



Gambier Island Local Trust Committee

Regular Meeting Agenda

Date: July 21, 2026
Time: 11:00 am
Location: Gambier Island Community Centre
Andy's Bay Road, Gambier Island, BC

Pages

1. **CALL TO ORDER** 11:00 AM - 11:05 AM
"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."
2. **TERRITORIAL ACKNOWLEDGEMENT**
3. **RISE AND REPORT**
Rise and report from Gambier Local Trust Committee regular meeting on May 26, 2026 that:
The January 27, 2026 in-camera meeting minutes were adopted and that Jack Woodward, George Buvyer, and Kathering Berge were appointed to serve on the Gambier Board of Variance for a three-year term commencing May 26, 2026.
4. **APPROVAL OF AGENDA**
5. **REPORTS** 11:05 AM - 11:20 AM
 - 5.1 **Trustee Reports**
 - 5.2 **Chair's Report**
 - 5.3 **Electoral Area Director's Report**
6. **PUBLIC PARTICIPATION PERIOD** 11:20 AM - 11:40 AM
7. **MINUTES** 11:40 AM - 11:45 AM
 - 7.1 **Local Trust Committee Meeting dated May 26, 2026 - for adoption** 4 - 10
 - 7.2 **Section 26 Resolutions-Without-Meeting Report - none**
 - 7.3 **Advisory Planning Commission Minutes - none**
8. **BUSINESS ARISING FROM MINUTES** 11:45 AM - 12:00 PM
 - 8.1 **Follow-up Action List dated July 14, 2026** 11 - 13

9. DELEGATIONS - none
10. APPLICATIONS AND REFERRALS 12:00 PM - 12:30 PM
 - 10.1 PL-DVP-2026-0083 and PL-DP-2026-0206 (Khan) - Staff Report 14 - 52
 - 10.2 PL-DVP-2026-0263 (The Grove Road) - Staff Report 53 - 102
11. CLOSED MEETING 1:00 PM - 1:30 PM
 - 11.1 Motion to Close the Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(g) for the purpose of considering:

 - (g) litigation or potential litigation affecting the municipality;

and that the recorder and staff attend the meeting.
 - 11.2 Recall to Order
 - 11.3 Rise and Report
12. LOCAL TRUST COMMITTEE PROJECTS 1:30 PM - 1:45 PM
 - 12.1 Major Project: Gambier Island Official Community Plan and Land Use Bylaw Review: Draft Bylaw No. 163 - Memorandum 103 - 108
13. CORRESPONDENCE - none

(Correspondence received concerning current applications or projects is posted to the LTC webpage)
14. NEW BUSINESS - none
15. STAFF REPORTS 1:45 PM - 2:00 PM
 - 15.1 Trust Conservancy Report - none
 - 15.2 Applications Report dated July 14, 2026 109 - 113
 - 15.3 Trustee and Local Expense Report dated May 2026 114 - 114
 - 15.4 Adopted Policies and Standing Resolutions 115 - 125
 - 15.5 First Nations Relationship Building Update
 - 15.6 Local Trust Committee Webpage
16. WORK PROGRAM 2:00 PM - 2:15 PM
 - 16.1 Active Projects Report dated July 14, 2026 126 - 126

17. UPCOMING MEETINGS 2:15 PM - 2:20 PM

17.1 Next Special Community Information Meetings Scheduled for:

- Thursday, July 30, 2026 at 10:00 am, to be held electronically;
- Tuesday, August 4, 2026 at 3:00 pm at Gambier Community Centre, 721 Andys Bay Road, Gambier Island, BC; and
- Wednesday, August 5, 2026 at 7:00 pm at John Braithwaite Community Centre, Discovery Room, 141 W. 1st Street, North Vancouver, BC.

Suggested Resolution:

that the Gambier Island Local Trust Committee approve Trustee Bernardo's electronic participation in the August 5, 2026 Special Community Information Meeting.

17.2 Next Regular Meeting Scheduled for Tuesday, November 24, 2026 at 10:00 am, to be held electronically

18. ADJOURNMENT 2:20 PM - 2:20 PM



Gambier Island Local Trust Committee

Minutes of Regular Meeting

Date: May 26, 2026

Location: Gambier Island Community Centre
Andy's Bay Road, Gambier Island, BC

Members Present: Laura Patrick, Chair
Kate-Louise Stamford, Trustee
Joe Bernardo, Trustee

Staff Present: Sonia Zupanec, Island Planner (electronic)
Marlis McCargar, Island Planner
Warren Dingman, Bylaw Compliance & Enforcement Manager (electronic)
Lisa Millard, Meeting Administrator/Recorder (electronic)

Others Present: There were approximately 4 members of the public in attendance.

1. CALL TO ORDER

Chair Patrick called the meeting to order at 11:12 a.m.

2. TERRITORIAL ACKNOWLEDGEMENT

Chair Patrick acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

3. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

4. REPORTS

4.1 Trustee Reports

Trustee Bernardo did not provide a report.

Trustee Stamford welcomed former Islands Trust Chair Kim Benson and reported the following:

- Participated in census taking on Gambier Island;
- Attended the Howe Sound Community Forum;
- Announced she will not be running for election as an Islands Trust trustee next term.

4.2 Chair's Report

Chair Patrick reported the following:

- Upcoming attendance at the electronic Trust Council meeting starting June 16, 2026;

- Attended the cross-border forum with San Juan County representatives to discuss topics of mutual concern including oil spill responses.

4.3 Electoral Area Director's Report

Director Stamford reported the following:

- Attended a Ports Committee meeting and noted the West Bay dock will be receiving a new float and anchors in mid June and the Hopkins Pier infrastructure is being restored with a new float to be installed later this year;
- Continued work on the Official Community Plan alignment project;
- Information about recipients of grants-in-aid for community projects will be released soon;
- Upcoming attendance at a Sunshine Coast Regional District Board meeting during which a discussion about the receipt of a provincial grant for fire smart community funding will occur;
- Participated in the newly formed Gibsons ferry advisory committee.

5. PUBLIC PARTICIPATION PERIOD

A member of the public inquired about the Sunshine Coast Regional District survey about New Brighton Dock and Trustee Stamford indicated no new information is available.

A Keats Island resident noted they will potentially be applying for a density bonus provision as detailed in the Keats Official Community Plan Policy 5.17(b) in which the zoning regulations may be amended to permit one additional dwelling unit on a lot in the rural residential zone in exchange for a trail dedication. They also spoke to an issue in which lots on Keats Island surveyed in 1911 were incorrectly recorded as being 10 acres in size but are actually less than 10 acres which creates an issue for those wishing to subdivide as the Official Community Plan only allows subdivision of settlement residential lots that are 10 acres or larger.

A member of the public stated they owned one of the affected properties which were part of a bylaw complaint regarding accessory sized structures used as a dwelling unit and, due to lot configuration and limited infrastructure, many structures can not incorporate BC Building Code Step Code 3. They noted the Chief Building Officer at the Sunshine Coast Regional District informed them Islands Trust bylaws could be amended to eliminate this requirement.

A Trustee replied Islands Trust does not regulate building code requirements and only look at siting and use; however, advocacy is being undertaken from the Associated Vancouver Island Coastal Communities to the BC Provincial Government regarding the issue.

6. MINUTES

6.1 Local Trust Committee Meeting dated March 24, 2026 - for adoption

The following amendments to the minutes were presented for consideration:

- Item 4.3 on page 2 the first bullet point should read “an average increase of \$11 per \$100,000...”
- Item 4.3 on page 2 the third bullet point should read “most of the bridges” not “all of the bridges”.

By general consent, the Local Trust Committee meeting minutes of March 24, 2026 were adopted as amended.

6.2 Section 26 Resolutions-Without-Meeting Report - none

6.3 Advisory Planning Commission Minutes dated May 13, 2026 - for information

Received for information.

6.4 Advisory Planning Commission Minutes dated May 21, 2026 - for information

Received for information.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated May 19, 2026

The Planner provided an update on the status of items on the Follow-up Action List.

8. DELEGATIONS - none

9. APPLICATIONS AND REFERRALS

9.1 PL-DVP-2026-0079 (Grove Rd) - Staff Report - LATE ITEM

The Planner stated the applicant requested the application be deferred to a future meeting to allow time to provide more information.

A Trustee indicated they will be asking staff to provide policy rationale that argues against granting the application.

GM-2026-024

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee defer decision on Development Variance Permit PLDVP20260079 to the next Gambier Island Local Trust Committee meeting on July 21, 2026 as per request of the applicant.

CARRIED

The meeting was recessed for a break at 12:26 p.m. and reconvened at 12:47 p.m.

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Major Project: Gambier Official Community Plan and Land Use Bylaw Targeted Review: Draft Bylaw No. 163 - Staff Report

The Planner advised the Local Trust Committee that staff are seeking direction on the proposed amendments to draft Official Community Plan Bylaw No. 163 and public engagement on the draft shoreline Development Permit Area.

Discussion ensued and the following comments were recorded:

- Direct government-to-government engagement with Squamish First Nation is needed to help inform decision making;
- There is consensus to use Trustee Stamford's version of background context for inclusion in draft Bylaw No. 163;

- A Trustee believes reconciliation should be one of the prime policy considerations but does not think it is open to the Local Trust Committee to adopt reconciliation as the overarching framework for all policy guidance as it would have the affect of hardwiring a bias into the decision-making process and fetter the discretion of the Local Trust Committee;
- A Trustee does not think it is appropriate for the Official Community Plan to refer to the First Nation title issue as the matter falls entirely outside of the jurisdiction of the Local Trust Committee;
- One Trustee suggested the use of “where appropriate” when considering reconciliation in relation to policy while another thought stronger language was required;
- The Official Community Plan needs to include a definition of “title” because once it is amended it has a legal effect that will bind the Local Trust Committee in regard to how bylaws are applied and how staff interprets them.

The following edits to Attachment 1 of the May 26, 2026 staff report were suggested:

- 2.1 Change “Gambier Island (Cha7élkwnech)” to “Cha7élkwnech (Gambier Island)” in the first sentence and throughout the document;
- Indigenous Acknowledgment and Reconciliation - change the second paragraph to read “Patterns of colonial settlement, reserve allocation, subdivision, residential development, and protected area designation have occurred without recognition of continuing Indigenous title and rights. These patterns continue to shape land ownership and land use within the Local Trust Area.”;
- Reconciliation as a Planning Framework - b) change “recognizing” to “acknowledging”;
- Add the Reconciliation Policies from the original draft, on page 40 of the May 26, 2026 staff report, back in and insert following the Reconciliation Objectives section.

GM-2026-025

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee amend draft Bylaw No.163 as per Attachment 1 in the staff report dated May 26, 2026.

CARRIED

GM-2026-026

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff include Reconciliation Policies, as originally drafted by staff, be inserted into the draft Official Community Plan text immediately after the section titled Reconciliation Objectives.

CARRIED

GM-2026-027

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request the draft Official Community Plan text be reviewed for its legal affect and specifically whether;

1. paragraphs (a) and (d) of the section titled Reconciliation Principals;
and
2. paragraphs 2 and 4 of the section titled Reconciliation Objectives would fetter the Local Trust Committee's discretion, risk incorporating bias, or otherwise exceed the Local Trust Committee's jurisdiction and that funds from the major project budget of draft Bylaw No. 163 be released for that purpose.

CARRIED

Trustee Stamford noted disagreement that costs of a legal review should come from the project budget.

GM-2026-028

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to schedule and facilitate up to two Community Information Meetings subject to available resources, in-person and/or online in July or August 2026, to provide information and receive public feedback on the proposed draft shoreline protection development permit area language.

CARRIED

GM-2026-029

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee direct staff to work with trustees to finalize the shoreline protection public engagement survey and launch the digital survey for public participation in early July, closing mid September 2026.

CARRIED

11. CORRESPONDENCE

(Correspondence received concerning current applications or projects is posted to the LTC webpage)

11.1 Email dated March 23, 2026 from the Agricultural Land Commission regarding Staffing and Budget Pressures

Received for information.

12. NEW BUSINESS - none

13. STAFF REPORTS

13.1 Gambier Meeting Procedures Repeal Bylaw No. 161 Final Adoption - Staff Report

GM-2026-030

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 161, cited as "Gambier Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 161, 2025", be adopted.

CARRIED

13.2 Gambier Island Public Notification Bylaw No. 162 Final Adoption - Staff Report

GM-2026-031

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 162, cited as “Gambier Island Local Trust Committee Public Notification Bylaw No. 162, 2026”, be adopted.

CARRIED

13.3 Highlights of Trust Conservancy March 17, 2026 Board Meeting

Received for information.

13.4 Islands Trust Conservancy Report to Trust Council 2025-2026 - 4th Quarter Update

Received for information.

The meeting was recessed for a break at 2:07 p.m. and reconvened at 2:17 p.m.

13.5 Applications Report dated May 19, 2026

Received for information.

13.6 Trustee and Local Expense Report dated March 2026

Received for information.

13.7 Adopted Policies and Standing Resolutions

Received for information.

13.8 First Nations Relationship Building Update - none

13.9 Local Trust Committee Webpage - none

14. WORK PROGRAM

14.1 Active Projects Report dated May 19, 2026

Received for information.

14.2 Future Projects Report dated May 19, 2026

Received for information.

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Tuesday, July 21, 2026 at 10:00 am at Gambier Community Centre, 721 Andy's Bay Rd., Gambier Island, BC

16. CLOSED MEETING

16.1 Motion to Close the Meeting

GM-2026-032

It was MOVED and SECONDED

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(a), (f), and (i) for the purpose of considering:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
 - (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
 - (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- and that the recorder and staff attend the meeting.

CARRIED

The meeting was recessed at 2:31 p.m.

16.2 Recall to Order

The meeting was recalled to order at 2:51 p.m.

16.3 Rise and Report

Chair Patrick will rise and report at the next regular Local Trust Committee meeting.

17. ADJOURNMENT

By **general consent**, the meeting was adjourned at 2:52 p.m.

Laura Patrick, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder

Follow Up Action Report

Gambier Island

28-May-2024

Progress	Activity	Responsibility	Dates	Status
50%	1 Complete PDF versions of maps from the Islands Trust Area Aquifer Conceptualization and Groundwater Recharge Mapping for the GM LTA, include them in a staff report, with a short presentation, and publish maps on the website by the next regular meeting on July 30, 2024. - As per Trust Council FU25/26 budget, there is an approved business case to continue the Freshwater Atlas development. Further update expected at a future LTC meeting. \n	William Shulba	Target: 01-Oct-2024	In Progress

01-Oct-2024

Progress	Activity	Responsibility	Dates	Status
25%	1 Staff to implement the following OCP/LUB project recommendations from Squamish Nation listed in Table 1 attached to the staff report dated October 1, 2024 and to prepare draft language for applicable polices/regulations for LTC consideration of subsequent steps: ·Table 1 Recommendations A1; A2; A3; A4; A5; B2; B3; B5; B6; B9; C1; C3; C4; D3 and D5.	Sonja Zupanec		In Progress

Follow Up Action Report

Gambier Island

27-Jan-2026

Progress	Activity	Responsibility	Dates	Status
0%	1 Incorporate <i>Option 2: 'Retain Current Approach with Clarified Regulations,'</i> per the January 27, 2026 Memo on accessory building regulations, into the technical review phase of the OCP/LUB major project. <i>Added to Major Project items list in May 2026</i>	Sonja Zupanec		In Progress
0%	2 Staff to review the implications of adding <i>Option 3</i> , as outlined in the January 27, 2026 memorandum regarding accessory building regulations, to the current GM OCP/LUB project, or alternatively, to assess adding it to the future project list.	Marlis McCargar Sonja Zupanec		In Progress
50%	3 Draft, review, consider readings for OCP amendments consistent with Squamish Nation staff recommendations A1, 2, 4 and 5 (Engagement Summary 2023)	Sonja Zupanec		In Progress
50%	4 Summer 2026 ·Undertake limited public engagement on the draft shoreline DPA and HCA guidelines. September 2026 - January 2027 ·Staff to consolidate results of public engagement for LTC consideration of next steps in future OCP and LUB amendments.	Sonja Zupanec	Target: 31-Aug-2026	In Progress
0%	5 Request staff to draft a letter for the Chair to the newly elected Squamish Nation Council congratulating them on their election, acknowledging the Land Use Plan, and requesting a meeting to further relationship-building. The LTC would like to review the draft letter via email prior to distribution.	Joe Elliott Renee Jamurat		In Progress

Follow Up Action Report

Gambier Island

24-Mar-2026

Progress	Activity	Responsibility	Dates	Status
73%	1 Gambier OCP project: ·Work with the APC to develop a survey related to the draft DPA ·Explore planning summer engagement sessions on Gambier and in Vancouver ·Create a video recording explaining the DPA for the website	Sonja Zupanec		In Progress

26-May-2026

Progress	Activity	Responsibility	Dates	Status
0%	1 Consideration of PL-DVP-2026-0079 (Grove Rd) was deferred to the July 21 LTC meeting. <i>Applicant has chosen to withdraw application.</i>	Ian Cox	Target: 21-Jul-2026	In Progress
50%	2 ·Incorporate Trustee Stamford's edits into the draft OCP. ·Request that staff insert the Reconciliation policies, as originally drafted by staff, into the draft OCP immediately following the section titled "Reconciliation Objectives." ·Submit the revised draft OCP for legal review.	Sonja Zupanec		In Progress
100%	3 Request staff to schedule and facilitate up to two Community Information Meetings subject to available resources, in-person and/or online in July or August 2026, to provide information and receive public feedback on the proposed draft shoreline protection development permit area language.	Dede MacLean Lisa Millard Sonja Zupanec		Completed
100%	4 staff to work with LTC to finalize the shoreline protection public engagement survey and launch the digital survey for public participation in early July, closing mid September 2026.	Sonja Zupanec		Completed

File No.: PL-DVP-2026-0083 and
PL-DP-2026-0206

DATE OF MEETING: July 21, 2026

TO: Gambier Island Local Trust Committee

FROM: Marlis McCargar, Island Planner
Northern Team

COPY: Renée Jamurat, Regional Planning Manager

SUBJECT: Combined Development Variance and Development Permit Application
Applicant: Sophia Khan and Sean Houliston
Location: 507 Shawanabe Road, Gambier Island

RECOMMENDATION

1. That the Gambier Island Local Trust Committee approve issuance of Development Permit PL-DVP-2026-0083 (Khan).
2. That the Gambier Island Local Trust Committee approve issuance of Development Variance Permit PL-DVP-2026-0206 (Khan).

REPORT SUMMARY

This report is to introduce a combined Development Permit (DP) and Development Variance Permit (DVP) application for consideration by the Gambier Island Local Trust Committee (LTC).

The purpose of the DP application is for proposed development within Development Permit Area No. 3. The DP would permit work in the DPA to construct an addition to the existing building.

Staff recommend approval since the development is consistent with the DPA 3 Guidelines. The applicant provided an Environmental Assessment (EA) Report prepared by Strategic Natural Resource Consultants (attached to the draft DP, found in Attachment 5 of this report).

The purpose of the DVP application is to consider variances to the required minimum front lot line setback for an addition to an existing building, and the required minimum setback from the natural boundary of a watercourse. The DVP would allow the addition to be sited 6.18 metres from the front lot line instead of the required 7.5 metres, and 11.06 metres from the natural boundary of the watercourse instead of the required 15.0 metres.

Staff recommend approval since the proposed variances are not expected to result in significant impacts to neighbouring properties or the surrounding environment. The proposed setbacks would

continue to provide adequate separation from the front lot line and the natural boundary of the watercourse, and the variances do not challenge the intent of the applicable regulations.

BACKGROUND

A building permit referral has been received from SCRD for the construction of an addition and the conversion of the accessory building to a dwelling, this building permit file is being held in abeyance until a decision is made on the issuance of the DVP/DP for this property.

The 0.23 ha (0.56 acre) subject property is located at 507 Shawanabe Road, as shown on Figure 1. The property contains an excavated pond and two ditches. The EA report indicates the pond is approximately 3m wide and 10 m long with an outlet ditch that was dug from the pond at the South edge of the property to the North property boundary where it joins with another drainage ditch. The ditches or pond do not connect to fish bearing water. The ditch has intact riparian vegetation to the south and west. The other ditch is bound by a laneway to the north and cleared portion of the property to the south and lacks riparian vegetation.

The application proposes the construction of an addition to an existing building. The other buildings and structures are existing and are the subject of Development Variance Permit application GM-DVP-2021.8. Staff conducted a site visit on the property on May 26, 2026. Photos from the site visit have been included in this report as Attachment 2.

Pursuant to Section 9.3(4) of the LUB, a DP application must include an initial report by a Qualified Environmental Professional (QEP) that establishes whether the “watercourse” that is the subject of that application, is a “stream” as defined in the *Riparian Areas Protection Regulation* (RAPR). Should a QEP determine the watercourse subject of the application to be a “stream” under the RAPR and therefore RAPR-applicable, the Part 1 Guidelines in the LUB apply; all other applications (non-RAPR-applicable) are subject to the Part 2 Guidelines starting in Section 9.3(4)(k) of the LUB.

The applicant has provided an Environmental Assessment (EA), dated April 13, 2021, to determine if the watercourses (pond and ditches) are a “stream” as defined in the RAPR, and whether development activities have impacted the ditch adjacent to the subject property.

A copy of the EA report is attached to the draft DP, found in Attachment 5 of this report.

Pursuant to Section 9.3 of the Gambier Island Land Use Bylaw No. 86, 2004 (LUB), a DP is required to be issued by the LTC prior to development occurring within DPA 3. Copies of the DPA 3 Guideline Checklist and proposed DP are Attachments 4 and 5. Copies of the Notice and proposed DVP are Attachments 6 and 7.

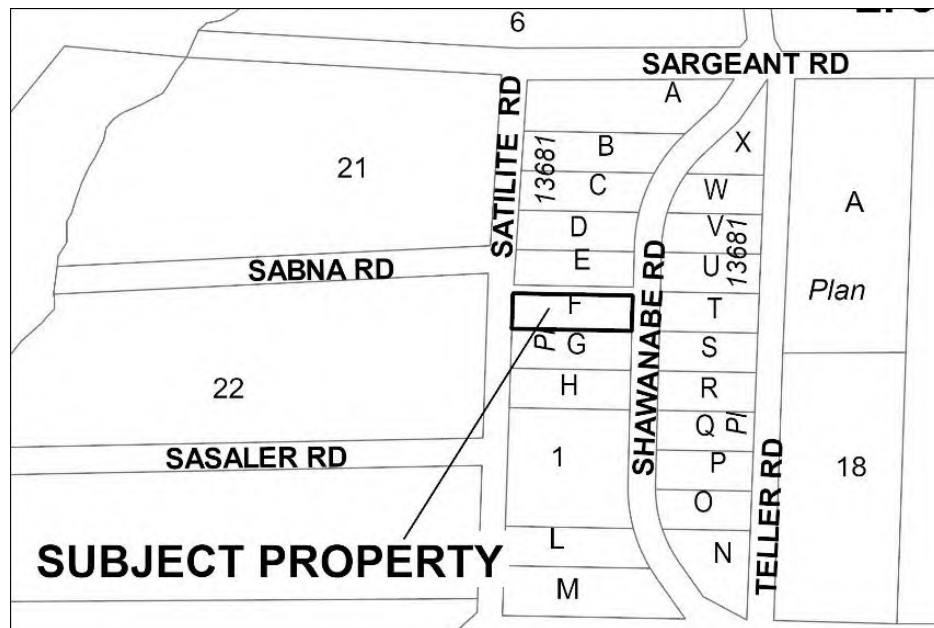


Figure 1 - Subject Property Location

ANALYSIS

Policy/Regulatory

A full site context analysis is provided in Attachment 1. The policies and regulations that pertain to this application are summarized below.

Islands Trust Policy Statement:

The following Islands Trust Policy Statement (ITPS) directive policies are relevant to this application and are addressed through DP-3 – Riparian Areas:

- 3.1.3 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.*
- 3.3.2 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands, and riparian zones to protect aquatic wildlife.*

This application is not contrary to the ITPS. These policies are met via the DP application and the conditions of the proposed DP which are taken from the information provided in the professional EA.

Official Community Plan

The subject property is currently designated as Settlement Residential (SR) in the Gambier Island Official Community Plan Bylaw No. 73 (OCP).

According to Schedule I in the OCP, the subject property lies within DPA 3. The OCP identifies the DPA to be:

For a watercourse that is not located in a ravine, a 30 metre strip on both sides of the watercourse measured from the high water mark;

The objectives of DP-3 are:

- To protect the biological diversity and habitat values of riparian and aquatic ecosystems;
- To protect the natural environment necessary to provide productive habitat for fish and other aquatic species, including both fish bearing and non-fish-bearing water features, and the adjacent land and vegetation; and
- To minimize adverse impacts of land use practices on wildlife habitats and plant habitats in riparian areas.

Land Use Bylaw

The subject property is zoned Settlement Residential (SR) under the LUB. The guidelines for DPA 3 are found under Section 9.3 (4) in the LUB.

The proposed development complies with DPA 3 Guidelines (Attachment 4) and the proposed development appears to meet all other LUB requirements subject to the issuance of PL-DVP-2026-0083.

Issues and Opportunities

Development Permit

The following analysis items pertain to the DP application:

Environmental Assessment

An Environmental Assessment prepared by Strategic Natural Resource Consultants, dated April 13, 2021, assessed potential impacts to the riparian area and identified mitigation measures following site works that commenced prior to obtaining a Development Permit back in 2020. The assessment identified the location and characteristics of the on-site water features and provided recommendations to maintain the biological integrity of the riparian area, consistent with the Development Permit Area guidelines.

The assessment identified the ditch and pond as man-made, ephemeral features with no connection to fish-bearing water and no contribution to fish habitat. A 2.0 metre buffer from the top of the ditches and edge of pond was recommended to maintain water quality and minimize potential impacts from erosion and sedimentation during construction. The report also identified that fencing of the buffer is not required due to the nature of the water features.

The proposed addition is located outside of the recommended riparian buffer, approximately 11.06 metres from the edge of the pond. Staff are satisfied that the recommendations of the QEP environmental assessment address the intent of the Development Permit Area guidelines and that the proposed development is not anticipated to result in negative impacts to the riparian area.

Development Variance Permit

The following analysis items pertain to the DVP application:

Intent of the Regulations being Varied

The intent of the front lot line and watercourse setback regulations is to provide adequate separation between development and property boundaries, maintain rural character, protect privacy and views, and minimize potential impacts to environmentally sensitive areas and water features.

Rationale for the Variances

The rationale for the variances is to enable the construction of an addition to the existing building as part of the proposed conversion to a dwelling. The proposed setbacks maintain sufficient separation from the front lot line and the adjacent watercourse while allowing the addition to be integrated with the existing development footprint.

Impact on Neighbouring Properties

Given the location of the proposed addition in relation to existing development on neighbouring properties, and the existing vegetation and screening along Shawanabe Road, staff anticipate the proposed variances will have little to no impact on neighbouring properties. The reduced front lot line setback is not expected to affect privacy, views, or rural character, and the reduced watercourse setback maintains an appropriate separation from the identified watercourse.

Consultation – DVP Requests

There is no public or agency consultation regularly associated with a DP application. In addition, there is no statutory notification required.

