



STAFF REPORT

TO: Planning and Development Committee **MEETING DATE:** June 16, 2020

FROM: Katie Thomas **FILE NO:** 6440-18
Planner I

SUBJECT: **OCP and Zoning Bylaw Amendments: Adding Secondary Suites to more housing types and introducing Lock-Off Suites to apartments**

RECOMMENDATIONS

THAT the report titled **OCP and Zoning Bylaw Amendments: Adding Secondary Suites to more housing types and introducing Lock-Off Suites to apartments** be received;

AND THAT the Planning and Development Committee recommends that *OCP Amendment Bylaw Number 985-27, 2020* be given First and Second Reading;

AND THAT pursuant to Section 477 of *The Local Government Act*, Council has considered *Official Community Plan Amendment Bylaw No. 985-28, 2020* in conjunction with the Town's Financial Plan and Waste Management Plans;

AND THAT the Planning and Development Committee recommends that Zoning Bylaw Amendment Number 1065-58, 2020 be given First and Second Reading;

AND THAT a Public Hearing for *OCP Amendment Bylaw Number 985-27, 2020* and *Zoning Bylaw Amendment Number 1065-58, 2020* be scheduled to begin at 5:30 pm on July 7, 2020, and be held electronically as authorized under Ministerial Order M139/2020 and in accordance with Section 465(3) of the *Local Government Act*;

AND FURTHER THAT the Planning and Development Committee recommends that, upon adoption of the bylaws, Council directs staff to prepare a Parking Policy for Secondary Suites and Lock-off Suites which includes a map identifying streets that would allow on-street parking by rental tenants and procedural steps for how the 200 metre distance from bus stop to suite would be measured.

BACKGROUND / PURPOSE

Staff provided an informational report at the January 14th Planning and Development Committee Meeting on the changes to the BC Building Code in relation to Secondary Suites, enclosed as Attachment A. The following motion was made:

R2020-28 Changes to the BC Building Code for Secondary Suites

MOVED by Councillor Croal
SECONDED by Councillor Ladwig

THAT the zoning bylaw to allow secondary suites in more housing types be updated and reflect the December 2019 BC Building Code update.

CARRIED

The purpose of this staff report is to provide the Planning and Development Committee with an overview of the proposed changes to the Town’s Official Community Plan (OCP) and Zoning Bylaw. As well as, to consider OCP Amendment Number 985-27 and Zoning Bylaw Amendment Number 1065-58 for First and Second Reading, enclosed as Attachments B and C respectively.

DISCUSSION

The BC Building Code has changed the technical standard for constructing a Secondary Suite. The basis for the current Town regulations for Secondary Suites lies with the original BC Building Code standards, therefore it is an appropriate time to review Secondary Suites in the Town of Gibsons Zoning Bylaw.

The updated BC Building Code now allows for Secondary Suites to be in duplexes and townhouses, as long as there is a vertical fire separation from the foundation to the roof separating each single real estate entity, see figure 1.

This report provides the Planning and Development Committee with the proposed changes to the OCP and Zoning Bylaw.

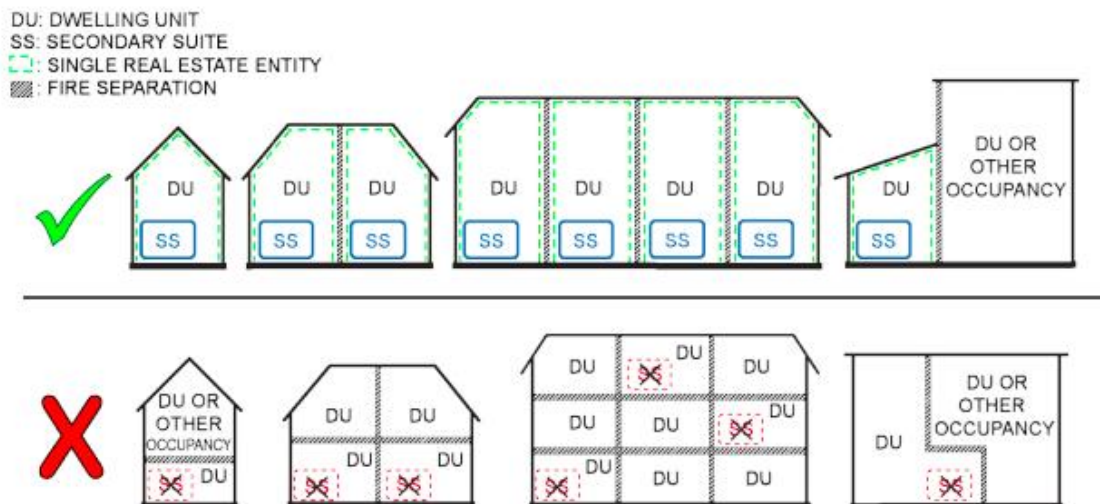


Figure 1: Building Types where Secondary Suites are permitted – from BC Building Code

Density

Currently the Town only permits Secondary Suites in Single-family dwellings, therefore Zoning Bylaw Amendment 1065-58, proposes several updates and changes to bring the Town of Gibsons Zoning Bylaw into alignment with the recent BC Building Code changes including the allowing Secondary Suites in more housing types and the introduction of Lock-Off Units to apartments. These amendments also introduce more flexibility in rental housing options.

