a well- founded planning document, provide security to property owner value and use, and relate clearly to the taxes remitted by property owners to the district, this variance permit must be disallowed.

Regards,

James Moxon

From: Kate Kraumanis [<mailto:katekraumanis@gmail.com>]
Sent: November-27-13 10:19 AM
To: Marnie Eggen
Cc: Barbara Crompton; Garry Peters; agodey
Subject: The Hollies at Gambier Harbour

Marnie,

I am writing to you as Barb and Garry's daughter, Ray and Marg Crompton's granddaughter and a lover of Gambier Island. I have been coming to Gambier Harbour since I was a wee little girl and still to this day I get equally as excited when I can finally see the pier in the distance. Once I see the pier I know it's only a matter of time until I see the Hollies. The Hollies is a sweet welcoming as you enter Gambier Harbour. It sits at the top of the pier and on the weekends you can guarantee to see my mom waving with a glowing smile at whoever has just been dropped off by the Mercury, most likely running down to invite you over at some point during your stay.

The Hollies represents generations of hard work, summer's full of catching crabs on the beach and running up and down the pier but mostly my extremely loving family. From the moment the boat hits the dock I know that I'm going to be surrounded by the unconditionally loving Crompton family. During my weekends (and weeks) up at Gambier you can always expect the whole family squeezing into the kitchen to "help" my mom make dinner followed by games or simply sitting around the fire telling stories about when we were all little and what trouble we got up to in the harbour.

My memories of the Hollies are very dear to me. My granddad and grandma bought the property and built the Hollies for their children and generations to come to have somewhere to reconnect and escape from the everyday city life. That goal has become an understatement. Over the last 32 years I have learned how to swim from doggy paddling back and forth from the dock, watched 3 family members get married (including my mom AND brother) and have sat for endless hours starrng out at the water with my thoughts.

Although I have these fond memories I know it took an army to make them. The Hollies has been a work in progress since the beginning and my mom and Garry taking the torch has been a blessing. From tackling the ants trying to sneak in from each and every corner to making enough room for all the future family to enjoy, they have worked their buns off with great resolve. My mom and Garry LOVE Gambier harbour and spend endless hours making it a wonderful place for our family and friends to enjoy. They have gone above and beyond to create and welcome anyone and everyone on the island to our magical abode, whether it be luncheons for her island yoga classes or a cocktail party to celebrate and thank the people of the island who successfully put out a fire earlier this year.

I understand there are some frustrated neighbours in the Harbour but if you knew my parents you would know they only mean the best. They have hosted all the neighbours for endless celebrations, been asked for rides up to Gambier in the boat from neighbours and even though they have been tested by the neighbours; they do it with a friendly smile.

I feel very strongly about leaving Gambier as is and compromising so we can keep Gambier Harbour a wonderful and loving community.

I look forward to being surrounded by the strength of my family on Friday and toasting to another 50 years.

Thank you.

Kate

From: Kathy Troupe [<mailto:ktroupe@acetech.org>]
Sent: November-27-13 11:58 AM
To: Marnie Eggen
Subject: Support for The Hollies

Dear Ms. Egan

I am writing in support of granting a variance for the annex belonging to Garry Peters and Barb Crompton in Gambier Harbour. My partner and I own property on Gambier Island in West Bay. We have visited their property and the annex, and viewed the waterfront from the shore and from the water. The annex looks great, and it is well built. There are no safety issues. The impact on neighbors is minimal at best.

I question why "The Hollies" is being singled out for such harsh treatment. Is the Island's Trust prepared to take similar action against everyone else in the community for their infractions?

This family has been on Gambier Island for many years and they maintain their property year round. They are huge supporters of the community. I hope you will give serious consideration to granting a variance for this annex. We will be at the proceedings on Friday to show our support.

Sincerely

Kathy Troupe

From: Lesley Jewell Gmail [<mailto:lesleyajewell@gmail.com>]

Sent: November-27-13 5:02 PM

To: Marnie Eggen

Subject: The Hollies - Gambier

Dear Ms. Eggen,

This is to voice my support for Barbara Crompton and Garry Peters. We have spent many happy days on Gambier there and always arrive by water taxi at the dock in front. Their house looks wonderful from the water and totally fits into the rest of the landscape. Their renovations have been done very tastefully and thoughtfully.

Please give them every due consideration and thank you for your attention to this emotional matter.