In accordance with Section 499 of the *Local Government Act* (LGA) and Section 8 of the Gambier Island Development Procedures Bylaw No. 50, notification of this DVP application (Attachment 6) was distributed to neighbouring property owners and tenants within 100 metres of the subject property.

At the time this report was prepared, one piece of correspondence had been received from a nearby property owner expressing concerns about the application and requesting that consideration of the permit be deferred. Additional correspondence may be received before or during the LTC meeting on July 21, 2026. All correspondence received on or before the LTC meeting will form part of the public record and will be presented to the LTC as part of the application file materials.

Correspondence may be submitted to northinfo@islandstrust.bc.ca.

First Nations - Both DP and DVP requests

The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places.

At the time the application file was opened, the Applicant was provided with information on the Islands Trust Cultural Protocol and BC provincial Chance Find Procedures that contain information about what actions must be undertaken if previously unrecorded archaeological material is encountered during development. In such a case, all work must cease and the provincial Archaeology Branch contacted immediately. A *Heritage Conservation Act* permit may be required before further development is undertaken.

Rationale for Recommendation

In summary, the recommendation on page 1 for the DP proposal is supported since the objectives and specific guidelines of the DPA have been met.

The recommendation on page 1 for the proposed DVP is supported since:

- There are little or no potential impacts from granting the variance; and
- The variances do not challenge the intent of the regulation.

ALTERNATIVES

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

Development Permit:

1. Deny the application

The LTC may determine that the application as presented does not meet one or more guidelines of DPA 3. If this is the case, the LTC may deny the application. The LTC should indicate which guidelines are not being met and the reasons for this. Recommended wording for the resolution is as follows:

That the Gambier Island Local Trust Committee has determined that application PL-DP-2026-0206 (Khan) as presented on July 21, 2026 does not meet guideline(s) _____ for the following reasons: _____ and the application is denied.

2. Request further information

The LTC may request further information prior to making a decision. Recommended wording for the resolution is as follows:

That the Gambier Island Local Trust Committee request that the Applicant for PL-DP-2026-0206 (Khan) submit to the Islands Trust _____.

Development Variance Permit:

1. Deny the application

The LTC may deny the application. Recommended wording for the resolution is as follows:

That the Gambier Island Local Trust Committee deny application PL-DVP-2026-0083 (Khan).

2. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Gambier Island Local Trust Committee request that the Applicant for PL-DVP-2026-0083(Khan) submit to the Islands Trust _____.

Submitted By:	Marlis McCargar, Island Planner	July 9, 2026
Concurrence:	Renee Jamurat, RPP MCIP, RPM	July 10, 2026

ATTACHMENTS

1. Site Context
2. Photos
3. Applicant Narrative
4. Development Permit Area Guidelines Checklist
5. Proposed Development Permit
6. Notice
7. Proposed Development Variance Permit

LOCATION

Legal Description	LOT F BLOCKS 19 and 20 DISTRICT LOT 847 PLAN 13681
PID	008-054-134
Civic Address	507 SHAWANABE
Lot Size	0.22 ha (0.56 ac)

LAND USE

Current Land Use	Residential
Surrounding Land Use	Residential

HISTORICAL ACTIVITY

File No.	Purpose
GM-BP-2021.15	New studio/workshop
GM-BP-2021.15	New covered deck
GM-DP-2021.3	Development activities that had occurred within DPA 3
GM-DVP-2021.8	DVP to vary setbacks for existing buildings and structures

POLICY/REGULATORY

Official Community Plan Designations	Gambier Island Official Community Plan Bylaw No.73, 2001 – Settlement Residential (SR) Development Permit Area (DPA): DPA 3 (Riparian Areas)
Land Use Bylaw	Gambier Island Land Use Bylaw No. 86, 2004 – Settlement Residential (SR) <i>Setback regulations subject of PL-DVP-2026-0083:</i> 3.3(1) No building or structure shall be sited within 15 metres of the natural boundary of the sea, lake, wetland or watercourse, or constructed with the underside of any floor system or the top of any pad supporting any space or room that is used for dwelling purposes, business or the storage of goods less than 1.5 metres above the natural boundary of the sea, lake or watercourse unless otherwise provided for in this Bylaw. 5.1(9) The minimum setback for any building or structure: (a) 7.5 metres from any front or rear lot line; (b) 3 metres from any interior side lot line; (c) 4.5 metres from any exterior side lot line. <i>Regulations subject of PL-DVP-2026-0206:</i>

	9.3 Development Permit Area No. 3 (Riparian Areas) (4) Prior to undertaking any non-exempt development activities within Development Permit Area No. 3, an owner of property shall apply to the Local Trust Committee for a development permit. A development permit application must include an initial report prepared by a Qualified Environmental Professional that establishes, in relation to any watercourse or wetland on the parcel that is the subject of the application, whether it is a “stream” as defined in the Riparian Areas Regulation. Part 1 of these Guidelines apply to any application related to a “stream” that meets that definition, and Part 2 of these Guidelines apply to all other applications.
Other Regulations	The provincial <i>Riparian Areas Protection Regulation</i> (RAPR) requires local governments to protect fish habitat, including areas directly adjacent to a stream (i.e. the riparian area), during residential, commercial and industrial development by ensuring that a Qualified Environmental Professional (QEP) conducts a science-based assessment of proposed development activities. Under Section 12 of the RAPR, <i>(12) An assessment of a proposed development for the purposes of this regulation must be carried out</i> <i>(a) by one or more qualified environmental professional, and</i> <i>(b) in accordance with</i> <i>(i) section 13, and</i> <i>(ii) the technical manuals.</i> The applicant has provided a copy of an environmental assessment (EA) report by a QEP.
Covenants	None
Bylaw Enforcement	GM-BE-2021.1 (closed) – Development activities within DPA 3 without issued Development Permit (subject of application GM-DP-2021.3), accessory structure/uses without principal use, siting – structure within setback areas (subject of application GM-DVP-2021.8), operation of sawmill beyond permitted hours.

SITE INFLUENCES

Islands Trust Conservancy	There are no Conservancy covenants or properties in the direct area; therefore, no referral has been made to the Board.
Species at Risk	N/A
Sensitive Ecosystems	The EA by Strategic Professional Resourceful (SPR), dated April 13, 2021, identifies two ditches and a pond on the subject property. The EA report by SPR provides the following: “The ditches/manmade pond on the property does not connect directly to fish bearing water, thus is not applicable to the Riparian Areas Protection Regulation (RAPR). It drains slope seepage from the property then dissipates in a small ditch along a laneway west of the property. As it does not connect

	directly to fish bearing water, it does not meet the definition of stream under the RAPR.”
Hazard Areas	Schedule E of the OCP does not indicate the subject property is within an area with a slope of 35% or greater.
Archaeological Sites	A review of Remote Access to Archaeological Data (RAAD) information indicates no documented archaeological sites within the property or within 100 metres of the property. By copy of this report, the owners and applicant should be aware that there is a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i>. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	No additional impacts to GHG emissions anticipated as a result of this application.
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	n/a

ATTACHMENT 2 – SITE PHOTOS PL-DVP-2026-0083



Proposed addition area





Watercourse (pond area)



Setback area from the front lot line.

Converting existing building to a dwelling and adding an extension/addition to the existing building under an open permit BP002593 with SCRD and original approved DVP/DPA on file, 2021.3 and 2021.8. We were told we require new DVP and possible DPA as we are adding walls and a roof, but keeping the addition at the same distance of the approved variances.

Due to a complaint made by a local resident on our property as well as four other properties at the same time, we had enforcement issued on May 22/2025. The complainant impacted the five properties that had been owned by one individual and was a targeted repetitive complaint made in bad faith and retaliatory purposes.

Although, my partner and I had been going through the motions of building a home on our property in 2023, this came to us as a shock. Living peacefully in a rural setting and not causing disturbance to neighbors, we were victimized from past issues between the complainant(s) and previous owner of our property. My partner and I have been trying to save money to get this project underway and now are in a position to expedite it, and also impacted by the new building code / additional costs of Step 3.

To date, we have submitted drawings, structural engineering, septic, energy advisor requirements to convert the existing building to a dwelling all to the SCRD building department with Brian Kennett.

We faced a hurdle in this process by facing additional permit applications from Islands Trust.

We are also facing an expedited decision to review contractor's estimate of costs, BC Housing registration from a licensed builder.

SCRD has given us four months from January 2026 to expedite this process to avoid further enforcement/action.

Please advise at your earliest for the next steps of this process of application (ie timeline, guarantee for approvals etc).

Thank you.

Sincerely,

Sophia Khan and Sean Houliston



ATTACHMENT 4 – DEVELOPMENT PERMIT AREA GUIDELINES

9.3 DEVELOPMENT PERMIT AREA NO. 3 (RIPARIAN AREAS)

(4) Prior to undertaking any non-exempt development activities within Development Permit Area No. 3, an owner of property shall apply to the Local Trust Committee for a development permit.

A development permit application must include an initial report prepared by a Qualified Environmental Professional that establishes, in relation to any *watercourse* or *wetland* on the parcel that is the subject of the application, whether it is a “stream” as defined in the *Riparian Areas Regulation*. Part 1 of the Guidelines apply to any application related to a “stream” that meets that definition, and Part 2 of these Guidelines apply to all other applications.

Part 2 Guidelines	Complies	Planner Comments
(k) A Qualified Environmental Professional (QEP) experienced in riparian, stream or wetland ecology must be retained to inspect the development site, identify the location of watercourses and wetlands, and prepare a report that includes recommendations on the location and width of riparian buffers that will maintain the biological integrity of the riparian area and associated watercourses and wetlands. The report may be combined with the initial report described above the Part 1 Guidelines.	yes	In the environmental assessment (EA) by Strategic Natural Resource Consultants, dated April 13, 2021, the QEP identifies a pond and two ephemeral ditches on the subject property. The QEP has indicated there is no direct connection to fish bearing water, and has deemed the ditches and pond to not be subject to the <i>Riparian Areas Protection Regulation</i> (RAPR), nor to the Part 1 Guidelines in Section 9.3 of the LUB. The QEP considers a 2 metre wide setback from the ditches to be sufficient for the site.
(l) The QEP’s report must clearly describe the context and inherent value of the riparian area and associated watercourse or wetland and identify mitigation measures that ensure the long- term protection of the specified buffer from any nearby development activities. Mitigation measures should include (but not be limited to): (i) erosion control during ground disturbance activities to minimize the potential for sediment transportation; (ii) protection of critical tree root zones; (iii) protection of riparian buffers from potential blow-down of trees associated with any increases in exposure to wind; (iv) management of deleterious substances brought onto the land for the purpose of development activities; (v) proper management of storm water from any impermeable surfaces; and	yes	In the EA, the QEP includes recommended mitigation measures that address (i) through (vi), to maintain water quality and to mitigate any impacts to the ditch and pond. The recommended mitigation measures were completed as part of the 2021 Development Permit, including revegetating exposed soils, installing sediment and erosion control measures (i.e. silt fencing), etc.

(vi) prevention of encroachment into the riparian buffer (e.g. through the implementation of temporary construction-phase and/or long term fencing/signage). The mitigation measures may be included as conditions of the development permit.		
(m) A QEP should assess and report on the status of the riparian area and watercourse or wetland with regards to biological integrity and should note the occurrence of invasive species (both plant and animal) where applicable. Wetlands should be classified as either bog, fen, marsh, swamp, shallow water or wet meadow. The QEP should also assess for and report on any previous disturbance or constraints imposed on the riparian area and associated watercourse or wetland (e.g. wetland infilling, channelization, bank destabilization, vegetation removal or dam construction) and recommend appropriate restoration where necessary. Where restoration is recommended, prescriptive replanting plans should be included in the QEP's report. Prescriptive invasive species removal, long-term management and disposal methods should also be included in the QEP's report where appropriate.	yes	Ditch 1 newly constructed – limited riparian vegetation Ditch 2 existing – site clearing removed vegetation Restoration measures completed as part of previous DP.
(n) The QEP's assessment of the riparian area and associated watercourse or wetland should describe habitat suitability for rare elements including species at risk, provincially red or blue listed plants, animals and ecosystems. The QEP should also report on any documented occurrences of rare elements noted in relevant databases, such as the provincial Conservation Data Centre, and note any confirmed observations of rare elements encountered during the inspection of the site.	yes	The QEP has noted the site was in a disturbed state due to previous land clearing over recent years. Understory identified as Himalayan blackberry – invasive species – unlikely to support rare elements. An existing mature Bigleaf maple is to be retained.
(o) In addition to assessing the general integrity and condition of the riparian area and associated watercourse or wetland, the QEP should assess for any specific habitat attributes such as wildlife trees, raptor nests, coarse woody debris abundance/distribution (influencing terrestrial foraging/security habitat values for amphibians), and amphibian breeding habitat potential, especially for rare species.	yes	No such habitats were observed, due to previous clearing of area. Retain vegetation to west of Ditch 1 to continue to provide habitat values to species.
(p) The QEP's report should also include appropriate measures for addressing hazard tree management in or nearby the riparian buffer, if applicable. Tree management must be undertaken in such a way that it decreases any potential impacts to the riparian area. Appropriate measures such as topping to remove dangerous	yes	Property has been cleared, with no additional clearing required. No hazard trees remaining or nearby the riparian buffer.

tree stems and/or pruning to remove dangerous tree limbs should be considered. Any tree stems and/or large limbs should be left in the riparian area.		
(q) The QEP should consider recommending the establishment of specific buffers that limit construction activities adjacent to permanent riparian buffers, where necessary to protect the integrity of riparian habitat (e.g. establishing critical root zones around trees where excavations are to be avoided).	yes	A 2m buffer has been recommended around the pond and adjacent to ditch 1 and 2. A 5m machine free zone should be kept around the base of adjacent trees to protect rooting zones. Spoil material by the pond should be removed or spread.
(r) Any work within the watercourse or wetland (e.g. culverts or bridges) should be done in a way that avoids any negative changes to surface or subsurface hydrology and maintains pre-existing connectivity throughout the watercourse or wetland.	yes	Culvert proposed on ditch to keep water within small ditch along laneway, instead of overland flow at junction of Ditch 1 and 2.
Guidelines 9.3 (s) through (v) are for proposed subdivisions – not applicable to this application		



Islands Trust

ATTACHMENT 5
GAMBIER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT
PLDP20260206

TO: **SOPHIA KHAN and SEAN HOULISTON**

1. This Development Permit (the "Permit") applies to the land described as:

PID: 008-054-134

LOT F BLOCKS 19 AND 20 DISTRICT LOT 847 PLAN 13681

2. This Permit is authorized in accordance with the following schedules attached to and forming part of this permit as signed and dated by the Deputy Secretary of Islands Trust:

Schedule "A" Site Plan

Schedule "B" Environmental Assessment (EA), dated April 13, 2021, by Strategic Natural Resource Consultants

3. The Permit is subject to the following conditions:

- a. No development, including no vegetation or tree removal, shall take place within Development Permit Area 3 – Riparian Areas, except in accordance with the Environmental Assessment by Strategic Natural Resource Consultants, dated April 13, 2021, and attached as Schedule "B".

Erosion and Sediment Control

- b. Appropriate erosion and sediment control measures shall be implemented during construction to prevent the transport of sediment into the ditch and pond.

Protection of Critical Tree Root Zones

- c. A 5 metre machine free zone shall be maintained and flagged for visibility along the cleared edge of the development area to protect the critical root zones of adjacent trees.

Management of Deleterious Substances

- d. No servicing or fuelling of any machinery shall occur within 15 metres of the ditch.
e. No storage of any petroleum product shall occur within 15 metres of the ditch.
f. Portable sawmill must be moved a minimum 5m away from the top of the ditch.

Stormwater Management

- g. All stormwater runoff from buildings or structures shall be managed onsite through infiltration measures to minimize impacts to the riparian area.

Encroachment into Riparian Area

- h. The 2 metre riparian buffer shall be protected during construction to prevent encroachment by machinery, materials, or construction activities.

4. Any further development within designated Development Permit Areas will require a new Development Permit, or a Development Permit Amendment.

5. The area described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any plans and specifications attached to this Permit, which shall form a part thereof.
6. This permit does not relieve the applicant from complying with the provisions of the Gambier Island Official Community Plan Bylaw No. 73, 2001 and the Gambier Island Land Use Bylaw No. 86, 2004, nor does it provide permission to construct any works without other lawfully required approvals and permits.

AUTHORIZING RESOLUTION PASSED BY THE GAMBIER ISLAND LOCAL TRUST COMMITTEE THIS Xth DAY OF X, 202X.

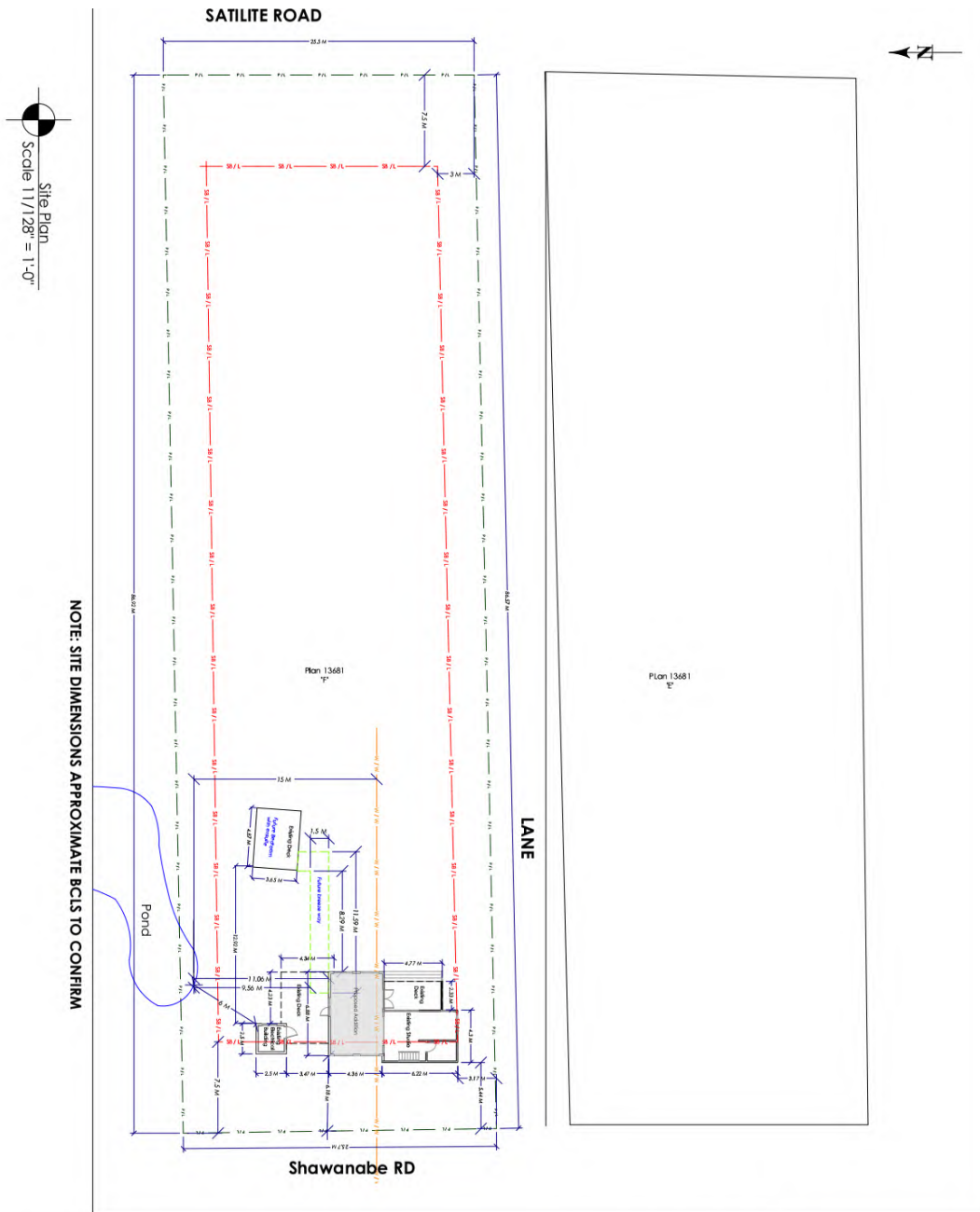
Deputy Secretary, Islands Trust

Date Issued

IF THE DEVELOPMENT HEREIN IS NOT COMMENCED BY THE Xth DAY OF X, 202X, THIS PERMIT AUTOMATICALLY LAPSES.

GAMBIER ISLAND LOCAL TRUST COMMITTEE PLDP20260206

Schedule "A" – Site Plan



NOTE: SITE DIMENSIONS APPROXIMATE BCIS TO CONFIRM

Site Plan
Scale 1/1/28" = 1'-0"



Municipal Site map

BASIN	0.00
EXISTING LOT	298 SQ. FT.
ADDITION	140 SQ. FT.
DECKS	330 SQ. FT.
TOTAL	568 SQ. FT.
LOT	0.56 acres
PERCENTAGE OF COVERAGE	5.4%



700 Foxtail Ave
Parksville BC
V9P2S3
250.668.8110
Sophia Khan & Sean Houshion
507 Shawanabe Road
Gambier Island
V0N 1V0

Lot F Blocks 19 and 20
District Lot 847 plan 13681
PID: 008-054-134

SITEPLAN
SCALE 3/64" = 1'-0"

A2

GAMBIER ISLAND LOCAL TRUST COMMITTEE
PLDP20260206
Schedule “B” – Environmental Assessment

Date: April 13, 2021

To: Nathan Atchison
Via email: vafalling@yahoo.ca

From: Cindy Hannah, RPBio
Strategic Natural Resource Consultants
321-1180 Ironwood Street
Campbell River, BC V9W 5P7

Subject: Assessment of Potential Impacts from Development within Riparian Assessment Area at Lot F, Shawanabe Road, Gambier Island.

Background

Nathan Atchison is in the process of constructing a residence on vacant land located at Lot F, Shawanabe Road on Gambier Island within the Islands Trust Municipality (Figure 1). Strategic Natural Resource Consultants (SNRC) was retained by Mr. Atchison to determine if any negative impacts have occurred to the riparian area and any mitigation measures that should be implemented after site works had commenced without a development permit. The subject property is located within Development Permit Area 3 (Riparian Areas) under the Gambier Island OCP. At the time of the assessment the property had been cleared and ditching had been constructed to facilitate site drainage.



Figure 1: Area map showing location of subject property outlined in red.

Lot F Shawanabe Road Environmental Assessment

The Islands Trust had previously had all Riparian Areas Regulation (RAR) waterways assessed and mapped in 2015¹. The ditch adjacent to Lot F is not shown as an RAR waterway within the report. The closest RAR (now referred to Riparian Areas Protection Regulation (RAPR) drainage is to the north (Grennon Creek watershed).

The purpose of this assessment was to confirm RAPR applicability and to determine potential impacts and mitigation relating to riparian areas on or adjacent to the site.

Field Observations

On March 11, 2021 an assessment of the property was conducted by Cindy Hannah, RPBio of SNRC. The site had been previously cleared prior to the assessment. The majority of the property has been cleared twice before with much of the property having regrown in dense Himalayan blackberry. There were 11 trees removed from the 0.5 acre property including 4 big leaf maples (~75cm dbh), 5 Western redcedar (3 X ~75cm dbh and 2 X ~100cm dbh) and 2 Western hemlock (~15cm dbh) (Pers. Comm. Nathan Atchison).

The property is currently being used as a small sawmill. There was a tiny home under construction at the time of the assessment.

Two ditches and a pond were identified (Figure 2).



Figure 2, Google Earth imagery showing location of ditches and pond on the subject property.

The pond was excavated in 2017, but in early 2021 was expanded slightly (Figure 2a). There are no inlet waterways and it collects groundwater seepage (Figure 2b-c). It is 3m wide by approximately 10m long. The spoil has been left adjacent to the pond (Figure 2d).

¹ Madrone Environmental Services Ltd. 2015. Riparian Area Regulation Stream Identification Gambier, Keats, Anvil and Bowyer Islands. Islands Trust.



Figure 2, Imagery showing the manmade pond (a), has no inlets, but collects groundwater seepage (b upslope view from pond towards road and c downslope view from road). The spoil material has been left adjacent to the pond (d).

An outlet ditch (Ditch 1) was dug from the pond through the property to the north property boundary (40m long) where it joins with a small drainage ditch from the east (Ditch 2). Ditch 2 is 35m long and sources from marginal ground seepage as well as a perimeter drain from the adjacent property to the north. No streams or other areas of ground seepage were noted in the area (Figure 3a-d). There was minimal water in both ditches at the time of the assessment.

The ditch then flows overland towards the west southwest for 30m to the edge of the property along a laneway access towards the southwest. Downslope 42m, there is a small marginal ditch along the laneway with insignificant flows as evidenced by the abundance of leaf litter that has not been moved since the fall (Figure 4a-f). The ditch was followed to a point where there was no more evidence surface flow (approximately 90m from the property). There is no direct connection to fish bearing water (Figure 5).

The slope gradient is 10-15% downslope of where it dissipates.



a



b



c



d

Figure 3, view of Ditch 1 downstream of the Pond outlet (a) and upstream from the junction with Ditch 2 (b). Ditch 2 downstream from the top of the ditch (c) and upstream from the junction of Ditch 1 (d). There was minimal water in both ditches at the time of the assessment.

As the Ditch 1 was recently created during the site clearing, there is limited riparian vegetation remaining on the north and east sides (refer to Figure 3a and b). To the south and west of Ditch 1 the riparian vegetation is intact and includes sword fern, Bigleaf maple, salmonberry, Western redcedar and Himalayan blackberry. Ditch 2 is bound by a laneway to the north and the cleared portion of the property to the south, and is lacking in riparian vegetation (refer to Figures 3c and d).

Figure 6 shows a conceptual design of the property. The property development includes placement of two tiny homes (10 feet by 10 feet) with a well and septic system. The sawmill will continue to operate on the site. Although not part of this development there will be a suitable site for a future home on the property as well as an area for storage (canvas tent in design).

Lot F Shawanabe Road Environmental Assessment



a



b



c



d



e



f

Figure 4, view of overland flow downstream of Ditch 1/2 junction (a) and 10m further downstream (b). Downslope 42m there is a marginal ditch along a laneway (c, upslope view with overland flow from property entering on right of photo). View of the marginal ditch at 82m downstream (d). The assessment ended 122m downstream where there was no further evidence of water flow (e is upslope view, f is downslope view).

Lot F Shawanabe Road Environmental Assessment

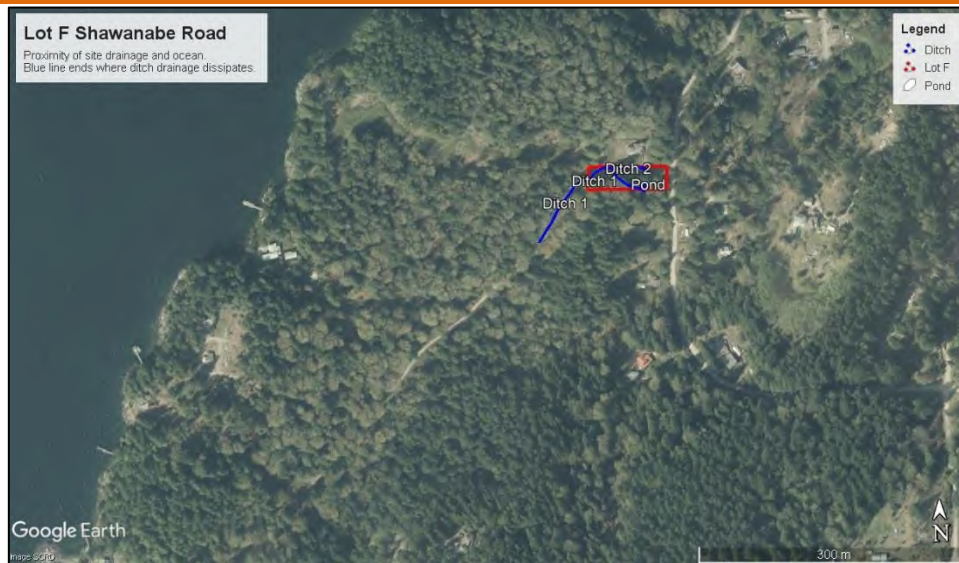


Figure 5, Proximity of the property and ocean. The ditch dissipates and does not connect directly to fish bearing water.