Lock-Off Suites are accessory dwelling units used for rental within an apartment unit. These are units that can be “locked off” from the main unit and has its own lockable access to the shared common hallway. Some municipalities refer to Lock-Off Suites as Flex-Suites.

With the introduction of secondary suites in more housing types, as well as lock-off suites, staff reviewed the implications on density. It was determined that the principal dwelling unit, i.e. the single family dwelling, townhouse unit or duplex unit should be seen as one unit regardless of whether this includes a separate suite for rental accommodation. This is due to a secondary suite and lock-off suite being an accessory use, and the need for affordable housing, both in the way of a mortgage helper and rental accommodation. The intention for this direction is to maintain the form and character of the residential zones, and therefore setbacks, building height and lot coverage are to remain unchanged.

To provide clear direction for density staff have prepared an Official Community Plan Amendment and Zoning Bylaw Amendment.

OFFICIAL COMMUNITY PLAN

Table 5-1 of the Official Community Plan provides a maximum Floor Space Ratio (FSR) for residential land use designations and offers a “generally X-X range number units per hectare” statement. When staff reviewed the proposed changes to the Zoning Bylaw in relation to the density outlined in the OCP’s Land Use Designation table 5-1, staff found no issue with FSR as the building size (setbacks, height, lot coverage) is not being changed. Staff found that the “units per hectare” statement is unclear on whether this would include Secondary Suites and Lock-Off Units within dwellings.

To clarify this, a small Official Community Plan Amendment is proposed to clarify that Secondary Suites and Lock-Off Suites do not count towards the Units per Hectare in the OCP, with the following text:

“Secondary Suites and Lock-Off Suites do not count towards units per hectare.”

Having two descriptions for density, one of which uses the term “generally” creates flexibility and ambiguity. Although staff can interpret the OCP, it is not user-friendly to the public, and has caused one lawsuit that was recently dismissed in the Town’s favour. Moving forward, staff recommend removing areas of ambiguity and replacing it with clear policy direction on density. Staff have reviewed OCP’s from other municipalities and have found that density ranges are described for the most part with just FSR. Staff therefore recommend that the Planning and Development Committee recommend to Council to direct staff to prepare an OCP amendment to clarify the density in the OCP’s land Use Designation Table 5-1 in the future.

ZONING BYLAW

In the Zoning Bylaw, some multifamily zones calculate maximum density as “lot area per townhouse/apartment dwelling unit”. It is proposed to add wording under Part 8 General Regulations of the Zoning Bylaw, to enable townhouse units to include Secondary Suites and apartments to include Lock-Off Suites, without these accessory dwelling units affecting the maximum density of the principal use. Multi-family developments must adhere to the same setbacks, height, lot coverage of the zone, however this amendment introduces potential for each unit to have a rental unit within them.

Definitions

Planning staff have reviewed the Zoning Bylaw and found that four (4) existing definitions require updating and clarification. These definitions include:

Secondary Suite – removed the 90m² maximum size limit in alignment with the Building Code update. Staff propose retaining a 40% size limit to ensure the Secondary Suite is the smaller of the two units. This provides a method to distinguish the primary unit in a single real estate entity.

Single-Family Dwelling – removed statement pertaining to having a secondary suite. This removed a possible interpretation that a single-family dwelling must contain a secondary suite. It is instead proposed that each zone allowing for a secondary suite, lists the specific use under Permitted Accessory Uses for clarity.

Townhouse – removed wording pertaining to party walls and now includes stacked townhouses and row housing to the definition to align with the OCP’s land use designations.

Duplex – replaced the definition of “two-family dwelling” with “duplex” to clarify that the dwelling units share a common wall and foundation. This proposed update aligns with other Town Bylaws including the Development Cost Charges Bylaw.

New definitions have been added to provide a method for clarifying which dwelling unit on a property is a Secondary Suite or Lock-off Suite and which is the main dwelling.

Primary Dwelling Unit is used to describe the main or larger residence in a unit with a secondary suite or lock-off suite.

Principal Dwelling Unit is used to describe the single real estate entity – for example, a single-family house with secondary suite, a townhouse with a secondary suite, or an apartment with a lock-off suite.

Lock-off Suite is used to describe an accessory rental dwelling unit within an apartment. Currently the definition does not have a minimum or maximum floor area – some municipalities include a minimum unit area of 32m² and a maximum size of 40% of the main unit.

Parking

The Town requires two (2) parking spaces on-site for a Single-Family Dwelling, Duplex and Townhouse, 1.5 spaces for each apartment unit, and one (1) space for a Garden Suite. The Zoning Bylaw does not require on-site parking for a Secondary Suite.

With the updates to the Zoning Bylaw, staff recommends including a flexible requirement for a parking space on-site for both Secondary Suites and Lock-Off Suites. As Secondary Suites and Lock-Off Suites are intended to provide rental housing and mortgage helpers, staff recommend adding some flexibility to the parking requirement, stating that if the property is within a 200m distance of a bus stop and on-street parking is permitted adjacent to the property, no additional on-site parking spaces are required.

