

# Agenda

## Town of Gibsons

### Special Planning & Development Committee

**February 2, 2021 at 3:00pm**

Held Electronically as per Ministerial Order M192  
Town Hall, 474 South Fletcher Road, Gibsons  
604-886-2274 - [www.gibsons.ca](http://www.gibsons.ca)

***Council***



Mayor Bill Beamish  
Councillor David Croal  
Councillor Annemarie De Andrade  
Councillor Aleria Ladwig  
Councillor Stafford Lumley

# STRATEGIC PLAN 2019 - 2022

## OUR CORE OBJECTIVES

### Increase Community Engagement

- We will inspire and encourage citizens of all ages to engage in the decision-making process
- We will actively listen to the ideas of all our stakeholders
- We will help our citizens understand the challenges and competing demands facing the community

### Manage Our Assets

- We will focus on fiscal sustainability and support our staff in the prudent management of our natural and engineered assets, to ensure the Town can continue to deliver critical services and infrastructure in perpetuity

### Plan for Sustainable Growth

- We will plan for the future in a manner that reflects our finite resources
- We will value the unique character of our Town and its neighbourhoods
- We will create spaces that promote a sense of community and are accessible to all
- We will preserve our green spaces
- We will support local business and foster a diverse economy

### Advocate for and Facilitate A Range of Housing Types

- We will actively work toward increasing the supply and range of safe, secure and attainable affordable housing options

### Increase Resilience to the Changing Climate

- We will apply a climate lens to the planning and development of actions, plans, policies and infrastructure projects
- We will adapt Town infrastructure to increase its resiliency to the local impacts and risks from climate change
- We will reduce the greenhouse gas emissions produced by the community and through the provision of municipal services to meet regional targets

### Advocate and Collaborate on Regional Issues

- We will collaborate and partner with our neighbouring jurisdictions to effectively address shared opportunities and challenges



*To view the Strategic Plan in full,  
please go to: [gibsons.ca/strategic-plan](http://gibsons.ca/strategic-plan)*

*visit [gibsons.ca](http://gibsons.ca)*



# Special Planning & Development Committee

## AGENDA OF

February 2, 2021

Held Electronically, 3:00pm

As per Ministerial Order M192

*We acknowledge that we are fortunate to be able to gather on the  
unceded territory of the Skwxwú7mesh Nation.*

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1. **CALL TO ORDER**

2. **APPROVAL OF THE AGENDA**

3. **REPORTS**

- 3.1 **Katie Thomas, Planner I - Development Permit for Form and Character (DPA 5) for Unit 1- 292 Gower Point Road** Page(s)  
5 - 23

RECOMMENDATION(S)

THAT the report titled Development Permit for Form and Character (DPA 5) for Unit 1- 292 Gower Point Road be received;

AND THAT DP-2021-01 for the renovation at Unit 1-292 Gower Point Road be authorized.

- 3.2 **Katie Thomas, Planner I - Development Permit for Form and Character for a Garden Suite at 931 Davis Road** Page(s)  
25 - 40

RECOMMENDATION(S)

THAT the report titled Development Permit for Form and Character for a Garden Suite at 931 Davis Road be received;

AND THAT DP-2020-31 for 931 Davis Road be authorized for a Garden Suite.

- 3.3 **Katie Thomas, Planner I - Development Variance Permit for 744 Gibsons Way** Page(s)  
41 - 46

RECOMMENDATION(S)

THAT the report titled Development Variance Permit for 744 Gibsons Way be received;

AND THAT the Planning and Development Committee recommend notifying neighbours of the requested variances at

**4. INQUIRIES**

**5. ADJOURNMENT**



# STAFF REPORT

**TO:** Planning and Development Committee **MEETING DATE:** February 2, 2021  
**FROM:** Katie Thomas **FILE NO:** 3220-GPR-292  
Planner 1  
**SUBJECT:** **Development Permit for Form and Character (DPA 5) for Unit 1- 292 Gower Point Road**

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## RECOMMENDATIONS

**THAT the report titled Development Permit for Form and Character (DPA 5) for Unit 1- 292 Gower Point Road be received;**

**AND THAT DP-2021-01 for the renovation at Unit 1-292 Gower Point Road be authorized.**

## BACKGROUND / PURPOSE

The Town of Gibsons has received an application for a Development Permit for form and character for the proposed renovation of unit 1 – 292 Gower Point Road, the former location of the Trading Post.

The property at 292 Gower Point Road, is a mixed commercial/ residential building situated in the centre of the Lower Gibsons Commercial area, as shown in figure 1 and 2. Residences are accessed from Periwinkle Lane, while commercial businesses are accessed from Gower Point Road.

The commercial unit is set to be taken over by Coho Collective Kitchens – an enterprise that provides shared kitchen spaces for local food and beverage entrepreneurs with a restaurant and retail store at the street front. A letter from Coho Collective Kitchens is enclosed as attachment A.

The Official Community Plan designates the property in Development Permit Area Number 5 (DPA 5) - Gibsons Landing. Form and Character guidelines apply to all buildings and structures within a DPA and are evaluated with consideration to the intended use and project scope and context.

The purpose of this report is to review the proposed building design in relation to the Development Permit Area 5 guidelines and obtain a recommendation from the Planning and Development Committee.

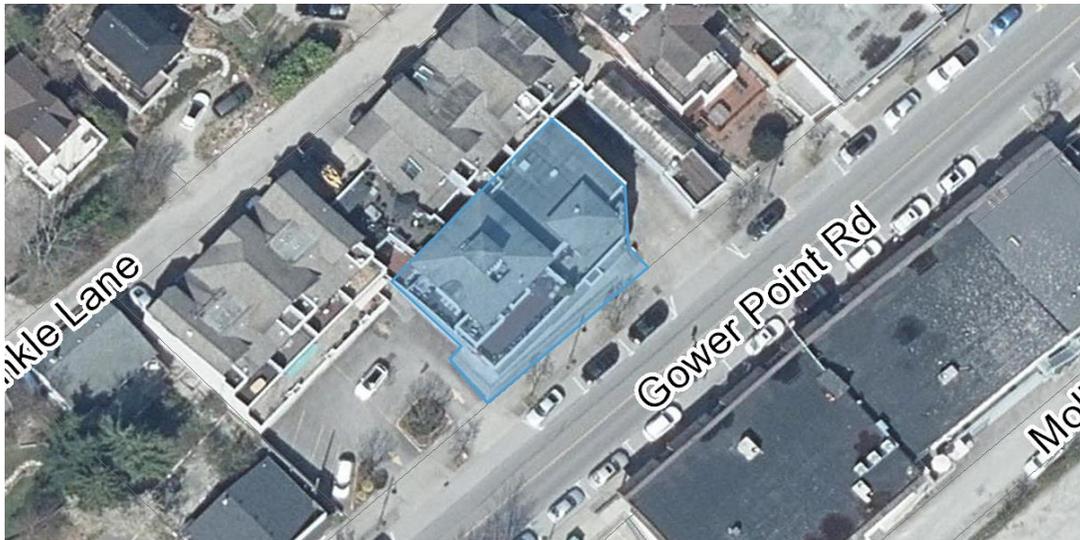


Figure 1: Location of subject property



Figure 2: Photo showing the existing condition of unit 1.