Sincerely,

Lesley Jewell

From: Linda Cleminson [<mailto:lcleminson@gmail.com>]

Sent: November-27-13 4:46 PM

To: Marnie Eggen

Subject: The Hollies on Gambier Island

Hi Ms Eggen,

My husband and I would like you to have on file our letter of support for Barb Crompton and Garry Peters of The Hollies on Gambier Island.

We are very distressed by this whole situation. We will be at the hearing on Friday in support of Barb and Garry.

Yours Sincerely,

Linda and Andrew Cleminson

November 27, 2013

To: The Islands Trust

Re: The Hollies on Gambier Island

I understand that the Islands Trust has received a number of complaints about the recent upgrading of THE HOLLIES. As a homeowner for almost 24 years on Gambier Island I fail to understand any of the concerns voiced towards the new and improved THE HOLLIES.

In order to get to my property in West Bay I use my boat or the Mercury water taxi service and so my route takes me past and to Gambier Harbour on frequent occasions. I have always loved the look of this little bay. It is picturesque to say the least. Many of the homes date back 50 years or more and sit close to the water's edge on a rocky shore. THE HOLLIES has occupied this land for many many years and like so many cottages has been passed down to new family members. As the families have grown, so to have the needs to provide additional space.

One of the enchanting things about THE HOLLIES is how Barb and Garry have made certain that the visual impact of any improvements have enhanced the view both from the sea and to the sea. They have made certain that their property in no way impacts any properties in their vicinity. Added to which, they are always contributing to community fellowship and goodwill: something that runs in the Crompton family by the gallon.

In conclusion I would ask this question: What truly is the purpose of this inquisition? Frankly, THE HOLLIES is an integral part of the fabric of Gambier Island.

Nothing stays the same as it did 50 years ago does it? So lets move on and deal with more important issues rather than subjecting this wonderful family to this absurd proposition.

Yours sincerely,

Andrew and Linda Cleminson
Grove Road, Gambier Island

From: Nicole Kraumanis [<mailto:nicolekraumanis@hotmail.com>]
Sent: November-27-13 5:02 AM
To: Marnie Eggen
Subject: Gambier Island - The Hollies

Greetings Ms. Eggen,

Gambier Island is a special and majestic haven in beautiful Howe Sound. It remains less populated than the surrounding Keats and Bowen Islands and still has that 'old fashioned' feel to it. I have spent countless summers at 'The Hollies', my family cabin in Gambier Harbour. As a child, I was privileged to get to know many of the neighbours and take part in annual fishing derbies and pie baking contest at the community centre. I basked in the sun and swam like a fish in the fresh waters of the Pacific Ocean. My height has been measured since the day I was born on an old door that continues to hang in The Hollies today. I love staring at that door and seeing how tall my mother was when she was growing up. The Hollies continues to be a piece of heaven on earth for our family and friends alike.

Our family has been coming to this place for decades and as the family grows, the ability for our family to enjoy The Hollies and Gambier Island decreases. It was becoming increasingly difficult to find time and therefore, the decision to add on an annex to the existing cabin was necessary. This is not an eye sore to the general public but a beautiful, small addition to a long-standing residence with deep roots in the Gambier Harbour community. The effect it has on the surrounding cabins is nil and the visual impact is nothing compared to other residences that have recently been constructed. From the water, the cabin looks like it has been created to be one with nature with little impression on the surrounding vegetation and geography.

One of the best times in recent memory has been celebrating my grandmother's birthday on the Civic Holiday weekend. Surrounded by her three children, eight grandchildren, 5 great-grandchildren, countless nieces and nephews, great-nieces and great-nephews, their children and extended stepfamilies alike, she always looks forward to this weekend, even as Alzheimer's begins to set in. We also take a few boatloads over to Gibsons to play a golf tournament: "The Crompton's vs. The Fords". My grandmother Maragret Crompton, 89, and her sister-in-law Betty Forbs, 90, wait eagerly at The Hollies to see which team will come home triumphant before a pot luck style dinner with upwards of 40 people in attendance. We have a big celebration planned for Margret's 90's birthday next August. It is the one time each year I get to see these family members and this wouldn't be possible without The Hollies.