To further clarify the proposed flexible parking provision, Planning Staff recommend that a Parking Policy for Secondary Suites and Lock-Off Suites be drafted to provide direction for homeowners on which streets would allow for on-street parking by rental tenants (including a map) and provide procedural steps for how the 200m distance from bus stop to suite would be measured.

General Regulations

The proposed Zoning Amendment looks to delete and replace Section 8.9 – Secondary Suites to clarify the use and regulations.

Staff have removed the statement that Secondary Suites are to be rented on a year round basis for more than 30 days at a time. This is due to the proposed addition of Short-Term Rentals to the Zoning Bylaw – see separate staff report. Staff note that Secondary Suites provide affordable housing, both by providing rental accommodation, and providing an income for homeowners with either long-term or short-term renters.

Staff propose to introduce a new section to Part 8 to provide similar provisions for Lock-Off Suites. These regulations include where a Lock-Off Suite is permitted and allows one lock-off suite per apartment unit.

Housekeeping Adjustments

Each residential zone has been updated to include a Secondary Suite as a permitted accessory use in conjunction with a single-family or duplex use. Some zones, including R-1, R-2 and R-3 have been updated to remove the Secondary Suite use from the principal permitted use section and replaced under the permitted accessory use section. This “tidies” up the zones, preventing any alternative interpretation.

The multi-family zones have been updated to allow for a Secondary Suite in conjunction with a Townhouse and a Lock-Off Suite in conjunction with an apartment.

Staff note that not every existing Duplex and Townhouse unit in the Town of Gibsons will be permitted to have a Secondary Suite, due to the BC Building code requirement of vertical fire separations, and potentially cost-prohibitive building upgrades – see figure 1 for a visual explanation.

Development Permit for Form and Character

Staff have reviewed the Development Permit guidelines for Development Permit Area Number 4 – Multi-family uses and Development Permit Number 8 –Intensive Residential and have determined that no changes are required with the addition of Secondary Suites and Lock-Off Suites, as the form and character is intended to remain the same.

COMMUNICATION

Staff suggest creating a webpage with information on the latest proposed changes to the Official Community Plan and Zoning Bylaw, including a table showing where the amendments are in the process, what the next steps are, and how to provide input on the changes.

An amendment to the OCP requires a referral to the SCRD to consider the impacts of the changes to the Regional Waste Management Plan (essentially, the impacts to the Sechelt Landfill).

The Local Government Act legislates that both an OCP and Zoning Amendment requires a Public Hearing. Staff recommend scheduling a virtual Public Hearing, and an advertisement will be published in the Coast Reporter for two consecutive weeks prior to the scheduled Public Hearing date.

REFERRAL COMMENTS

Staff sent a referral for the proposed amendments to the OCP and Zoning Bylaw on May 1, 2020, to the Ministry of Transportation and Infrastructure, School District 46, Sunshine Coast Regional District (SCRD), Vancouver Coast Health, Squamish Nation, Gibsons and District Volunteer Fire Department, Town of Gibsons Infrastructure Services Department, Town of Gibsons Building Department, and Town of Gibsons Finance Department.

The Town has received the following comments from the SCRD:

Any new construction that results from the proposed OCP and Zoning Bylaw amendment has the potential to impact solid waste generated and disposed at the Sechelt Landfill. If the OCP and the associated Zoning Bylaw are approved, the Town of Gibsons may consider including the following when reviewing building permits for the secondary suites:

During Construction - asking applications to review the materials accepted at the Sechelt Landfill and to sort materials accordingly to maximize diversion and ensure compliance with recyclable materials and controlled waste.

The Town's Infrastructure Services Department provided the following statement:

The Town is currently at a theoretical flow of 50% of the ultimate buildout of the Town so there is currently lots of capacity in our system and the Waste Water Treatment Plant. The additional flows would have to be considered in future modeling of the sanitary system and the population attributable to secondary suites and lock-off suites will be accounted for as we move closer to the Town's proposed population buildout of 10,000.

Comments from the Finance Department are under “Financial Plan Implications”.

The Gibsons and District Volunteer Fire Department have provided the following comments:

Secondary suites and lock-off suites should have a civic address clearly visible on the external entrance. Multi-family buildings will likely be sprinklered and therefore any homeowner undertaking renovations to create a secondary suite or lock-off suite must be cognizant of this to prevent obstructions to the fire suppression system. Access for Fire Department must be maintained. Smoke alarms and/or carbon monoxide alarms to be included in each suite.

No other comments have been received.

POLICY / PLAN IMPLICATIONS

Strategic Plan Implications

The 2019-2022 Strategic Plan speaks to actively working towards increasing the supply and range of safe, secure, and attainable affordable housing options.

A priority under “Plan for Sustainable Growth” includes reviewing and updating sections of the OCP relating to density clarification.

Financial Plan Implications

Single-family dwellings with a Secondary Suite or Garden Suite pay an extra sewer fee of \$130.81 and an extra garbage/organics user fee of \$102.50 per 6 month billing cycle. The Town’s utility data shows 217 households paying the extra charges for Secondary Suites and Garden Suites.

The Town provides all multi-family residential properties with a garbage and organics pick-up service. The Town charges each unit within a strata property the same rate for garbage/organics collection per 6 month billing period.