## DISCUSSION

### *Role of Council and PDC in Development Permit Area decisions*

Staff prepare a report evaluating the proposal against the Form and Character guidelines and make a recommendation for Council's consideration.

When reviewing an application for a Form and Character Development Permit, Council's role is to decide whether the application meets the design guidelines outlined in the Official Community Plan's Development Permit Area.

The role of the Planning and Development Committee is to advise Council on the decision.

### *Development Permit Area Guidelines*

The objective of DPA 5 is to foster design that retains, reinforces and enhances the village scale and character of the Harbour Area while providing for improvements and change.

The Harbour Area is comprised into four (4) character areas:

- Cultural Precinct
- Legacy Residential
- Village Waterfront
- Village Landing

The subject property is in the Village Landing area – the commercial core and heart of the Harbour Area. As such the guidelines that pertain to the Harbour Area in general and those that specifically pertain to the Village Landing Character Area are applicable to the development at 292 Gower Point Road. Figures 3-6 show renderings of the proposed renovation and patio addition.



*Figure 3: New patio on the south elevation and 2 new windows proposed along the west elevation*



Figure 4: Southeast elevation view of the patio and new signage proposed.



Figure 5: New signage proposed on the west elevation – cedar laminated signage. This will include space to advertise for other commercial units in the building



*Figure 6: Interior view of the patio, showing the existing concrete stairs clad with trex decking material.*

The applicant proposes to upgrade and extend the existing concrete ramp and stairs in front of the unit, to bring more character to the unit, while also provide outdoor seating for customers. Accessibility will be maintained with the ramp from the parking lot on the west elevation. The applicant has stated that coloured concrete is proposed to highlight the accessible pathway into the commercial unit and limit any obstruction – as shown in figures 3 and 5.

The concrete will be clad with trex decking surface, and the patio will be constructed with 8x8 cedar posts, 8x12 cedar beams, and 3x6 cedar rafters. Glass panels are proposed over half of the exterior rafters to provide some covered seating.

The extension of the patio will leave a 2m unobstructed sidewalk for pedestrians to use. The existing building is not aligned parallel with the property line and therefore the applicant has requested that the patio encroach on to Town land, by 4 feet (1.2m). The encroaching patio will be constructed in a way to dismantle it easily, should the Town require. Staff will use Encroachment Bylaw Number 788 to formalise an agreement between the applicant and the Town. This Bylaw – specifically Schedule B allows businesses in Lower Gibsons to use portions of the sidewalk so long as a 1.5 metre width is left unobstructed for the public to use. Proof of insurance naming the Town as an additionally insured and comprehensive general liability insurance providing coverage for acts or omissions by the Licensee, its employees, and agents in the amount of not less than \$2,000,000.00 per occurrence is required.

Staff note that Mikes Place and Leos have similar patio encroachments, as seen in figure 7, the encroachment at unit 1 292 Gower Point Road will leave more space on the sidewalk for pedestrians than the patios further along at Mike's Place and Leo's.



*Figure 7: Photo showing the current sidewalk condition, with the patios at Leos and Mike's Place encroaching onto the sidewalk.*

Staff have reviewed the application enclosed as Attachment B. The application is a relatively minor renovation of an existing building, which was authorised under DP-1995-09 and therefore Table 1 below summarizes the DPA 5 guidelines that are applicable to the renovation, provides staff comments, and determines whether the design criteria have been met.

Table 1: Staff Review of DPA 5 guidelines

<b>DPA 5 Guidelines</b>	<b>Has the criteria been met? Staff Evaluation</b>
<b>AREA WIDE DESIGN GUIDELINES</b>	
<b>Building Scale and Massing</b>	
All built form in the Harbour Area, particularly where it fronts on the “Village Walk” or “Harbour Walk” as delineated in the “Harbour Area – Pedestrian Network Map” shall be human in scale, and pedestrian oriented.	<i>Yes- the proposed patio brings customers onto the street, creating a vibrant streetscape for passersby and improves the private-public realm.</i>
<b>Planting</b>	
Planters with seasonal flowers to provide colour are encouraged.	<i>No- Landscaping has not been provided, however there maybe opportunity to add seasonal planters to the railings of the patio.</i>
<b>Lighting</b>	
Indirect, low-level lighting of building facades, pedestrian routes and signage is encouraged.	<i>Yes – hanging pendant lighting is proposed to light the tables on the patio, as seen in figure 2.</i>
Lighting should be designed so that it avoids “light spill” into residential areas.	<i>Yes – hanging pendant lighting will light only the tables, minimised light spill to upstairs neighbours. Gooseneck lighting is proposed to light the signage.</i>
<b>VILLAGE LANDING DESIGN GUIDELINES</b>	
<b>Street Level Use / Transparency</b>	
Shop fronts should be highly transparent. As much as is practical of the frontage for each shop should be transparent and constructed of glass or similar material.	<i>Yes -the existing unit has large glass windows; the patio provides an extensive transparent opening to the sidewalk, as seen in figure 2.</i>
<b>Weather Protection</b>	
Provide continuous weather protection for pedestrians in the Village Landing through the use of awnings, arcades, canopies and covered walkways.	<i>Yes/no – a third of the patio will be covered in glass and therefore pedestrians walking on the patio will have some covered seating areas, pedestrians on the sidewalk will not be covered.</i>
<b>Architectural Features — Windows</b>	
Where code restrictions allow, provide windows inside walls that are visible from the street.	<i>Yes- the applicant is adding two windows along the west side, which would provide natural light into the unit, as seen in figure 2</i>
<b>Materials and Colours</b>	
Exposed wood posts and/or beams are encouraged.	<i>Yes- the new patio is proposed to be constructed out of cedar</i>
<b>Signage</b>	
Provide signage in harmony with the character of building facades	<i>Yes- Two new cedar laminated signs are proposed to replace the existing back-lit box lighting. Figures 4 and 5 show the location and signage.</i>
The size, style and siting of signage should be scaled and oriented to the pedestrian.	<i>Yes- signage will be on two elevations of the building to direct pedestrians walking past.</i>

Table 1: Staff Review of DPA 5 guidelines

<b>DPA 5 Guidelines</b>	<b>Has the criteria been met? Staff Evaluation</b>
All signs should be architecturally coordinated with the overall design, architectural features and finishes of the building.	<i>Yes- the proposed signage updates the existing signage to align better with the DPA 5 guidelines and the cedar laminated material matches the cedar posts of the new patio, trying everything together.</i>
<b>Material and Lighting</b>	
Signage, mounted, painted or carved directly on buildings or incorporated into pediments is encouraged.	<i>Yes- the signage will be cedar laminated and mounted onto the building</i>
Free-hanging signs should be hung from wood canopies or by means of ornamental brackets.	<i>n/a – no hanging signage proposed</i>
Signage may be incorporated into canopies.	<i>n/a – no canopy proposed</i>

Staff considers that the proposed renovation and patio addition meets the intent of DPA5, improves the façade of the existing building and public realm, and find that the patio will provide a vibrant gathering spot for customers. Staff recommend the PDC authorize the Development Permit (DP-2021-01) for unit 1 – 292 Gower Point Road, the draft DP is enclosed as Attachment C.

