



DATE OF MEETING: May 26, 2026

TO: Gambier Island Local Trust Committee

FROM: Ian Cox, Planner 2  
Northern Team

COPY: Renée Jamurat, Regional Planning Manager

SUBJECT: Development Variance Permit requesting increase to floor area  
Applicant: Kayla Hildebrand, Blue Water Concepts (Agent for owner)  
Location: 832 The Grove Road, Gambier Island

## RECOMMENDATION

1. **“That the Gambier Island Local Trust Committee deny PLDVP20260079 as requested.**
2. **“That the Gambier Island Local Trust Committee amend PL-DVP-2026-0079 as presented, and instead vary the GAMBIER ISLAND LAND USE BYLAW NO. 86, 2004, PART 3 GENERAL REGULATIONS, SECTION 3.14 ASSOCIATED SECONDARY DWELLING FLOOR AREA, SUBSECTION (B), to allow the existing secondary dwelling to remain at its current size and location only, with a maximum floor area of 133.8 m<sup>2</sup>.”**

## REPORT SUMMARY

This report presents development variance permit PL-DVP-2026-0079 (**Attachment 1**) that seeks to vary the maximum floor area of an *associated secondary dwelling* (as defined in the Gambier Island Land Use Bylaw No. 86 (LUB)), from 92 m<sup>2</sup> for a lot 0.49 hectares in size, to 144.8 m<sup>2</sup> in order to accommodate the renovation and 10.9 m<sup>2</sup> addition to an existing non-conforming secondary dwelling. Staff recommend denying the variance as requested and presented in the proposed permit, and instead approve a lesser relaxation to formalize the secondary dwelling as it exists on the lot in its current size.

## RATIONALE FOR VARIANCE

See **Attachment 2** for the full project narrative and rationale provided by the applicant; below is a summary.

The rationale provided in the application asserts that the requested variance:

- is needed to improve livability and better accommodate family use of what is currently a somewhat “cramped” space, without increasing occupancy or intensity of use (no increase in number of bedrooms or bathrooms);
- is relatively minor in scope;
- will have minimal visual impact since the addition would not significantly change the outward appearance of the dwelling;
- does not reduce the separation between it and the principal residence; and

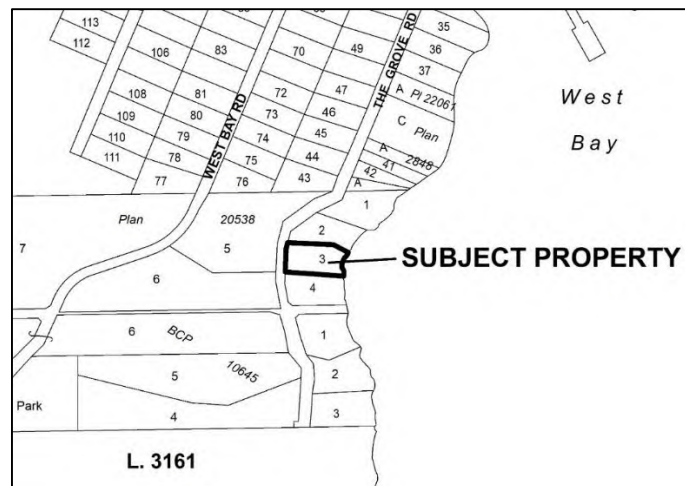
- will not increase the building's height.
- Further, the applicant asserts that the overall “residential footprint” would be maintained, since the addition will occupy part of an existing deck area, resulting in negligible environmental impact and no expansion into previously undisturbed land [sic].

## BACKGROUND

The subject lot is located at 832 The Grove Road on Gambier Island, is zoned Settlement Residential (SR), and is 0.49 hectares (1.21 acres) in total area. Staff did not complete a site visit to the property, but the applicant has provided a photo of the existing site conditions (**Figure 1**) showing the principal residence in the foreground/foreshore area with the two-storey secondary dwelling behind it.



**Figure 1** - View from foreshore, secondary dwelling background



**Figure 2** - Subject Property Location

In 2025, following a Sunshine Coast Regional District (SCRD) building permit referral review where staff identified non-conformities on the property, the LTC received a DVP application to reduce the natural boundary setback to accommodate modifications to the roofline of the principal residence on the property. PLDVP20250170 was approved by the LTC on June 24<sup>th</sup>, 2025 for the roofline.

