



# STAFF REPORT

**TO:** Advisory Design Panel **MEETING DATE:** April 7, 2021  
**FROM:** Kirsten Rawkins **FILE NO:** 3220-Shaw-594  
Planner 1  
**SUBJECT:** Development Permit for form and character of a studio-to-garden suite  
conversion at 594 Shaw Road

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## RECOMMENDATIONS

**THAT the report titled Development Permit for form and character of a studio-to-garden suite conversion at 594 Shaw Road be received;**

**AND THAT Council issue Development Permit DP-2021-05 for the existing site and construction, subject to approval of Board of Variance order BOV-2021-01.**

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## BACKGROUND / PURPOSE

The Town of Gibsons has received a form and character Development Permit application from the homeowner at 594 Shaw to convert an existing accessory studio for use as a Garden Suite.

All Garden Suite development in the Town of Gibsons requires a Development Permit to ensure that the form and character of new suites is well fit with the neighbourhood and community context, and that the suite will contribute quality housing.

As an introductory application for the new Design Panel, this application is unusual in that the proposed site and building condition are existing, with no changes to the exterior character or landscape proposed.

In this context, the purpose of this report is to share details of the proposal and staff's review of the existing building and landscape in relation to the form and character guidelines for Garden Suites (found within Development Permit Area No. 8 on page 139 of the Official Community Plan), and to obtain a recommendation from the Design Panel to Council on whether to issue the permit for the development as proposed, or whether changes should be required.

Plans are attached as Attachment A.

## Proposal Context

The existing accessory building is located at the southeast corner of the large residential lot and was originally developed and used as a garage and workshop. Recently, the applicant's husband was diagnosed and became severely affected with ALS. To provide a comfortable space where he could be safely cared for as he lost mobility, the community and the Town worked with the homeowners to convert the garage into an accessible studio space with a bathroom, new larger windows, new front door and fresh trim and siding. Sadly, at the beginning of February, the resident passed away of his illness. In his absence, the applicant wishes to rent the newly renovated living space as a garden suite to provide supplemental income for the family.

## Property Location

The subject property, at 594 Shaw Road, is located at the southeast corner of the intersection of Poplar Lane and Shaw Road, as shown on the map in in Figure 1. The property is located within the Town's Garden Suites Areas.



Figure 1 - Property Location

The small (55m<sup>2</sup>/ 587 ft<sup>2</sup>), single storey building is sited 'kitty-corner' to the principal dwelling at the southeast corner of the large lot at 594 Shaw Road. The aerial photo in figure 2 shows the existing accessory building located in the southeast corner of the lot, adjacent the rear porch and carport of the principal dwelling.



Figure 2 - Aerial image of the lot at 594 Shaw Road (2018)

## DISCUSSION

### Zoning

Staff have reviewed of the proposal in relation to the Zoning Bylaw and find that the existing building conforms with the zoning requirements for garden suite with the exception that the accessory dwelling is located closer than the minimum 5m setback distance required from the principal dwelling. To address this nonconformance, an application is under review by the Board of Variance to relax the setback between the home and garden suite. A summary of the zoning review is provided in Table 1, below.

Table 1 - Zoning Bylaw Review

	BYLAW	PROPOSED	MET?
Within Garden Suites Area	-	Yes	Y
Front Setback (Shaw)	7.5 m	> 30 m	Y
Rear Setback (east)	1.5 m	2.7 m	Y
North Side Setback	1.5 m	14 m	Y
South Side Setback	1.5 m	1.9 m	Y
Setback from Principal Dwelling	5 m	4.2 m	BOV
Height	6 m	< 4 m	Y
Lot Cover	45 %	30 %	Y
Parking	3	3 (+)	Y
Total Floor Area Maximum	90 m2	50 m2	Y

## Form and Character Review

Garden Suites fall under Development Area Number 8 (DPA8) 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 its neighbourhoods, and to provide residents with high quality, livable forms of housing and high-quality affordable housing options.