**REFERRAL COMMENTS**

Referrals were sent to the Gibsons and District Volunteer Fire Department, the Town’s Infrastructure Services Department and Building Department.

<b>Referral Agency</b>	<b>Comment</b>
<b>Town of Gibsons Building Department</b>	Building Permit required. Ramp to be brought up to code with handrails and 1 in 12 grade.
<b>Town of Gibsons Infrastructure Services Department</b>	Minimum sidewalk width to be 1.8m at the tree wells.
<b>Gibsons and District Volunteer Fire Department</b>	Approval recommended with comments on commercial kitchen requirements at Building Permit

**POLICY / PLAN IMPLICATIONS**

**Official Community Plan Implications**

The proposed new business meets a number of objectives under Section 11 – economic development and working lands including:

- *Support the development of new businesses by local residents*
- *Support the expansion of local business and creation of additional employment.*

Policy 11.1.1 states that the Town should encourage specific types of economic development which are considered appropriate for Gibsons, these include:

- Small, locally owned businesses,
- Local (Sunshine Coast) food related businesses

The proposal from Coho Collective Kitchens looks to provide memberships to up-and-coming food and beverage ventures, who require shared commercial kitchen space to expand their businesses as well as a means to sell product.

This proposal also meets Objective 5.5 of the Harbour Area Plan:

- *Support increased, year-round commercial and tourist activity in the Harbour Area*

#### **NEXT STEPS**

Once a Development Permit has been issued, the applicant has two years to commence construction.

#### **RECOMMENDATIONS / ALTERNATIVES**

The recommendations are listed on page 1 of the Staff Report.

#### **Attachments**

- Attachment A – Letter from Coho Collective Kitchens
- Attachment B – Application Materials
- Attachment C – Draft DP-2021-01

Respectfully Submitted,



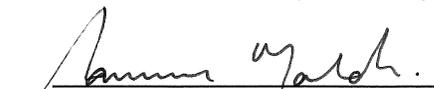
Katie Thomas  
Planner I



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



COHO

**Re: 292 Gower Point Road**

January 5, 2021

**To Mayor and Council,**

Happy New Year to All.

My name is Amrit Maharaj, and we are Coho Collective Kitchens - providing shared kitchen spaces in Vancouver that help local food & beverage entrepreneurs grow and succeed in their businesses.

We are excited to bring our concept into the Town of Gibsons, to provide the Community and Sunshine Coast a landmark building that will be a destination for locals and tourists alike.

Teaming with Longman Developments, our concept is of a Commissary with a hyper-local Restaurant, at street front, allowing our members to promote their products through our menu and retail shelving. We want the Community to have a diverse, accessible venue to try local foods - telling the stories of all our members year-round through a beautiful, warm, carefully curated restaurant design, and an unparalleled dining experience.

The Trading Post at Gower Point Road offers the perfect mix to accomplish this – great location, high visibility, plenty of foot traffic, with easy access to the ferry, marina & transport.

Our passion, focus, and our success, is based on our members success. By allowing 30 to 40 businesses of all sizes and types (producers, caterers, bakers, chocolatiers, restaurants, food trucks) the tools wanted in a state-of-the-art kitchen, they can rapidly grow their companies. Through our facilities, and membership benefits – including distribution, group buying power, delivery services to Gibsons and the Coast, online and in-store retail opportunities - we offer our members as much help as possible to help drive their dreams forward.

Envisioning working within the Gibsons and Sunshine Coast ecosystem, not only with the food producers, but the farmers, and retailers to provide a holistic approach to help bring wholesome, community-made food choices to the public, and economic benefits to everyone along each step, including creating jobs and hiring locally for our staff.

We strive to be environmentally conscious throughout this process, with zero-waste initiatives, and carbon-footprint tracking.

Social impact is key with our vision. We want to make a difference within the communities we locate.

In Vancouver, we have partnered with the YWCA to offer meals to their DTES Women's Shelter, Crabtree Corner, twice a week for their residents. We also offer non-profits free or discounted space within our facilities. Ono Vancouver, for example, employing out-of-work chefs, distributes upwards of 1500 meals per week out of our facilities to those in need.

We will make it our mission to work with local Non-Profits and Charities in Gibsons (ie. Arrowhead Clubhouse, SCCSS) to benefit those who may need food options, or gainful employment with skills training.

I am happy to answer any questions Council may have on this matter.

We appreciate your time.

Regards,

**Amrit Maharaj**

Chief Operating Officer | Coho Collective Kitchens | [amrit@cohocommissary.com](mailto:amrit@cohocommissary.com) | 604.889.5865