Figure 6, conceptual design of the proposed development

Discussion

The ditches/manmade pond on the property does not connect directly to fish bearing water, thus is not applicable to the Riparian Areas Protection Regulation (RAPR). It drains slope seepage from the property then dissipates in a small ditch along a laneway west of the property. As it does not connect directly to fish bearing water, it does not meet the definition of a stream under the RAPR. The ditches are shallow (<30cm deep) and drain property runoff only as they do not persist upslope of the property. Under Section 12.3 Development Permit Area No. 3: Riparian Areas of Bylaw No. 73, 2001 Gambier Island Official Community Plan, Justification it states:

“Watercourses and wetlands that do not support fish still have high ecological value, particularly because they provide critical breeding habitat for amphibians. Areas that only contain water for part of the year can provide an advantage to native amphibians, as these species are able to successfully breed in seasonal water, whereas some invasive amphibians – such as American Bullfrogs – require permanent water in order to breed successfully.”

The ephemeral, marginal ditches on the property do not provide suitable amphibian breeding habitat, but there is low potential for amphibians to utilize the manmade pond. The pond lacks complexity including emergent vegetation, providing low quality habitat.

It further states:

“Land use practices, including land clearing, road building, construction of buildings and structures, and location of septic systems in or near riparian areas, can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of Gambier Island.”

This property falls under Section 12.3.2 (c):

Development approval information in the form of a report submitted by a Qualified Environmental Professional, developed in accordance with the guidelines in Section 9.3 Development Permit Area No. 3 Riparian Areas, Subsection 5 Guidelines, Articles (k) to (r), of Gambier Island Land Use Bylaw No. 86, 2004, will be required for non-exempt development activities. Table 1 lists each Article with specific comments relating to the proposed development.

Article	Comment
(k) A Qualified Environmental Professional (QEP) experienced in riparian, stream or wetland ecology must be retained to inspect the development site, identify the location of watercourses and wetlands, and prepare a report that includes recommendations on the location and width of riparian buffers that will maintain the biological integrity of the riparian area and associated watercourses and wetlands. The report may be combined with the initial report described above the Part 1 Guidelines.	Two ephemeral ditches and a small pond were identified on the subject property. This report will fulfill this requirement. Part 1 Guidelines pertain to RAPR and is not applicable to this development.

Lot F Shawanabe Road Environmental Assessment

Article	Comment
(l) The QEP's report must clearly describe the context and inherent value of the riparian area and associated watercourse or wetland and identify mitigation measures that ensure the long- term protection of the specified buffer from any nearby development activities. Mitigation measures should include (but not be limited to): (i) erosion control during ground disturbance activities to minimize the potential for sediment transportation; (ii) protection of critical tree root zones; (iii) protection of riparian buffers from potential blow-down of trees associated with any increases in exposure to wind; (iv) management of deleterious substances brought onto the land for the purpose of development activities; (v) proper management of storm water from any impermeable surfaces; and (vi) prevention of encroachment into the riparian buffer (e.g. through the implementation of temporary construction-phase and/or long term fencing/signage). The mitigation measures may be included as conditions of the development permit.	Each of these are described below within the recommendations section.
(m) A QEP should assess and report on the status of the riparian area and watercourse or wetland with regards to biological integrity and should note the occurrence of invasive species (both plant and animal) where applicable. Wetlands should be classified as either bog, fen, marsh, swamp, shallow water or wet meadow. The QEP should also assess for and report on any previous disturbance or constraints imposed on the riparian area and associated watercourse or wetland (e.g. wetland infilling, channelization, bank destabilization, vegetation removal or dam construction) and recommend appropriate restoration where necessary. Where restoration is recommended, prescriptive replanting plans should be included in the QEP's report. Prescriptive invasive species removal, long-term management and disposal methods should also be included in the QEP's report where appropriate.	Ditch 1 is a newly constructed ditch and there is limited riparian vegetation remaining on the development side. Ditch 2 is an existing ditch, but has had the vegetation removed during site clearing. Recommendations for restoration are included below.
(n) The QEP's assessment of the riparian area and associated watercourse or wetland should describe habitat suitability for rare elements including species at risk, provincially red or blue listed plants, animals and ecosystems. The QEP should also report on any documented occurrences of rare elements noted in relevant databases, such as the provincial Conservation Data Centre, and note any confirmed observations of rare elements encountered during the inspection of the site.	As the assessment determined that the ditch is not a stream under the RAPR and is a small ephemeral ditch, the associated riparian area is of lower biological value of animal use than that of a riparian area adjacent to a stream. The site was in a disturbed state due to previous land clearing over recent years. The understory in the cleared area was predominantly Himalayan blackberry and is unlikely to support rare elements (e.g. species at risk, provincially red or blue listed plants, animals and ecosystems). To the west of Ditch 1 there are mature Bigleaf maple trees that will be retained.
(o) In addition to assessing the general integrity and condition of the riparian area and associated watercourse or wetland, the QEP should assess for any specific habitat attributes such as wildlife trees, raptor nests, coarse woody debris abundance/distribution (influencing	No such habitats were observed within the riparian area along the development side of the ditch as it had been mostly cleared prior to the assessment. Vegetation will be

Lot F Shawanabe Road Environmental Assessment

Article	Comment
terrestrial foraging/security habitat values for amphibians), and amphibian breeding habitat potential, especially for rare species.	retained west of Ditch 1 and will continue to provide habitat values to forest dwelling species.
(p) The QEP's report should also include appropriate measures for addressing hazard tree management in or nearby the riparian buffer, if applicable. Tree management must be undertaken in such a way that it decreases any potential impacts to the riparian area. Appropriate measures such as topping to remove dangerous tree stems and/or pruning to remove dangerous tree limbs should be considered. Any tree stems and/or large limbs should be left in the riparian area.	The property had been cleared with no additional clearing required. There are no hazard trees remaining in or nearby the riparian buffer.
(q) The QEP should consider recommending the establishment of specific buffers that limit construction activities adjacent to permanent riparian buffers, where necessary to protect the integrity of riparian habitat (e.g. establishing critical root zones around trees where excavations are to be avoided).	Refer to recommendations section. A tree protection zone has been recommended along cleared edges during further site development.
(r) Any work within the watercourse or wetland (e.g. culverts or bridges) should be done in a way that avoids any negative changes to surface or subsurface hydrology and maintains pre-existing connectivity throughout the watercourse or wetland.	A culvert is proposed on the ditch to keep the water within the small ditch along the laneway instead of the short section of overland flow downslope of the junction of Ditches 1 and 2.

Recommendations

Maintaining a 2m wide setback similar to that required under the RAPR for non-fish bearing ditches would be sufficient for this site. This setback should be measured from the top of the ditches and edge of pond. As this is a manmade ephemeral ditch/pond with no upslope source of water and no connection to fish bearing water, a fence is not required.

It is important to note that the ditch does not have a scoured channel that connects to fish bearing water and is ephemeral in nature, flowing only in response to rainfall and thus does not contribute to fish habitat. The recommendations to maintain water quality is for aesthetics and to ensure that mobilization of sediment due to erosion off of the property does not occur/is minimized during construction.

The following are recommendations to ensure that water quality within the ditch is maintained and any impacts to the ditch are mitigated based on the requirements of the DP:

- Erosion Control:
 - Spread grass seed (legume mix) over areas of exposed soils along both ditches. Placement of straw or mulch over the seed will aid in holding moisture as well as provide erosion control until the grass establishes. Seeding should be completed as soon as possible, early spring is a favourable time for seed germination. The 2m wide setback area should be restored with native species. Refer to additional measures below for details.
 - Any works required that will result in exposed soils sloping towards either ditch should have appropriate sediment and erosion control measures in place. Sediment fencing could be installed at the base of exposed areas to ensure that no sediment is mobilized off the site into the ditch.
 - Ensure there is sufficient sediment and erosion control devices available when working in inclement weather. This could include having polysheeting to cover exposed soils, sediment control fencing to contain runoff, etc.



Lot F Shawanabe Road Environmental Assessment

- Protection of Tree Root Zones:
 - Maintain as much vegetation outside the development footprint as possible to retain wildlife values of the site.
 - Maintain a 5m machine free zone along cleared edges or from the base of adjacent trees to protect the rooting zone of trees from compaction. This area should be flagged to be visible to ensure machines stay out of the area.
 - Remove or spread the spoil material that are piled against the cedar trees beside the pond (Figure 7). Once spread spread grass seed and consider revegetating with transplanted sword fern, salmonberry or cedar trees.



Figure 7, Image of spoil pile beside pond that abuts a cedar tree. Regrade base of tree, spread material and replant regraded area with native vegetation or legume mix.

- Protection of riparian buffers from potential blow-down of trees:
 - There are no trees within the riparian areas of the ditch as the site had been previously cleared and there are no new open areas that would increase the risk of potential blow down.
- Management of deleterious substances brought onto the land:
 - Do not service or fuel any machinery within 15m of the ditch.
 - Do not store any petroleum product within 15m of the ditch.
 - Move portable sawmill to be minimum 5m away from the top of the ditch.
- Proper management of storm water from any impermeable surfaces:
 - There will be a small increase in the impervious footprint on the site, and therefore minimal stormwater to manage. It is recommended to allow runoff to infiltrate the ground by having the roof gutters be directed into an underground infiltration system rather than a perimeter drain connecting directly into the ditch.
- Prevention of encroachment into the riparian buffer:
 - As noted above, the recommended 2m wide buffer along the ditches and pond is more than what is required given it is a new manmade drainage for site drainage only. It is more important to establish ground cover along the ditch for aesthetics and to keep sediment from leaving the site through erosive forces. No fences are required or recommended for the ditches or pond.

Lot F Shawanabe Road Environmental Assessment

- Additional Recommendations:

- The 2m wide recommended setbacks should be restored with native species. Grass seed can be used for overall ground cover, but it is also recommended to plant native species along the ditch. Using native species will help prevent invasive species from establishing.
- The area to be restored is approximately 85m long and 2m wide for an area of 170m² (Figure 8). With an interplant spacing of 1.5m, 85 shrubs (sword fern and Oregon grape are recommended species observed on the site) will be needed. Plant higher densities (up to 1.0m interplant spacing; 170 plants required) if invasive species establishment is a concern in order to shade out invasive species. Ensure sufficient top soil is available for successful establishment (approximately 5cm deep is recommended, may require bringing in topsoil from off-site). Apply an additional layer of mulch (hay, straw, or compost) over the top soil to approximately 5-10cm deep to aid in plant establishment and water retention.

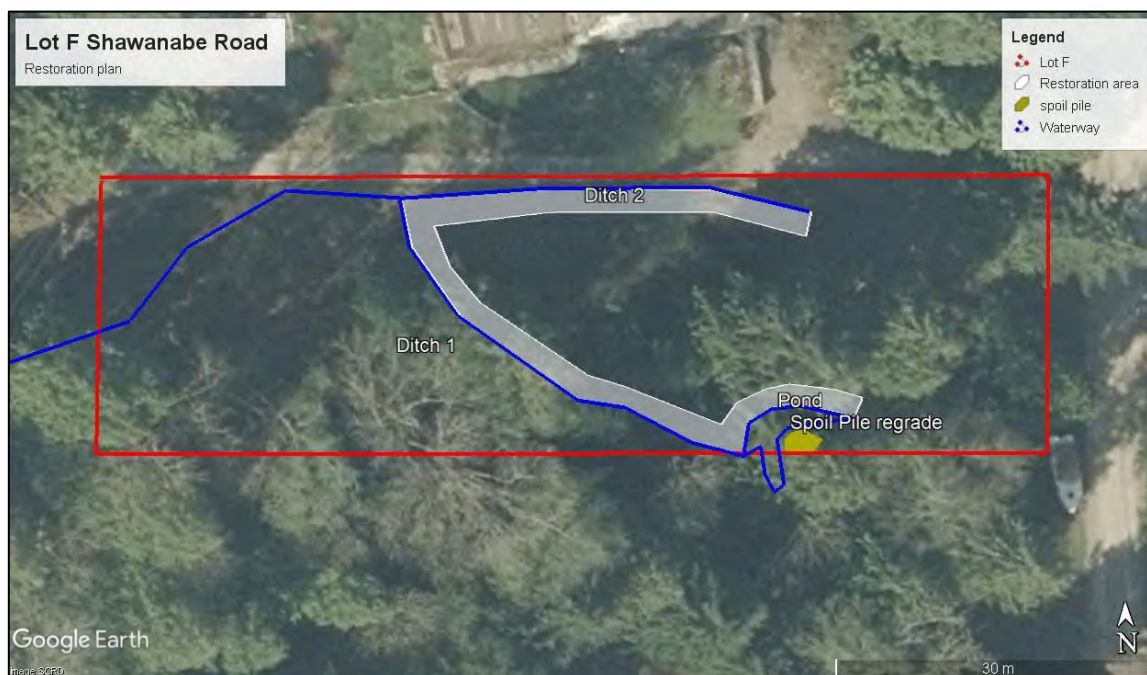
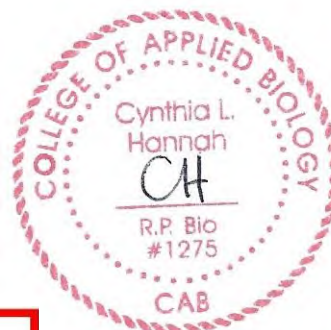


Figure 8, image showing restoration area along ditches and pond.

Please feel free to contact me at 250-616-3758 or by email at channah@snrc.ca if you have any questions.

Cindy Hannah, RPBio
Strategic Natural Resource Consultants Inc.



COPY
Original signed and sealed on file



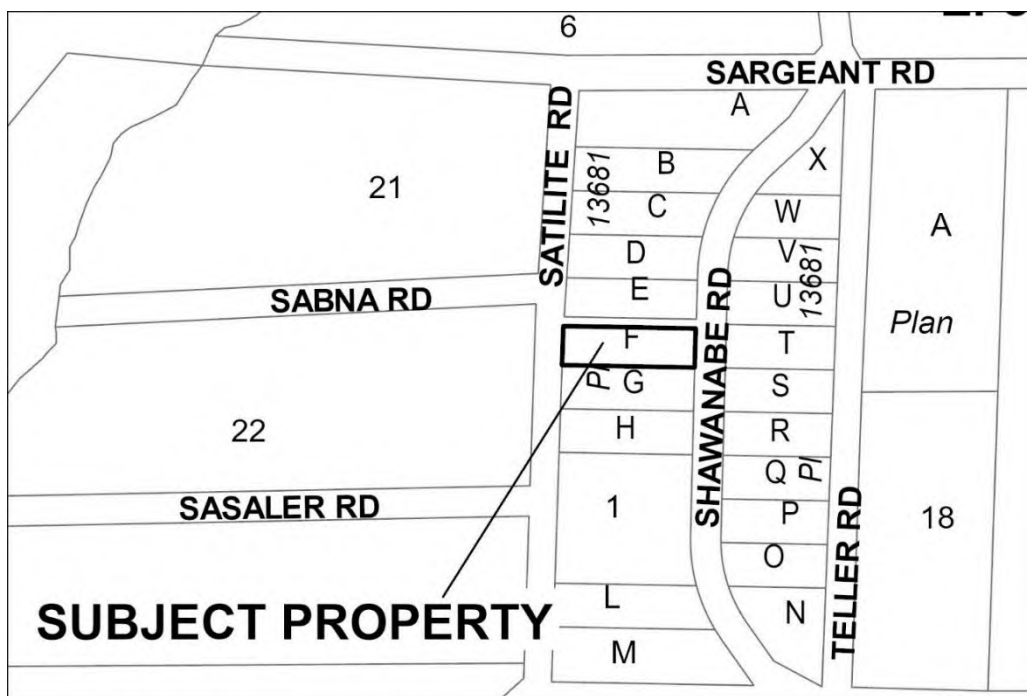
NOTICE is hereby given pursuant to Section 499 of the *Local Government Act* that the Gambier Island Local Trust Committee will be considering a resolution to issue a Development Variance Permit that would vary the Gambier Island Land Use Bylaw No. 86, 2004, PART 3 GENERAL REGULATIONS, Section 3.3(1) and PART 5 ZONE REGULATIONS, Section 5.1(9), by:

- reducing the required 15 m setback from the natural boundary of a watercourse to 11.06m to allow an addition to the dwelling; and
- reducing the front lot line setback for an addition to the dwelling from 7.5m to 6.18m.

As shown on the draft permit.

The property is located at **507 Shawanabe Road, Gambier Island** and is legally described as LOT F, BLOCKS 19 AND 20, DISTRICT LOT 847, PLAN 13681 (PID: 008-054-134).

The general location of the subject property is shown on the following sketch:



A copy of the proposed permit may be inspected at the Islands Trust Office, 700 North Road, Gabriola Island, BC V0R 1X3 between the hours of 8:30 a.m. to 4:00 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **July 7, 2026** and continuing up to and including **July 21, 2026** and is also available on the Islands Trust website here: <https://islandstrust.bc.ca/island-planning/gambier/current-applications/>

Enquiries or comments should be directed to Planner Marlis McCargar, at (250) 247-2210, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: northinfo@islandstrust.bc.ca before 4:30 pm, **July 20, 2026**.

The Gambier Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the business meeting starting at **11:00 am, July 21, 2026, at the Gambier Community Centre, 721 Andy's Bay Road, Gambier Island, BC.**

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

PROPOSED



Islands Trust

GAMBIER ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT NO. PLDVP20260263

TO: Dusty and Joseph Moi

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

PID: 006-577-512

LOT 3 DISTRICT LOT 3161 PLAN 20538

2. Pursuant to Section 498 of the *Local Government Act*, the *Gambier Island Land Use Bylaw No. 86, 2004* is varied as follows:

1. PART 3 GENERAL REGULATIONS, Section 3.3 Siting and Setback Regulations, Subsection 3.3(1) “No building or structure shall be sited within 15 metres of the natural boundary of the sea, lake, wetland or watercourse, or constructed with the underside of any floor system or the top of any pad supporting any space or room that is used for dwelling purposes, business or the storage of goods less than 1.5 metres above the natural boundary of the sea, lake or watercourse unless otherwise provided for in this Bylaw.”; is varied to permit:

- A reduction of the minimum required setback from the natural boundary of the sea from 15 metres to 4.8 metres at the closest point of the proposed principal dwelling, with setbacks increasing to 6.2 metres at other points, as shown on Schedule “A” – Site Plan; and
- A reduction of the minimum required setback from the natural boundary of the sea from 15.0 metres to 1.6 metres at the closest point of the proposed deck, with setbacks increasing to 2.8 metres at other points, as shown on Schedule “A” – Site Plan.

3. The proposed development is limited to the “PROPOSED PRINCIPAL DWELLING” and the “PROPOSED DECK”, as labelled on Schedule “A” – Site Plan, attached to and forming part of this permit. This permit grants variance only to the siting setback requirements from the natural boundary of the sea.

This permit is not a Building Permit or a Siting and Use Permit, and does not remove any obligation on the part of the permittee to comply with all other requirements of the 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.

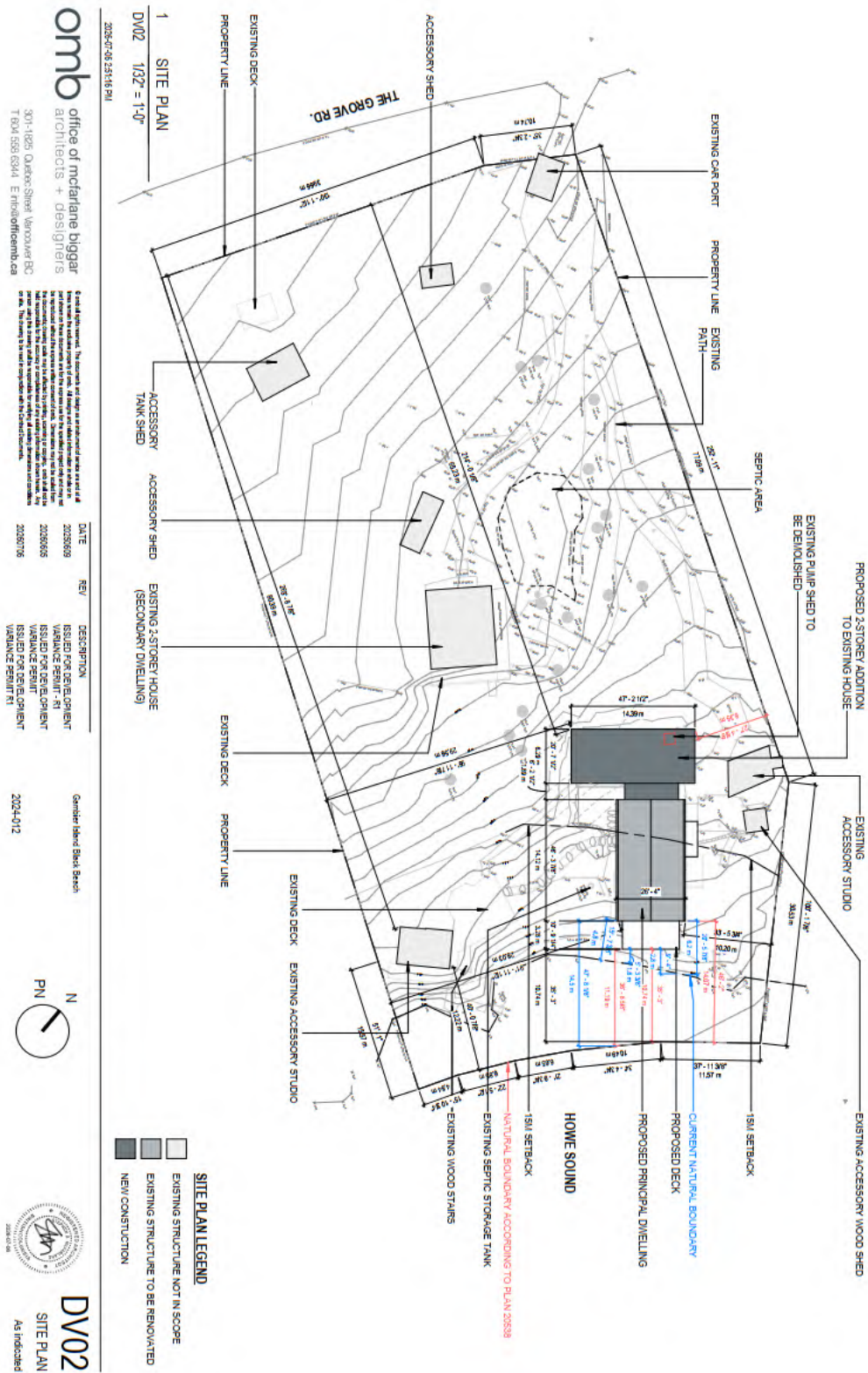
**AUTHORIZING RESOLUTION PASSED BY THE GAMBIER ISLAND LOCAL TRUST COMMITTEE THIS
X DAY OF X, 202X.**

Deputy Secretary, Islands Trust

Date

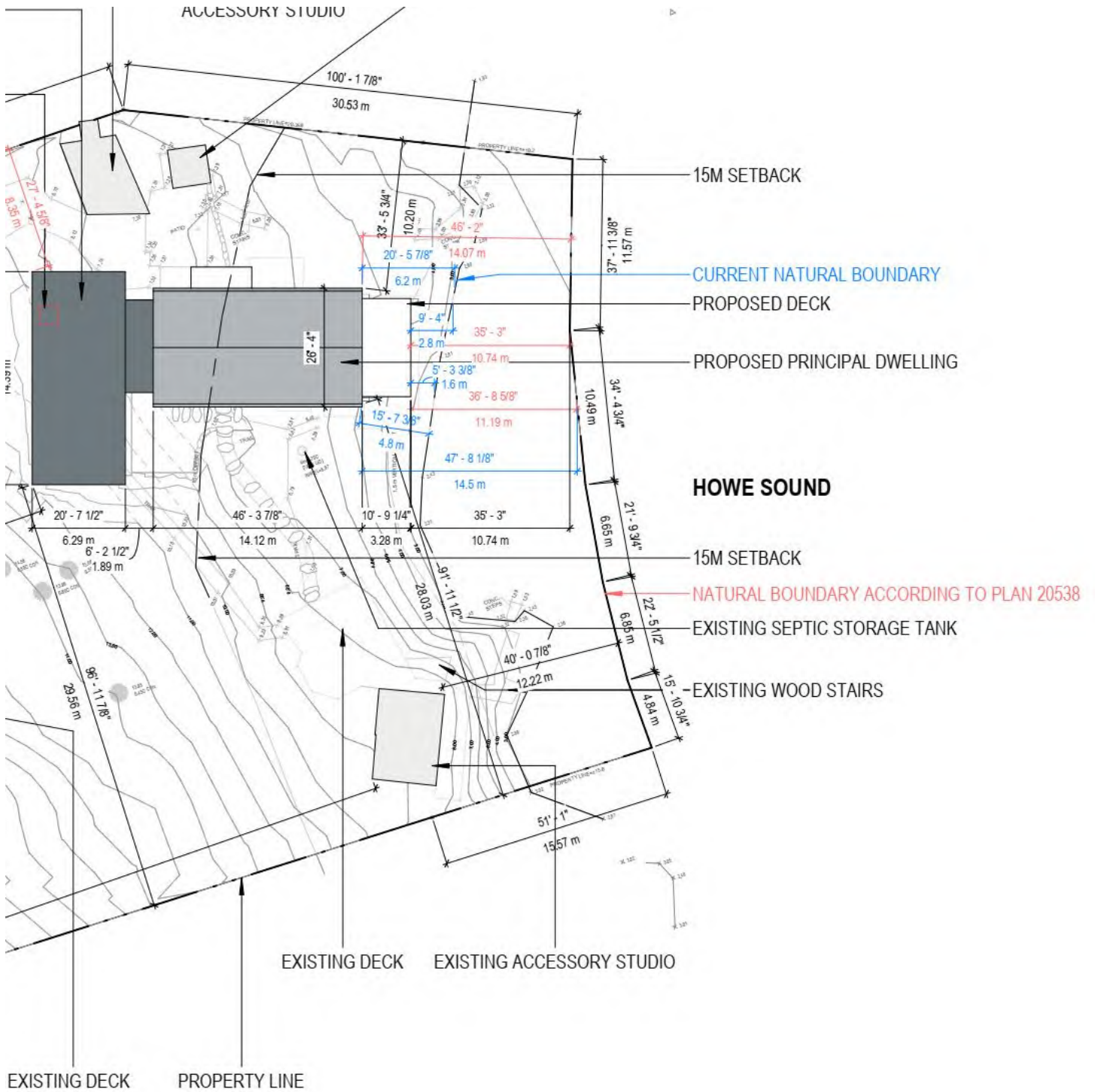
**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE X DAY OF X, 202X,
THIS PERMIT AUTOMATICALLY LAPSES.**

GAMBIER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT NO. PLDVP202600263
Schedule "A" – Site Plan



PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT NO. PLDVP202600263
Schedule "A" – Enlarged Site Plan Detail





Islands Trust

**GAMBIER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT NO. PLDVP20260083**

TO: Sophia Khan and Sean Houliston

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

PID: 008-054-134

LOT F BLOCKS 19 AND 20 DISTRICT LOT 847 PLAN 13681

2. Pursuant to Section 498 of the *Local Government Act*, the *Gambier Island Land Use Bylaw No. 86, 2004* is varied as follows:

PART 3 GENERAL REGULATIONS, Section 3.3(1) and PART 5 ZONE REGULATIONS, Section 5.1(9) are varied by:

- A reduction of the minimum required setback from the natural boundary of the watercourse from 15 metres to **11.06 metres** to permit an addition to the dwelling; and
- A reduction of the minimum required front lot line setback for an addition to the dwelling from 7.5 metres to **6.18 metres**.