Siting of the building is well suited for use as suite, with access to outdoor space and parking, privacy from the principal dwelling due to 'kitty-corner' location, and privacy to and from neighbouring given its low height and screening by existing fences dividing the properties. The suite is quaint and fits discretely within the existing structure of the site and neighbourhood, and is very well screened, as seen from the property's frontage on Shaw Road, by mature trees and shrubs and by its location at the rear of the large, landscaped property. A large new front window and new front door, trim and siding provide a fresh and welcoming finish for a new resident.

The following review reflects the existing building and mature landscape of the lot, including recent renovations to upgrade the accessory building as a living space. Table 2 summarizes staff's evaluation of the proposal in relation to the DPA 8 guidelines.

Table 2 - Form and Character Review

DPA 8 Guidelines	Staff Comments	Met?
<i>General 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.	<i>The small, existing garage has been a part of the neighbourhood fabric for decades and is well integrated with the site and neighbourhood in design.</i>	Y
Local and natural building materials such as timber and stone are preferred. The use of vinyl siding is discouraged.	<i>Fresh vinyl siding is existing.</i>	N
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>White siding is complemented with warm grey trim. Staff finds the limited palette appropriate to the small size of the dwelling.</i>	Y
Vary materials and/or colours to distinguish individual dwelling units on the property	<i>Proposed materials and colours are harmonious with but distinct from the existing home, which is cream coloured with soft green trim.</i>	Y
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> </ul>	<ul style="list-style-type: none"> <li><i>The modest building size and use of an existing building reduces the ecological footprint of the construction and provides ongoing energy efficiency.</i></li> <li><i>Significant mature landscaping is retained; no new hardscape proposed.</i></li> </ul>	Y

<ul style="list-style-type: none"> <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>		
Design lighting to minimize light spill, glare and sky glow by using non-glare full cutoff fixtures.	<i>A single exterior porch ceiling light is sheltered by the roof and alcove of the building walls, lighting the entrance without causing upward or outward light spill.</i>	Y
<b><i>Building Massing and Street Rhythm</i></b>		
To achieve harmonious integration with surroundings, Garden Suites should be sensitive to scale, mass and form of adjacent buildings.	<i>The 550 ft<sup>2</sup>, one storey building is quaint and discretely integrated within the lot.</i>	Y
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>As above; significantly smaller than the principal dwelling</i>	Y
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>Pitched roof; the lot is level. No view impacts.</i>	Y
<b><i>Relationship to the Lane (Street)</i></b>		
Garden Suites positioned at the rear of the property should have a clear and obvious approach from the street or lane.	<i>Clear approach from street provided via shared driveway from Shaw Road</i>	Y
Provide a clearly identifiable door to the street or lane and public open space.	<i>Front porch located at front of suite. Alcove provides clear definition of entrance from driveway approach.</i>	Y
<b><i>Relationship Between Buildings</i></b>		
Garden Suites should be screened from the principle building to create privacy between the two buildings.	<i>No landscape screening is provided between the home and garden suite, though the staggered siting of the two buildings provides natural privacy and yard orientation.</i>	Y/N
Windows and balconies should be placed to reduce overlook.	<i>As above, orientation of windows is to the front and side yards; fencing screens window views to and from neighbours.</i>	Y
<b><i>Solar Orientation</i></b>		
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>All living areas except for the bathroom have windows, and the largest take advantage of maximum exposure to the south and west.</i>	Y
Garden Suites should be positioned and scaled to minimize the impact of shadows on adjacent developed properties.	<i>No shadow impacts due to low roof height.</i>	Y

