

TOWN OF GIBSONS

BYLAW NO. 1065-47, 2020

A Bylaw to amend *Town of Gibsons Zoning Bylaw No. 1065, 2007*

WHEREAS the Council for the Town of Gibsons has adopted *Town of Gibsons Zoning Bylaw No. 1065, 2007*;

AND WHEREAS the Council deems it desirable to regulate short-term rental accommodation and amend the Zoning Bylaw;

NOW THEREFORE the Council, in open meeting assembled, enacts as follows:

- 1) This Bylaw may be cited as "*Short-term Rental Zoning Amendment Bylaw No. 1065-47, 2020*".
- 2) The *Town of Gibsons Zoning Bylaw No. 1065, 2007* is hereby amended by:

- a. Deleting the definitions for "Bed and Breakfast" and "Boarding Use" in Section 2.1.
- b. Inserting new and replacing the following definitions in Section 2.1 in alphabetical order:

"BEDROOM" means a room located within a dwelling unit and where the primary function is for sleeping.

"BOOKING" means a confirmed reservation for short-term rental accommodation or tourist accommodation uses.

"COOKING FACILITY" means the main means of cooking a meal or any arrangement of cooking facilities within a dwelling unit or suite and includes gas, propane, or electric ranges or stoves, microwave ovens, counter-top cooking units, hot plates, wall ovens, toaster ovens, electric frying pans, pressure cookers, crock pots or any other such cooking facility or any combination of such cooking facilities, and includes the arrangement of service lines which provide the energy source being used or intended to be used to service such facilities.

"DWELLING UNIT" means a self-contained housekeeping unit, used or intended to be used by one or more persons containing cooking, eating, living, sleeping, and sanitary facilities.

"HOME OCCUPATION" means an occupation, profession, or craft carried out as an accessory use in a dwelling or accessory building to the dwelling, by a resident on the lot, but does not include Short-Term Rental Accommodation.

"PRINCIPAL RESIDENCE UNIT" means the dwelling unit where an individual lives, makes their home and conducts their daily affairs, including, without

limitation, paying bills and receiving mail, and is generally the dwelling unit with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver's licenses, personal identification, vehicle registration and utility bills.

"SHORT-TERM RENTAL ACCOMMODATION" means the use of a furnished dwelling unit or sleeping unit which provides sleeping accommodation for less than 30 consecutive days for transient visitors.

"SLEEPING UNIT" means a unit primarily used for sleeping containing sleeping and sanitary facilities and has no kitchen or cooking facilities.

"TOURIST ACCOMMODATION" means a building which provides sleeping accommodation for transient visitors and may include cooking and dining facilities, meeting rooms, laundromats, dry-cleaning services, spa and fitness centres, and service commercial use.

- c. Deleting all references to "Boarding Use".
- d. Deleting all references to "Bed and Breakfast" use.
- e. Adding Short-term Rental Accommodation use to Section 6.12 as follows:

| Class of Use | Required Parking Spaces |
|---------------------------------|-----------------------------------|
| Short-term Rental Accommodation | 1 per 2 bedrooms / sleeping units |

- f. Replacing Section 8.5 with the following:

8.5 Home Occupations

Home Occupations are a permitted accessory use in any dwelling unit that is in compliance with this Bylaw, subject to the following regulations:

- (1) Home Occupation uses must not include vehicle repair or maintenance, body shops, metal fabrication, the sale of goods not produced on the premises, or the production or sale of highly combustible products;
- (2) Home Occupation uses must be conducted within a building permitted by this Bylaw, and must not include outdoor storage of equipment, materials, containers or finished product;
- (3) Home Occupation uses must not produce any vibration, noise, heat, glare, odours, air pollution or electrical interference discernible from the outside of the dwelling in which the Home Occupation is located;
- (4) No external indication must exist that a dwelling unit contains an accessory Home Occupation use, except for a single sign not exceeding 0.3 m² (3.2 ft²) in area;

- (5) A Home Occupation use must be conducted only by a resident or members of a family resident in the dwelling unit to which the Home Occupation use is accessory, and such use shall not occupy more than 20% of the gross floor area of such dwelling unit;
- (6) Not more than one vehicle, not exceeding 2.7 metric tonnes (3.0 tons) gross vehicle weight shall be used in the conduct of a home business, and if licensed for commercial use, shall be parked in accordance with Section 4.9(1) of this Bylaw;
- (7) Home Occupations must not involve frequent arrivals or departures by vehicles for deliveries or customer or client visits; such movements shall be limited to no more than several per day;
- (8) A Town Business License is required for the conduct of any Home Occupation.
- (9) Not more than two home occupations are permitted on a property in conjunction with one another.

g. Replacing Section 8.7 with the following:

8.7 Short-Term Rental Accommodation

Short-term rental accommodation is permitted in any zone that permits a principal residential use, except apartment buildings and properties zoned marine M-1, industrial I-1, live-work L-W, and institutional PA, ADM, PSU, PRO zones, and the following conditions must be satisfied for the establishment and continued use and operation:

- (1) Short-term rental accommodation use shall be administered by the principal resident on the property, living in a principal residence unit during a guest booking;
- (2) Short-term rental accommodation use shall occupy not more than one (1) dwelling unit or sleeping unit per property for the duration of a guest stay;
- (3) No external indication shall exist that a dwelling unit or sleeping unit is used as a short-term rental accommodation, except for a single sign not exceeding 0.3 m² (3.2 ft²) in area;
- (4) A valid Town of Gibsons Business Licence, and compliance with associated licence terms and conditions, is required to for the conduct of a short-term rental accommodation use and must be displayed on the property;
- (5) Off-street, parking must be provided per Part 6 of this bylaw, except that one parking space adjacent to the property on Town land,

where street parking is permitted, can be used and tandem parking is permitted;

- (6) For sleeping units in an accessory building, the registration of a Section 219 Restrictive Covenant shall prohibit the conversion of the accessory building into a dwelling unit;

For greater certainty, and notwithstanding other provisions of this Bylaw:

- (1) Short-term Rental Accommodation uses are permitted within single family dwellings, secondary suites, garden suites, two-family dwellings, three-family dwellings, and townhouses.
- (2) In the case of a strata, short-term rental accommodation requires approval by strata bylaws or by strata council resolution;

- h. Deleting Section 8.8;
- i. Making such consequential alterations and annotations as are required to give effect to this amending bylaw, including renumbering the Zoning Bylaw.

| | | | |
|---|------|---------------|------|
| READ a first time the | #### | day of MONTH, | YEAR |
| READ a second time the | #### | day of MONTH, | YEAR |
| PUBLIC HEARING held the | #### | day of MONTH, | YEAR |
| READ a third time the | #### | day of MONTH, | YEAR |
| APPROVED pursuant to Section 52(3)(a) of the <i>Transportation Act</i> the | #### | day of MONTH, | YEAR |
| ADOPTED the | #### | day of MONTH | YEAR |

Bill Beamish, Mayor

Lindsey Grist, Corporate Officer