3. The proposed development is limited to the floor area of the existing associated “Secondary Dwelling”, as labelled on **Schedule “A” – Site Plan**, attached to and forming part of this permit. This permit is not a Building Permit or a Siting and Use Permit, and does not remove any obligation on the part of the permittee to comply with all other requirements of the 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 X DAY OF X, 202X.

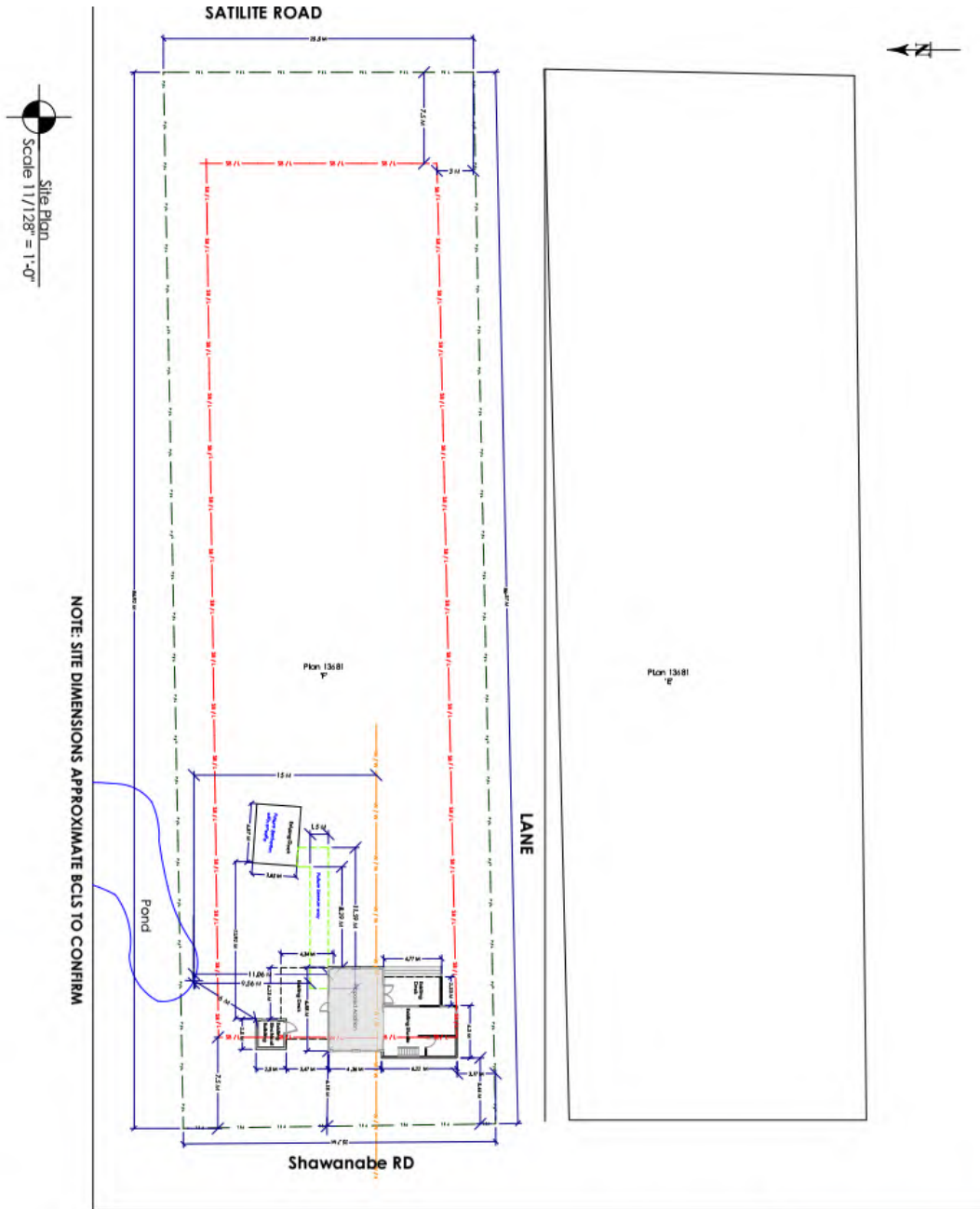
Deputy Secretary, Islands Trust

Date

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE X DAY OF X, 202X, THIS PERMIT AUTOMATICALLY LAPSES.

PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT NO. PLDVP20260083 Schedule "A" – Site Plan



Municipal Site map.



BASEMENT	0.00
EXISTING STUDIO	288 SQ FT
EXISTING LOFT	390 SQ FT
ADDITION	390 SQ FT
DECKS	540 SQ FT
TOTAL	1318 SQ FT
LOT	0.56 acres 24393 SQ FT
PERCENTAGE OF COVERAGE	5.4%



700 Foxtail Ave
Parksville BC
V9P2S3
250.668.8110
Sophia Kiana & Sean Haulstian
507 Shawanabe Road
Gambier Island
V0N 1Y0

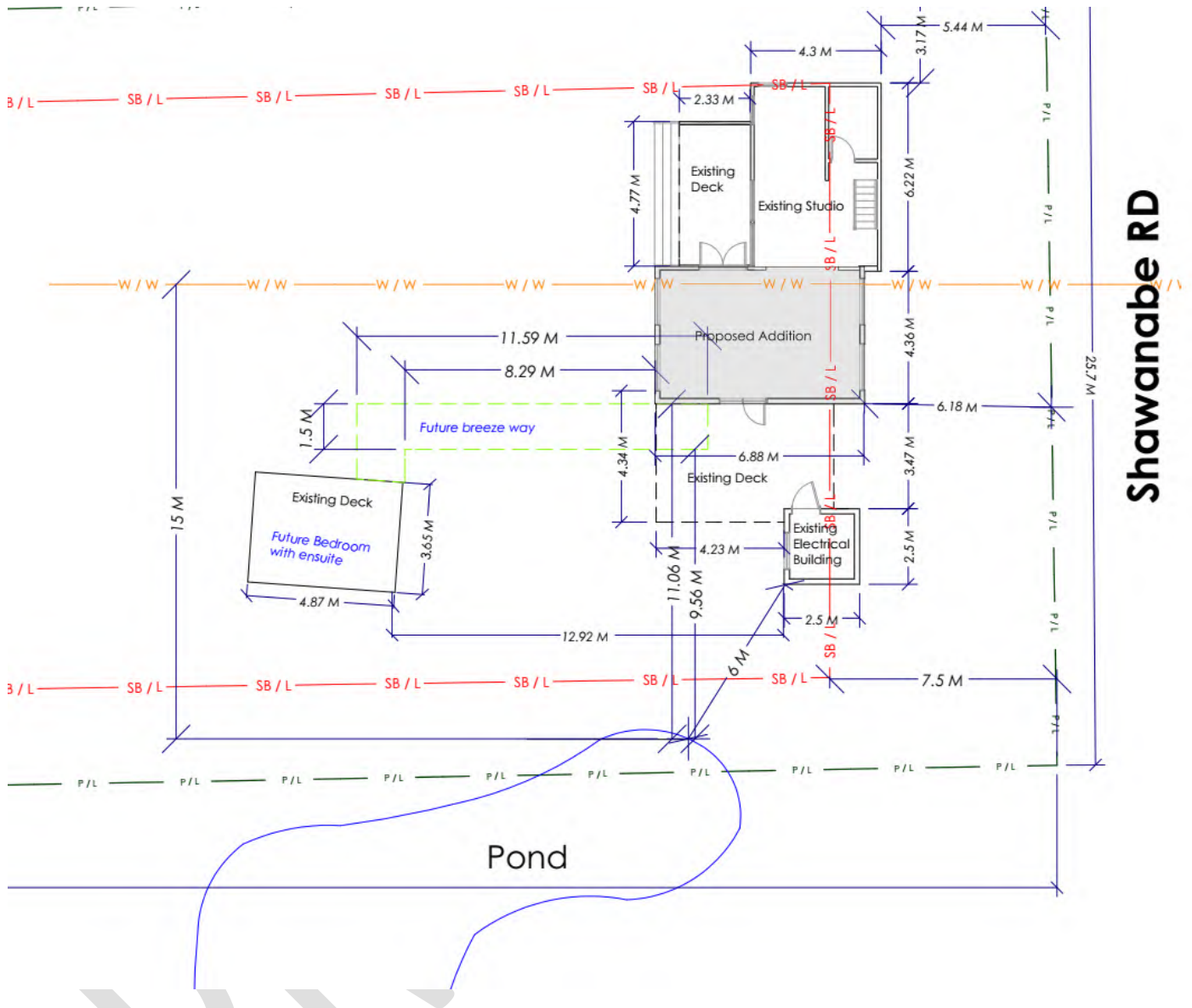
Lot F Blocks 19 and 20
District Lot 847 Plan 13681
PID: 008-054-134

SITE PLAN
SCALE 3/64" = 1'-0"

A2

PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT NO. PLDVP20260083
Schedule "A" – Enlarged Site Plan Detail





DATE OF MEETING: July 21, 2026

TO: Gambier Island Local Trust Committee

FROM: Marlis McCargar, Island Planner
Northern Team

COPY: Renée Jamurat, Regional Planning Manager; Warren Dingman, Bylaw Compliance and Enforcement Manager

SUBJECT: PL-DVP-2026-0263
Applicant: Kayla Hildebrand and Liam Peake (Blue Water Concepts Ltd.)
Location: 832 The Grove Road, Gambier Island

RECOMMENDATION

1. That the Gambier Island Local Trust Committee deny issuance of application PL-DVP-2026-0263.

REPORT SUMMARY

The purpose of this report is to consider a Development Variance Permit (DVP) application to vary the required 15.0 metre setback from the natural boundary of the sea to permit a replacement dwelling and attached deck. The proposed dwelling would be located 4.8 metres from the natural boundary of the sea. The attached deck would be located 1.6 metres from the natural boundary at the southeast corner and 2.8 metres at the northeast corner (see Figure 2).

The proposed dwelling is located within the footprint of the previous dwelling and does not expand the area of encroachment into the setback. Although the previous dwelling was considered a non-conforming structure, alterations to the structure were undertaken to such an extent that the non-conforming structure status has been lost. As a result, the proposal is considered a new dwelling and must comply with current zoning regulations, resulting in the requested variance.

APPLICANT RATIONALE FOR VARIANCE

The applicant's rationale is that the project maintains the general footprint and character of the previously existing non-conforming dwelling while improving safety, structural integrity and energy efficiency. The proposal does not increase the extent of encroachment into the natural boundary setback (Attachment 3).

BACKGROUND

A DVP (PL-DVP-2025-0170) was issued in 2025 for a minor roofline alteration to the existing non-conforming structure. At the time, the variance requirement was triggered by a slight increase in the volume of the building, and staff understood the scope of work was limited to roof modifications and

renovations rather than a rebuild of the entire dwelling. This understanding formed the basis for the LTC's approval of the permit at that time.

Subsequent construction activity has exceeded the BC Housing threshold for a "substantially reconstructed" building and, as a result, the threshold under the Local Government Act for maintaining non-conforming structure status. Consequently, the structure can no longer be considered a non-conforming structure.

A Stop Work Order has been issued by the Sunshine Coast Regional District (SCRD) and will remain in effect until the building permit is amended to reflect the construction of a new dwelling. As a result, construction of the dwelling was stopped, leaving the dwelling partially constructed.

The specific variances to the Land Use Bylaw (LUB) are as follows:

- a) Subsection 3.3(1), which states that no building or structure shall be sited within 15 metres of the natural boundary of the sea, lake, wetland or watercourse.

The subject lot is located at 832 The Grove Road on Gambier Island. The parcel is zoned as Settlement Residential (SR) and is 0.45 hectares (1.1 acres) in total area. As part of the rebuild, an addition is also proposed to be built, but outside the setback area. There is an existing secondary cabin on the lot which also has an in-process DVP to address its non-conforming floor area, as the existing structure exceeds the maximum permitted floor area. The LTC deferred consideration of that DVP (PL-DVP-2026-0079) on May 26, 2026.

A copy of the notice and proposed permit PL-DVP-2026-0263 are included with this report as Attachment 6 and 7. The applicant has provided a Project Narrative explaining the context and rationale for the variance application in Attachments 3. Staff completed a site visit to the property on May 26, 2026 (site photos in Attachment 2).

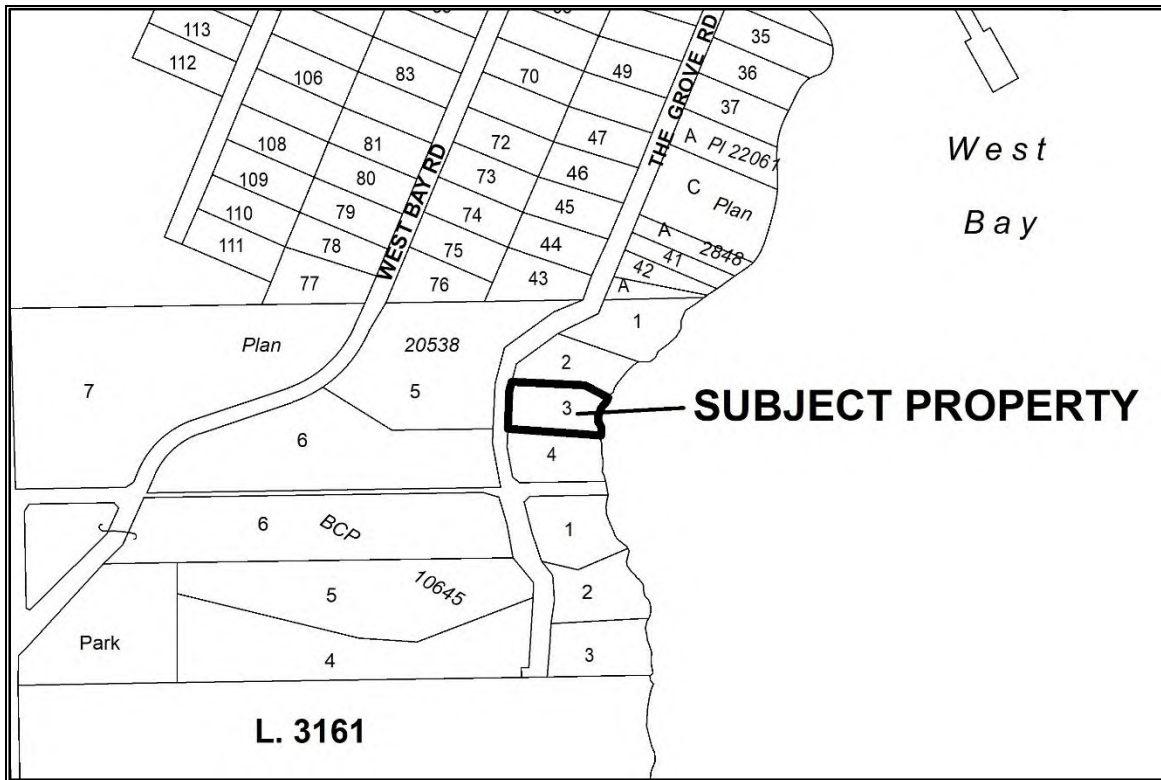


Figure 1 - Subject Property Location

ANALYSIS

Policy/Regulatory

A comprehensive site context analysis is provided in Attachment 1. The policies and regulations that pertain to this application are summarized below and in Attachment 4.

Local Government Act

The [Local Government Act](#) (Division 14) recognizes that lawfully established uses and structures may continue even if they no longer conform to new zoning regulations. Non-conforming structure status allows an existing structure to remain in its current location despite not complying with current zoning requirements. However, substantial alteration of a non-conforming structure may result in the loss of its non-conforming status, requiring the development to be brought into conformity with current bylaws unless otherwise authorized through an appropriate process (e.g. DVP).

Islands Trust Policy Statement

The following Islands Trust Policy Statement (ITPS) directive policies are relevant to this application:

3.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.

3.4.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

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.

5.1.3 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.

5.2.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.

5.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.

5.6.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.

Staff suggest that approval of the requested variance may be inconsistent with the intent of several ITPS directive policies related to protection of coastal areas, preservation of shoreline character, and minimizing impacts associated with development in coastal environments.

Official Community Plan:

The principal dwelling on the subject property is consistent with the Settlement Residential (SR) land use designation in the Gambier Island Official Community Plan No. 73, 2001. The subject property is within Development Permit Area No. 3 – Riparian Areas. However, the proposed development is an exempted activity as it is taking place greater than 30 metres from a watercourse.

A full analysis of all application OCP objectives and policies is included in Attachment 4.

Intent of Regulations being varied

The overall purpose of the setback from the natural boundary to the sea is to minimize impacts related to:

- Protecting the natural environment, including ecosystems and biological diversity;
- Conserving marine habitat;
- Reducing risks from coastal erosion, flooding, and other environmental hazards;
- Preserving the rural, visual character of the coastline;
- Safeguarding archaeological and cultural heritage resources; and
- Protecting views, scenic areas, and distinctive landscape features that contribute to the overall visual and environmental quality of the Trust Area.

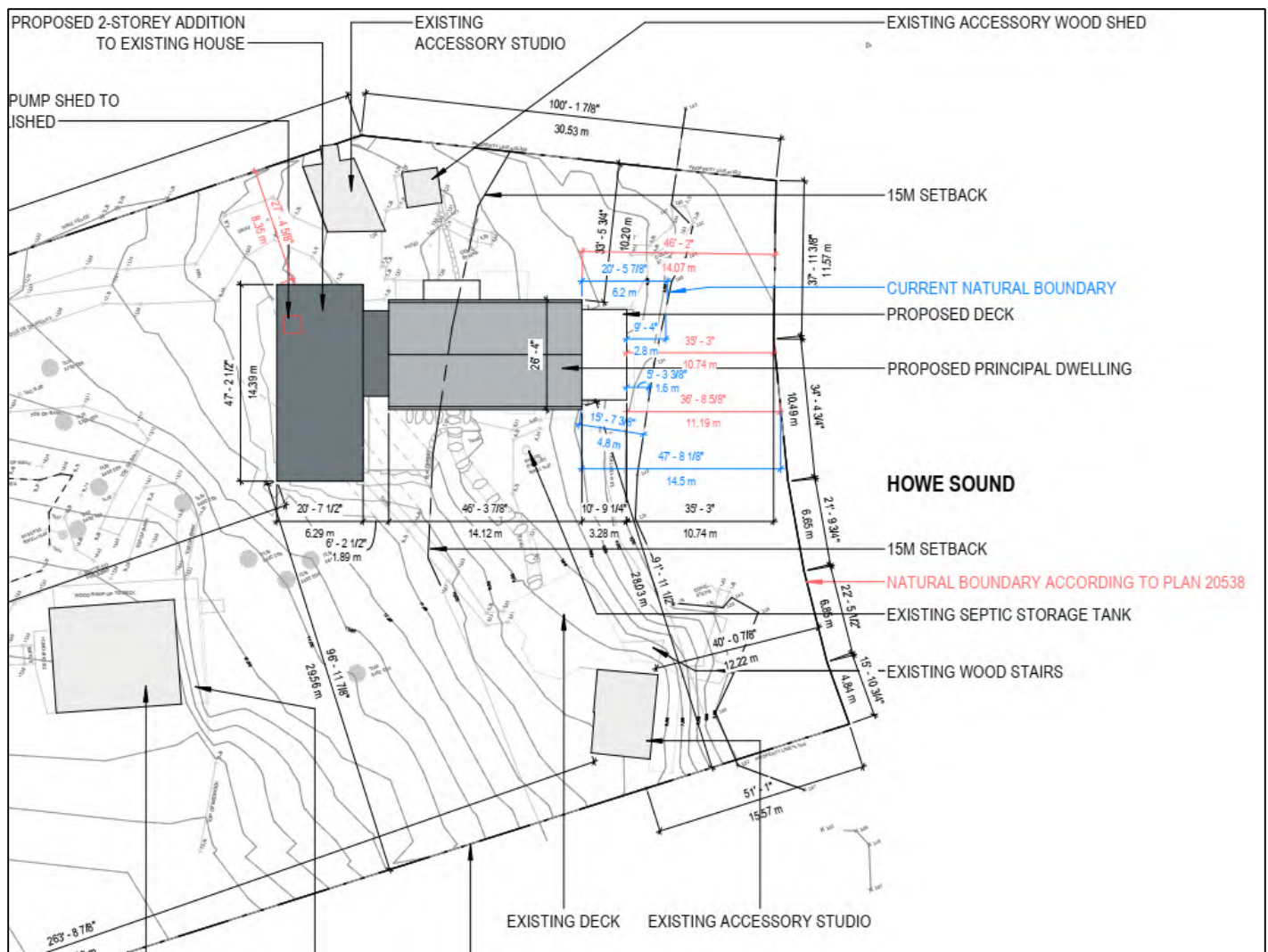


Figure 2 - Site Plan

Issues and Opportunities

Staff have determined that the proposed variance to reduce the setback is not consistent with the intent of the Gambier Island OCP, particularly those policies relating to environmental protection, marine ecosystem health and shoreline development patterns.

The applicant is proposing to remove a small portion of the original building which results in a net reduction of approximately 206 cubic feet of built volume within the setback. The overall effect is a modest reduction in encroachment within the setback area.

Consideration of Alternative Siting and Design

Staff note that the application does not demonstrate a rationale for why the requested variance is necessary and cannot be constructed according to land use regulations. While the site contains some changes in elevation, the application does not identify specific site constraints that would prevent the dwelling from being located outside the required 15 m shoreline setback or reduce the extent of the encroachment. The previous dwelling occupied a similar location; however, retaining the historical building location may not, on its own, be sufficient planning rationale to support a new variance to request relief from the regulations.

Shoreline Setback Regulations

The proposal would allow the replacement of an existing non-conforming dwelling, essentially extending the presence of development within the shoreline setback for the lifespan of a new dwelling. The purpose of the shoreline setback is to minimize impacts on the natural environment and marine habitat, reduce risks associated with coastal erosion and flooding, preserve the rural and visual character of the coastline, safeguard archaeological and cultural heritage resources, and protect views. In staff's assessment, the proposed variance is not consistent with these objectives.

Coastal Hazard Considerations

The OCP supports shoreline setbacks to protect buildings and structures from coastal hazards and to maintain the environmental and character values associated with the shoreline.

In support of the application, the applicant submitted a geotechnical investigation prepared by GeoPacific Consultants Ltd, dated December 17, 2024 (Attachment 5). The report includes an assessment of coastal flood hazards and calculates a Flood Construction Level (FCL) of 6.1 metres. The FCL represents the minimum elevation considered necessary to protect development from coastal flooding and incorporates allowances for tides, projected sea level rise, storm surge, wave effects, and freeboard. The report indicates that the proposed dwelling will have a main floor elevation of approximately 7.4 to 7.6 metres, exceeding the calculated FCL by approximately 1.3 to 1.5 metres. Based on this analysis, the engineer concludes that the proposed development is not at significant risk from coastal flooding.

The report also evaluates geotechnical hazards and concludes that the site is underlain by bedrock, with a low risk of slope instability, rockfall, and debris flow hazards. Additionally, the dwelling will be founded on bedrock and designed to current seismic and uplift standards.

Sunshine Coast Regional District floodplain mapping indicates that the property is located outside the mapped 2.0 metre sea level rise inundation area. However, wave runup mapping identifies potential wave effects extending onto a portion of the property during storm events, and the shoreline is identified as having a moderate Coastal Vulnerability Index rating. This indicates the subject property may be affected by coastal processes such as erosion, wave action, storm surge, and sea level rise over time. While the site is not identified as highly vulnerable, the rating supports maintaining appropriate shoreline setbacks to reduce exposure to coastal hazards and to avoid placing long-term development in areas of increased risk.

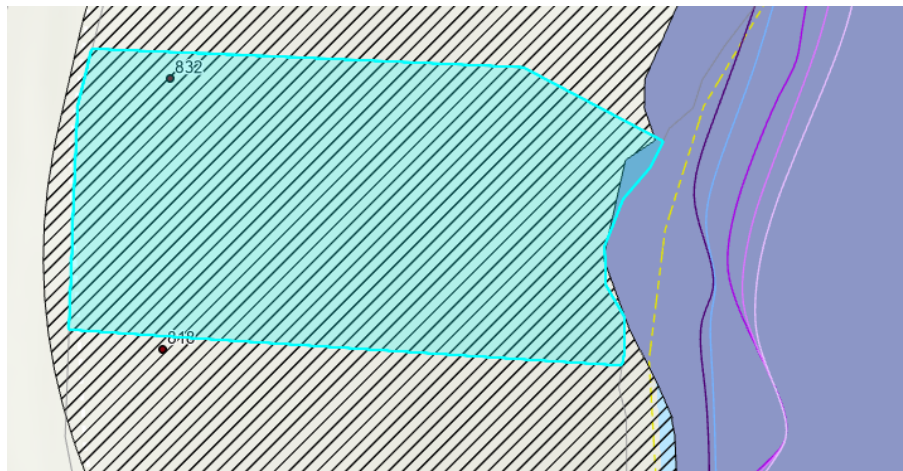


Figure 3: SCRD Floodplain Mapping (wave runup modelling in purple)

Staff note that the purpose of shoreline setbacks extends beyond protection from coastal flooding alone. Shoreline setbacks are also intended to provide separation from coastal processes, protect marine ecosystems, reduce the likelihood of future shoreline armouring and maintain the character of the coastline.

The submitted geotechnical investigation does not assess how locating development 1.6 metres from the natural boundary of the sea may affect longer-term shoreline change, erosion potential, or the implications of the reduced shoreline setback area over time. These considerations are separate from the assessment of site stability and FCL.

Environmental Considerations

The OCP contains objectives and policies supporting the protection of terrestrial, aquatic, and marine habitats, the conservation of environmentally sensitive areas, and the preservation of natural coastal processes. The subject property is not identified as an environmentally sensitive area in the OCP mapping from 2001. However, the OCP Schedule G requires that environmentally sensitive areas are identified through site-specific assessment.