The current DVP application follows from a subsequent SCRD building permit referral review for the second dwelling on the lot, through which Islands Trust staff found that the size of the second residence and the proposed alterations to it, currently and would further contravene the maximum floor area regulations for an *associated secondary dwelling* in the LUB Settlement Residential (SR) zone.

The specific proposed variance to the LUB is as follows:

Gambier Island Land Use Bylaw No. 86, 2004, PART 3 GENERAL REGULATIONS, Section 3.14 Associated Secondary Dwelling Floor Area, Subsection (b) is proposed to be varied by:

- Increasing the maximum permitted floor area for an *associated secondary dwelling*, from 92 m<sup>2</sup> for a lot that is 0.49 hectares in area, to 144.8 m<sup>2</sup> in order to accommodate an addition of 10.9 m<sup>2</sup> to the second residence on the property.

## ANALYSIS

### Policy/Regulatory

A full site context analysis is provided in **Attachment 3**. The policies and regulations that pertain to this application are summarized below.

#### Official Community Plan

##### *Development Permit Area*

The principal and secondary dwelling uses on the subject property are 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 (DPA) No. 3 – Riparian Areas. However, the activity is exempt from the need to obtain a DP per section 9.3(3) of the LUB Guidelines, as it is taking place greater than 30 metres from a watercourse.

##### *OCP Residential Policies*

#### Rural Residential

The following policies are applicable in the Rural Residential designation:

##### Policy 4.23

An associated secondary dwelling may be a permitted use on existing parcels of 0.4 hectares or greater subject to:

- i. the use being accessory to the principal dwelling use;
- ii. the use providing for:
  - the accommodation of non-paying guests of the principal dwelling residents;
  - housing for affordable or rental purposes; or
  - home occupations;
- iii. the maximum floor area being regulated to insure the associated secondary dwelling is limited in floor area, secondary in use and smaller in floor area than the principal dwelling and proportionate to the lot area; and

the Local Trust Committee in the zoning regulations may vary policy provisions regarding associated secondary dwellings to address site-specific situations provided by the cumulative impacts of development.

(end of bylaw excerpt)

## Land Use Bylaw

The LUB sets a maximum floor area for associated secondary dwellings, where permitted by zoning. The regulations are found in section 3.14 (excerpt below) and the SR zone sets a maximum lot coverage of 25% for lots less than 1 hectare in area. The proposed coverage is approximately 7.7% for the two dwellings (not including some smaller accessory structures) so the proposal would not be close to nearing or exceeding that maximum.

### 3.14 Associated Secondary Dwelling Floor Area

(1) Associated secondary dwellings are permitted in zones where associated secondary dwelling use is a permitted use based on the following regulations.

(a) Lots with a minimum lot area of 0.4 hectare in area are permitted an associated secondary dwelling with a maximum floor area of 60 square metres.

(b) For lots greater than 0.4 hectare in area, for each additional 0.2 hectare in lot area beyond 0.4 hectare an additional 8 square metres floor area may be added to the permitted 60 square metres floor area to a maximum floor area of:

(i) 120 square metres on lots less than 2 hectare in area;

The subject lot being 0.49 hectares in area, is therefore permitted 60 m<sup>2</sup> plus an additional 32 m<sup>2</sup> in respect of the 0.09 hectares above the base 0.4 hectares, per subsection (b). The existing secondary dwelling is 133.8 m<sup>2</sup> in size and the applicant has not provided information on whether the dwelling was built prior to the adoption of the current LUB regulations that could potentially give it non-conforming status.

### Intent of Regulations being varied

The overall purpose of limiting the floor area for an associated secondary dwelling, is to ensure that it is in fact ancillary to the principal in use, intensity, lot coverage, and floor area, as stated in the OCP residential policy above. The additional floor area permitted in respect of each additional 0.2 hectares of lot area does provide some flexibility and recognition of lot-specific conditions.

While OCP Policy 4.23 does state that the LTC may vary floor area “**in the zoning regulations**” for “site-specific situations provided by the cumulative impacts of development”, staff interpret this to mean that the zoning regulations themselves may vary from the OCP the policy. i.e., that the LTC may choose to adopt floor area regulations specific to a particular zone or area rather than necessarily considering variance applications. In any case, the policy is not clear what conditions should be considered and so the provision is somewhat general. However, analysis of site-specific conditions is usually understood to be consideration of environmental features such as topographic constraints, disturbance of natural habitats/clearing and/or archaeological concerns, for example; generally, matters of constraint or burden to allowable development, in contrast to matters relating to maximising floor area for the purpose of increasing livability and ease of use of a building in and of itself.