Moving forward, if there were a secondary suite or lock-off suite within a Multi-family complex, the Town would apply an extra charge for both garbage/organics service and sewer use to offset the increased usage. Therefore a unit with a secondary suite or lock-off suite would be charged a \$205.00 garbage/organics service charge ($\$102.50 \times 2$) and a \$261.62 sewer charge ($\$130.81 \times 2$).

Mixed-Use commercial properties, i.e. commercial with no more than four residential units, have the option of being provided the Town garbage collection and therefore pay the same rates as single-family and multi-family units, however these properties pay the commercial rate for sewer.

All utility charges are outlined in Schedule C and D of the Rates, Fees and Charges Bylaw Number 1196/

Should an individual wish to stop being charged, they would be required to decommission the suite under a Building Permit.

Development Cost Charges would remain the same. i.e. flat rate for single-family dwellings and duplexes and cost per square metre for multi-family and commercial uses.

NEXT STEPS

Staff recommends giving the bylaws First and Second Readings and scheduling a Public Hearing to be held electronically on July 7, 2020, in line with Ministerial Order 139/2020.

Following the Public Hearing, Council will have an opportunity to amend, reject, or pass the bylaws a Third time before the final (Fourth) reading.

RECOMMENDATIONS / ALTERNATIVES

Recommendations are listed on page 1. Alternatively, the Planning and Development Committee can request changes.

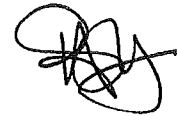
Attachments

- Attachment A – Staff Report dated January 14, 2020
- Attachment B – OCP Amendment 985-28, 2020
- Attachment C - Zoning Bylaw Amendment 1065-58, 2020

Respectfully Submitted,



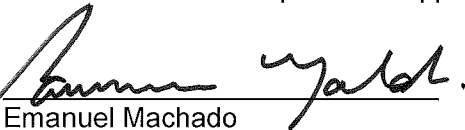
Katie Thomas
Planner I



Lesley-Anne Staats, MCIP, RPP
Director of Planning

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:

I have reviewed the report and support the recommendation(s).



Emanuel Machado
Chief Administrative Officer



STAFF REPORT

TO: Planning and Development Committee **MEETING DATE:** January 14, 2020
FROM: Lesley-Anne Staats, RPP, MCIP **FILE NO:** 6440-18
Director of Planning
SUBJECT: Changes to the BC Building Code for Secondary Suites

RECOMMENDATIONS

THAT the report titled Changes to the BC Building Code for Secondary Suites be received;

AND THAT THE Planning and Development Committee recommends that Council directs staff to update the zoning bylaw to allow secondary suites in more housing types and to reflect the December 2019 BCBC update.

Previously, secondary suites were only permitted in single family dwellings and could not exceed 40% of the floor area of the house and not more than 90 m² in size.

Effective December 12, 2019, the BC Building Code was updated to allow the construction of Secondary Suites in more types of houses, such as row housing and duplexes, as an effort to remove barriers and to allow the creation of more affordable housing.

Attached to this report is a bulletin prepared by the BC Ministry of Municipal Affairs and Housing.

POLICY / PLAN IMPLICATIONS

Strategic Plan Implications

This provincial update aligns with Council's core objective of Advocating for and facilitating a range of housing types.

Financial Plan Implications

This has no negative implications to the Town's Financial Plan.

Other Policy or Plan Implications

The Town's Zoning Bylaw No. 1065, 2007 allows secondary suites only within single family dwellings, and defines them as follows:

“SECONDARY SUITE” means an accessory dwelling unit located within a single family dwelling, and having an area no more than 40% of the total gross floor area of the building.

The Zoning bylaw definition may be interpreted as now allowing secondary suites in duplexes and townhouses, and does not allow secondary suites in conjunction with a Boarding Use, Bed and Breakfast Use, or Home Occupation of any kind.

Staff recommends that Council directs staff to update the zoning bylaw to allow secondary suites in more housing types and to reflect the December 2019 BCBC update.

Attachment

BC Ministry of Municipal Affairs and Housing – Bulletin – Changes to the BC Building Code for Secondary Suites

Respectfully Submitted,



Lesley-Anne Staats, RPP, MCIP
Director of Planning

CHIEF ADMINISTRATIVE OFFICER’S COMMENTS:

I have reviewed the report and support the recommendation(s).



Emanuel Machado
Chief Administrative Officer



No. B19-04
December 12, 2019

Changes to the BC Building Code for Secondary Suites

The Province of British Columbia is working to remove barriers to the creation of more affordable housing including secondary suites. Previously, secondary suites could only be built in single detached homes and could not exceed a certain size. Effective December 12, 2019, the BC Building Code will allow the construction of new secondary suites in more types of houses, such as duplexes and row housing. Size restrictions for secondary suites have also been removed. This will provide local governments with more options for land use planning.

This bulletin provides further information about Revision 2 of the BC Building Code 2018 (BC Code) for the design and construction of new secondary suites in more building types. Local governments are encouraged to share this information with local builders and property owners.

Background

Allowing the construction of secondary suites in more building types helps to create more affordable housing units while still providing an acceptable level of health and fire safety to occupants. Secondary suites help provide more affordable housing options by expanding a community's rental stock. By making more efficient use of land and infrastructure, secondary suites facilitate low-impact densification that supports community vitality and sustainability. Secondary suites can be integrated within mature neighbourhoods with limited visual impact on the street, which helps communities retain neighbourhood character while providing more options for rental housing.