The Hollies is not only a cabin but it is a home filled with a myriad of happy memories. It breaks my heart to think my children will not be able to be a part of a community that gave me so much. Our family continues to give back with active roles in the community, teaching yoga at the community centre, being part of the fire brigade and being commendable members of the Gambier Family as a whole. This is becoming increasingly difficult, as some neighbours have created a rift that is almost irreparable. They are bullying our family and making us feel unwelcome in our own home.

I ask you to take our family and our home in to account when reviewing the application to remove the annex and deck attachment to The Hollies on Gambier Island. This would be a devastating conclusion to a heart-wrenching and unnecessary process that has truly taken a toll on all members of our family.

Sincerely,

Nicole Crompton Kraumanis
+46 076 421 7440
nicolekraumanis@hotmail.com

From: SEESAW Marketing [<mailto:seesawblades@telus.net>]
Sent: November-27-13 9:42 PM
To: Marnie Eggen
Subject: GM-DVP-2013.1 Crompton/Peters

Islands Trust

Re: Development Variance Permit
GM-DVP-2013.1 Crompton Peters

We have been residents of Gambier Harbour since the 1950's and we find the recommendations of the Islands Trust, absolutely appalling. We are shocked to hear that other residents and weekenders have written against this application.

Gary and Barb have taken great care to build a beautiful addition that tastefully blends in with its surroundings. They have put in hundreds of hours making the lawn, gardens and landscaping enhance the park like setting that we all enjoy.

Barb and Gary have gone out of their way to make Gambier Harbour a place to be proud of, always on board to help neighbours and friends with community jobs and functions. Whether it be beached boats, fallen trees or the volunteer fire department they go above and beyond to be excellent citizens.

We have absolutely no issues with the addition they have built, in fact we feel it only enhances the beauty of the harbour and our property values.

Yours truly

Rick and Laura Forbes
890 Porter Street
Coquitlam, BC V3J 5C2
604-936-1022
604-290-3756

From: Ron Booth [<mailto:ronbooth2@gmail.com>]

Sent: November-27-13 12:08 PM

To: Marnie Eggen

Subject: Hollies variance

We support the variance applied for by the Peters at Gambier Island.

As we are familiar with the property we see no logical reason for any ones objections to their tasteful and small addition.

Ron & Gael Booth
848 Captians Way
Bowen Island

From: Tony & Ruth Hume [<mailto:hume4934@gmail.com>]
Sent: November-27-13 1:31 PM
To: Marnie Eggen
Subject: The Hollies at Gambier Harbour (Barbara Crompton/Garry Peters)

Dear Ms. Eggen,

I appreciate being given the opportunity to express my thoughts prior to Friday's meeting of the trustees.

The Hollies for many years has been the gathering place for many of the islanders of Gambier. The gorgeous deck facing the sea has been a spot of safety as well as fun. How many times have we been right there with groups of friends and Garry and Barbara could see someone floundering with luggage or the tying up of a boat and they would fly down with their gator and do whatever was necessary to help their neighbours.

The thought that they put into making their property not only more attractive than previously, but also lines that would fit into the nature surrounding them was evident. They are talented individuals who have created an incredible space.

I am so saddened by all that has happened in their lives. The additions and augmentations that they have made to their home are beautiful to see. It does not appear to me that there is any impact to the neighbours.

When looking at the house from the water, the only neighbour is to the right hand side of the house. From the decks or the side of the house, it is impossible to see any of the living space of those neighbours, only a few peaks of the building.

If you require any further thoughts please let me know.

Sincerely

Ruth Hume
954 Kings Avenue
West Vancouver BC
V7T2B7

604-710-4934

-----Original Message-----

From: Alastair Forbes [<mailto:emailforbes@gmail.com>]

Sent: November-28-13 7:05 AM

To: Marnie Eggen

Subject: Hollies on Gambier Island

Hi Marnie,

My name is Alastair Forbes and I just wanted to write a quick note in support of Gary and Barb. My families cottage is directly across the beach from theirs and we've been parking our boat in front of their cottage for over 20 years. I see no appreciable difference on the visual impact of the cottage. The additions they've made are, in my opinion, both relatively unobtrusive and visually in line with the surrounding older cottage and community at large. More importantly, the actual practical impact on the Gambier community at large is nil while the impact of removing those additions will have a devastating affect on Barb and Gary and almost certainly will negatively affect community relations for some time.