### Issues and Opportunities

As stated, the applicant is not proposing an increase to the density or intensity of use by adding bedrooms or bathrooms, and the request is for an additional [modest] 10.9 m<sup>2</sup>. At 258.7 m<sup>2</sup>, the principal residence is, and would remain, larger than the secondary, which itself is proposed to be increased to a total of 144.8 m<sup>2</sup> (see **Attachment 4** – Building Plans). The plans show a basement area which the applicant describes will be insulated to house relocated mechanical systems in order to maximize livable interior space. Basements are exempt from the calculation of floor area per the LUB definition. However, the dwelling is already 1.45 times the size permitted under the bylaw and so the request then becomes for an overall increase of 52.8 m<sup>2</sup> beyond what is permitted by the LUB.

## 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 5**) 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 May 26<sup>th</sup>, 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](mailto: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 building under application is in 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 that the resolutions on page 1 be supported for the following reasons:

- This option would allow the owner to retain the secondary dwelling as it exists, already beyond the floor area permitted in the LUB, but not allow further expansion in the form of the requested 10m<sup>2</sup> addition. If the LTC denies the variance as requested, the owner may reapply to the LTC after one year.
- Because the notice as distributed provided a greater relaxation of the LUB than the staff recommendation and what would be granted by it, the LTC may approve a lesser variance to the bylaw without the need to publicly re-notify under the LGA.
- The proposed variance is requesting a further contravention of the maximum floor area for an *associated secondary dwelling* which is already larger than the maximum calculated 92 m<sup>2</sup> for a lot the size of the subject property;
- The application is being made prior to construction of the addition, in accordance with proper process. However, no evidence for the lawful non-conformity of the secondary dwelling in the first place has been provided.

- Staff find that there is little policy or regulatory support for increasing the floor area by the amount proposed by the variance as presented, but recommend that the existing dwelling could be formalized for the continued enjoyment of the property owner.

**ALTERNATIVES**

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

**1. Approve the DVP as proposed**

This would allow the existing dwelling at its current size of 133.8 m<sup>2</sup> and include the 10.9 m<sup>2</sup> addition, formalizing the structure at 144.8 m<sup>2</sup> in total. As stated above, staff find that little rationale exists in the Gambier LTC bylaws’ regulations and policies to support this option aside from OCP Policy 4.23, and thus the LTC should consider basing its decision solely on what has been provided by the applicant and/or make an alternate finding from that of staff.

*“That the Gambier Island Local Trust Committee approve application PLDVP20260079 as presented”*

**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 submit to the Islands Trust the following (specify information request) prior to making a decision on PLDVP20260079”*

**3. Deny the application**

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

*“That the Gambier Island Local Trust Committee deny application PL-DVP-2026-0079.”*

Submitted By:	Ian Cox, Planner 2	May 20, 2026
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	May 20, 2026

**ATTACHMENTS**

1. Proposed DVP
2. Project Narrative
3. Site Context
4. Building Plans
5. Public Notice

# PROPOSED



Islands Trust

## GAMBIER ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT NO. PLDVP20260079

**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:

3 GENERAL REGULATIONS, Section 3.14 Associated Secondary Dwelling Floor Area, Subsection 1, clause (b) is varied by:

- Increasing the maximum permitted floor area for an *associated secondary dwelling*, from 92 square meters for a lot that is 0.49 hectares in area, to 144.8 square meters in total, to accommodate the renovation of and 10.9 square meter addition to, the existing secondary dwelling on the property.