<i>Parking and Access</i>		
All buildings should be sited to provide for safe fire access to all dwellings on site from the front yard of the lot.	<i>Suite has direct emergency access via driveway from front access on Shaw Road.</i>	Y
Parking should not dominate the proposed Garden Suite.	<i>Parking width is the minimum required and bordered by trees and greenspace of the front yard.</i>	Y
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>Uses existing paved parking area.</i>	N
<i>Screening and Landscaping</i>		
Retain the existing landscaping to the extent possible, especially where it can function as a buffer between adjacent properties.	<i>All landscaping retained.</i>	Y
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>The garden Suite shares open backyard space with the principal dwelling and has a small additional (8ft deep) private rear yard space between the suite and rear fence, accessed by a back door to the suite.</i>	Y
Vehicle access should be screened from the view of neighbouring properties.	<i>Parking is screened from neighbours by the building, existing wood fence and landscaping.</i>	Y
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>Images show existing fence and mature trees.</i>	Y
<i>Other</i>		
The location of extra garbage and recycling should be taken into consideration and should be sited away from the primary entrance of both the principal building and the Garden Suite, and should be screened from public views.	<i>A garden shed located in the carport provides a location for secured garbage and recyclable storage.</i>	Y

Staff find that the existing building and landscape, despite not designed originally as a garden suite, significantly address the garden suite design guidelines, with twenty (20) of the twenty-three (23) applicable DPA guidelines substantially addressed.

A letter was provided in support of the application by the neighbour located directly east of the property at 873 Poplar Lane. The letter is enclosed with this report as Attachment C.

## REFERRAL COMMENTS

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

<b>Referral Agency</b>	<b>Comment</b>
Town of Gibsons Building Department	<i>No concerns</i>
Town of Gibsons Infrastructure Services Department	<i>Culvert &amp; servicing upgrades to be required</i>
Gibsons and District Volunteer Fire Department	<i>Interests unaffected</i>

## **NEXT STEPS**

Following the Advisory Design Panel's review, the recommendation from the Advisory Design panel will be forwarded to Council for consideration in its decision on whether to issue the Development Permit. Should Council authorize issuance of the Development Permit and should the Board of Variance order be issued to reduce the building separation required by the Zoning Bylaw, the applicant may then proceed with completing any remaining requirements of a Building Permit to convert the space into a dwelling.

## **STRATEGIC PLAN IMPLICATIONS**

Support for this proposal would advance the following objectives of the Town's 2019-2022 Strategic Plan:

- Planning for sustainable growth
  - plan for growth in a manner that reflects finite resources;
  - value the unique character of the Town and its neighbourhoods;
  - create accessible spaces;
- Advocate for and facilitate a range of housing types

## **RECOMMENDATIONS / ALTERNATIVES**

Staff recommendations are on page 1 of this report.

**Attachments**

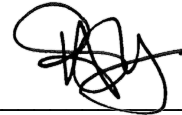
- Attachment A – Application Package
- Attachment B – Draft Permit
- Attachment C – Neighbour Letter

Respectfully Submitted,



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Kirsten Rawkins, BSc-GRS (Hons.), MLA  
Planner I