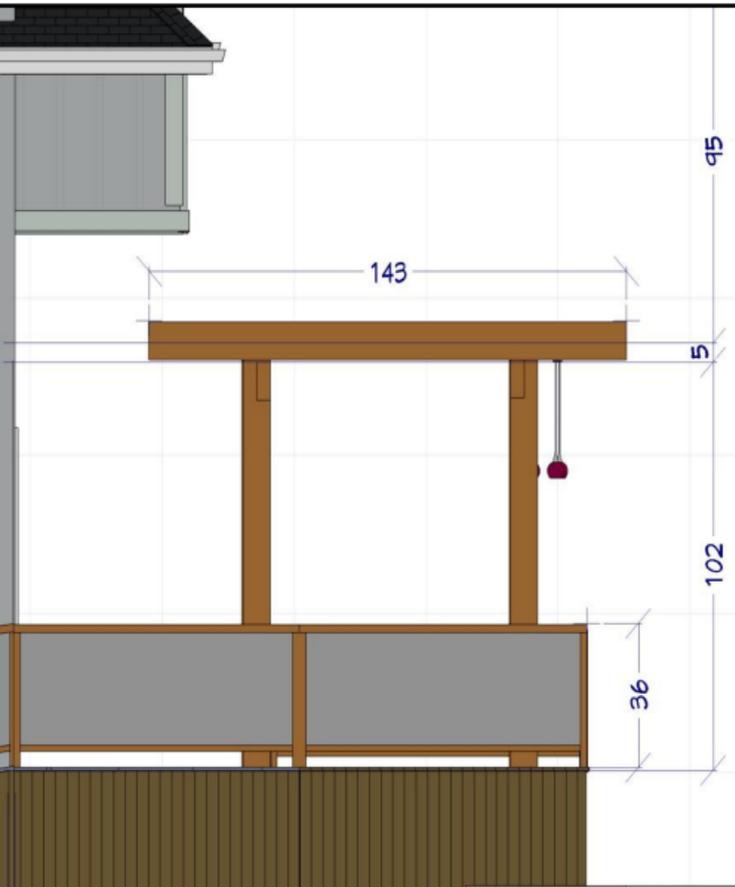
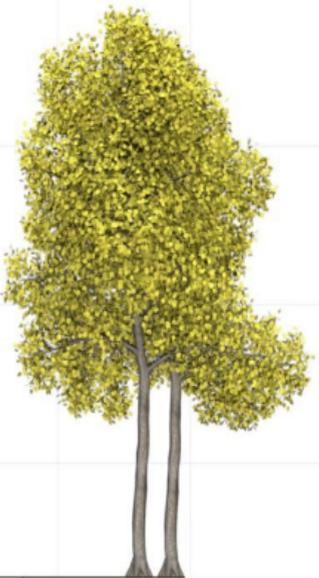
Coho Collective Kitchens Inc | 1370 E. Georgia St, Vancouver BC V5L 2A8 | 604.423.3784 | [info@cohocommissary.com](mailto:info@cohocommissary.com)

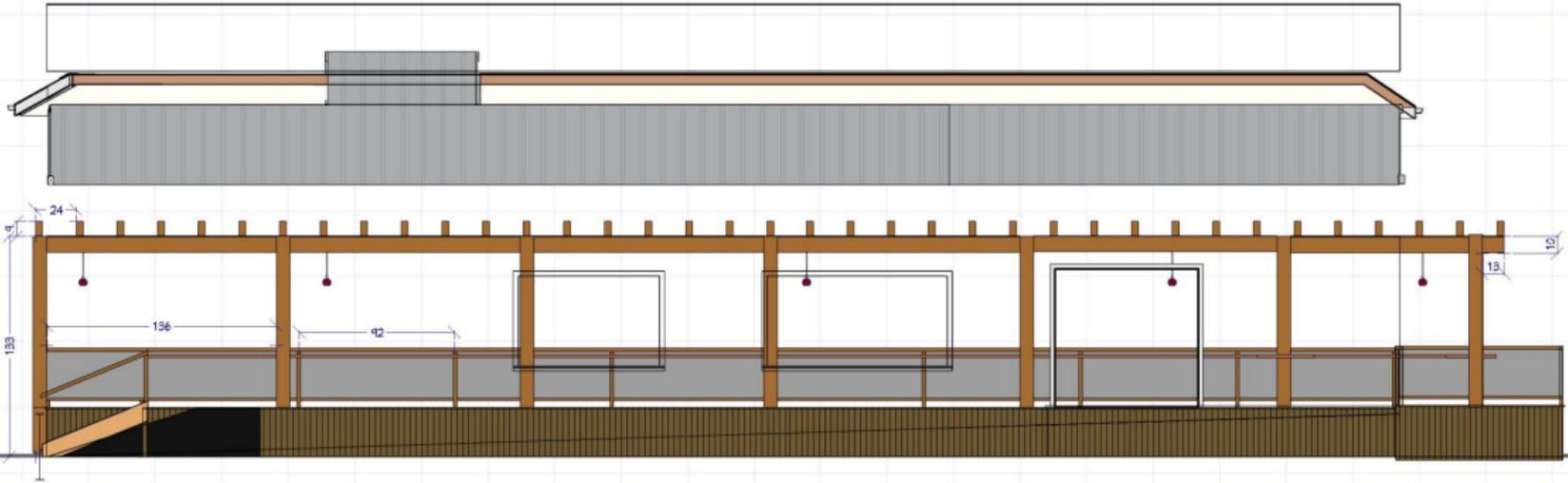
















# DEVELOPMENT PERMIT

FILE NO: DP- 2021-01

TO: **Longman Developments LTD**

ADDRESS: [REDACTED]  
(Permittee)

- 1) This Development Permit is issued subject to compliance with all of the Bylaws of the Town of Gibsons applicable thereto, except those specifically varied or supplemented by this Permit.
- 2) The Development Permit applies to those "lands" within the Town of Gibsons described below:  
**Parcel Identifier: 023-709-529**  
**Legal Description: STRATA LOT 1 DISTRICT LOT 686 GROUP 1 NEW WESTMINSTER DISTRICT STRATA PLAN LMS2723 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1**  
**Civic Address: UNIT 1, 292 GOWER POINT ROAD**
- 3) The lands are within Development Permit Area No. X for form and character.
- 4) The "lands" described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit, and any plans and specifications attached to this Permit which shall form a part thereof.
- 5) The building form and character is required to conform to the following plans:
  - *Development Plans titled: Unit 1, 292 Gower Point Road, dated January 11, 2021*
- 6) In conjunction with the plans outlined under 5, the following further specifications apply:
  - *< list conditions or last minute changes approved for the permit >*
- 7) This Development Permit applies to the form and character on the site. For details shown in off-site areas the plans may be subject to change following the provisions of a Servicing Agreement.
- 8) Minor changes to the aforesaid drawings that do not affect the intent of this Development Permit or the general appearance of the buildings and character of the development may be permitted, subject to the approval of the Director of Planning.
- 9) If the Permittee does not commence the development permitted by this Permit within twenty four months of the date of this Permit, this Permit shall lapse.

Development Permit 2021-01

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10) This Permit is NOT a Building Permit.

AUTHORIZING RESOLUTION PASSED BY COUNCIL

THIS THE XX DAY OF <MONTH>, 20XX.

ISSUED THIS \_\_\_ DAY OF \_\_\_\_\_, 20XX.