**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 26 DAY OF MAY, 2026.**

---

Deputy Secretary, Islands Trust

---

Date

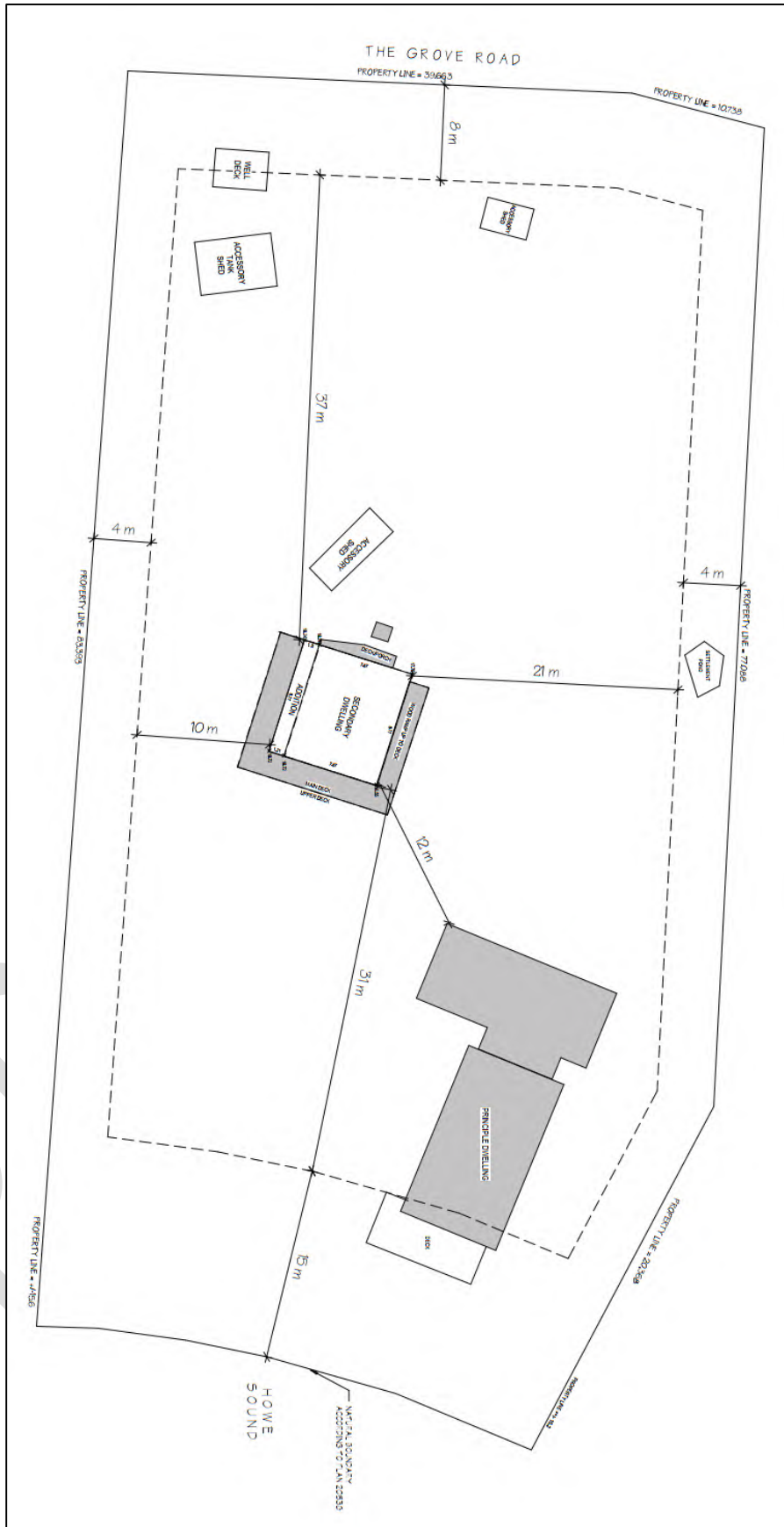
**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE 26 DAY OF MAY, 2028,  
THIS PERMIT AUTOMATICALLY LAPSES.**

# PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE  
DEVELOPMENT VARIANCE PERMIT NO. PLDVP20260079  
**Schedule "A" – Site Plan**

PROPOSED

# PROPOSED



## **ATTACHEMNT 02 – Applicant Project Narrative & Rationale**

The existing guest (secondary) dwelling is to be renovated mainly on the interior which includes updating the finishes and fixtures. There are currently 3 bedrooms, we are not proposing any additional bedrooms. There are currently 2 bathrooms, we are not proposing any additional bathrooms. The interior layout on both the main and top floor will be slightly reconfigured to create a better use of the space.

We are proposing an addition to the South side of the dwelling on the main floor only that's 117.1 square feet (10.9 m<sup>2</sup>). This will allow for better use of the small space.

The existing basement is an unfinished space where the foundation wall is scribed around the rock. We are not planning to increase the size of this space but simply insulate it so that we can move the mechanical equipment here to free up interior space. There will not be living space on this level.

There will be no change to the building height.

The addition is located on the south side of the secondary dwelling and does not reduce the separation distance between the secondary dwelling and the principal dwelling. Visually, the impact would be minimal, as the addition is limited to the main level and does not alter the overall roof form. The roof design will closely match the existing covered deck, such that the building's appearance would remain largely unchanged once construction is complete.

The addition would occupy a portion of the existing deck area, resulting in negligible environmental impact and no expansion into previously undisturbed land.