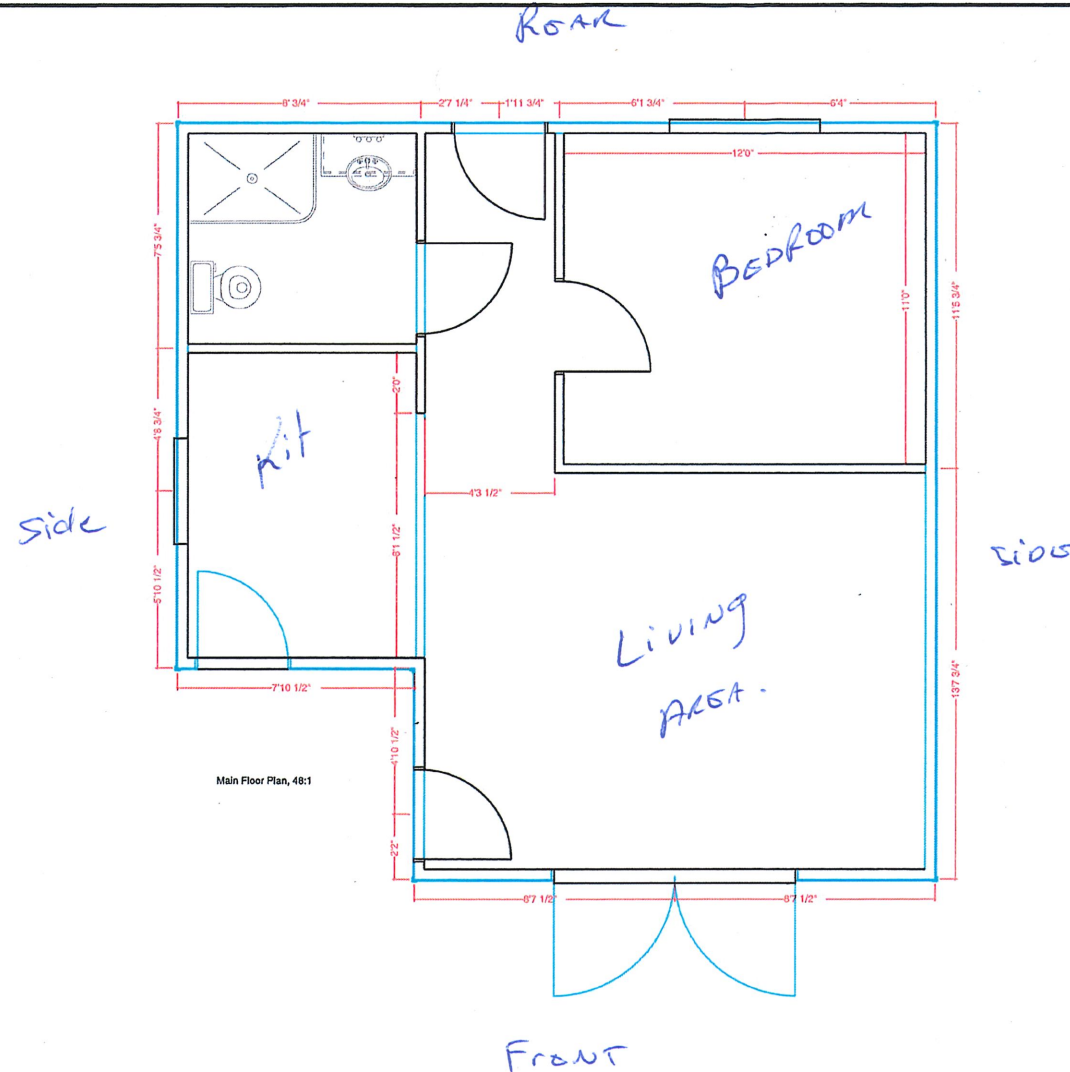
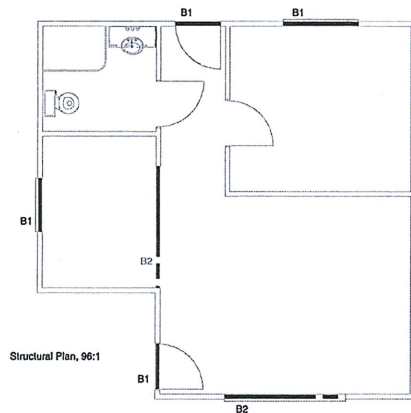


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Lesley-Anne Staats, MCIP, RPP  
Director of Planning



BEAM SCHEDULE	
MARK	SIZE
B1	2 - 2 x 10
B2	2 - 1.75 x 9.75 LVL



**LONGMAN DEVELOPMENTS LTD.**

511 PRATT RD.  
P.O. BOX 1708  
GIBSONS, BC  
V0N 1V0

PHONE: (604) 886-2272  
FAX: (604) 886-2295

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THIS DRAWING MUST NOT BE SCALED.  
THE GENERAL CONTRACTOR SHALL  
VERIFY ALL DIMENSIONS, DATUMS, AND  
ELEVATIONS PRIOR TO COMMENCEMENT  
OF WORK.  
ANY ERRORS OR OMISSIONS SHALL BE  
REPORTED AT ONCE TO THE DESIGNER