Thanks

Alastair Forbes

Sent from my iPad

From: sandy rempel [<mailto:sandyrempel@hotmail.com>]
Sent: November-28-13 10:39 AM
To: Marnie Eggen
Subject: Letter of support for The Hollies on Gambier Island

Attention Marnie Eggen:

This is my letter of support for Garry Peters and Barb Crompton regarding their improvements to The Hollies property on Gambier Island.

My wife and I have known Garry Peters for forty years and have often been invited to spend time at The Hollies on Gambier Island. This has allowed us the opportunity to view the improvements to their property.

My background is that I have worked in the custom home construction industry and sustainable energy sector for almost forty years. Currently I consult to Fortis BC, the Provincial government, BC Hydro, the City of Vancouver and other municipalities in BC. Seven years ago, I built an off-grid cottage at Lillooet Lake and used Garry as one of my prime advisors regarding design. For reference, you can view the building process and the results on my blog: goinggreenoffthegrid.wordpress.com. I can attest to Garry's design and construction knowledge, skill and practical experience which results in superior construction quality and aesthetically pleasing projects. I have often told him that I rarely see a contractor who takes such care to detail as he does. Over the years we have seen him put his heart and soul into all his projects, especially The Hollies. We along with many of our friends who visit Garry and Barb are impressed by the charm, character and the beauty of their home and this location.

In my opinion, the improvements under discussion are exemplary in every way. They not only add value to the original structure but enhance the neighbourhood and community. Because of his design creativity, skill and hard work, these residents of Gambier now have the benefit of property values going up nearby, which then serves to increase the value of their own property. Due to all the factors mentioned, I am submitting this letter of support for the improvements to The Hollies property on Gambier Island.

Sincerely,
Douglas G. Rempel
Ecolighten Energy Services Ltd
www.ecolighten.com

Lois & Derwyn Owen
#28 – 5839 Panorama Drive
Surrey, BC V3S 0P4

Islands Trust
Attention: Marnie Eggen

November 28, 2013

Re: Crompton Variance Application, Gambier Harbour

We are writing from two perspectives. Firstly, we are friends of Garry Peters and Barbara Crompton, and long-time visitors to Gambier Harbour. Secondly, Derwyn spent some years as the Director of Purchasing and Property Services for the City of North Vancouver and has taught Appraisal and Urban Lands Economics for the Sauder School of Business for two decades. He brings that municipal experience and real property awareness to the comments in this letter.

We are always delighted to enter Gambier Harbour. The views along the shore have changed over the past 20 years with the growth and development of many properties. The improvements that Garry & Barb have made to the Hollies are tasteful, welcoming and completely in keeping with the surrounding west coast beauty. Nothing has been compromised in the building of their annex.

Gambier has had a history of haphazard development, largely flying under the radar of normal urban permits, set-backs and regulations. In recent years, the Islands Trust has sought to address those concerns and bring some much-needed standards to the Gulf Islands' building practices. The transition from lax to strict oversight is obviously going to be bumpy. Perhaps the most important litmus test in the tricky business of granting variances, will be consistency. If this variance is denied, consistency would demand that all past decisions of variances including those involving health codes (septic system installed too close to well) and set-backs (half the properties along the shoreline) should be revisited and corrected.

The Crompton family has owned this cabin for decades. They have been socially responsible and active in the community for the entire time, even as the next generations have taken over the care and keeping of the property. The handling of this file is threatening to tear their community apart and this is a complete travesty of justice. What they are asking for is not special treatment, just the same treatment that has been awarded to other applicants. We do hope that you will understand that this variance deserves no more, but no less, than what has been granted all around Garry & Barb's wonderful property.

Yours truly,
Lois & Derwyn Owen

Marnie Eggen
A/Planner 2
Islands Trust
700 North Road
Gabriola Island, B.C
V0R 1X3

Re: Development Variance Permit

Lot 1 of Lot 1, Block 2 of Block C, District Lot 847, Plan 4991, PID 007-295-928

As a member of Four M's Properties Ltd., I would like to support the proposed Permit authorizing the reduction of the setback to the natural boundary of the sea from 15.0 metres to 2.56 metres and the reduction of the setback from the western and eastern interior lot lines from 3 metres to 0 metres and from 3 metres to 0.64 metres, respectively to permit an already constructed single family dwelling, freestanding wooden deck, wood shed, retaining wall, and garage deck for the following reasons:

1. Margaret Crompton and her family have been residents of Gambier Harbour for many years - since 1955 - and during that time have made a significant contribution to community life.
2. Additions to the property (as outlined above) have been beautifully designed blending in with surrounding dwellings and natural setting. The property has been attractively landscaped: Overall the effect is aesthetically pleasing.