The BC Code historically limited the size of secondary suites and only permitted them in single detached houses. Land use bylaws were often based on these requirements. Mid-cycle revisions to the BC Code increase the options for the design and construction of new secondary suites in a wider range of building types and remove the restrictions on size.

The introduction of new requirements for the design and construction of secondary suites in the BC Code does not allow owners to contravene existing land use bylaws. The changes only provide acceptable design and construction solutions of a technical nature.

Local governments are encouraged to review their bylaws to determine if the BC Code changes will have any impacts. Local governments may wish to amend their bylaws to remove any previous code references or if they decide to permit secondary suites in more building types.

Changes to the BC Building Code 2018

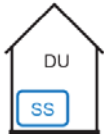
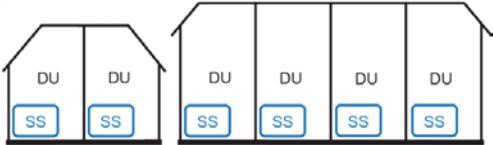
The BC Code **previously** defined a *secondary suite* as “a *dwelling unit*

- having a total floor space of not more than 90 m² in area,
- having a floor space less than 40% of the habitable space of the *building*,
- located within a *building* of *residential occupancy* containing only one other *dwelling unit*, and
- located in and part of a *building* which is a single real estate entity.”

The contents of this Bulletin are not intended to be provided as legal advice and should not be relied upon as legal advice. For further information, contact the Building and Safety Standards Branch.

The approved mid-cycle revision **discontinues the prescribed floor space amounts and percentage distribution**. The BC Code does not require the building owner to occupy either of the units, but the two units must be a single real estate entity.

Comparison of Changes

Provision	Previous BC Code 2018	BC Code 2018 Revision 2 Change
Total floor area of the secondary suite	A secondary suite shall have a total floor space of not more than 90 m ² in area.	No limit to floor space of a secondary suite.
Percentage distribution of the floor space of the secondary suite to the habitable space of the building	A secondary suite shall have a floor space less than 40% of the habitable space of the building.	No limit to the percentage distribution of the secondary suite to the habitable space of the building.
Building type where secondary suites are permitted	A secondary suite shall be located within a building of residential occupancy containing only one other dwelling unit. 	The building may contain other dwelling units or occupancies that are horizontally adjacent; they may not be located above or below each other. 
Real estate entity	A secondary suite shall be located in, and part of, a building which is a single real estate entity.	No change: the secondary suite and the other dwelling unit in the house constitute a single real estate entity; the secondary suite may not be separately strata-titled or otherwise subdivided from the other dwelling unit.

The **new** definition states that a *secondary suite* means “a self-contained *dwelling unit* located within a *building* or portion of a *building*:

- completely separated from other parts of the *building* by a vertical *fire separation* that has a *fire-resistance rating* of not less than 1 hour and extends from the ground or lowermost assembly continuously through or adjacent to all *storeys* and spaces including *service spaces* of the separated portions,
- of only *residential occupancy* that contains only one other *dwelling unit* and common spaces, and
- where both *dwelling units* constitute a single real estate entity.”

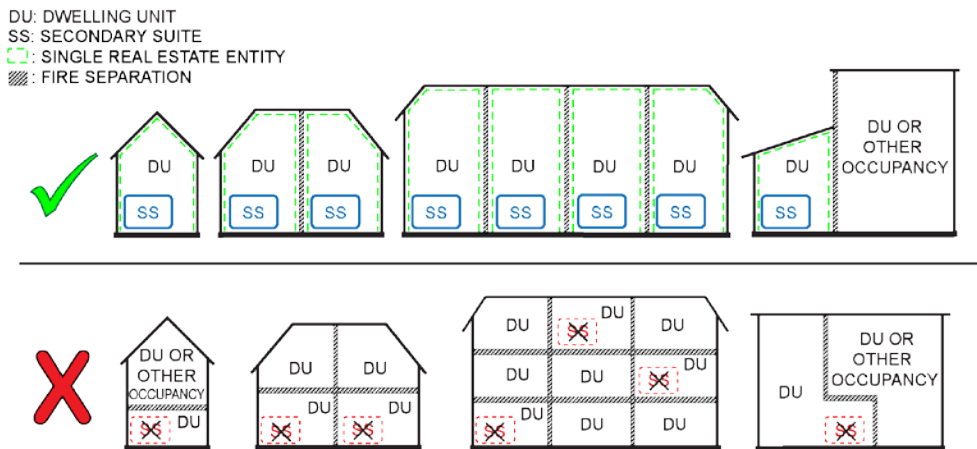
The change adopts and adapts permissions in the National Building Code to **allow construction of secondary suites in a building that may contain more than one dwelling unit or other occupancy**. These permissions are limited and only apply where a dwelling unit and its secondary suite are completely separated from other parts of the building with continuous vertical fire-rated construction. These permissions do not allow

secondary suites to be constructed in dwelling units that are above or below multiple dwelling units or other occupancies.

Examples where secondary suites are now permitted include side-by-side duplexes and row houses where a vertical fire separation separates the secondary suite from the remainder of the building.