The use for this guest cabin is strictly for secondary use by the property owners. The proposed addition is modest in scale and is intended solely to improve the livability of the existing secondary dwelling, which is currently quite cramped. The main-floor bedroom would be enlarged to better accommodate families with children, without increasing occupancy or intensity of use.

The principal dwelling is 2,785 square feet, whereas the guest (secondary) dwelling is proposed to be 1,558.3 square feet.

# ATTACHMENT 3 – SITE CONTEXT PLDVP20260079

## LOCATION

Legal Description	LOT 3 DISTRICT LOT 3161 PLAN 20538
PID	006-577-512
Civic Address	832 THE GROVE ROAD, GAMBIER ISLAND
Lot Size	0.495035 ha (1.22 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	Current 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	<p>DPA 3: Riparian Areas</p>  <p style="text-align: center;">Watersheds and Watercourses Map</p> <p>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</p>

	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























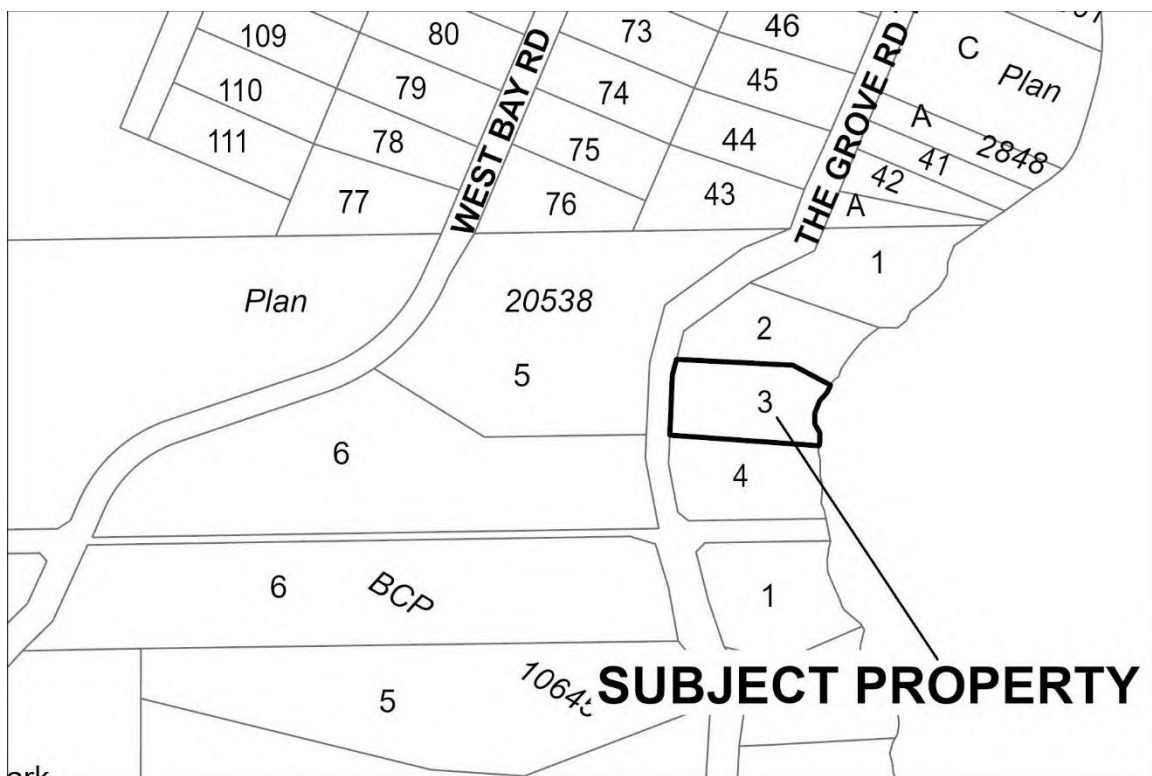
**NOTICE**  
**PL-DVP-2026-0079**  
**GAMBIER ISLAND LOCAL TRUST COMMITTEE**

**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 3.14 Associated Secondary Dwelling Floor Area, Subsection (b), by:

- Increasing the maximum permitted floor area for an *associated secondary dwelling*, from 92 meters squared for a lot that is 0.49 hectares in area, to 144.8 meters squared in order to accommodate an addition/renovation to an existing building.

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 **May 12, 2026** and continuing up to and including **May 25, 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 Ian Cox, at (250) 247-2207, 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](mailto:northinfo@islandstrust.bc.ca) before 4:30 pm, **March 25, 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, May 26, 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.