\_\_\_\_\_  
Bill Beamish, Mayor

\_\_\_\_\_  
Lindsey Grist, Corporate Officer

*Thomas*





# STAFF REPORT

**TO:** Planning and Development Committee **MEETING DATE:** February 2, 2021  
**FROM:** Katie Thomas **FILE NO:** 3220-Davis-931  
Planner 1  
**SUBJECT:** Development Permit for Form and Character for a Garden Suite at 931  
Davis Road

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## RECOMMENDATIONS

**THAT the report titled Development Permit for Form and Character for a Garden Suite at 931 Davis Road be received;**

**AND THAT DP-2020-31 for 931 Davis Road be authorized for a Garden Suite.**

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## BACKGROUND / PURPOSE

The Town of Gibsons has received a form and character Development Permit for a Garden Suite located at 931 Davis Road, as shown in Figure 1. An Official Community Plan and Zoning Amendment was adopted on March 3, 2020 to allow for a Garden Suite on the property (and the

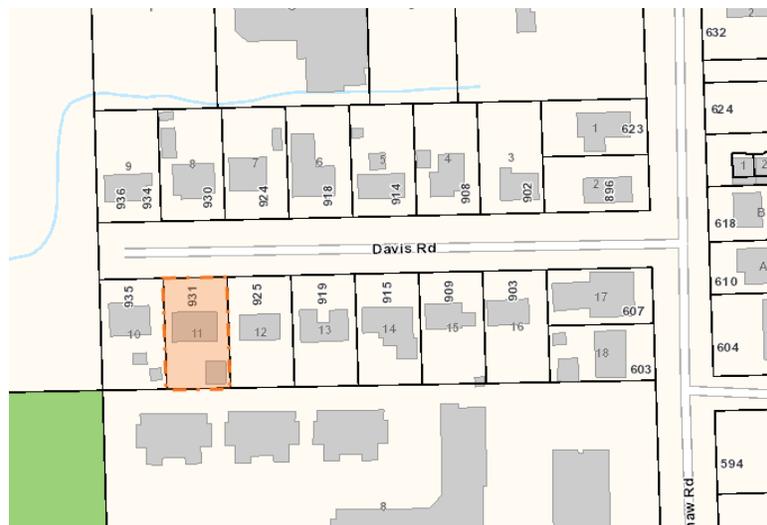


Figure 1: Location of subject property

wider area was rezoned in October 2020 to allow the same). This Development Permit application is the next step to allowing the use.

The purpose of this report is to provide background information on the application and obtain direction on next steps.

## DISCUSSION

The Town has been working with the applicant to bring the non-conforming property into compliance with the Town of Gibsons Zoning Bylaw and the BC Building Code. The applicant purchased the property with an existing three-family home, which did not conform with the Zoning Bylaw. In 2018 the applicant converted an existing garage into a non-conforming detached accessory dwelling. Under the guidance of Planning staff, the property owner has applied to change both the OCP designation and Zoning to allow the existing three-family home and a garden suite, with the next step being the Development Permit, to formalize the Garden Suite. An OCP and Zoning Amendment for Davis Road and Poplar Road was adopted to allow the same permitted uses as 931 Davis Road.

### *Development Permit Area 8 – Intensive Residential – DP-2020-31*

Garden Suites fall under Development Area Number 8 (DPA 8) for intensive residential development. Applicants wanting to build a Garden Suite must apply for a Development Permit before applying for a Building Permit.

The intent of the Development Permit Area is to ensure that intensive residential development fits with the character of the Town and to provide for high quality, liveable forms of housing and provide residents with high quality affordable housing options. Figures 2-4 show pictures of the existing Garden Suite.



Figure 2: West elevation of the Garden Suite



*Figure 3: South elevation of the Garden Suite showing the front door and private patio*



*Figure 4: North elevation. The garage is not useable and therefore has been retained as a design feature*

Staff have reviewed the application enclosed as Attachment A, with the DPA 8 guidelines. Table 1 below summarizes the DPA 8 guidelines, provides staff comments and determines whether the design criteria have been met.

DPA 8 Guidelines	Staff Comments	Addresses Criteria
<i>Building Form and Character</i>		
Development should fit with the small town character of Gibsons by demonstrating architecture, landscape design and site design that respects the surrounding context.		
Local and natural building materials such as timber and stone are preferred. The use of vinyl siding is discouraged.	<i>The Garden Suite has painted wood siding with stained wood trim</i>	Yes
The use of natural colours is encouraged, and the use of a variety of complementary colours as accents is also encouraged to promote visual interest.	<i>The Garden Suite has been painted in a same green as the main house, the red accents promote visual interest</i>	Yes
Vary materials and/or colours to distinguish individual dwelling units on the property	<i>The red accents distinguish between the Garden Suite and main home</i>	Yes
Reflect an environmentally friendly (“green”) image through the design and exterior features of the development. This may be achieved in such ways as: <ul style="list-style-type: none"> <li>• buildings and driveways should be sited to retain existing trees, vegetation, and other important natural features where possible</li> <li>• incorporation of visible “green” landscaping features such as rain gardens and infiltration trenches</li> <li>• incorporation of visible “green” building features and materials such as skylights, rain barrels, local wood and stone, green walls and roofs, rain gardens, solar panels, recycled exterior materials, exterior elements for window shading</li> <li>• incorporation of permeable pavement or wheel strips for parking spaces to reduce the visual and environmental impact of driveways</li> </ul>	<i>The existing driveway has been retained – staff note that some of the driveway that is no longer used could be removed to increase the lot permeability.</i>  <i>Recycled exterior materials have been used, wood siding has been used over vinyl.</i>  <i>Cedar hedges have been planted to create a separate outdoor space for the Garden Suite tenants – seen slight in figure 2.</i>	Yes/No
Design lighting to minimize light spill, glare and sky glow by using non-glare full cutoff fixtures.	<i>Figures 3 and 4 show the lighting fixtures which provide light in a downwards direction, preventing glare.</i>	Yes

<b>DPA 8 Guidelines</b>	<b>Staff Comments</b>	<b>Addresses Criteria</b>
<i>Building Massing and Street Rhythm</i>		
To achieve harmonious integration with surroundings, Garden Suites should be sensitive to scale, mass and form of adjacent buildings.	<i>The Garden Suite is smaller than the main house and is located at the rear of the lot</i>	Yes
Garden Suites should be smaller than and complement the scale, mass, built form and character of the principal dwelling unit as well as the neighbourhood.	<i>The Garden Suite is smaller than the main house and has been painted to tie in with the character of the property</i>	Yes
Roof ridges should be orientated roughly in the same direction as the slope allowing for overlook and views from uphill properties should be taken into consideration.	<i>n/a – constructed on a flat lot. There are no uphill properties in this area.</i>	n/a
<i>Relationship to Street or Lane (where present)</i>		
Garden Suites positioned at the rear of the property should have a clear and obvious approach from the street or lane.	<i>The Garden Suite is located at the rear of the lot – the Suite is accessed down the side of the main house</i>	Yes
Provide a clearly identifiable door to the street or lane and public open space.	<i>The garage door shown in figure 4 is the elevation presented to the street – this could be improved with vegetation screening and a pathway to the front door. The civic address should be visible on this elevation.</i>	No
<i>Relationship Between Buildings</i>		
Garden Suites should be screened from the principle building to create privacy between the two buildings.	<i>Some screening has been installed. Once this is more established, there will be privacy.</i>	Yes
Windows and balconies should be placed to reduce overlook.	<i>The patio is on the south elevation, the Garden Suite provides a barrier to overlook from residents in the main house</i>	Yes
<i>Solar Orientation</i>		
Building orientation and massing should ensure that a majority of primary living space receives direct sunlight and therefore is positioned to face towards the South, East or West.	<i>Most windows are on the south and west elevations. There are no windows on the north elevation.</i>	Yes
Garden Suites should be positioned and scaled to minimize the impact of shadows on adjacent developed properties.	<i>The Garden Suite was originally the garage for the property and has been converted</i>	Yes
<i>Parking and Access</i>		
A walking path providing direct access to the Garden Suite should be clearly visible from the street or lane.	<i>There is a concrete driveway leading to the Garden Suite</i>	Yes
All buildings should be sited to provide for safe fire access to all units.	<i>The Fire Department has commented that they do not have concerns.</i>	Yes
All parking spaces should access the site via a single, shared driveway and/or directly from a public lane, where available.	<i>The property has one driveway off of Davis Road to access the main house and Garden Suite.</i>	Yes