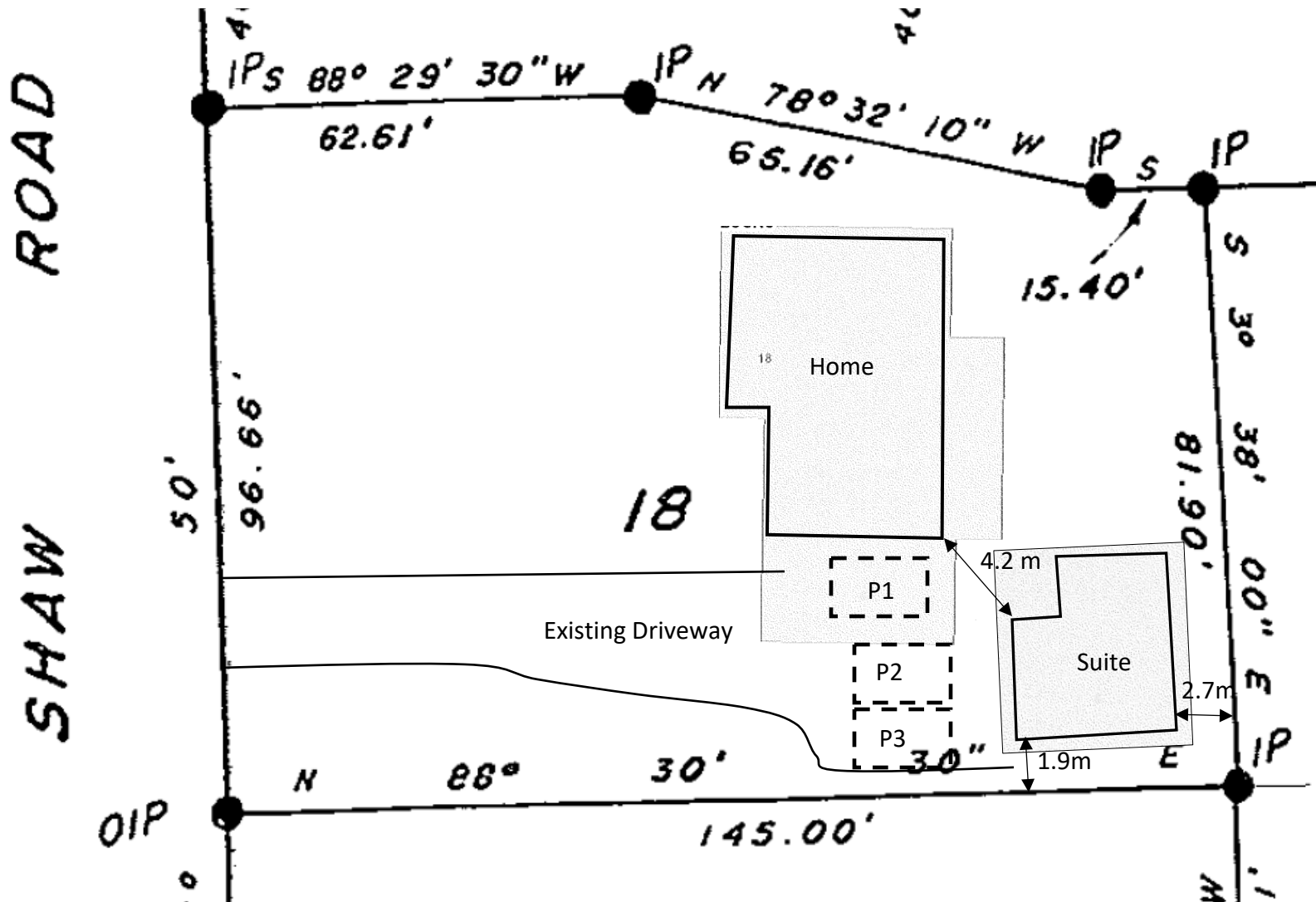
**SITE LEGAL DESCRIPTION**  
PID: 007-501-480  
Lot: 18, Block: 4  
District Lot: 1328  
Plan: VAP16406