Shoreline Character

The OCP supports maintaining Gambier's coastline as rural and pristine and leaving natural coastal processes undisturbed to the maximum extent possible. It recognizes that the coastline's natural and scenic values are fundamental to Gambier Island's rural marine character.

The requested variance would permit a replacement dwelling and attached deck to remain substantially closer to the natural boundary of the sea than contemplated by the LUB. Although the proposal would replace an aging non-conforming structure, it would establish a new dwelling in the same location, extending the presence of built development within the shoreline setback for the lifespan of the new structure.

In staff's assessment, this would perpetuate a pattern of shoreline development that is inconsistent with the OCP. It would also reduce the opportunity to move development toward greater conformity with current shoreline setback requirements.

Archaeological and Cultural Heritage Considerations

The OCP contains objectives and policies supporting the identification and protection of cultural heritage sites. However, recorded archaeological sites have been identified within approximately 100 metres of the subject property, and coastal areas are generally recognized as having elevated archaeological potential.

As staff are recommending denial of the application, referral to the Squamish Nation is not proposed. However, should the LTC be inclined to support the application, staff recommend referral to the Squamish Nation to identify any archaeological or cultural heritage interests associated with the proposal.

Site Restoration

Redevelopment of the site provides an opportunity to implement measures that reduce environmental impacts, including vegetation retention, shoreline stewardship practices, erosion control measures, and improved construction management practices. Staff have considered the potential for site restoration,

but do not consider it sufficient to support the requested variance. While staff are recommending denial of the application, should the LTC support the requested variance, consideration could be given to requiring a site restoration plan and/or additional environmental mitigation measures to address potential impacts associated with the proposed development.

Consultation

In accordance with Section 499 of the *Local Government Act* (LGA) and Section 8 of the Gambier Island Development Procedures Bylaw No. 50, notification of this DVP application (Attachment 6) was distributed to neighbouring property owners and tenants within 100 metres. No correspondence was received prior to distribution of the Notice or at the time of preparing this report, but may be received before or during the LTC meeting on July 21, 2026. All correspondence received on or before the LTC meeting will form part of the public record and will be presented to the LTC as part of the application file materials. Correspondence may be sent to northinfo@islandstrust.bc.ca.

First Nations

The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places.

The structure under application is in close proximity to a documented archeological site (within 100 metres) as indicated by the provincial Remote Access to Archaeological Data (RAAD) system. At the time the application file was opened, the Applicant was provided with information on the Islands Trust Cultural Protocol and BC provincial Chance Find Procedures that contain information about what actions must be undertaken if previously unrecorded archaeological material is encountered during development. In such a case, all work must cease and the provincial Archaeology Branch contacted immediately. A *Heritage Conservation Act* permit may be required before further development is undertaken.

Rationale for Recommendation

Staff recommend denial of the requested DVP as the proposal is not consistent with the intent of the OCP policies related to shoreline setbacks, protection of natural coastal processes, and preservation of the rural character of the coastline.

While the submitted geotechnical investigation confirms that the site is not subject to significant coastal flooding, slope instability, rockfall, or debris flow hazards, the purpose of shoreline setbacks extends beyond hazard protection. The requested variance would permit a dwelling to remain substantially closer to the natural boundary of the sea than contemplated by current policies and regulations and perpetuates a pattern of shoreline development that does not reflect best planning practices.

In applying a precautionary approach, staff consider that uncertainty regarding the long-term implications of development within the shoreline setback area should be addressed by maintaining the separation intended by the setback regulations.

ALTERNATIVES

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

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. For

example, the LTC may request additional environmental information or a referral to Squamish Nation. Recommended wording for the resolution is as follows:

“That the Gambier Island Local Trust Committee request the following information be submitted for PL-DVP-2025-0263:

[insert requested information]

An Environmental Impact Assessment prepared by a Qualified Environmental Professional evaluating potential impacts to shoreline, marine, and terrestrial habitat and identifying appropriate mitigation and restoration measures.”

Recommended wording for a resolution to refer to Squamish First Nation is as follows:

That the Gambier Island Local Trust Committee request that staff forward application PL-DVP-2026-0263 to Squamish First Nation for review and comment, given the coastal location of the subject property and the potential for archaeological and cultural heritage in the area.

2. Defer the application

The LTC may defer the application. A resolution to defer an application is not necessary. A deferral statement to review a given application can simply be summarized and noted in the meeting minutes.

3. Approve some of the variance requests

The LTC may choose to approve some of the requested variances, by approving a DVP to permit the dwelling to remain within the shoreline setback without the attached deck. This option would provide a narrower relaxation of the LUB by limiting the variance to the principal dwelling to 4.8m from the natural boundary of the sea.

As the notice distributed identified a greater relaxation of the LUB than what would be granted through this alternative, the LTC may consider a lesser variance without the need for additional public notification under the Local Government Act. The DVP may be amended to reflect the reduced scope of the variance.

Recommended wording for the resolution is as follows:

That the Gambier Island Local Trust Committee amend PL-DVP-2026-0263, as presented, by deleting the second bullet under Section 2 of the permit, which states:

“A reduction of the minimum required setback from the natural boundary of the sea from 15.0 metres to 1.6 metres at the closest point of the proposed deck, with setbacks increasing to 2.8 metres at other points, as shown on Schedule ‘A’ – Site Plan.”

4. Approve the DVP as proposed

The LTC may approve the application. Statutory notice has been provided in accordance with the Local Government Act. Recommended wording for the resolution is as follows:

“That the Gambier Island Local Trust Committee approve issuance of application PL-DVP-2026-0263.”

Submitted By:	Marlis McCargar, Island Planner	July 8, 2026
Concurrence:	Renee Jamurat, RPP MCIP, RPM	July 9, 2026

ATTACHMENTS

1. Site Context
2. Site Photographs
3. Applicant's Rationale
4. OCP Policies
5. Geotechnical Investigation
6. Notice
7. Draft Development Variance Permit

ATTACHMENT 1 – SITE CONTEXT PL-DVP-2026-0263

LOCATION

Legal Description	LOT 3 DISTRICT LOT 3161 PLAN 20538
PID	006-577-512
Civic Address	832 THE GROVE ROAD, GAMBIER ISLAND
Lot Size	0.45 ha (1.1 ac)

LAND USE

Current Land Use	Residential
Surrounding Land Use	Residential

HISTORICAL ACTIVITY

File No.	Purpose
PLBP20250102	Addition to principal SFD
PLBP20250482	Renovation and addition to associated second dwelling – reason for PLDVP20260079
PLDVP20250170	Variance to setback for principal SFD roofline
PLDVP20260079	Associated second dwelling floor area variance request

POLICY/REGULATORY

Official Community Plan Designations	Gambier Island Official Community Plan Bylaw No.73, 2001 – Settlement Residential (SR)
Land Use Bylaw	Gambier Island Land Use Bylaw No. 86, 2004 – Settlement Residential (SR)
Other Regulations	DPA 3: Riparian Areas  Watersheds and Watercourses Map Exemptions:

	(3)(a)i. development taking place outside of the areas described below in 9.3(3)(a)(i) through 9.3(3)(a)(iv): i. For a watercourse that is not located in a ravine, a 30 metre strip on both sides of the watercourse measured from the high water mark; (b) interior or exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing building or structure to an extent that does not alter, extend or otherwise increase the ground floor area of the building or structure including all impermeable accessory structures such as decks and patios
Covenants	S.215 Covenant N62361 (1985) between province and SCRD
Bylaw Enforcement	N/A

SITE INFLUENCES

Islands Trust Conservancy	There are no Conservancy covenants or properties in the direct area; therefore, no referral has been made to the Board.
Species at Risk	N/A
Sensitive Ecosystems	N/A
Hazard Areas	N/A
Archaeological Sites	Registered archaeological site within 100m of subject property. By copy of this report, the owners and applicant should be aware that there is a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	No additional impacts to GHG emissions anticipated as a result of this application.
Shoreline Classification	Sediment Shoreline - Pebble/Sand
Shoreline Data in TAPIS	Fringing, patchy eel grass noted, surf smelt

ATTACHMENT 2 – SITE PHOTOS PL-DVP-2026-0263







DVP Project Narrative Document

Gambier Island Blacks Beach Upgrades

Document Number: 7922-01-25-02

Revision 1

Date: 06/11/2026

Rev	Date	Revision Description	By	Checked	Approved
0	18-APR-25	Issue for Approval	DLM	JG	DLM
1	08-JUN-26	Issued for Approval	DLM	JG/LP	DLM

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1.0 Project Description

832 The Grove Road, Gambier Island contains a long-standing single-family dwelling that pre-dates the adoption of the current land use bylaw. The house is legally non-conforming in its siting, as it sits partially within the current 15 m natural boundary setback.

In 2025, the Gambier Island Local Trust Committee unanimously approved Development Variance Permit PLDVP20250170 (the “**DVP**”), varying the setback to allow a roofline alteration and renovation to the existing dwelling. The SCRD subsequently issued Building Permit BP003680 on August 15, 2025, and construction proceeded under continuous SCRD inspection oversight from September 2025 through March 2026.

The reconstruction was undertaken consistently with the project intent disclosed to Islands Trust at the time of the original DVP application: retention of the original footprint, reduction of building floor area within the setback, removal of non-conforming features, and upgrading of the structure to current safety and energy code standards. Every one of those commitments has been delivered in the as-built result.

Construction proceeded on the dwelling in accordance with the Building Permit. Over the course of construction, SCRD Building Officials conducted inspections of the construction on four occasions, and at the conclusion of each of those inspections, approved the work and permitted construction on the dwelling to continue.

Construction on the dwelling revealed that the extent of structural intervention required to update the home to current code requirements is significant. Concealed conditions discovered upon exposure of the original cabin, such as foundation piers not anchored to bedrock and existing structural elements that did not meet current code, required a greater proportion of structural replacement than was anticipated. However, the possibility of this level of intervention was accounted for and included in the Building Permit application. In addition, each successive intervention was directed by the project's licensed Professional Engineers in response to specific findings and communicated to the SCRD.

In May 2026, Islands Trust determined that the cumulative extent of the replacement required a new Development Variance Permit to authorize the dwelling's siting on its existing footprint. Our understanding is that the new variance requirement mandated by Islands Trust would allow for the legal location and replacement of the dwelling on its original footprint.

To date, \$2,560,000.00 has been incurred in construction costs in reliance on the issued DVP, Building Permit and ongoing approved inspections.

2.0 Purpose of Variance

The variance sought is a reduction of the required 15-metre setback from the natural boundary of the sea, under LUB 86 s. 3.3(1), to permit the renovated dwelling on the original footprint of the pre-existing legal non-conforming cabin. The cabin is a long-standing, legal non-conforming structure that has occupied its location on the Property for decades, well predating the current setback bylaw. While subsequent regulatory and building code changes have rendered certain elements of the dwelling legally non-conforming, the renovations were undertaken with the intent to bring the dwelling into code compliance.

The renovated dwelling sits 4.8 meters from the natural boundary at its nearest point. This is the same footprint location as the pre-existing cabin, with no element of the new structure closer to the sea than the original.

The variance is requested for the siting of the dwelling only. The application requests no relief from any other LUB 86 regulation.

3.0 Project Location and Site Conditions

Project Location

- Address: 832 The Grove Road, Gambier Island, BC
- Size: 1.112 acres (0.45 hectares)
- Zoning: SR (Settlement Residential)
- Authority Having Jurisdiction (AHJ): Sunshine Coast Regional District (SCRD)
- Land Use Bylaw: Gambier Island Land Use Bylaw No. 86, 2004

The project site is located within Black Beach, Gambier Island, an off-grid community accessible only by boat. The site is characterized by steep terrain, a rocky shoreline, and dense vegetation; however, the site is easily accessible through various routes. The pre-existing cabin sat on a small bench above the natural boundary of the sea, on a footprint dictated by the site's geomorphology. Near-surface bedrock determined where foundations could be placed, and the original cabin's siting reflects those constraints.

The cabin pre-dates the introduction of the 15-metre setback. Its non-conforming siting has been protected as a legal non-conforming structure under the Local Government Act.

4.0 Project Design Intent

The project intent, as documented in the original DVP application and supporting materials, was a renovation that preserved the original footprint and character of the cabin while eliminating unsafe and deteriorated conditions, and bringing the home into compliance with modern building codes and energy performance requirements. The documents submitted with the DVP application included a Project Narrative that specifically contemplated the structural improvements required to ensure the safety of the cabin, along with engineering drawings identifying the components of the structure to be removed, altered, or added.

Key design actions include:

- Maintaining the original footprint of the cabin, with no horizontal expansion and no element of the new structure closer to the sea than the pre-existing condition;
- Removal of the upper loft and non-compliant stair system;
- Demolition of south-facing bay windows, which previously encroached toward the sea;
- Inward relocation of the east glazing;
- Replacement of the east-end roof, matching existing height and pitch;
- Siting of the new west addition entirely landward of the 15-metre setback;
- A net reduction of floor area within the setback.

These changes result in a smaller, safer, and more efficient building that reflects the original form of the structure and does not introduce any new encroachment toward the natural boundary.

The reconstruction substantially improves the safety and code compliance of the cabin with a focus on the following:

- Upgrading the structural integrity of the cabin to meet current seismic requirements, while simplifying the form
- Rationalizing the roof lines, allowing for a more continuous building envelope that meets modern building standards and improves performance
- Meeting current energy use requirements for heating, cooling, and electrical consumption
- Creating a home that will be built to last, ensuring a more durable and sustainable structure that maintains its unique rural character and scale

The DVP was followed by a Building Permit application to the SCRD which included detailed architectural and structural drawings for the project, as contemplated by the DVP. Those drawings indicated, among other things, that existing foundation conditions were to be verified and that footing replacement or connection to bedrock be undertaken if required based on conditions encountered during construction, requiring progressive investigation and remediation as work on the project advanced.

Notably, BC Housing reviewed the building permit application materials and initially confirmed the renovations did not constitute a new build, such that the New Home Warranty program did not then apply. The project has since been registered under the New Home Warranty program, with one warranty inspection completed to date.

5.0 OCP Alignment

The project is aligned with the Gambier Island Official Community Plan (Bylaw No. 73, 2001). Specifically, the renovation:

- Supports environmental stewardship by avoiding new encroachment into the marine setback area (encroachment is reduced)
- Preserves the rural and small-scale character of development on Gambier Island
- Enhances building safety and environmental resilience
- Respects the intent of the natural boundary setback while responsibly upgrading an existing structure
- The dwelling is founded on bedrock and now engineered to current seismic and uplift code, reducing coastal hazard exposure

6.0 Justification for Variance

This variance request is based on the following key considerations:

1. Non-conforming status: The existing building is legally non-conforming. The project does not expand site coverage within the setback
2. Improved compliance: The reconstruction removes all non-compliant elements and, as a result of the new construction classification, brings the dwelling under the mandatory 2-5-10 New Home Warranty and BC Step Code energy efficiency requirements
3. No increase in setback encroachment: All new work remains within the original footprint and does not extend closer to the sea
4. Consistency with OCP: The proposal meets stated community goals for environmental protection, safety, and rural character preservation
5. Code Compliance: To modernize and improve the dwelling for safety and structural integrity

The project was conducted with full professional oversight throughout: Registered Architect (AIBC), Professional Structural and Geotechnical Engineers, and continuous SCRD inspections.

7.0 Conclusion

The applicants respectfully request that the Local Trust Committee approve the variance and authorize the siting of the renovated dwelling on its existing footprint, 4.8 meters from the natural boundary.

The result is a less-encroaching, professionally engineered, code-compliant dwelling on the original footprint of the pre-existing cabin, the outcome most consistent with the Islands Trust's preserve-and-protect mandate on these facts.

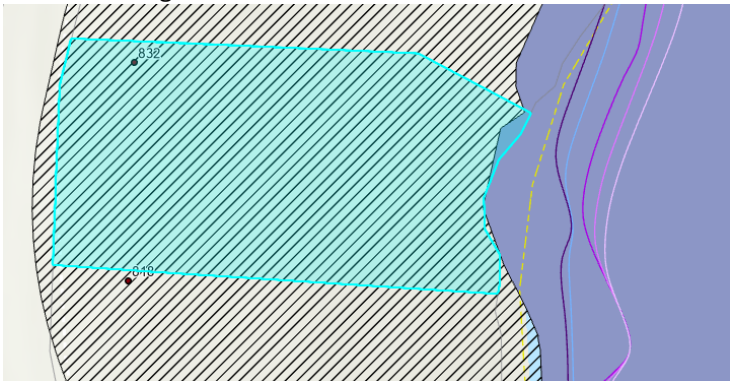
The applicants are prepared to attend the Local Trust Committee meeting in person to answer questions.

ATTACHMENT 4 –OCP POLICIES PL-DVP-2026-0263

GAMBIER ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 73, 2001

OCP Objective/Policy	Complies	Planner Comments
Policy 3.1 In the review or revision of any Plan, policy, regulation or permit relating to proposed land use the Local Trust Committee should consider the following: - soil conditions with regard to their: - stability for development; - drainage capability for run off; - slope and topography for building site selection; - ability to absorb effluent; and - suitability for farming or horticulture; - the adequacy of potable water to support the proposed development, including from dug or drilled well, watercourse, cisterns or other water storage devices; - the impact of new development on the quality and quantity of water supplies of neighbouring properties; - the impact of any new development on existing public services and infrastructure and the ability to accommodate any deficiencies in such services or infrastructure at minimum public cost;	Partially complies	The proposed shoreline setback variance should be evaluated in relation to Policy 3.1, including consideration of slope stability and site conditions, potential impacts on sensitive ecosystems and fisheries habitat, compatibility with the natural environment and existing shoreline character, and minimizing land disturbance and environmental impacts associated with development. The submitted geotechnical investigation addresses several of these considerations, including soil and site stability, slope conditions, coastal flooding, and geotechnical hazards. The report concludes that the site is underlain by bedrock, with a low risk of slope instability, rockfall, and debris flow hazards. The proposal does not fully address other Policy 3.1 considerations, including the potential impacts of reduced shoreline setbacks on coastal processes, shoreline erosion, marine ecosystems, and the compatibility of development with the natural environment and shoreline character. As such, staff do not consider the proposal to be fully consistent with the intent of Policy 3.1.

v. the location of future land uses so that their appearance and impact are compatible with and do not degrade or otherwise negatively impact the natural environment, community resources, and the character of existing land uses; vi. the protection of sensitive ecosystems, ecological values and wildlife and fisheries habitats, especially in inter-tidal, estuarine, stream and riparian areas, in accordance with the current published guidelines that provide for protection including riparian guidelines as expressed in the Forest Practices Code, the Fish Protection Act and other guidelines published by the provincial and federal governments; vii. clustering outside the present areas of settlement development should be encouraged so as to maintain substantial areas of greenbelt between developments; viii. land disturbance, site clearing, or road building that is detrimental to the use or enjoyment of properties or to the environment should be kept to a minimum in any land development; ix. the rate or type of development and the ability to respond to change without significant negative social impacts; and		
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x. other requirements the Local Trust Committee may reasonably deem necessary to adequately review the proposal.		
Policy 3.5 Future development should only be permitted to occur at a scale and rate of growth that is respectful of: i. community-held values pertaining to the environment; ii. the planning area's rural qualities; iii. consideration of water-only access; iv. the local trust area's limited infrastructure; and v. the requirements of the applicable regulatory land use bylaws	Partially complies	The proposal involves replacement of an existing non-conforming structure on the same footprint. The dwelling and deck remain located extremely close to the natural boundary of the sea (approximately 1.6m at its closest point), which reflects a legacy siting condition that is no longer consistent with current shoreline development practices. Staff have concerns that the reduced setback is not consistent with the intent this policy regarding respect for community-held environmental values, the rural qualities of the planning area,
Policy 3.7 The zoning regulations should establish setbacks for buildings and structures, in accordance with good planning practices, from: iii. the sea: a. to protect buildings and structures from floodwaters or coastal erosion; b. to protect marine and riparian habitat and water quality; and c. to maintain a view of the coastline that is rural in character and relatively pristine in appearance.	No	The proposed reduction in setback to from the natural boundary represents a significant departure from the intent of these setback provisions. While the proposal involves replacement of an existing non-conforming dwelling, the siting continues to reflect a legacy condition that is inconsistent with current good planning practices for shoreline development. a. SCRD Floodplain mapping rates the Coastal Vulnerability Index classifies the subject shoreline as having moderate vulnerability to coastal processes. This indicates that the site may be moderately susceptible to erosion or coastal flooding influences, but does not identify the area as a high-risk coastal hazard zone. Wave runup modelling (purple) indicates that vertical wave runup events exceeding 3.0 m may extend into the subject property, indicating potential exposure to episodic wave impact and coastal flooding during storm conditions. 

		b. While no site-specific environmental assessment has been provided and the property is not identified as an environmentally sensitive area on OCP mapping, shoreline and foreshore areas may contain ecological values that are not reflected in historic mapping. Additional environmental information may assist in determining whether the proposal is consistent with the marine ecosystem and water quality protection objectives. c. The dwelling is proposed within the existing footprint, it is not expected to substantially alter the existing visual character of the shoreline. However, the continued presence of a dwelling and deck 1.6m from the natural boundary does not reflect current shoreline setback practices intended to maintain a more natural and undeveloped coastal appearance.
Objective 7.17 to protect foreshore areas and surrounding waters and their natural life forms, including flora and fauna;	Pending further application review	The siting of the structure in close proximity to the natural boundary may have implications for foreshore protection objectives depending on the extent of shoreline interaction and disturbance. LTC to determine whether further environmental and/or coastal hazard review is required to confirm that the proposed siting is consistent with the intent of protecting foreshore areas and associated ecological values.
Objective 7.18 to minimize pollution from human use of the foreshore, surrounding waters and adjacent upland;	Pending further application review	Further review of site drainage and construction practices may be required.
Objective 7.19 to preserve undisturbed areas on the foreshore and the surrounding waters and to establish marine protected areas;	Pending further application review	Redevelopment in close proximity to the foreshore has the potential to affect adjacent shoreline conditions depending on the existing level of disturbance and ecological sensitivity. LTC to determine whether further environmental review is required to determine if adjacent foreshore exhibits natural or undisturbed characteristics and whether the proposal is consistent with the intent to preserve foreshore areas.
Objective 7.20 to recognize that the coastline's natural and scenic values are important in giving the Planning area its rural marine character;	No	While the footprint is not proposed to expand, the continued siting of a dwelling immediately adjacent to the shoreline continues to influence the natural and scenic qualities of the coastline.
Objective 7.21 to ensure that any use of the foreshore does not result in permanent damage to the natural environment;	No	Redevelopment may result in impacts depending on construction practices.
Objective 7.22 to minimize conflicts between marine and	No	While the proposal replaces an existing residential use, the reduced shoreline setback may increase the potential for

foreshore uses and those on the adjacent upland.		conflicts between upland development and the foreshore environment by limiting separation from natural coastal processes.
Policy 7.38 Foreshore and marine areas surrounding Gambier Island which have significant environmental or marine resource values are generally shown on Schedule C. measures to conserve water and protect the ground water resource.	Yes	Schedule C was developed approximately 25 years ago and may not fully reflect current site-specific environmental conditions. The subject property is not identified within Schedule C; however, given its coastal location, adjacent foreshore areas may still exhibit environmental or marine resource values.
Policy 7.41 Natural coastal processes should be left undisturbed to the maximum extent possible.	No	Although the shoreline has already been modified by the existing non-conforming dwelling, the requested variance would perpetuate development within the shoreline setback area. Staff consider that maintaining the existing development pattern does not support the intent of leaving natural coastal processes undisturbed to the maximum extent possible.
Objective 8.3 to protect terrestrial, aquatic and marine habitat;	Pending LTC direction	proximity to the shoreline may have implications for adjacent habitat values depending on site conditions. Further review may be required.
Objective 8.4 to encourage the restoration, where possible, of lost biological elements, once native to the Gambier Island Planning Area, such as habitat, flora and fauna;	Pending LTC direction	Siting the new dwelling close to the shoreline may limit restoration potential, although broader restoration opportunities may remain elsewhere on site. The LTC could consider whether they want an Environmental Impact Assessment to include a restoration plan.
Objective 8.10 to identify, protect, preserve and enhance important cultural and historical resources in the Gambier Island Planning Area.	Pending LTC direction	No known archeology sites are identified on the subject property; however, an archaeological site is within 100m and coastal areas have higher archaeological potential. LTC to consider referring to Squamish First Nation.
Policy 8.1 Environmentally sensitive areas shall include: productive intertidal areas; shallow estuaries; lakes; forests; wetlands; streams and riparian areas; bluffs and herbaceous areas and areas of unique features that meet the Qualitative Criteria for Environmentally Sensitive Areas as outlined on Schedule G.	Pending LTC direction	An Environmental Impact Assessment prepared by a Qualified Environmental Professional would be required to evaluate potential shoreline sensitivity, including erosion hazard, intertidal habitat and ecological function.
Policy 8.2 Known environmentally sensitive areas in the Gambier Island Planning	Yes	Subject property not noted on Schedules F and C from 2001.

Area, as shown on Schedules F and C, should be maintained, preserved and restored. Furthermore, the updating and refinement of identification of environmentally sensitive areas should continue.		
Policy 8.9 Zoning regulations should establish a minimum building setback from wetlands, watercourses and the sea.	No	The Gambier Land Use Bylaw establishes a minimum setback of 15 metres from the natural boundary of the sea. The proposed dwelling is replacing an existing non-conforming dwelling located approximately 1.6m from the natural boundary, representing a significant reduction from the current zoning setback requirement.
Policy 8.11 At the time of application for rezoning, development permit or for amendment to this official community plan the impact of the proposed development on the natural environment and hazard lands should be considered. As a precautionary principle, these applications should not be approved until such information is obtained.	Pending LTC direction	The OCP supports the precautionary approach to decision-making.
Policy 8.25 Significant archaeological and heritage sites and values in the Gambier Island Planning Area should be identified or protected.	Pending LTC direction	Coastal areas are high probability zones for archaeology. A known archeology site is mapped within 100m of the subject property. LTC to consider referring to Squamish First Nation to determine whether an AIA is needed. Standard archaeological chance-find procedures would apply regardless.

Dusty Moi
832 The Grove Road
Gambier Island, B.C.
V0N 1V0

December 16, 2024
File: 24553
R0

**Re: Geotechnical Investigation Report – Proposed Addition
832 The Grove Road, Gambier Island, B.C.**

1.0 INTRODUCTION

We understand that an addition to the existing beach house residence is proposed at the above referenced site on Gambier Island, B.C. Preliminary design drawings prepared by Office of McFarlane Biggar, dated September 12, 2024, indicate that the development will include a two-storey addition to the west side of the existing beach house, along with a renovation of the beach house. We expect that the addition will be founded partially below grade, cut into the sloping topography. We expect wood framed construction above grade and reinforced concrete for below grade portions and new foundation elements, and we would anticipate structural loading to be relatively light. We further understand that a new driveway is being contemplated as part of the works.

This report presents the results of our geotechnical field reconnaissance, identifies potential geotechnical hazards, and provides recommendations for the design and construction of the proposed development, based on the inferred subgrade and groundwater conditions at the site. This report has been prepared exclusively for our client, for their use and the use of others on their design team, as well for the Sunshine Coast Regional District (SCRD) and the Islands Trust in the development and permitting process.