Examples where secondary suites are not permitted are up/down duplexes and apartment buildings where dwelling units are above or below other dwelling units.

Figure 1: Examples of permissible and non-permissible secondary suites



Resources

The new BC Code definition of “secondary suite” is included in the Appendix to this bulletin.

More Information

[Technical Bulletin B19-05](#) provides information about the Revision 2 changes to the BC Code for the design and construction of new secondary suites.

Please direct any questions about land use bylaws to:

Ministry of Municipal Affairs and Housing
Planning and Land Use Management Branch
Telephone: 250-387-3394
Email: PLUM@gov.bc.ca

Please direct any questions about technical code requirements to:

Ministry of Municipal Affairs and Housing
Building and Safety Standards Branch
Telephone: 250-387-3133
Email: Building.Safety@gov.bc.ca

The contents of this Bulletin are not intended to be provided as legal advice and should not be relied upon as legal advice. For further information, contact the Building and Safety Standards Branch.

Appendix: Definition of “Secondary Suite” (from BC Building Code 2018 Revision 2)

Secondary suite means a self-contained *dwelling unit* located within a *building* or portion of a *building*

- completely separated from other parts of the *building* by a vertical *fire separation* that has a *fire-resistance rating* of not less than 1 h and extends from the ground or lowermost assembly continuously through or adjacent to all *storeys* and spaces including *service spaces* of the separated portions,
- of only *residential occupancy* that contains only one other *dwelling unit* and common spaces, and
- where both *dwelling units* constitute a single real estate entity.

(See Note A-1.4.1.2.(1) of Division B.)

A-1.4.1.2.(1) Defined Terms.

Secondary Suite

A secondary suite is a self-contained dwelling unit that is part of a house containing not more than two dwelling units (including the secondary suite) and any common spaces such as common storage, common service rooms, common laundry facilities or common areas used for egress. Secondary suites are typically created within an existing single dwelling building (house) either constructed as an addition or an alteration to an existing house or incorporated during the construction of a new house. A secondary suite may have more than one storey and may be on the same level as the other dwelling unit of the house or be above or below it.

Examples of buildings where secondary suites are permitted include individual detached houses, or where the secondary suite is located in a portion of a building, semi-detached houses (half of a double and also known as a side-by-side) and row houses where a vertical fire separation separates the portion from the remainder of the building.

Where a building has multiple vertically separated occupancies, the secondary suite can only be created in a vertically separated portion of the building that is of residential occupancy. A vertical fire separation that extends continuously through all crawlspaces, storeys and attic spaces of the building is required to vertically separate portions of a building. Apartment buildings have dwelling units above and below others that share a horizontal assembly and are therefore not permitted to have secondary suites. Figure A-1.4.1.2.(1)-C shows building types where secondary suites are permitted as well as building types where other dwelling units or other occupancies are located above or below such that secondary suites are not permitted.

DU: DWELLING UNIT
SS: SECONDARY SUITE
□: SINGLE REAL ESTATE ENTITY
▨: FIRE SEPARATION

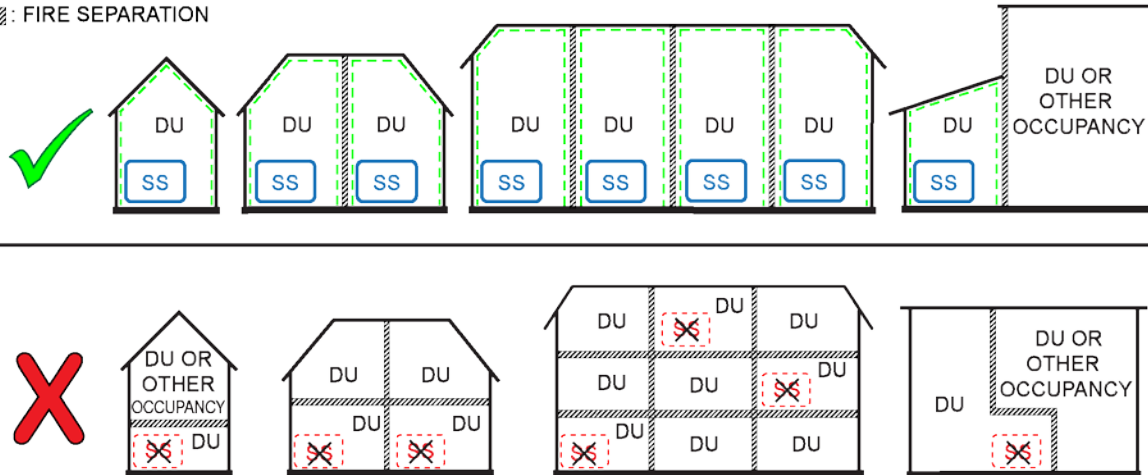


Figure A-1.4.1.2.(1)-C
Building Types where Secondary Suites are Permitted

Neither the secondary suite nor the other dwelling unit in a house can be strata-titled or otherwise subdivided from the remainder of the house under provincial or territorial legislation. This means that both dwelling units are registered under the same title.