<b>DPA 8 Guidelines</b>	<b>Staff Comments</b>	<b>Addresses Criteria</b>
Parking should not dominate the proposed Garden Suite.	<i>With the main home having 3 units, there is considerable parking required on the lot. The parking however is separated from the Garden Suite.</i>	Yes
If the parking space for the Garden Suite is not enclosed in the building, permeable pavement or wheel strips should be used, to minimize additional impermeable surfaces.	<i>The existing driveway is solid concrete. The applicant will be doing some upgrades to reduce the width of the driveway apron on to the road to meet Town standards but does not have plans to remove the concrete driveway to install permeable parking.</i>	No
Parking pads and garages should be located to the rear or side of the dwelling unit(s) wherever possible, and always where there is access from a rear lane.	<i>Parking is at the front and along the side of the main house</i>	Yes/No
Vehicular access from the street is strongly discouraged unless a property is not served by a lane or is subject to prohibitively steep grades.	<i>There is no lane.</i>	n/a
Where there is no lane, there should be a 4.0 m wide clear area connecting the street and a Garden Suite, to provide clear, safe access to the Garden Suite."	<i>There is a 4m access along the east side of the main house connecting the Garden Suite to the street</i>	Yes
<b>Screening and Landscaping</b>		
Retain the existing landscaping to the extent possible, especially where it can function as a buffer between adjacent properties.	<i>The property had very little landscaping around the garage prior to the conversion of the Garden Suite</i>	n/a
A usable private open space should be provided for the Garden Suite, either at grade or on a balcony. If on a balcony, this open space should be no less than 5ft deep and no less than 50 ft <sup>2</sup> . If at grade, the open space should be no less than 100 ft <sup>2</sup> .	<i>A patio has been provided on the south side; the cedar screening will provide for a private grassed area as well.</i>	Yes
Vehicle access should be screened from the view of neighbouring properties.	<i>This property does not have a rear lane and therefore vehicle access is from Davis Road at the front of the property</i>	n/a
A landscaping plan is required showing how the site is landscaped and screened with the goal of ensuring privacy for the Garden Suite and adjacent properties.	<i>A site plan showing the planted cedar hedge as been provided.</i>	Yes
<b>Other</b>		
The location of extra garbage and recycling should be taken into consideration and should be sited away from the primary entrance of both the principle building and the Garden Suite and should be screened from public views.	<i>Garbage is stored in the shed at the rear of the property, screened from public views.</i>	Yes

Table 1: Development Permit analysis

Staff recognize that a form and character development permit analysis on a converted accessory building can be challenging as the built form is generally already in place. In this case it was originally a garage that has been converted to a dwelling, and it retains the original form. With that, overall, staff conclude that the Garden Suite conforms with most of the design guidelines and recommend issuance of the permit.

#### **Cost Implications for the applicant**

The cost of a Development Permit application for a Garden Suite is \$500.00.

Once the Development Permit has been issued, the applicant must apply for a Building Permit. At that stage, several upgrades are required to bring the property into conformance with the Subdivision and Development Bylaw 1175, including: bringing the driveway to standard and replacing the culvert, replacing the water meter (\$790-\$810), and installing a Sanitary Inspection Chamber (\$1800).

Development Cost Charges of \$6,299.84 are also required for a Garden Suite.

The applicant will be required to obtain a formal civic address for each unit from the SCRDC before occupancy is given (\$200 per unit).

#### **REFERRAL COMMENTS**

Referrals were sent to the Gibsons and District Volunteer Fire Department, and the Town's Infrastructure Services Department and Building Department. The following comments were received:

<b>Referral Agency</b>	<b>Comment</b>
<b>Town of Gibsons Building Department</b>	Building Permit required
<b>Town of Gibsons Infrastructure Services Department</b>	Driveway and roadside swale to be brought up to Town standard. New water meter and sanitary inspection chamber to be installed. Development Cost Charges payable
<b>Gibsons and District Volunteer Fire Department</b>	Interests unaffected

#### **NEXT STEPS**

If a Development Permit is issued, the applicant must apply for a Building Permit.