2.0 SITE DESCRIPTION

The site is located on the east side of The Grove Road on Gambier Island, B.C. The site is currently improved with a main house located centrally within the site, and a beach house, cabin, and art studio each located at the east property line. The beach house is the structure under consideration for renovation in the context of this report. The lot is approximately rectangular in shape, with an approximate area of 4500 sq. metres. The site slopes from west to east towards the coastline, with approximate elevations of 24 m at the west boundary and 3 m at the east boundary, resulting in an overall elevation differential of about 21 m over 90 m horizontal. The site is bounded by single-family home lots to the north and south, The Grove Road to the west, and a sandy beach coastline to the east.

The site and surrounding improvements are shown in our Drawing No: 24553-01, following the text of this report.

3.0 FIELD INVESTIGATION

GeoPacific Consultants Ltd. conducted a visual site investigation on November 28, 2024. The site investigation was comprised of a visual inspection for geohazards, hydrogeological hazards, hand excavating test pits, and soil probing to identify the surface soils.

Select site photographs are presented in Appendix A following the text of this report.

4.0 SUBSURFACE CONDITIONS

4.1 Soil Conditions

The general geology of the region under investigation is described as mainly intrusive rocks of the Early Cretaceous to the Middle Late Jurassic, according to the British Columbia Geological Survey, Geoscience Map 2009-1. The above referenced deposit is characterized as “Granite, diorite and granodiorite”.

A general description of the soils is given below, based on our site investigation and our previous experience in the area.

TOPSOIL

Up to 20 cm of topsoil and superficial soils were identified in localized areas onsite.

BEDROCK

Granite, diorite and/or granodiorite is exposed at or near ground surface, or underneath a thin layer of topsoil. The bedrock has localized fractures and intrusions but appears to be generally massive within the addition area.

4.2 Groundwater Conditions

The static groundwater table is anticipated to be well below the proposed founding depths for the addition. We expect the presence of some perched groundwater within surficial fills and topsoil, which will likely vary seasonally and be more persistent during the wetter winter months. These perched groundwater inflows normally produce light to moderate seepage until drainage, and insignificant seepage thereafter.

5.0 DISCUSSION

5.1 General Comments

Preliminary design drawings prepared by Office of McFarlane Biggar, dated September 12, 2024, indicate that the development will include a two-storey addition to the west side of the existing beach house, along with a renovation of the beach house. We expect that the addition will be founded partially below grade, cut into the sloping topography. We expect wood framed construction above grade and reinforced concrete for below grade portions and new foundation elements. We would anticipate structural loading to be relatively light. The proposed site plan and a building section is attached in Appendix B following the text of this report.

We have considered the BC Building Code 2024 which currently utilizes the Fifth Generation Seismic Hazard Model of Canada Design earthquake in accordance with Ministerial Order No. BA 2024 04 with a 2% probability of exceedance over a 50-year period which equates to a return of 2,475 years. Accordingly, we have considered an earthquake having a peak horizontal ground acceleration (PGA) of 0.353 g for this site (Ref. Natural Resources Canada 2015, Site Coordinates: 49.451°N and 123.425°W).

Although the current BCBC 2024 is currently in effect, Ministerial Order No. BA 2024 04 indicates that Seismic Site Classification is to be determined using the BCBC 2018 for building permits applied for before March 10th, 2025, or for drawings prepared for the building before March 8, 2025, provided the building permit is applied for before March 8th, 2027. We assume that the building permit application will be made for this project before March 10th, 2025. Otherwise, the site classification and seismic hazard will need to be revisited.

We expect that the natural soils at the anticipated founding depths will provide satisfactory support for the structure on conventional strip and pad foundations. The soil conditions must be confirmed under GeoPacific review during excavation of the proposed development.

We confirm, from a geotechnical point of view, that the proposed building development is feasible, provided the recommendations outlined in Section 6.0 are incorporated into the overall design. The proposed site is considered safe to be developed as intended.

6.0 DESIGN RECOMMENDATIONS

6.1 Site Preparation

Prior to construction of foundations and floor slabs, all asphalt, vegetation, topsoil, fill, organic material, debris, refuse, and loose or otherwise disturbed soils which may compromise our design recommendations must be removed from the construction areas to expose a subgrade of competent bedrock or fractured bedrock fill.

Any grade reinstatement should be completed using engineered fill or fractured bedrock fill.

In the context of this report, engineered fill is defined as clean sand to sand and gravel fill with not more than 5% passing the #200 sieve, compacted in 300 mm loose lifts to a minimum of 95% of its Modified Proctor Maximum Dry Density (ASTM D1557), while at a moisture content that is within 2% of optimum for compaction.

All stripping activity must be reviewed by GeoPacific.

6.2 Foundations and Bearing Capacity

Following the recommended site preparation, we recommend that footings founded on the competent bedrock or fractured bedrock fill be designed using a Serviceability Limit State (SLS) bearing pressure of 150 kPa. Factored Ultimate Limit State (ULS) bearing pressures may be taken as 1.5 times the SLS bearing pressures provided above.

We expect that for foundations designed as recommended, settlements will not exceed 25 mm total and 1:500 differential at the recommended bearing pressures.

Irrespective of bearing pressures, footings should not be less than 450 mm in width for strip footings and not less than 600 mm in width for pad footings. A smaller footing envelope is acceptable if foundations are socketed into the bedrock. Footings will be constructed on non-frost susceptible bedrock, and as such a minimum burial depth for footings is not required.

Adjacent footing should be located below a 1H:1V slope from the bottom of the footing to avoid superimposing the upper foundation loading on to the lower foundation.

Foundation subgrades must be reviewed by GeoPacific prior to blinding or footing construction.

6.3 Slab-On-Grade Floors

In order to provide suitable support for slab-on-grade floors we recommend that any fill placed under the slabs should be “engineered fill” or fractured bedrock fill as described above.

Floor slabs should be directly underlain by a minimum of 150 mm of 19 mm clear crushed gravel. A moisture barrier should underlie the slab directly above the free draining granular material to help reduce moisture levels within the slab. The free draining granular material beneath the slab-on-grade should be hydraulically connected to the perimeter drainage system to facilitate the removal of any water which may accumulate below the floor slab.

The underslab fill may be used as part of the radon system, which is required under the new BCBC 2024. All of the requirements for this system are list in Section 9.1.3.4 of the BCBC 2024. We assume that the structure will be considered a “Part 9” building.

Compaction of slab-on-grade fill must be reviewed by GeoPacific.

6.4 Seismic Design of Foundations

The site is generally underlain by bedrock, which is classified as Site Class A, as defined in Table 4.1.8.4.A of the 2018 BCBC.

The subsurface soils beyond the depth of foundations are not considered prone to ground liquefaction or other forms of ground softening caused by earthquake induced ground motions.

6.5 Foundation Drainage

A perimeter drainage system will be required for the addition to prevent the development of water pressure on any foundation walls constructed below grade. We understand that the western side of the addition is proposed to be founded below grade, cut into the slope.

For above grade construction, a perimeter drainage system intended to control subsurface groundwater is not required, provided that slab elevations are at least 100 mm above surrounding parking and landscape grades, and grades are sloped away from the building.

6.6 Temporary Excavations and Shoring

We estimate depths for the below-grade portions of the addition will be up to a maximum of about 3.5 m below existing grades. We expect that excavations will be sloped where possible.

Table 1: Recommended Maximum Temporary Cut Slope Angle

Material	Slope Angle (V:H)
Topsoil/Fill	1:1
Granite/Diorite/Granodiorite	2:1

Excavations in excess of 1.2 metres in height, requiring man-entry, require inspection by a professional engineer in accordance with Worker's Compensation Board (WCB) guidelines.

If blasting is required, it should be done by a qualified contractor with sufficient local experience. Care should be taken not to create "overbreak", which may necessitate the stabilization of rock cuts, including rock bolting, and possibly anchored shotcrete.

6.7 Flood Hazards

Flooding can occur by overland transport of surface water from a stream or river (estuarine flooding) or from coastal flooding. The site is located sufficiently upslope from any channels such that it is not at risk to estuarine flooding in our opinion. The proposed addition is located back from the natural boundary.

For the purposes of our assessment for coastal flood hazards, the flood construction level (FCL) is defined as the sum of the tide, sea level rise, storm surge, wave effects, and freeboard components.

Our analysis is summarised below in Table 2:

Table 2: FCL Analysis

Component	Allowance	Comments
Tide	2.0 m	Higher high water table level (HHWTL) (Canadian Hydrographic Service, 2024).
Global sea level rise	1.0 m	For year 2100.
Storm surge	1.3 m	KWL, 2015.
Wave Effects	1.2 m	KWL, 2015.
Freeboard	0.6 m	Typical value for coastal flooding assessments.
Total (FCL)	6.1 m	

Preliminary design drawings provided to us by Office of McFarlane Biggar, dated September 12, 2024, indicate that the existing beach house and addition will have main floor elevations of 7.4 m to 7.6 m. As such, we are of the opinion that the proposed development is not at risk to coastal flooding.

6.8 Slope Stability

As the site is underlain by competent bedrock and the slope is generally shallow, the potential rock fall hazard is remote. The overburden soils are thin, and the bedrock was observed to be competent; therefore the risk of deep seated slope failure is not likely to be a geotechnical concern.

The risk of debris flows is considered to be low provided that a surface water drainage channel is established up slope of the proposed addition to direct surface water away from the new development and areas with thicker fills. We expect this will be completed as part of the proposed driveway construction and general site grading.

6.9 Earth Pressures on Below Grade Walls

Earth pressures against buried foundation walls are dependent on factors such as available lateral restraint along the wall, surcharge loads, backfill materials, compaction of the backfill, and drainage conditions. The foundation walls are expected to be partially yielding and fully restrained between the floors and backfilled with free draining granular soil. Furthermore, we expect the foundation wall will be constructed adjacent to a bedrock cut. The full development of the active condition is expected within the retained soil and can be assumed under these conditions.

We recommend that foundation walls are designed to resist the following lateral earth pressures, assuming 0.3 m to 0.9 m of working room surrounding the building foundation walls filled with free draining fractured bedrock fill:

<i>Static:</i>	Triangular soil pressure distribution of $4H$ kPa, where H is equal to the wall height in metres.
<i>Seismic:</i>	Inverted triangular soil pressure distribution of $3H$ kPa, where H is equal to the wall height in metres.

The preceding loading recommendations assume that the foundation walls will be backfilled with free draining granular fill with perimeter drainage such that hydrostatic pressures against the foundation walls are eliminated. All pressures recommended above are unfactored.

7.0 DESIGN REVIEWS AND CONSTRUCTION INSPECTIONS

As required for Municipal “Letters of Assurance”, GeoPacific Consultants Ltd. will carry out sufficient field reviews during construction to ensure that the Geotechnical Design recommendations contained within this report have been adequately communicated to the design team and to the contractors implementing the design. These field reviews are not carried out for the benefit of the contractors and therefore do not in any way effect the contractor’s obligations to perform under the terms of his/her contract.

It is the contractors’ responsibility to advise GeoPacific Consultants Ltd. (a minimum of 48 hours in advance) that a field review is required. Geotechnical field reviews are normally required at the time of the following:

- | | |
|--------------------|---|
| 1. Stripping | Review of stripping depths. |
| 2. Engineered Fill | Review of fill materials, placement and compaction. |
| 3. Excavations | Review of temporary slopes and excavations. |
| 4. Foundation | Review of foundation subgrade. |

It is critical that these reviews are carried out to ensure that our intentions have been adequately communicated. It is also critical that contractors working on the site view this document in advance of any work being carried out so that they become familiarized with the sensitive aspects of the works proposed. It is the responsibility of the developer to notify GeoPacific Consultants Ltd. when conditions or situations not outlined within this document are encountered.

8.0 CLOSURE

This report has been prepared exclusively for our client, for the purpose of providing preliminary geotechnical recommendations for the design and construction of the proposed buildings and related earthworks. The report remains the property of GeoPacific Consultants Ltd. and unauthorized use of, or duplication of, this report is prohibited.

We are pleased to assist you with this project and we trust this information is helpful and sufficient for your purpose at this time. However, please do not hesitate to call the undersigned if you should require any clarification or additional details.

For:

GeoPacific Consultants Ltd.

Ciaran Robinson, B.A.Sc., EIT
Project Engineer

Reviewed by:

Permit to Practice
EGBC
1000782
DEC 17 2024
Daniel Kokan, M.Eng., P.Eng.
Senior Project Engineer

Matt Kokan, M.A.Sc., P.Eng.
Principal



SITE PLAN
1:1000

REFERENCE:



GEOPACIFIC
CONSULTANTS

DATE: NOVEMBER 29, 2024
DRAWN BY: D.T.O.
APPROVED BY: D.K.
REVIEWED BY: C.R.
SCALE: AS SHOWN

PROPOSED RESIDENTIAL DEVELOPMENT
832 THE GROVE ROAD, GAMBIER ISLAND, BC
SITE PLAN

FILE NO.: **24553**
DWG. NO.: **24553-1**

REVISIONS:
A.
B.
C.

APPENDIX A – SITE RECONNAISSANCE PHOTOS



Figure 1: Looking east from main house, existing beach house on the left.



Figure 2: Looking south at proposed building area for addition, with existing beach house on the left.



Figure 3: Looking southwest at proposed building area for addition.



Figure 4: Bedrock outcrops in existing beach house crawl space, existing footings.

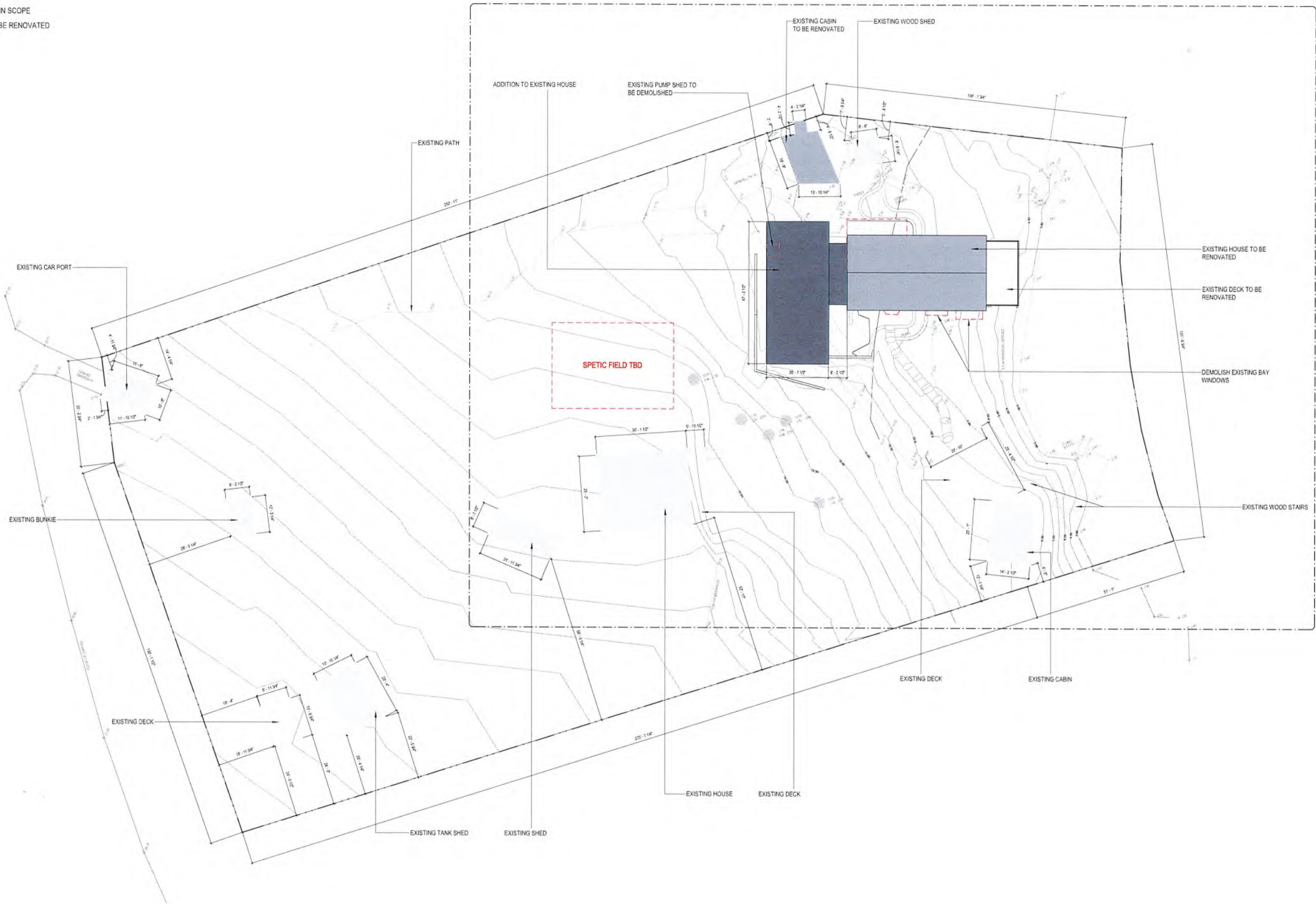


Figure 5: Looking west towards main house from proposed building area. Some bedrock outcropping observed.

**APPENDIX B – PROVIDED ARCHITECTURAL SITE PLAN AND
SECTION**

SITE PLAN LEGEND

- EXISTING STRUCURE NOT IN SCOPE
- EXISTING STRUCTURE TO BE RENOVATED
- NEW CONSTRUCTION



1 Sim
A042

2024-09-12 3:15:28 PM

omb office of mcfarlane biggar
architects + designers

301-1825 Quebec Street Vancouver BC
T 604 558 6344 E info@officemb.ca

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DATE	REV	DESCRIPTION
2024/09/12	5	BP Progress Draft

Gambier Island Black Beach

2024-012

NOT FOR CONSTRUCTION

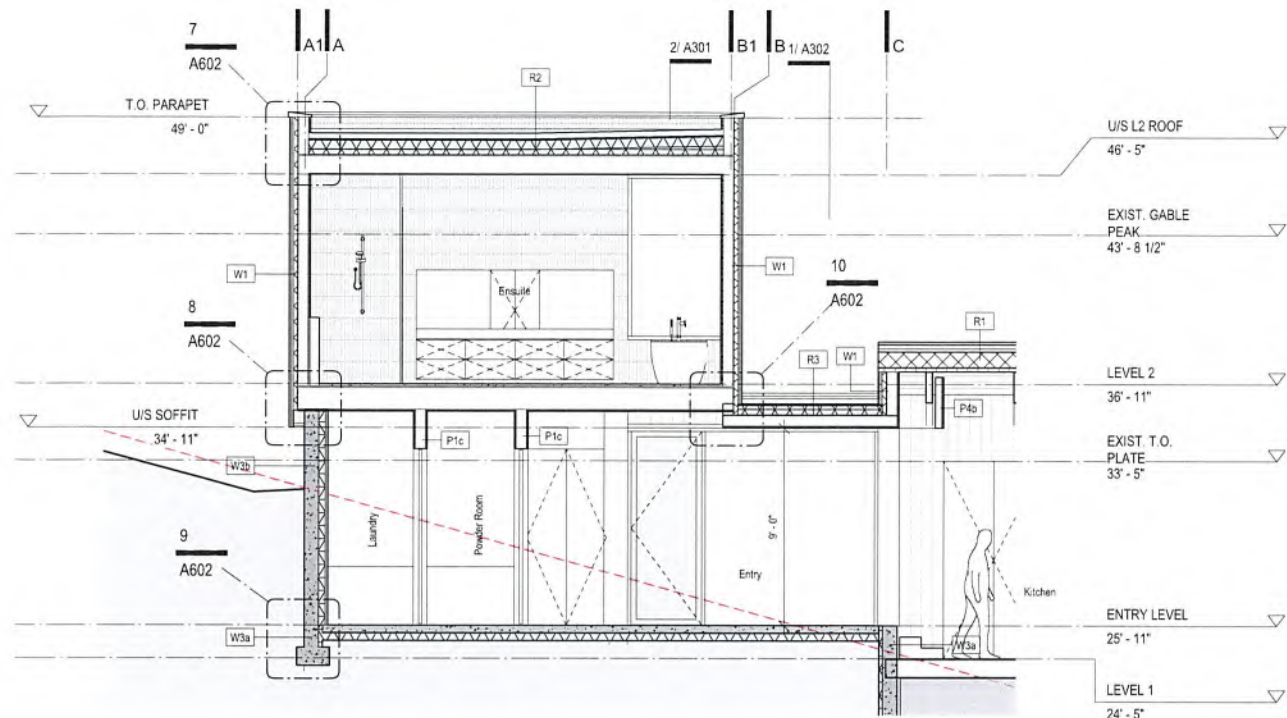


1 SITE PLAN
A041 1/16" = 1'-0"

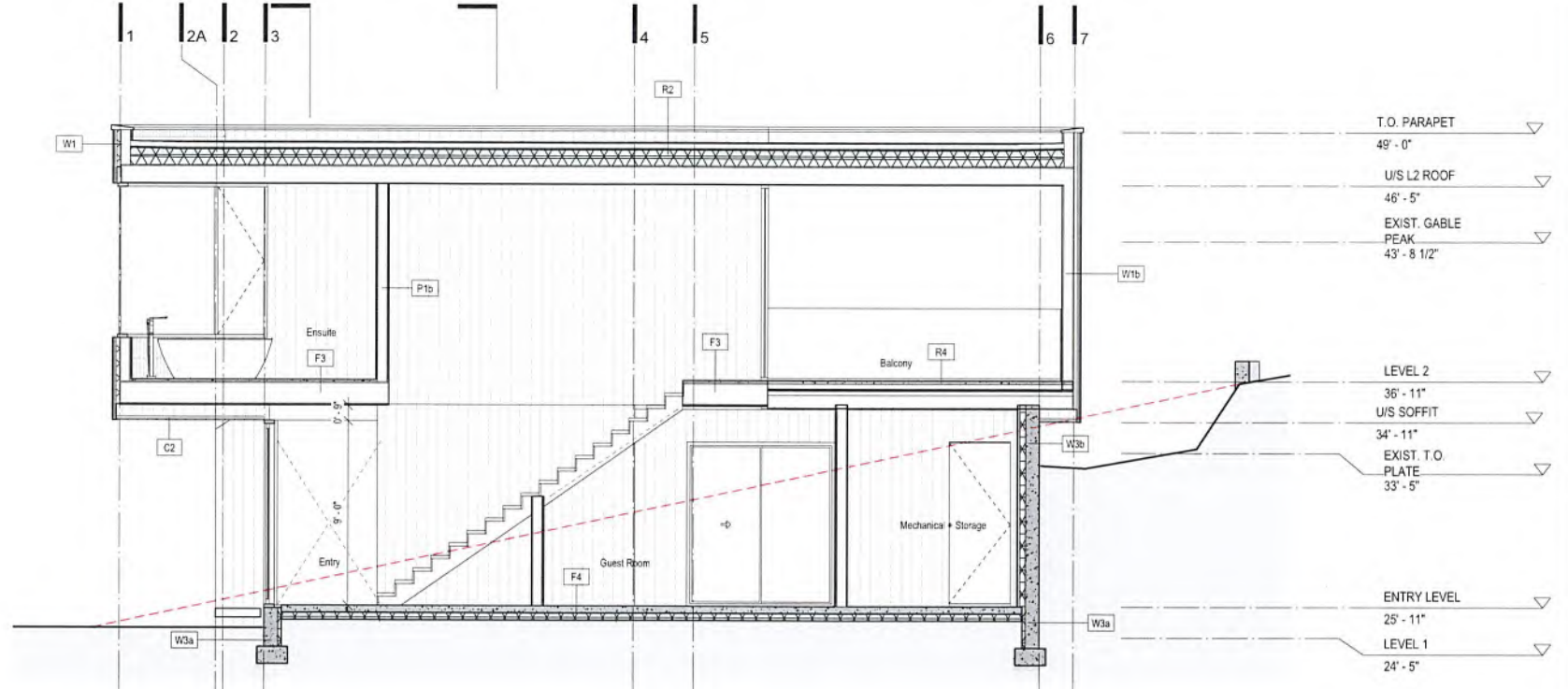
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SITE

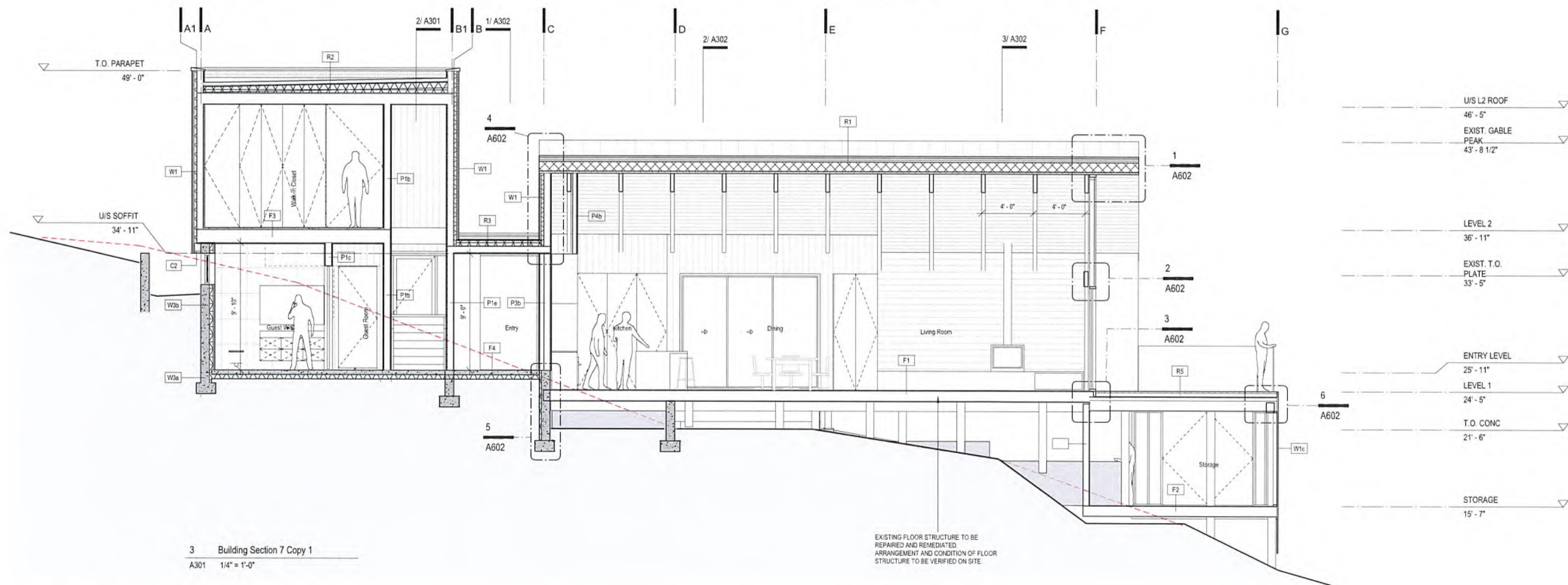
As indicated



1 Building Section 1 Copy 1
A301 1/4" = 1'-0"



2 Building Section - East West - Addition
A301 1/4" = 1'-0"



3 Building Section 7 Copy 1
A301 1/4" = 1'-0"

2024-09-12 3:19:44 PM

omb office of mcfarlane biggar
architects + designers

301-1825 Quebec Street Vancouver BC
T 604 558 6344 E info@officemb.ca

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DATE	REV	DESCRIPTION
20240912	5	BP Progress Draft

Gambier Island Black Beach

2024-012

NOT FOR CONSTRUCTION

A301
BUILDING SECTIONS

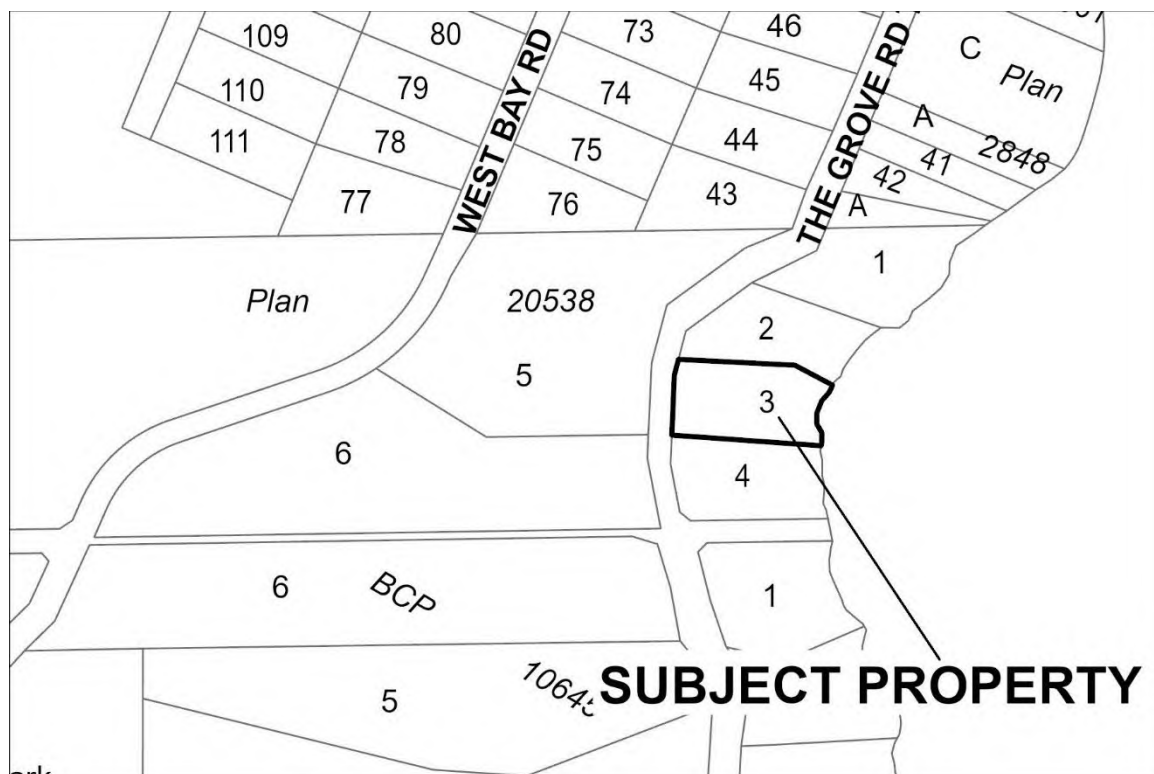
1/4" = 1'-0"
95

NOTICE is hereby given pursuant to Section 499 of the *Local Government Act* that the Gambier Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit that seeks to vary the Gambier Island Land Use Bylaw No. 86, 2004, PART 3 GENERAL REGULATIONS, Section 3.3 Siting and Setback Regulations, Subsection 3.3(1), by:

- Reducing the required 15 metre setback from the natural boundary of the sea to permit completion of a partially constructed dwelling and associated deck. The dwelling is located 4.8 metres from the natural boundary, and the deck is located 1.6 metres from the natural boundary at its closest points.