TOWN OF GIBSONS

BYLAW NO. 985-27, 2020

A Bylaw to amend *Town of Gibsons Official Community Plan Bylaw No. 985, 2005*

WHEREAS the Council for the Town of Gibsons has adopted *Town of Gibsons Official Community Plan Bylaw No. 985, 2005*;

AND WHEREAS the Council for the Town of Gibsons deems it desirable to amend *Town of Gibsons Official Community Plan Bylaw No. 985, 2005*;

NOW THEREFORE the Council for the Town of Gibsons, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as “*Official Community Plan Amendment Bylaw No. 985-27, 2020*”.
2. *Official Community Plan Bylaw No. 985, 2005*, is amended by:
 - a) Adding the following note under Table 5-1: Land Use Designations:

Note 2: For the purpose of calculating density, Secondary Suites and Lock-Off Suites do not count towards units per hectare or units per acre.
 - b) Making such consequential alterations and annotations as are required to give effect to this amending bylaw, including renumbering of subsequent provisions of the Bylaw.

READ a first time the	XX	day of XXXX,	202X
PURSUANT to Section 475 of the <i>Local Government Act</i> consultation requirements considered the	XX	day of XXXX,	202X
READ a second time the	XX	day of XXXX,	202X
CONSIDERED in conjunction with the Town of Gibsons’s Financial Plan and any applicable Waste Management Plans pursuant to the <i>Local Government Act</i> the	XX	day of XXXX,	202X
PUBLIC HEARING held the	XX	day of XXXX,	202X
READ a third time the	XX	day of XXXX,	202X
ADOPTED the	XX	day of XXXX,	202X

William Beamish, Mayor

Lindsey Grist, Corporate Officer

TOWN OF GIBSONS

BYLAW NO. 1065-58, 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 amend the Zoning Bylaw;

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

1) This Bylaw may be cited as the *Zoning Amendment Bylaw No. 1065-58, 2020*.

2) The *Town of Gibsons Zoning Bylaw No. 1065, 2007* is amended by:

a) Deleting the following definitions in Section 2.1:

“**TWO-FAMILY DWELLING**” means a residential use in which the principal detached building on a lot is used for two dwelling units, not including a secondary suite.

b) Replacing the existing definitions with the following new definitions in Section 2.1 in alphabetical order:

“**SECONDARY SUITE**” means an accessory dwelling unit, having an area not more than 40% of the total gross floor area of the principal dwelling unit, with a private external access.

“**SINGLE-FAMILY DWELLING**” means a residential use in which the principal building on a lot is used for one principal dwelling unit.

“**TOWNHOUSE**” means residential use of a building comprised of three or more principal dwelling units, with each dwelling having a separate direct entrance from grade. A townhouse is often referred to as row housing and stacked townhouses.

c) Inserting the following new definitions in Section 2.1 in alphabetical order:

“**DUPLEX**” means a building containing two principal dwelling units, connected to one another by a common wall and a common foundation, and having separate entrances.

“**PRIMARY DWELLING UNIT**” means a larger dwelling unit within a building containing a secondary suite or lock-off suite.

“**PRINCIPAL DWELLING UNIT**” means a single real estate entity which can include a primary dwelling unit with a secondary suite or a lock-off suite.

“**LOCK-OFF SUITE**” means an accessory dwelling unit located within an apartment, with a separate lockable entrance access to a shared common hallway and shared internal access, and which can be locked-off from the primary dwelling unit, but does not include a secondary suite.

- d) Replacing references to TWO-FAMILY DWELLING and TWO-FAMILY RESIDENTIAL DWELING with DUPLEX throughout the bylaw
- e) Replacing references to SINGLE-FAMILY RESIDENTIAL DWELLING with SINGLE-FAMILY DWELLING throughout the bylaw
- f) Replacing the parking provision for Secondary Suite in Section 6.12 with the following:

Secondary Suite/
Lock-off Suite

1 per accessory dwelling unit, except where a lot is located within 200m of a bus stop and on-street parking is permitted adjacent to the property, no additional spaces are required.

- g) Deleting and replacing Section 8.9 with the following:

Secondary Suites are subject to the following regulations:

- (1) a Principal Dwelling Unit containing a Secondary Suite constitutes a single real estate entity;
- (2) not more than one Secondary Suite is permitted per Principal Dwelling Unit;
- (3) a Secondary Suite is only permitted within a Single-Family Dwelling, Duplex, or Townhouse;
- (4) if a provision of this bylaw limits the number of dwelling units permitted on a lot or other area of land, a Secondary Suite does not count as a dwelling unit for the purpose of that provision;
- (5) where a lot is serviced by an on-site sewage system, confirmation must be received in writing from the applicable licensing body that the capacity of the sewer system will not be compromised by the Secondary Suite use.

- h) Inserting a new section to Part 8 –8.11 Lock-off Suites with the following:

Lock-Off Suites are subject to the following regulations:

- (1) a lock-off suite is only permitted within an apartment unit;
- (2) a Principal Dwelling Unit containing a lock-off suite constitutes a single real estate entity;
- (3) a lock-off suite is limited to one per apartment unit;
- (4) if a provision of this bylaw limits the number of dwelling units permitted on a lot or other area of land, a Lock-Off Suite does not count as a dwelling unit for the purpose of that provision.

- i) Delete subsection 9.2(2) and add the following as a new subsection in Section 9.3:

- (1) in conjunction with a principal dwelling unit
 - (a) one Secondary Suite as permitted by Section 8.9 of this Bylaw; and,
 - (b) one Garden Suite as permitted by Section 8.10 of this Bylaw.