#### **RECOMMENDATIONS / ALTERNATIVES**

Recommendations are listed on page 1

**Attachments**

- Attachment A – Application materials
- Attachment B – Draft DP-2020-31

Respectfully Submitted,



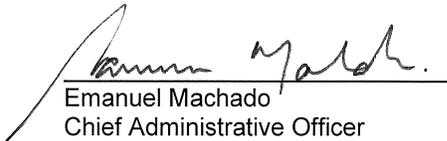
Katie Thomas  
Planner I



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





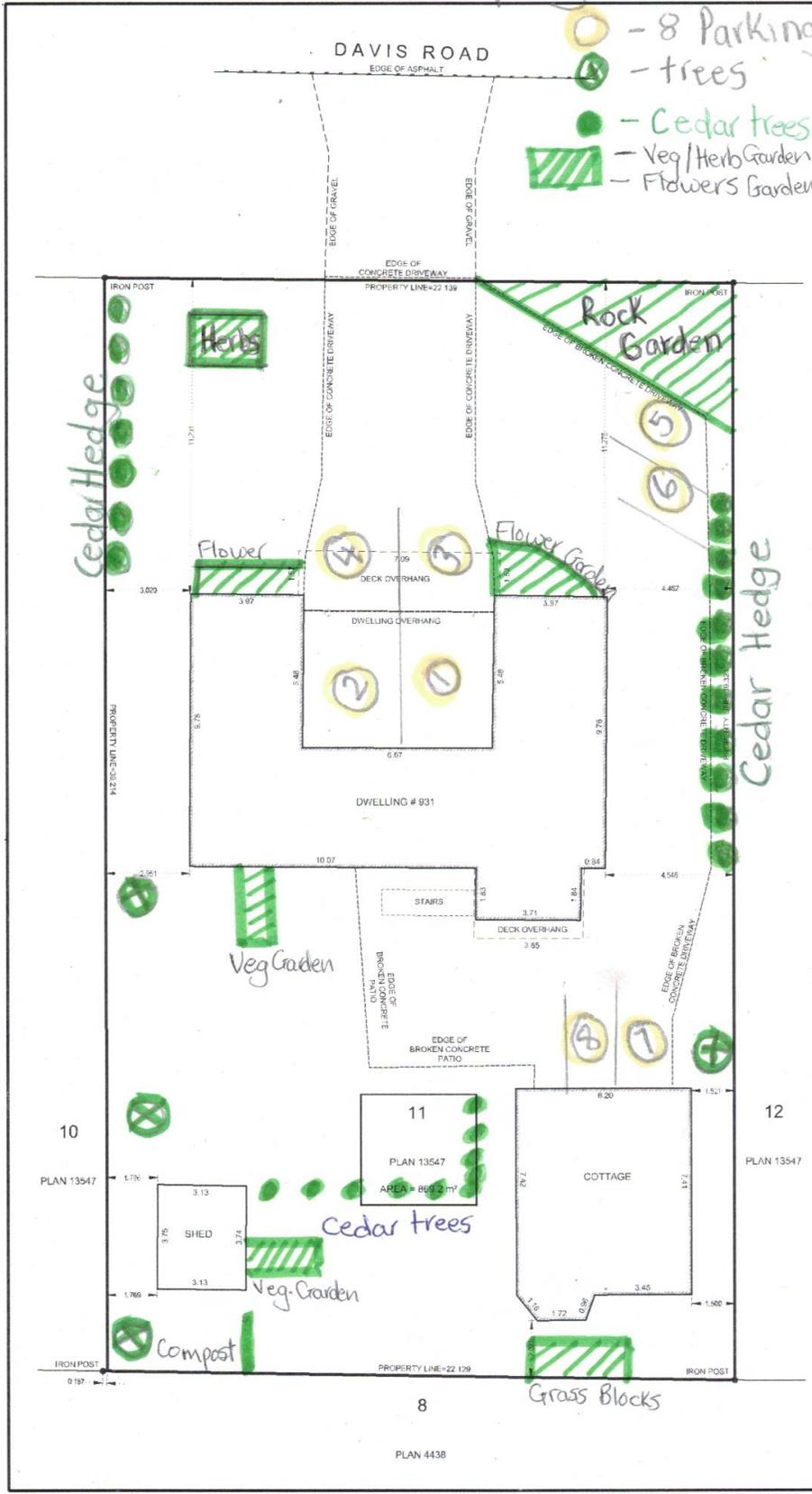






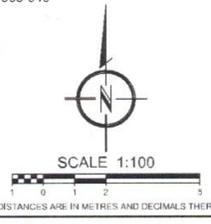
# Landscaping

- 8 Parking
- trees
- Cedar trees
- Veg/Herb Garden
- Flowers Garden



**B.C. LAND SURVEYOR'S  
CERTIFICATE OF LOCATION OF  
DWELLINGS AND FEATURES ON  
LOT 11 BLOCKS 3 & 4  
DL 684 G1 NWD  
PLAN 13547**

TOWN OF GIBSONS  
CIVIC ADDRESS: 931 DAVIS ROAD  
PID: 005-968-046



**LEGEND:**  
• - DENOTES STANDARD IRON POST FOUND

**PROPERTY:**  
PROPERTY DIMENSIONS SHOWN ARE DERIVED FROM FIELD SURVEY AND PLAN 13547  
OFFSETS TO PROPERTY LINES ARE NOT TO BE USED TO DEFINE BOUNDARIES.  
REFER TO CURRENT CERTIFICATE(S) OF TITLE FOR ADDITIONAL, EXISTING OR PENDING CHARGES.

**GENERAL:**  
THIS PLAN SHOWS THE LOCATION OF VISIBLE FEATURES ONLY, AND DOES NOT INDICATE BURIED SERVICES THAT MAY EXIST ON OR AROUND THE SUBJECT SITE.  
FEATURES SHOWN WITHOUT DIMENSIONS SHOULD BE CONFIRMED WITH BENNETT LAND SURVEYING LTD.  
BUILDING LOCATION BASED ON SURVEY ITES TO VISIBLE EXTERIOR SURFACES UNLESS OTHERWISE NOTED.



DATE	BY:
2019-11-29	SC
REVISION:	

THIS PLAN HAS BEEN PREPARED FOR MORTGAGE AND/OR MUNICIPAL PURPOSES ONLY AND IS FOR THE EXCLUSIVE USE OF OUR CLIENT.  
ALL RIGHTS RESERVED. NO PERSON MAY COPY, REPRODUCE, TRANSMIT OR ALTER THIS DOCUMENT IN WHOLE OR IN PART WITHOUT THE CONSENT OF BENNETT LAND SURVEYING LTD.  
BENNETT LAND SURVEYING LTD. ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE, OR ACTIONS TAKEN BASED ON THIS DOCUMENT

CERTIFIED CORRECT

**Javier Siu**  
**XWBW63**

Digitally signed by  
Javier Siu XWBW63  
Date: 2019.12.04  
08:51:15 -08'00'

FIELD SURVEY COMPLETED ON NOVEMBER 22, 2019.  
THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED.  
80498.00 2019-11-22 FB4035 P16-23 KC-AR

B:\A010-GIBSONS FOLDER\90498.00-931-DAVIS-ROAD-GIBSONS\90498.00-DRAWINGS\90498.00-SKETCHES\90498.DWG



# DEVELOPMENT PERMIT

FILE NO: DP- 2020-31

TO: **Belinda Wheatley**

ADDRESS: [REDACTED]  
(Permittee)

- 1) This Development Permit is issued subject to compliance with all of the Bylaws of the Town of Gibsons applicable thereto, except those specifically varied or supplemented by this Permit.
- 2) The Development Permit applies to those "lands" within the Town of Gibsons described below:  
**Parcel Identifier: 005-968-046**  
**Legal Description: LOT 11 BLOCKS 3 AND 4 DISTRICT LOT 684 PLAN 13547**  
**Civic Address: 931 Davis Road**
- 3) The lands are within Development Permit Area No. 8 for form and character.
- 4) The "lands" described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit, and any plans and specifications attached to this Permit which shall form a part thereof.
- 5) The building form and character is required to conform to the following plans:
  - *Development Plans titled: 931 Davis Road, dated December 5, 2020*
- 6) In conjunction with the plans outlined under 5, the following further specifications apply:
  - *< list conditions or last minute changes approved for the permit >*
- 7) This Development Permit applies to the form and character on the site. For details shown in off-site areas the plans may be subject to change following the provisions of a Servicing Agreement.
- 8) Minor changes to the aforesaid drawings that do not affect the intent of this Development Permit or the general appearance of the buildings and character of the development may be permitted, subject to the approval of the Director of Planning.
- 9) If the Permittee does not commence the development permitted by this Permit within twenty four months of the date of this Permit, this Permit shall lapse.
- 10) This Permit is NOT a Building Permit.