Respectfully submitted,

Maureen Crompton
Four M's Properties Ltd

From: Tony & Ruth Hume [<mailto:hume4934@gmail.com>]

Sent: November-28-13 11:43 AM

To: Marnie Eggen

Subject: Re-sending original from home computer

Nov 27, 2013, at 4:39 PM

Dear Marnie Eggen

Re: Friday November 29th Trustee meeting Gambier Island

It has been brought to my attention that an Islands Trust staff report has recommended against allowing the Hollies variance request which will be decided this Friday by the Trustees.

Sadly I will not be able to attend this meeting due to work commitments so I submit this letter as my strong statement against the conclusion in this staff report.

I also understand that the report recommends removal of some of the deck areas and hot tub as well.

I am shocked and saddened by these recommendations. Shocked by the binary and punitive nature of the recommendations for what has been a very long standing island resident family and saddened that a number of other islanders that are not remotely affected by the improvements on the property have responded negatively.

As a long-time visitor to Gambier Island and someone who lived within the Islands Trust region on Saltspring for a dozen years I find this staff conclusion extremely disturbing for a number of reasons.

First, the improvements made to the Hollies have been made tastefully and with the utmost concern with fitting aesthetically into the location.

Secondly, the improvements look fabulous from the water without destroying any vistas. Given the trees between the Hollies and the annex building the recent addition can barely be seen by the one (and ONLY) adjacent neighbour.

Thirdly, I am incredulous that eight other residents could be affected negatively by the improvements on this property.

My final point goes to the recommendation to remove decks and the hot tub. In light of the recommendation to remove the annex structure, this additional hardship sounds down-right spiteful for such a long-standing and community minded family.

I would implore that the Trustees defer any decision on this matter and rather the Trustees in their wisdom request that the directly affected parties (including the Trust staff) attend mediation in order to find a solution that reflects the spirit of the "Preserve and Protect" mandate of the Islands Trust...and a solution that attempts to preserve rather than destroy some semblance of neighbourhood for a family which has prided themselves on being solid Gambier loyalists for decades.

Please, eliminate this costly and negative process which will only become more so with a binary negative decision and replace the process with something that offers some semblance of a community solution.

Sincerely,
Tony Hume

From: jeffrey grant [mailto:jeffreydgrant@hotmail.com]
Sent: November-28-13 7:34 PM
To: Marnie Eggen; Becky McErlean
Cc: delburndev@gmail.com; barbara@barbaracrompton.com; katekraumanis@gmail.com
Subject: Hollies-Gambier Island

Dear Marnie and Becky,

My name is Jeff Grant and I have been living on Gambier Island for 8 years now. I am a full time resident and a home owner. I currently work for Gambier Island Contracting inc, a company for which I started approx 5 years ago.

I am writing you in regards to the issue that is before you concerning Barb Crompton and Gary Peters "pied" they built on there cabin in Gambier Harbour. I understand a small number of neighbours have put up quite a stink about there little cabin. The only thing thing that they should be punished for is living too close to certain "trouble maker" who goes out of his way to start problems and stick his noses in where it doesn't belong. I have been on a lot of the property's on Gambier island over the years and let me tell you that the majority of people would also be having issues too if they lived next to some of those people. Many people on Gambier Island have built a structure too close to property lines by mistake, many people have too many buildings, many people have built without permits. I am not here to say if its right or wrong, but to punish Gary and Barbara for doing what the majority of people have done on Gambier Island is not fair. The pied they built is beautiful, it works well with the surrounding houses and adds to the look of Gambier Harbour. It is small, tasteful and it works on that property. Making them take down there home that they love and paid a lot of money for is wrong.

Lets not for get it wasn't that long ago when we built the Gambier Island Community Centre and money was really tight, that family generously donated THOUSANDS of \$\$\$\$ in flooring and labour to build our community centre..... Those people who are making all the fuss didn't give a penny. Barb and Gary support every event and are very welcomed members of this community. They have always welcomed me into there home and they are fair and reasonable people. I truly hope that you can find another way to solve this problem than make them lose there home.

Your Truly,

Jeff Grant