- j) Delete subsection 9.13(2) and add the following as a new subsection in Section 9.14:
 - (1) in conjunction with a Principal Dwelling Unit:
 - (a) one Secondary Suite as permitted by Section 8.9 of this Bylaw; and,
 - (b) one Garden Suite as permitted by Section 8.10 of this Bylaw.

- k) Delete subsection 9.24(3) and add the following as a new subsection in 9.25:
 - (1) in conjunction with a Principal Dwelling Unit:
 - (a) one Secondary Suite as permitted by Section 8.9 of this Bylaw; and,
 - (b) one Garden Suite as permitted by Section 8.10 of this Bylaw.

- l) Delete Section 9.35(6) Secondary Suite and add the following as a new subsection in 9.36:
 - (1) in conjunction with a Principal Dwelling Unit, one Secondary Suite as permitted by Section 8.9 of this Bylaw

- m) Amending Section 9.46 to include the following:
 - (1) in conjunction with a Principal Dwelling Unit, one Secondary Suite as permitted by Section 8.9 of this Bylaw

- n) Delete subsection 9.57(3) and add the following as a new subsection in Section 9.58:
 - (1) in conjunction with a Principal Dwelling Unit, one Secondary Suite as permitted by Section 8.9;

- o) Delete subsection 9.69(5) and add the following as a new subsection in Section 9.70:
 - (1) in conjunction with a Principal Dwelling Unit:
 - (a) one Secondary Suite as permitted by Section 8.9; or,
 - (b) one Lock-Off Suite as permitted by Section 8.11

- p) Delete subsection 9.81(3) and add the following as a new subsection in Section 9.82:
 - (1) in conjunction with a Principal Dwelling Unit:
 - (a) one Secondary Suite as permitted by Section 8.9; or,
 - (b) one Lock-Off Suite as permitted by Section 8.11

- q) Amending Section 9.94 to add the following:
 - (1) in conjunction with a Principal Dwelling Unit, one Secondary Suite as permitted by Section 8.9; or,

- r) Amending Sections 10.3, 10.16, 10.24, 10.41, 10.53, 10.66 to include the following subsection as follows:
 - (1) in conjunction with a Principal Dwelling Unit, one:
 - (a) Secondary Suite as permitted by Section 8.9; or,
 - (b) Lock-Off Suite as permitted by Section 8.11

- s) Amending Section 11.3 to add the following:

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- (1) in conjunction with a Principal Dwelling Unit, one Lock-Off Suite as permitted by Section 8.11

- t) Amending Section 11.36 to add the following:
 - (1) in conjunction with a Principal Dwelling Unit, one Lock-Off Suite as permitted by Section 8.11

- u) Amending Section 11.47 to add the following:
 - (1) in conjunction with a Principal Dwelling Unit, one Lock-Off Suite as permitted by Section 8.11

- v) Amending Section 11.58 to add the following:
 - (1) in conjunction with a Principal Dwelling Unit, one Lock-Off Suite as permitted by Section 8.11

- w) Amending Section 11.69 to add the following:
 - (1) in conjunction with a Principal Dwelling Unit, one:
 - (a) Secondary Suite as permitted by Section 8.9; or,
 - (b) Lock-Off Suite as permitted by Section 8.11

- x) Amending Section 11.78 to add the following:
 - (1) in conjunction with a Principal Dwelling Unit, one Lock-Off Suite as permitted by Section 8.11

- y) Amending Section 11.89 to add the following:
 - (1) in conjunction with a Principal Dwelling Unit, one Lock-Off Suite as permitted by Section 8.11

- z) Amending Section 12.15(2) so that it reads:
 - (1) a single accessory dwelling unit for the accommodation of individuals providing security or surveillance of the *lot*;

- aa) Amending Section 12.27 to add the following:
 - (1) in conjunction with a Principal Dwelling Unit, one Secondary Suite as permitted by Section 8.11

- bb) Adding to Section 14.3 the following:
 - (1) in conjunction with a Principal Dwelling Unit, one Secondary Suite as permitted by Section 8.11

cc) Adding to Section 14.22(2)(a)(iv) the following:

- (1) in conjunction with a Principal Dwelling Unit, one Lock-Off Suite as permitted by Section 8.11

dd) Adding to Section 14.31 the following:

- (1) For Subarea 2 and in conjunction with a Principal Dwelling Unit:
 - (a) One Secondary Suite as permitted by Section 8.9; or,
 - (b) One Lock-Off Suite as permitted by Section 8.11

ee) Making such consequential alterations and annotations as are required to give effect to this amending bylaw, including renumbering of subsequent provisions of the Bylaw.

READ a first time the	DATE day of MONTH ,	202X
READ a second time the	DATE day of MONTH ,	202X
PUBLIC HEARING held the	DATE day of MONTH ,	202X
READ a third time the	DATE day of MONTH ,	202X
APPROVED pursuant to Section 52(3)(a) of the <i>Transportation Act</i> the	DATE day of MONTH ,	202X
ADOPTED the	DATE day of MONTH ,	202X

William Beamish, Mayor

Lindsey Grist, Corporate Officer