Development Permit 2020-31

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AUTHORIZING RESOLUTION PASSED BY COUNCIL

THIS THE XX DAY OF <MONTH>, 20XX.

ISSUED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20XX.

\_\_\_\_\_  
Bill Beamish, Mayor

\_\_\_\_\_  
Lindsey Grist, Corporate Officer



# STAFF REPORT

**TO:** Planning and Development Committee **MEETING DATE:** February 2, 2021

**FROM:** Katie Thomas  
Planner 1

**FILE NO:** 3220-GibsonsWay-744

**SUBJECT:** Development Variance Permit for 744 Gibsons Way

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## RECOMMENDATIONS

**THAT the report titled Development Variance Permit for 744 Gibsons Way be received;**

**AND THAT the Planning and Development Committee recommend notifying neighbours of the requested variances at 744 Gibsons Way (DVP-2021-01).**

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## BACKGROUND / PURPOSE

The Town of Gibsons has received a Development Variance Permit (DVP) application to reduce the east side setback at 744 Gibsons Way for an existing house and accessory building from 1.5m, to 1.25m for the purpose of facilitating a two-lot subdivision. The proposed subdivision plan is enclosed as Attachment A. Figure 1 shows the location of the subject lot.



Figure 1: Location of subject property

## DISCUSSION

The subject property is zoned Single-Family and Two Family Residential Zone 3 (R-3) and the zone requires a minimum lot size of 555m<sup>2</sup> for a single-family home and 666m<sup>2</sup> for a duplex. The parent lot is large enough to divide into two separate lots.

The existing single-family home is located at the front of the parcel. The proposal is to split the lot in half to create two lots – a single family lot at the front (proposed Lot A) and a duplex lot at the rear of the property (proposed Lot B).

All new lots must conform to the Town's bylaws. The R-3 zone requires a building setback of 1.5 m, whereas the existing house is located 1.25 m from the east side property line and the accessory building is located 1.38 m from the east side property line; thus a variance is requested to legitimize the location of the existing house and accessory buildings.

Staff have reviewed the property file. The Town is unable to date the existing home, likely due to the age. However, an inspection report dated January 1977, reports that the building was okay, as was the water test. A building permit from March 1978 also shows the construction of a fireplace. The property was zoned R-3 under Zoning Bylaw 241, 1973 (when it was thought to have been constructed) – the side lot line was either 1.5m or 10% of the width of the lot, which ever was the least. Looking at the width of the existing property, 10% of the lot would be 1.5m.

The existing house is approximately 960 ft<sup>2</sup> and the accessory building is used as an office, which the property owners use to work from home. The property owners have stated that the accessory building is important to retain, as the home is small, and they need the space to work.

Staff considers the request to legalize the house reasonable, given that the setback relaxation is minor and that housing availability is limited and creating a new buildable lot could provide more housing. Staff considers it would be unreasonable to request the owner to tear down the house and re-build prior to subdivision. Thus, staff supports the variance request.

## POLICY / PLAN IMPLICATIONS

### Council Policy 3.9

Council Policy 3.9 provides a framework for Council to assess variance requests. Staff have reviewed the proposal at 744 Gibsons Way with the Policy's criteria as outlines below:

- (1) *The request is not within the jurisdiction of the Board of Variance;*

Under Section 540 of the Local Government Act, an application to the Board of Variance is to vary or exempt an individual to relieve hardship. It could be suggested that the application shows hardship as the existing home and accessory building were constructed prior to the 2007 adoption of the Zoning Bylaw.

- (2) *The same request has not been previously denied by the Board of Variance;*

The application has not been presented to the Board of Variance

- (3) *The variance will not result in significant negative impacts on neighbouring properties;*

The home is existing, the request is to legitimize the location of the home and accessory building and therefore the variance will not result in any change to the home, and therefore it is suggested that there would be no significant impacts.

- (4) *There is a demonstrated need for the variance in order to permit reasonable use of the property*

The variance request to legitimize the siting of the existing house and accessory building is required as a condition of subdivision. To subdivide a property, all new lots must conform to the bylaw, and this lot is currently non-conforming due to siting. Staff considers the request is reasonable.

- (5) *The overall intent of the original bylaw requirement or standard is not compromised.*

The house is existing and due to the presumed age (1977 or prior) of the home, it is thought that the home may have been sited 25 centimetres too close to the property line. The accessory building is presumed to be constructed slightly later as is sited 12 centimetres too close.

The current intent of the side setback is to maintain a fire separation and possibly privacy with a 1.5 m setback standard, staff note that the homes neighbouring 744 Gibsons Way are both skewed to the east property line, likely to allow vehicular access to the rear of the lot and therefore the standard is not compromised.



*Figure 2: Aerial showing 744 Gibsons Way and neighbouring homes in relation to property lines*

- (6) *The variance does not appear to establish a precedent for other properties, but responds to a site-specific situation or difficulty;*

Staff considers that the siting of the existing non-conforming house is a site-specific consideration.

- (7) *As per the (Municipal Act) Local Government Act provisions, does not result in a change in land use or an increase in permitted density;*

The requested variance will not change the land use or increase the permitted density of the property.

- (8) *The variance results in suitable development that is an asset and compatible in the context of surrounding uses;*

Staff consider that the results of the variance would be two lots, which is suitable and compatible in the context of the surrounding residential neighbourhood.

- (9) *In the case of variance of specific development standards for off-site servicing, that any additional costs that may be incurred by the municipality or future land owners are considered.*

This is not applicable to this variance request.

#### **COMMUNICATION**

The *Local Government Act* requires neighbours to be notified of the application and the date Council will decide on it. The Town's *Development Application Procedures Bylaw No. 1166, 2014* requires letters to be delivered to neighbours within 50m of the property.

Staff recommends that Council directs staff to begin notifications for the Development Variance Permit application at 744 Gibsons Way (DVP-2021-01).

#### **NEXT STEPS**

With Council's authorization, staff will notify neighbours of the variance request and date of Council decision on the application. Staff will then report back with neighbor submissions and referral comments received for Council's consideration prior to deciding on the DVP request.

Upon the issuance of a Development Variance Permit, the Approving Officer may process a subdivision application.

#### **RECOMMENDATIONS / ALTERNATIVES**

Recommendations are listed on page 1 of this report. Alternatively, Council could authorize part of the variance or deny the variance request.

**Attachments**

- Attachment A – Proposed Subdivision Plan

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