The property is located at **832 The Grove Road, Gambier Island** and is legally described as LOT 3, DISTRICT LOT 3161, PLAN 20538 (PID: 006-577-512).

The general location of the subject property is shown on the following sketch:



A copy of the proposed permit may be inspected at the Islands Trust Office, 700 North Road, Gabriola Island, BC V0R 1X3 between the hours of 8:30 a.m. to 4:00 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **July 7, 2026** and continuing up to and including **July 21, 2026** and is also available on the Islands Trust website here: <https://islandstrust.bc.ca/island-planning/gambier/current-applications/>

Enquiries or comments should be directed to Planner Marlis McCargar, at (250) 247-2210, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: northinfo@islandstrust.bc.ca before 4:30 pm, **July 20, 2026**.

The Gambier Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the business meeting starting at **11:00 am, July 21, 2026, at the Gambier Community Centre, 721 Andy's Bay Road, Gambier Island, BC.**

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

PROPOSED



Islands Trust

GAMBIER ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT NO. PLDVP20260263

TO: Dusty and Joseph Moi

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

PID: 006-577-512

LOT 3 DISTRICT LOT 3161 PLAN 20538

2. Pursuant to Section 498 of the *Local Government Act*, the *Gambier Island Land Use Bylaw No. 86, 2004* is varied as follows:

1. PART 3 GENERAL REGULATIONS, Section 3.3 Siting and Setback Regulations, Subsection 3.3(1) “No building or structure shall be sited within 15 metres of the natural boundary of the sea, lake, wetland or watercourse, or constructed with the underside of any floor system or the top of any pad supporting any space or room that is used for dwelling purposes, business or the storage of goods less than 1.5 metres above the natural boundary of the sea, lake or watercourse unless otherwise provided for in this Bylaw.”; is varied to permit:

- A reduction of the minimum required setback from the natural boundary of the sea from 15 metres to 4.8 metres at the closest point of the proposed principal dwelling, with setbacks increasing to 6.2 metres at other points, as shown on Schedule “A” – Site Plan; and
- A reduction of the minimum required setback from the natural boundary of the sea from 15.0 metres to 1.6 metres at the closest point of the proposed deck, with setbacks increasing to 2.8 metres at other points, as shown on Schedule “A” – Site Plan.

3. The proposed development is limited to the “PROPOSED PRINCIPAL DWELLING” and the “PROPOSED DECK”, as labelled on Schedule “A” – Site Plan, attached to and forming part of this permit. This permit grants variance only to the siting setback requirements from the natural boundary of the sea.

This permit is not a Building Permit or a Siting and Use Permit, and does not remove any obligation on the part of the permittee to comply with all other requirements of the 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.

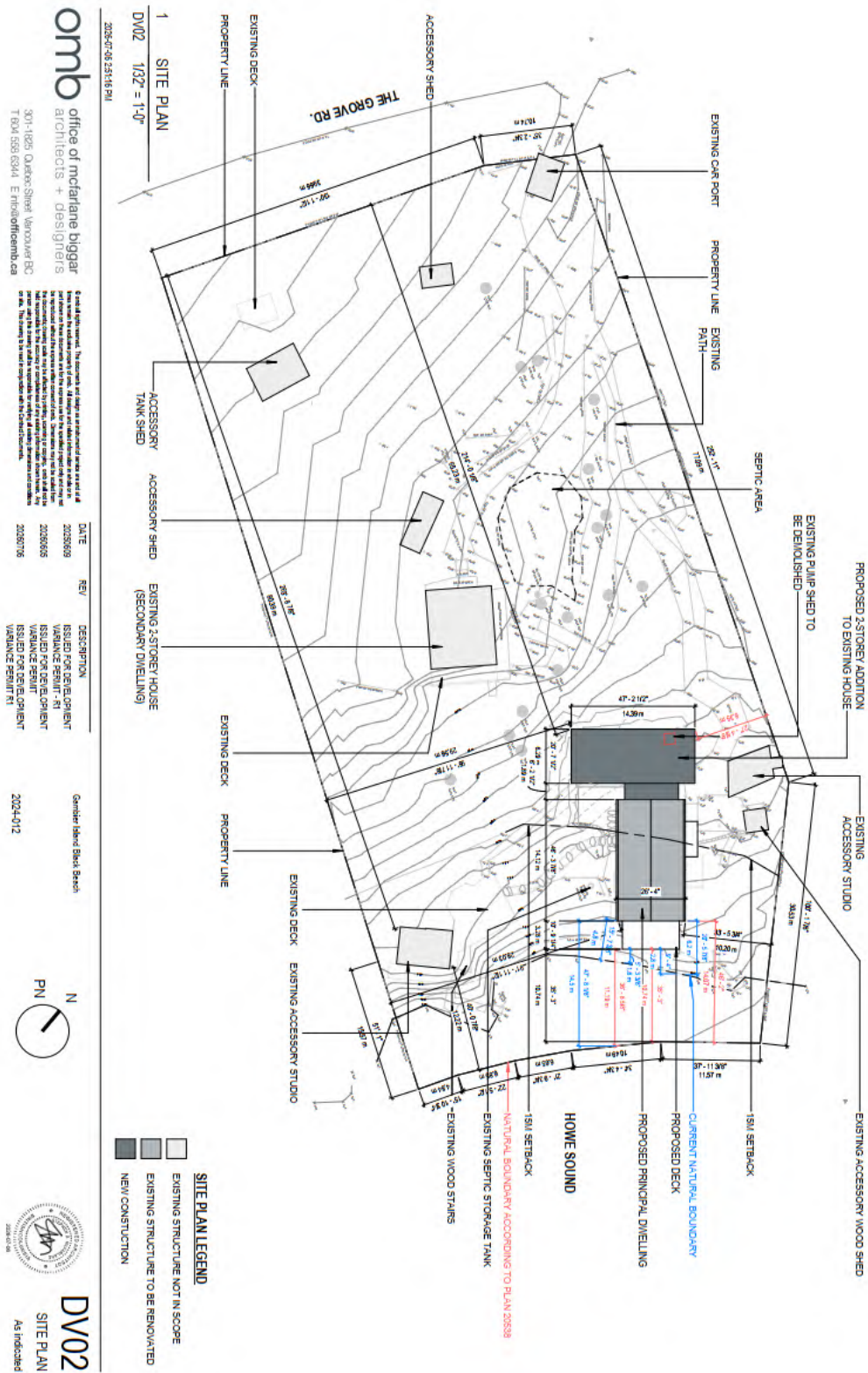
**AUTHORIZING RESOLUTION PASSED BY THE GAMBIER ISLAND LOCAL TRUST COMMITTEE THIS
X DAY OF X, 202X.**

Deputy Secretary, Islands Trust

Date

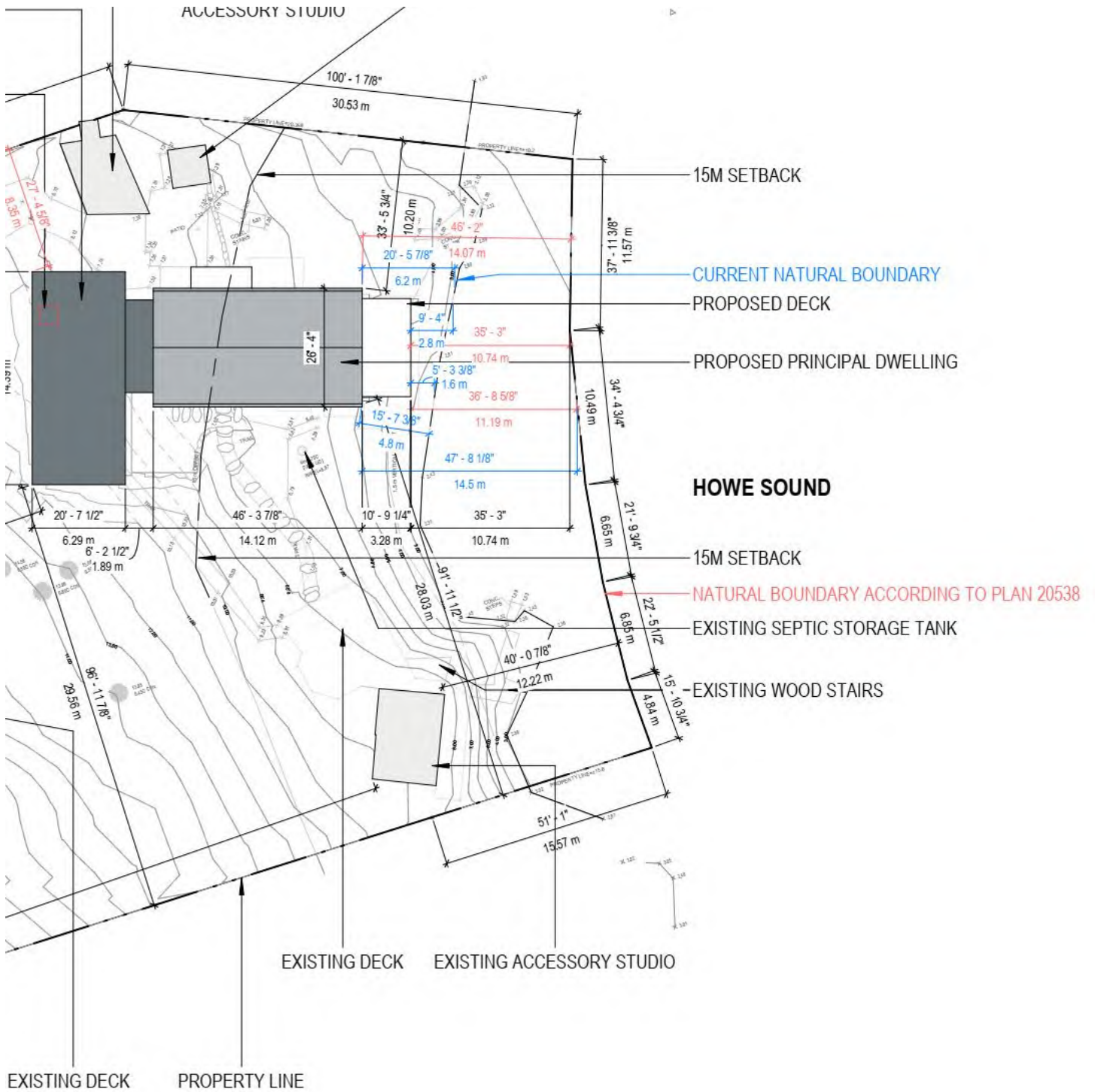
**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE X DAY OF X, 202X,
THIS PERMIT AUTOMATICALLY LAPSES.**

GAMBIER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT NO. PLDVP202600263
Schedule "A" – Site Plan



PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT NO. PLDVP202600263
Schedule "A" – Enlarged Site Plan Detail



PROPOSED

 Islands Trust	GAMBIER ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT NO. PLDVP20260263
--	--

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PID: 006-577-512

LOT 3 DISTRICT LOT 3161 PLAN 20538

- 2.** Pursuant to Section 498 of the *Local Government Act*, the *Gambier Island Land Use Bylaw No. 86, 2004* is varied as follows:

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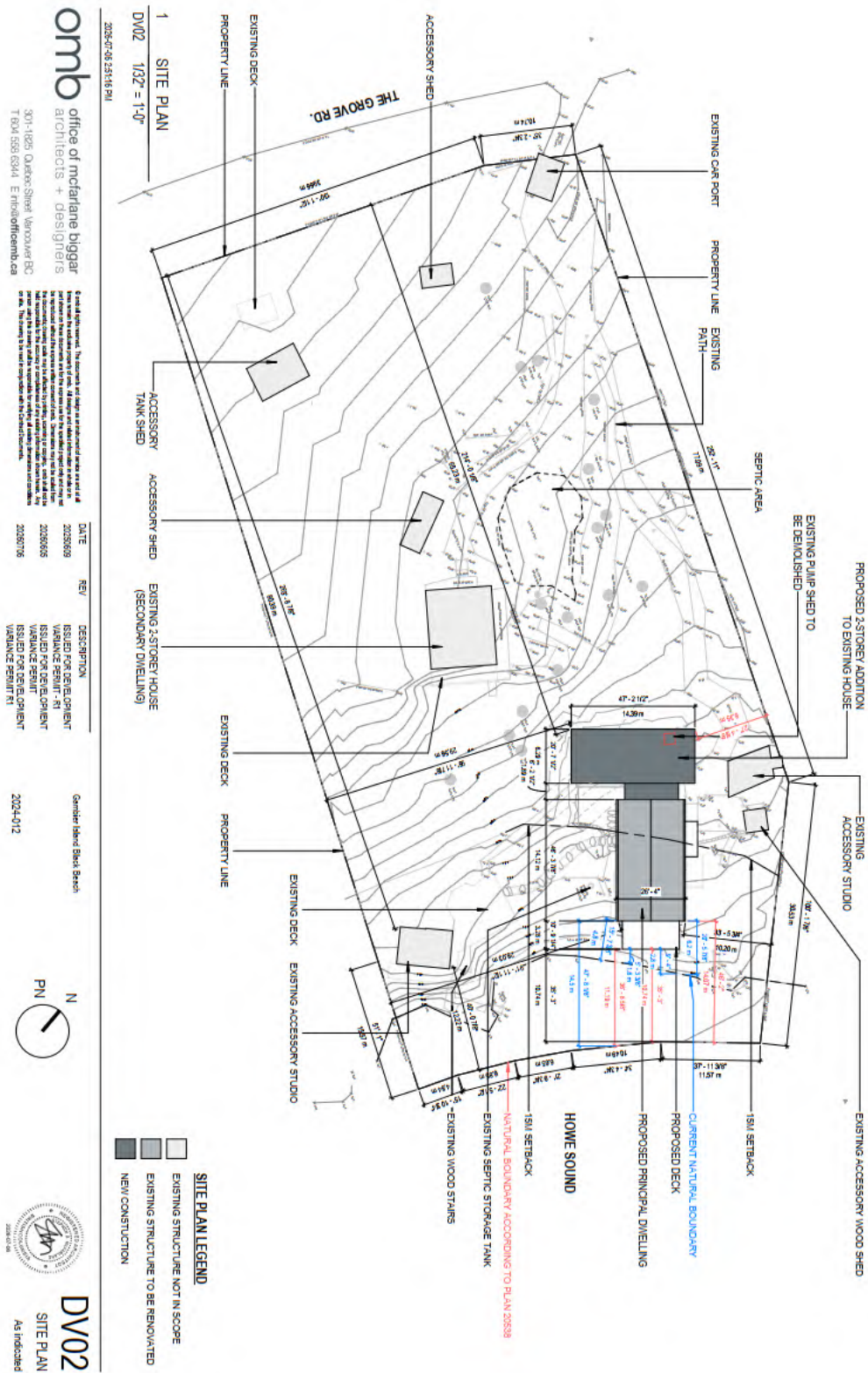
AUTHORIZING RESOLUTION PASSED BY THE GAMBIER ISLAND LOCAL TRUST COMMITTEE THIS X DAY OF X, 202X.

Deputy Secretary, Islands Trust

Date

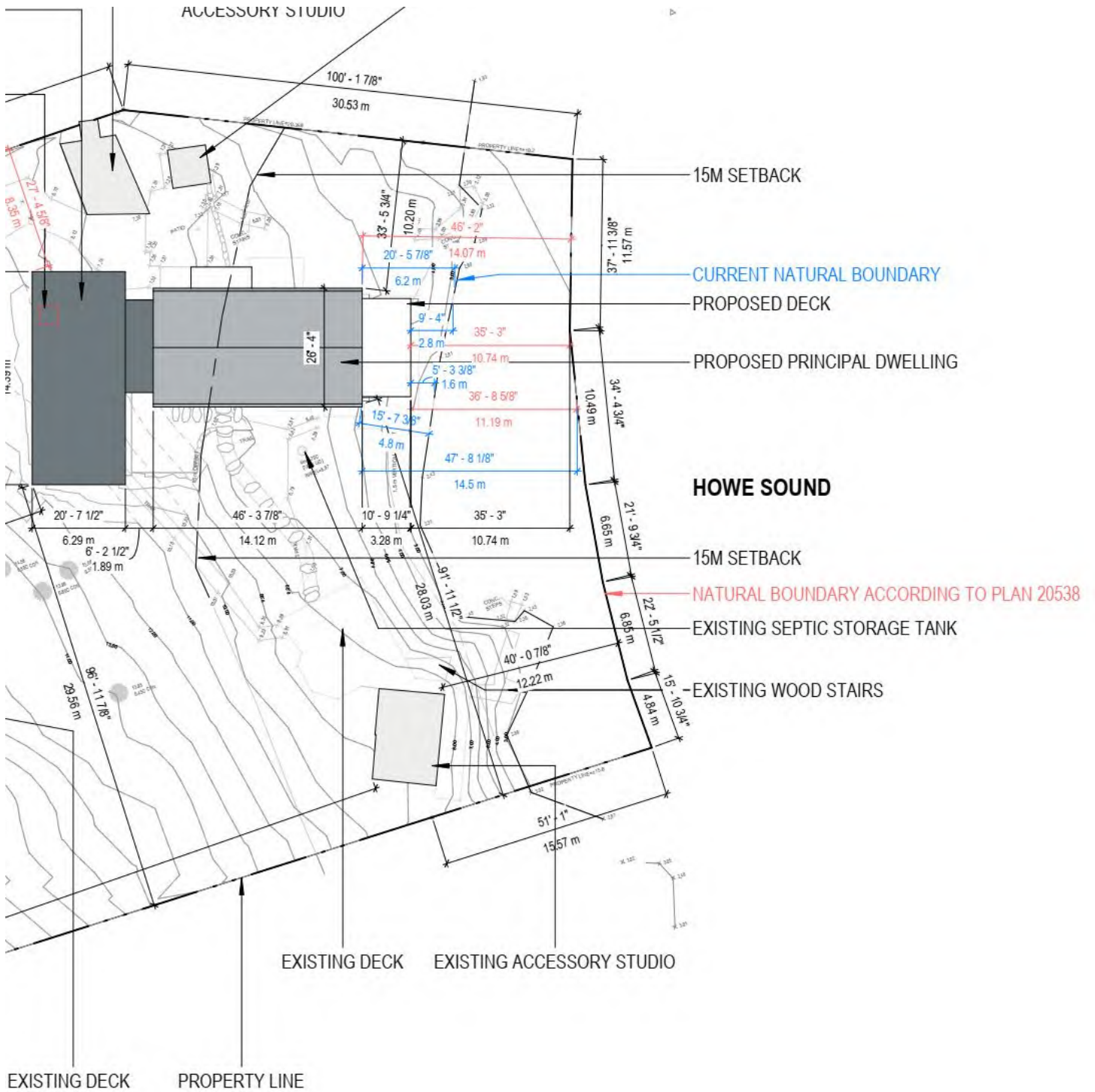
IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE X DAY OF X, 202X, THIS PERMIT AUTOMATICALLY LAPSES.

GAMBIER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT NO. PLDVP202600263
Schedule "A" – Site Plan



PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT NO. PLDVP202600263
Schedule "A" – Enlarged Site Plan Detail



MEMORANDUM

File No.: Gambier Island Official
Community Plan and LUB
Review Project

DATE OF MEETING: July 21, 2026

TO: Gambier Island Local Trust Committee

FROM: Sonja Zupanec, Island Planner
Regional Planning Team, North Office

SUBJECT: Status of Gambier OCP/LUB Review Project

STATUS OF PUBLIC ENGAGEMENT – DRAFT SHORELINE DEVELOPMENT PERMIT AREA

Staff are preparing to launch the public engagement survey on the draft Shoreline Development Permit Area (DPA) guidelines. The survey will remain open until the end of August 2026. Following the close of the survey, staff will compile and summarize the feedback received for presentation to the incoming Local Trust Committee (LTC) in November 2026.

Community Information Meetings (CIMs) will be held in late July and early August to introduce the draft Shoreline DPA, explain the purpose of the public engagement process, and provide an opportunity for participants to ask questions. This engagement relates only to the draft Shoreline DPA component of the broader Official Community Plan (OCP) and Land Use Bylaw (LUB) Review Project.

NEXT STEPS FOR DRAFT BYLAW NO. 163

Following consideration of the legal opinion, the Gambier Island Local Trust Committee may choose to:

- a) Direct staff to amend draft Bylaw No. 163 as specified by the LTC in preparation for consideration of first reading at the November 24, 2026 Regular Business Meeting.
- b) Defer further consideration of draft Bylaw No. 163 until the November 24, 2026 Regular Business Meeting.

Submitted By:	Sonja Zupanec, RPP, MCIP, Island Planner	July 9, 2026
Concurrence:	Renee Jamurat, RPP MCIP, RPM	July 9, 2026

ATTACHMENTS

1. Draft Bylaw No. 163 (OCP) – version endorsed by LTC May 2026

DRAFT

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO.163

xx

A BYLAW TO AMEND GAMBIER ISLAND OFFICIAL COMMUNITY PLAN, 2001

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

1. Citation

This bylaw may be cited for all purposes as “Gambier Island Official Community Plan Bylaw No. 73, 2001, Amendment No. 1, 2026”.

2. Gambier Island Official Community Plan Bylaw No. 73, 2001, is amended as follows:

2.1 Part 2 Community Goals, subsection Purpose of the Official Community Plan, paragraph one is amended by inserting the word “(Cha7élkwnech)” after “Gambier Island” in the first sentence.

2.2 Part 2 Community Goals, subsection Purpose of the Official Community Plan, last paragraph is deleted and replaced with “The Plan may include policies relate to social well-being and development, the integration of respectful engagement with Indigenous Governing Bodies, cultural heritage and indigenous ecological management, the maintenance and enhancement of farming, and the regulation of the preservation, protection, restoration and enhancement of the natural environment, its ecosystems and biological diversity.

2.3 Part 2 Community Goals, subsection Gambier Planning Area, first bullet is amended by removing the words “except for District Lot 5925 and the Remainder and South part of District Lot 477 all of Group 1, New Westminster District”.

2.4 Part 2 Community Goals, is amended by inserting the following new subsection in immediately following the Gambier Planning Area subsection and before the Community Goals subsection:

“Historical and Cultural Context of Gambier Island

Gambier Island, known as Cha7élkwnech, in Squamish language, is located within the traditional territories of the Skwxwú7mesh Úxwumixw (Squamish Nation) and other Indigenous Nations with longstanding connections to the island and surrounding waters.

The **Skwxwú7mesh Úxwumixw** have lived on, travelled through, harvested from, and cared for these lands and waters since time immemorial. The island and surrounding marine areas form part of a rich cultural landscape that includes traditional travel routes, seasonal harvesting sites and spiritual places. The enduring presence, knowledge, and stewardship of the Squamish Nation continue to shape the identity and ecological health of the region.

Long before the arrival of settlers, the island was embedded in a system of governance, resource management, and cultural practice. The rights and title of the Squamish Nation are inherent and constitutionally protected, and remain central to the ongoing story of Gambier Island.

Non-Indigenous settlement on Gambier Island began in the mid- to late-19th century, following the arrival of European newcomers who established small homesteads, logging operations, and shoreline camps. Early activity focused on resource extraction—particularly timber harvesting—supported by a network of float camps, hand-logging sites, and later small sawmills that operated intermittently around the island. As transportation routes expanded through Howe Sound, settlers created modest agricultural clearings, fishing sites, and seasonal dwellings, gradually forming loosely connected shoreline neighbourhoods.

Today, Gambier Island reflects this layered history: a blend of multi-generational recreational neighbourhoods, a growing full-time population, and visitors who are drawn to its natural beauty, quiet pace, and strong sense of place. Despite changes over time, the island retains a predominantly rural, forested landscape that continues to shape community identity and the values expressed in this Plan.

This Official Community Plan acknowledges that Gambier Island's past, present, and future are inseparable from the rights, title, and cultural heritage of the Squamish Nation. The Plan is grounded in a commitment to respectful relationships, shared stewardship, and reconciliation, recognizing that planning for the island's future must honour its full history and support a sustainable, inclusive path forward.

Indigenous Acknowledgment and Reconciliation

Indigenous Nations have maintained enduring relationships with these lands and waters since time immemorial. Archaeological sites, cultural landscapes, place names, and oral histories reflect continuous stewardship, governance, and use.

Patterns of colonial settlement, reserve allocation, subdivision, residential development, and protected area designation occurred without recognition of Indigenous title and rights. These patterns continue to shape land ownership and land use within the Local Trust Area.

Future policy development and land use planning decisions are to be approached in a manner grounded in respect for Indigenous interests. This includes the protection and stewardship of ecological systems, cultural heritage, burial places, archaeological sites, and cultural landscapes, as well as consideration of Indigenous Governing Bodies interests in reconnecting with the

lands and marine waters of Gambier Island within land use decision-making processes.

Protection of Archeological Sites

Part of the plan area's heritage includes archaeological sites – the physical evidence of how and where people lived in the past. For 98% of the time people have lived in this area, no written records were made. Archaeological sites and oral tradition are the only vestiges of this rich history extending back many thousands of years. The Plan area contains recorded and non-recorded archaeological sites and due to their sensitive nature, the locations are not identified in this Plan. This Plan acknowledges a historical disregard for and lack of protection of collective heritage of the area for Indigenous Peoples. All archaeological sites are protected by the Provincial Government through the *Heritage Conservation Act*. This protection applies to all lands and means any person wishing to undertake any land-altering activities must have a provincial heritage permit to alter or develop with an archaeological site.

The Local Trust Committee understands Indigenous Nations' fundamental values include protecting the lands, waters, and resources that have sustained the Nation since time immemorial. As stewards of the land, Indigenous Governing Bodies expect that development on the island be sustainable and aligned with Indigenous laws and knowledge systems. Particular concern has been expressed regarding access to freshwater, and ensuring that sufficient water exists not only for residents, but also for the flora and fauna that support ecological integrity and cultural continuity.

Reconciliation as a Planning Framework

For the purposes of this Plan, reconciliation in land use planning includes:

- a. Building respectful, collaborative government-to-government relationships;
- b. Recognizing Indigenous rights and interests in land and waters;
- c. Supporting the protection of cultural, ecological and archaeological values; and
- d. Integrating Indigenous knowledge and stewardship perspectives into planning and decision-making processes.

Reconciliation as expressed by implementation of policies in this Plan does not alter ownership of private lands or existing legal interests. It guides how land use decisions are approached within the Local Trust Area.

Reconciliation Objectives

1. Strengthen relationships with Indigenous Governing Bodies with interests in Cha7élkwnech (Gambier Island).
2. Integrate Indigenous knowledge and perspectives into land use planning processes and ensure property owners and developers are aware of their responsibilities under the *Heritage Conservation Act* when conducting land altering activities.

3. Avoid unauthorized damage to protected archaeological sites in accordance with the *Heritage Conservation Act* and protect culturally significant landscapes.
4. Support efforts to co-develop planning, land use, and land protection processes with Indigenous Governing Bodies within the Local Trust Area; and
5. Respond to the generous guidance and teachings that have been shared with staff and trustees by Indigenous Peoples.

Reconciliation Policies

1. The Local Trust Committee should seek early and meaningful engagement with Indigenous Governing Bodies regarding:
 - a. Official Community Plan amendments;
 - b. Land Use Bylaw amendments;
 - c. Development Permit Area establishment or amendment; and
 - d. Consideration of Heritage Conservation Areas.
2. The Local Trust Committee should consider regulatory tools, where appropriate and consistent with statutory authority, including:
 - a. Development Permit Areas;
 - b. Heritage Conservation Areas;
 - c. Covenants; and
 - d. Educational initiatives
 to support protection of archaeological, ecological and culturally significant areas.”

READ A FIRST TIME THIS	DAY OF	, 202x
READ A SECOND TIME THIS	DAY OF	, 202x
PUBLIC HEARING HELD THIS	DAY OF	, 202x
READ A THIRD TIME THIS	DAY OF	, 202x

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	DAY OF	, 202x
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APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING		
THIS	DAY OF	, 202x

ADOPTED THIS	DAY OF	, 202x
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Gambier Local Trust Committee Open Applications Report

Print Date: July 14, 2026

Development Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLDP20260206	Sophia Khan	5/7/2026	507 SHAWANABE RD, GIBSONS, B	
Planner		Status	Most Recent Completed Activity	
Marlis McCargar		Under Review	Generate Complete Application Letter	

Application Number	Applicant Name	Date Received	Address	Purpose
GM-DP-2022.1	Carolyn & Davi	2/14/2022	1598 MT ARTABAN RD, GAMBIER	PID: 026-162-890 To bring structures into compliance with setbacks. Civic address: Lot 27 Mount Artaban Road, Gambier Island, BC.
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		Under Review	Add Optional Referrals	

Application Number	Applicant Name	Date Received	Address	Purpose
PLDP20250179	Monte Staats	4/30/2025	561 SKYLINE RD	Development Permit and Development Variance Permit for a proposed revetment at 561 Skyline Road, Keats Island
Planner		Status	Most Recent Completed Activity	
Marlis McCargar		Under Review	Planning Review	

Gambier

Application Number	Applicant Name	Date Received	Address	Purpose
PLDP20250187		5/8/2025	0 THE GROVE RD	Application to construct a driveway in a DPA.
Planner	Status		Most Recent Completed Activity	
Marlis McCargar	Under Review		Add Optional Referrals	

Gambier

Development Variance Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLDVP20260263	Kayla Hildebrand	6/12/2026	832 THE GROVE RD, GAMBIER ISL	Development Variance Permit for the reconstruction of pre-existing dwelling within 15m natural boundary setback
Planner		Status	Most Recent Completed Activity	
Marlis McCargar		Under Review	Generate Complete Application Letter	

Application Number	Applicant Name	Date Received	Address	Purpose
PLDVP20250130	Andrew and Reanne	3/21/2025	1314 BUCCANEER BAY SHORELIN	Application to repair / extend an existing shoreline revetment.
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		Under Review	Add Optional Referrals	

Application Number	Applicant Name	Date Received	Address	Purpose
PLDVP20260083	Sophia Khan	2/25/2026	507 SHAWANABE RD, GIBSONS, B	Converting to a dwelling and adding an extension room to the existing building under an open permit BP002593 with SCRd and original approved DVP/DPA on file.
Planner		Status	Most Recent Completed Activity	
Marlis McCargar		Under Review	Generate Complete Application Letter	

Gambier

Application Number	Applicant Name	Date Received	Address	Purpose
PLDVP20250215	Monte Staats	5/28/2025		Development Permit and Development Variance Permit for a proposed revetment at 561 Skyline Road, Keats Island
Planner		Status	Most Recent Completed Activity	
Marlis McCargar		Under Review	Generate Complete Application Letter	

Application Number	Applicant Name	Date Received	Address	Purpose
GM-DVP-2022.1	Carolyn & Davi	2/14/2022	1598 MT ARTABAN RD, GAMBIER	PID: 026-162-890 To bring structures within compliance with setbacks. Civic address: Lot 27 Mount Artaban Road, Gambier Island, BC.
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		Under Review	Generate Complete Application Letter	

Application Number	Applicant Name	Date Received	Address	Purpose
PLDVP20260079	Kayla Hildebrand	2/24/2026	832 THE GROVE RD, GAMBIER ISL	Application for one
Planner		Status	Most Recent Completed Activity	
Ian Cox		Local Trust Committee	Issue Permit & Send to Applicant	

Gambier

Application Number	Applicant Name	Date Received	Address	Purpose
GM-DVP-2022.3	Kenneth & Joa	6/14/2022	123 ESPLANADE RD	PID: 010-892-567 To permit existing seawall within 25 foot setback. Civic address: 123 Esplanade Road, Eastbourne, Keats Island, BC.
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		Local Trust Committee	Generate Staff Report	

Subdivision

Application Number	Applicant Name	Date Received	Address	Purpose
GM-SUB-2021.1	Ken & Joan Pe	6/29/2021	119 ESPLANADE RD; 123 ESPLAN	PIDs: 010-892-486 and 010-892-567 Lot line adjustment. Civic address: 123 and 119 Esplanade Road, Eastbourne, Keats Island.
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		In Abeyance	Generate Complete Application Letter	

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUB20260143	Tina Johansen	4/9/2026	457 DULCIE RD, GAMBIER ISLAND	
Planner		Status	Most Recent Completed Activity	
Ian Cox		Administrative Review	Generate and Send Referral Response Form	

Islands Trust
LTC EXP SUMMARY REPORT F2027
Invoices posted to Month ending May 2026

630 Gambier	Invoices posted to Month ending May 2026	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
LTC Local				
65050-630	LTC "Executive Expense on LTC's"	3,457.00	0.00	3,457.00
65200-630	LTC - Local Exp - LTC Meeting Expenses	1,640.00	981.37	658.63
65210-630	LTC - Local Exp - APC Meeting Expenses	0.00	392.86	-392.86
TOTAL LTC Local Expense		<u>5,097.00</u>	<u>1,374.23</u>	<u>3,722.77</u>
Projects				
73001-630-2016	Gambier OCP/LUB	<u>6,000.00</u>	<u>0.00</u>	<u>6,000.00</u>
TOTAL Project Expenses		<u>6,000.00</u>	<u>0.00</u>	<u>6,000.00</u>

Gambier Island Local Trust Committee Policies & Standing Resolutions

No	Meeting Date	Resolution No.	Issue	Policy
1.	October 6, 2010	GM-082-2010	Guidelines for the appointment of members to the advisory planning commission	It was MOVED and SECONDED that the Gambier Island Local Trust Committee endorses the following guidelines for the appointment of members to the advisory planning commission and requests that such guidelines be posted on the Islands Trust website and are used in any posting to solicit expressions of interest from candidates for advisory planning commission membership: “The Gambier Island Local Trust Committee shall make all reasonable efforts, in the consideration of appointments to the advisory planning commission that members are: - Representative of a broad cross section of the geographical areas of the Gambier Island Local Trust Committee area; - Representative of a range of backgrounds and expertise that is supportive to each other in the consideration of matters referred to the advisory planning commission; - Where feasible and practical of a balanced representation of gender and age groups. Consideration shall be given to the following criteria in any appointment: • Previous experience as a member of a Board of Variance; • Experience on a local government council, board, local trust committee, commission or other body; • Experience with other volunteer boards, commissions or committees; • Experience and credential in a planning, design or related profession; • Experience and credentials in a building or design trade; • Educational background; • Length of residency in the local trust area; • Availability, and willingness to travel between local trust areas.
2.	March 26, 2015	GM-2015-018	Amend APC appointment guidelines	It was MOVED and SECONDED, that the Gambier Island Local Trust Committee amend the APC appointment guidelines to allow for representation of members to be weighted to a geographic area subject to a current top priority project.

No	Meeting Date	Resolution No.	Issue	Policy
3.	October 26, 2017	GM-2017-065	Development Permit Area (DPA) No. 3: Riparian Areas administration	It was MOVED and SECONDED that the Gambier Island Local Trust Committee adopt a Standing Resolution which directs staff to administer Development Permit Area (DPA) No. 3: Riparian Areas in the interim before formal amendments are made to the DPA, as follows: a. The “Designated Area” provisions of Section 12.3.1 of Gambier Island Official Community Plan No. 73 should be used to determine whether or not a proposed development is subject to DPA No. 3: Riparian Areas; b. When development is proposed within the “Designated Area”, applicants shall be required to have a Qualified Environmental Professional assess the water feature to determine whether or not it is subject to the Riparian Areas Regulation; c. When development is proposed within the “Designated Area” of a water feature which is determined to be subject to the Riparian Areas Regulation, a DPA No. 3: Riparian Areas Development Permit shall be required; d. When development is proposed within the “Designated Area” of a water feature which is determined not to be subject to the Riparian Areas Regulation, a DPA No. 3: Riparian Areas Development Permit shall not be required.
4.	December 11, 2017	GM-2017-078	Adding item to agenda	It was MOVED and SECONDED that the Gambier Island Local Trust Committee request staff to add to each agenda “First Nations Activities” under the Reports section.
5.	January 25, 2018	GM-2018-009	First Nations Words, Phrases and Place Names	It was MOVED and SECONDED that the Gambier Island Local Trust Committee adopt the following standing resolution: a) That staff incorporate First Nations’ words, phrases, and place names in Local Trust Committee communications, as appropriate.
6.	July 25, 2019	GM-2019-031	Model Cell Tower Consultation Process	It was MOVED and SECONDED that the Gambier Island Local Trust Committee adopt the model strategy for antenna systems.

No	Meeting Date	Resolution No.	Issue	Policy
7.	November 21, 2019	GM-2019-061	First Nations Reconciliation engagement	It was MOVED and SECONDED that the Gambier Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples, Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavors to: a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.
8.	July 23, 2020	GM-IC-2020-001	Bylaw Enforcement investigation	It was MOVED and SECONDED that the Gambier Island Local Trust Committee request Bylaw Enforcement staff to cease investigation and enforcement of complaints on Keats Island regarding otherwise lawful accessory uses, buildings and structures on a parcel where no principal use exists if the adjacent parcel has a principal use and both parcels are held under common ownership.

No	Meeting Date	Resolution No.	Issue	Policy
9.	February 10, 2023	GM-RWM-2023-001	Bylaw Enforcement deferral	It was MOVED and SECONDED Defer enforcement on existing seawalls on North Thormanby Island. The deferment of enforcement should not be interpreted as permitting any new additions or structures from requiring a permit or otherwise requiring compliance with the Gambier Associated Islands Land Use Bylaw No. 120.'
10.	August 29, 2023	GM-RM-2023-027	Unlawful Land Uses and Planning Applications	It was MOVED and SECONDED that Gambier Island Local Trust Committee adopt the following policy on unlawful land uses and planning applications: a) Where an application is received and a use is continuing in contravention of a land use bylaw, staff are directed to request that the applicant cease the use prior to processing the application, and staff are directed to continue with enforcement until the use is ceased. b) The applicant may request that the Local Trust Committee proceed with consideration of the application while the use is continuing; and, where the Local Trust Committee considers there is a community need to process the application while the prohibited use is continuing, the Local Trust Committee may direct that bylaw enforcement actions, including the issuing of notices, cease. c) Where the Local Trust Committee does not consider that there is a community need, or the applicant has not made such a request of the Local Trust Committee, bylaw enforcement actions, including the issuing of notices will continue. d) In deciding whether to grant land use approval for a use that was commenced in contravention of a land use bylaw, the Local Trust Committee may consider whether the applicant has suspended the prohibited land use pending a decision on the application.

11.	September 9, 2025	GM-RM-2025-037	Gambier Island Local Trust Committee Bylaw Compliance & Enforcement Policy	Bylaw Compliance & Enforcement Policy No. 1, effective June 24, 2025. Version No. 2 Purpose To establish policies and procedures for bylaw compliance and enforcement in the Local Trust Area in accordance with the adopted Trust Council Policies contained in Policy 5.5.1., and that are within the authority of the Local Trust Committee to enforce, and to ensure that policies and procedures are efficient, transparent, reasonable, and consistent with local community standards. PART A 1.0 Application This policy will apply to the Gambier Island Local Trust Area and the enforcement of all applicable regulatory bylaws. 2.0 Definitions & Abbreviations BEN – Bylaw Enforcement Notice LUB – Land Use Bylaw Minor structure – any structure that does not require a building permit, and that is not located in a development permit area or located within any other environmentally sensitive area Respondent – a property owner whose property is subject to a bylaw enforcement complaint Health & Safety concerns – fire, unsafe construction, hazards relating to steep slopes or cliffs, or the dumping of sewage Vexatious - complaints that are made in bad faith or for retaliatory purposes or that are considered frivolous, may be considered vexatious; or repeated complaints that form a part of a pattern of conduct by the complainant that amounts to an abuse of the complaint process 3.0 References Islands Trust Act section 28: Enforcement of bylaws 28 (1) For the purposes of enforcing its bylaws and section 32 of this Act, a local trust committee has all the power and authority of a regional district board. Gambier Island Land Use Bylaw No. 86 2.3 Inspection (1) The Islands Trust Bylaw Investigation Officer or any other person employed by or under
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				contract to the Islands Trust and designated by the Local Trust Committee to administer this Bylaw is authorized to enter, at any reasonable time and after having given prior notification to the occupier, upon any property that is subject to regulation under this Bylaw, for the purpose of determining whether the regulations are being observed or to evaluate site specific circumstances for the purposes of development application processing. Keats Island Land Use Bylaw No. 78 Inspection 1.3.6 The Bylaw Investigations Officer and any other officer of the Islands Trust who may be appointed in that capacity, are authorized to enter, at all reasonable times, upon any property subject to the provisions of this Bylaw, to ascertain whether the regulations of this Bylaw are being or have been complied with. Gambier Associated Islands Land Use Bylaw No. 120 2.3 Inspection (1) The Islands Trust Bylaw Enforcement Officer or any other person designated by the Islands Trust to administer this Bylaw is authorized to enter, at any reasonable time and after having given prior notification to the occupier, upon any property that is subject to regulation under this Bylaw, for the purpose of determining whether the regulations are being observed. 4.0 Priorities 4.1 The Islands Trust Act grants the Local Trust Committee the power and authority to enforce its bylaws and the Local Trust Committee also has discretion to adopt priorities for enforcement or to defer enforcement. The following deferments are established:
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				4.1.1 Enforcement is deferred on Keats Island for otherwise lawful accessory uses, buildings, and structures on a parcel where no principal use exists, if the adjacent parcel has a principal use and both parcels are held under common ownership. 4.1.2 There will be a deferment of enforcement on non-permitted seawalls on North Thormanby Island. 5.0 Inspection 5.1 At the start of any investigation, Bylaw Enforcement Officers will determine if entry to private property is necessary to investigate the alleged contravention or if the investigation can be conducted from a public road or other lands. 5.2 Bylaw Enforcement Officers will request mutually agreeable times to arrange entry to private property for site inspections and provide minimum of 24 hours notice. 5.3 Inspection and investigation of complaints will be limited to those contraventions or concerns specifically identified in a complaint. 5.4 Investigations into health and safety issues and matters that may cause adverse environmental impact and result in irreversible damage are a priority and may be investigated without notice. 5.5 Holders of temporary use permits will be held accountable for any violations of their Permit. Bylaw Enforcement Officers may enter properties between the hours of 9:00 am and 5:00 pm, on any day, without prior consultation with the holder of a Temporary Use Permit for the purpose of investigating a complaint. 5.6 If a respondent has indicated that they will work towards compliance, and have agreed on a time to comply, a site inspection will only be conducted to confirm compliance. 5.7 If a respondent provides photographic evidence, a survey, or a professional report that confirms compliance, a site inspection is not required. 6.0 Enforcement Procedures 6.1 If a bylaw contravention is confirmed, and there is no agreement on a deadline for compliance, there will be notice in writing, and Respondents will be given a minimum of 90 days to comply. Notice may also be given that enforcement action will be escalated if there is no compliance at the
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				deadline, and this may include the use of the BEN system or a request for legal action. 6.2 Bylaw Enforcement Officers can use their discretion to consider any reasonable request for time to comply from Respondents, but the term cannot be for more than one year. 6.3 If there are contraventions in environmentally sensitive areas, or development permit areas, or if there is a risk to health and safety, there will be a demand for the Respondent to cease the use or activity immediately. 6.4 Respondents will be given a Bylaw Warning Notice with a minimum of 45 days to comply before a Bylaw Violation Notice is issued, unless there are health and safety concerns, or contraventions in environmentally sensitive areas. 6.5 Bylaw Violation Notices will not be issued more than once per week unless authorized by the Manager of Bylaw Compliance and Enforcement. 7.0 Closing Files 7.1 If the identity of a complainant cannot be confirmed during the course of an investigation, or if a complainant used a false name, the file will be closed. 7.2 If the contravention is for a minor structure that has only received one written complaint, the file can be closed. 7.3 If it is unreasonable for a Respondent to comply, whether due to specific circumstances or finances, Bylaw Enforcement Officers or the Manager of Bylaw Compliance and Enforcement can use their discretion to close the file. 7.4 If a contravention has been identified that is subject to deferred enforcement by the LTC, the file can be closed unless there are contraventions that exist in environmentally sensitive areas or there are concerns about health and safety. 7.5 If it is determined during an investigation that the complaint was frivolous, repeat, or vexatious in nature, the Manager of Bylaw Compliance and Enforcement can use their discretion to close the file unless there is work in a development permit area, or work in an environmentally sensitive area, or there are health and safety concerns. 8.0 Frivolous, Repeat or Vexatious Complaints
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				8.1 If a decision is made to not act upon a complaint that is considered frivolous, repeat, or vexatious, the complainant will be advised of the decision, the reason for it, and may be advised of the circumstances under which it may be reconsidered. 9.0 Communications 9.1 When a file is opened and an investigation commenced, respondents will be advised of the Trust Council Policy that authorized the opening of the file and that an investigation has commenced. 9.2 Respondents will receive as much information about complaints against their properties as possible without revealing the identity of the complainant. 9.3 If there are questions or concerns regarding individual files, Trustees or the Local Trust Committee will communicate with the Manager of Bylaw Compliance and Enforcement. 9.4 The Manager of Bylaw Compliance and Enforcement will arrange public information and education sessions regarding bylaw enforcement when appropriate and time permitting. 10.0 Reporting 10.1 The Local Trust Committee will receive a staff report on any files closed due to a vexatious nature. 10.2 The Manager of Compliance and Enforcement will report to the Local Trust Committee any concerns, trends, or issues with enforcement that they believe the Local Trust Committee needs to be aware of. 10.3 The Manager of Compliance and Enforcement will maintain the Bylaw Enforcement Policy and will report to the Local Trust Committee if amendments are recommended or required. PART B Bylaw Enforcement Notice Bylaw Screening Officer's Powers and Duties Policy Appointment of Screening Officers Pursuant to section 7.2 of the Gambier Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 116, 2011 the persons holding the following positions are appointed as screening officers: 1) Regional Planning Manager; 2) Manager of Bylaw Compliance and Enforcement; and
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				3) Bylaw Enforcement Assistant Screening Officer Powers and Duties The powers and duties of the screening officer are contained in section 7.3 of the bylaw. However, it is the direction of the Local Trust Committee that these powers and duties only are carried out in respect to each of the above positions as follows: 1) Regional Planning Manager. In respect to Bylaw Violation Notices issued by all Bylaw Enforcement Officers, including the Manager of Bylaw Compliance and Enforcement, the Regional Planning Manager, acting as Screening Officer, may exercise all of the powers and duties in Section 7.3 of Bylaw No. 156, 2011; 2) Manager of Bylaw Compliance and Enforcement. In respect to Bylaw Violation Notices issued by Bylaw Enforcement Officers, the Manager of Bylaw Compliance and Enforcement, acting as Screening Officer, may exercise all of the powers and duties in Section 7.3 of Bylaw No. 156, 2011; 3) Bylaw Enforcement Assistant. In respect to Bylaw Violation Notices issued by all Bylaw Enforcement Officers, including the Manager of Bylaw Compliance and Enforcement, the Bylaw Enforcement Assistant, acting as Screening Officer, may exercise only those powers and duties in Section 7.3(1) and 7.3(2) of Bylaw No. 156, 2011. Authorized Reasons to Cancel Bylaw Violation Notices A Screening Officer may cancel a Bylaw Violation Notice if satisfied that one or more of the following reasons exist: 1. The contravention did not occur as alleged. 2. The contravention no longer exists. 3. The Bylaw Violation Notice was issued to the wrong person. 4. The Bylaw Violation Notice was not completed properly. 5. The issuance of the Bylaw Violation Notice did not adhere to established Trust Council or Local Trust Committee policies. 6. It is unreasonable for the person to pay a penalty. 7. An exception specified in the bylaw, or related enactment, or Local Trust Committee Standing Resolution, or compliance and enforcement policy exist. 8. A permit exists or has been obtained that authorises the alleged contravention.
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No	Meeting Date	Resolution No.	Issue	Policy
				9. There is poor likelihood of success at adjudication for the Local Trust Committee the following reasons: a. The evidence is inadequate to show a contravention; b. Incorrect information was relied upon in issuing the Bylaw Violation Notice; c. The disputant intends to challenge the bylaw with a legal argument that is ill suited to the adjudication process or the legal arguments are too complicated to be decided by an adjudicator. 10. It is not in the public interest to proceed to adjudication for one of the following reasons: a. The bylaw has changed since the Bylaw Violation Notice was issued and now authorizes the contravention; b. A Local Trust Committee resolution has deferred enforcement on the specific contravention; c. The Local Trust Committee has closed the file; d. The offence occurred because of a circumstance that made it unreasonable for the person to comply with the bylaw.

Active Projects Report

Gambier Island

1. Major Project - Gambier Island OCP and LUB Targeted Review

Responsible

Dates

Activity:

Sonja Zupanec

Rec'd: 12-Feb-2015

Conduct a review of the Gambier Island Official Community Plan policies and Land Use regulations pertaining to forest protection, protection of archaeological and cultural sites, shoreline protection and marine designations across the Plan area.\n

Including:

- Reconsider the zoning designation title 'Wilderness Conservation;' \n
- Add a definition for 'breakwater;' \n
- Consider policies and regulations regarding trams (funicular tracks, etc.); \n
- Review site specific water zones on Gambier; \n
- Clarification around water storage tanks as structures, requirements for screening, and the need for setback placement as part of their use as community amenities in fire protection.
- Incorporate Option 2: 'Retain Current Approach with Clarified Regulations,' per the January 27, 2026 Memo on accessory building regulations, into the technical review phase of the OCP/LUB major project.

Future Projects Report

Gambier Island

1. *Administrative*

Responsible

Date Received

- Development Approval Information Bylaw: Develop and adopt a D.A.I bylaw for the Gambier Trust Area.
- Identification of all Crown reserves (strips) and similar Crown properties (i.e. islets) in the Gambier Island Local Trust Area.

01-Sep-2022

2. *OCP & LUB*

Responsible

Date Received

- Explore the Implementation of Heritage Conservation Areas and Shoreline Development Permit Areas across the Local Trust Area to address First Nations interests and concerns;
- develop advocacy policies for pump out stations across the LTA.

01-Sep-2022

3. *LUB*

Responsible

Date Received

Gambier LUB:

- Recreational Camp and Private Institutional Regulation Review
- Temporary Overnight Accommodation bylaw review with regards to short-term vacation rentals

01-Sep-2022

Keats LUB:

- Update definition of 'dwelling' in the Keats Island Land Use Bylaw No. 78.

Future Projects Report

Gambier Island

4. *OCP*

Responsible

Date Received

N/A

01-Sep-2022

5. *Advocacy and Communications*

Responsible

Date Received

N/A

01-Sep-2022

6. *Bylaw Enforcement*

Responsible

Date Received

N/A

01-Sep-2022

7. *LUB (Gambier, Keats, Associated Islands, Bowyer & Passage Islands)*

Responsible

Date Received

Complete an analysis of the implications for opting in to S. 15 of the Short-Term Rental Accommodation Act. Work to be completed before the opt-in statutory deadline for 2025.

29-Jan-2024