**PROJECT**  
JP Poirier  
Studio Renovation  
594 Shaw Road,  
Gibsons, BC

**TITLE**  
MAIN FLOOR PLAN  
Existing Structure  
New Construction

DATE	October 24, 2020
SCALE	48:1
DRAWN	G. MULCASTER
CHECKED	...
SHEET NO.	1 of 1





Site Plan 594 Shaw Road

Existing Home and Garage to Suite Conversion

March 3, 2021

**594 Shaw Road Landscape and Garden Suite Images:**  
Garden Suite Form and Character Development Permit Application



Property in summer – Shows garage building, screened with existing mature trees and landscaping from road. The image shows the garage prior to replacement of garage door with front window, and replacement of the ivy-covered chain link fence with a white wood railed fence.



Existing house as seen from Shaw Road in winter, with suite visible at right. New front wall and window has replaced the garage door and front siding will be finished in white with grey trim as shown in following images





West-facing view Facing into front yard and Shaw Road.



Main entry alcove with new front door and new siding in progress (northwest corner of suite). Photo taken from temporary accessibility ramp to main dwelling, to be removed.





East side view with secondary exit door and new siding in progress. Fences on east and south property lines screen view of suite from neighbours. Clutter is related to building in progress under existing building permit.



# DEVELOPMENT PERMIT

FILE NO: **DP- 2021-05**

TO: **Nicole Poirier**

ADDRESS: **594 Shaw Road  
Gibsons, B.C. V0N 1V8  
(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: 007-501-480**  
  
**Legal Description: LOT 18 BLOCK 4 DISTRICT LOT 1328 PLAN 16406**  
  
**Civic Address: 594 Shaw Road, Gibsons**
- 3) The lands are within Development Permit Area No. 8 for form and character of a Garden Suite.
- 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: 594 Shaw Garden Suite Landscape and Garden Suite Images, dated March 5, 2021*
- 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.
- 11) As a condition of the issuance of the Building Permit, Council requires that the Permittee provide security for the value of **\$ XX,XXX** to ensure that the on-site landscaping component of the development is carried out in accordance with the terms and conditions set out in this permit.



- (a) The condition of the posting of the security is that, should the Permittee fail to carry out the development hereby authorized according to the terms and conditions of this Development Permit within the time provided, the Town may carry out the development or any part of it by its servants, agents or contractors and deduct from the security all costs of so doing, it being understood that the surplus, if any, shall be paid over to the Permittee.
- (b) If on the other hand, the Permittee carries out the landscaping component of the development permitted by this Development Permit within the time set out herein, the security shall be returned to the Permittee.
- (c) Prior to issuance of a Building Permit, the Permittee is to file with the Town an irrevocable Letter of Credit or Certified Cheque as security for the installation of hard and soft landscaping in accordance with approved plans, such Letter of Credit to be submitted to the Town at the time of the Building Permit application.
- (d) The Permittee shall complete the landscaping works required by this permit within six (6) months of issuance of the Building Permit.
- (e) If the landscaping is not approved within this six (6) month period, the Town has the option of continuing to renew the security until the required landscaping is completed or has the option of drawing the security and using the funds to complete the required landscaping. In such a case, the Town or its agents have the irrevocable right to enter into the property to undertake the required landscaping for which the security was submitted.
- (f) Upon completion of the landscaping, a holdback of 10% of the original security, plus any deficiencies, will be retained for a 1-year period, to be returned upon written final approval from the Landscape Architect.
- (g) The following standards for landscaping are set:
  - (i) All landscaping works and planters and planting materials shall be provided in accordance with the landscaping as specified on the Site Plan and Landscaping Plan which forms part of this Permit.
  - (ii) All planting materials that have not survived within one year of planting shall be replaced at the expense of the Permittee.

AUTHORIZING RESOLUTION PASSED BY COUNCIL

THIS THE XX DAY OF <month>, 2021.

ISSUED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.

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Bill Beamish, Mayor

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Rebecca Anderson, Corporate Officer

## Kirsten Rawkins

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**From:** Jenn Hollett [REDACTED]  
**Sent:** Monday, March 15, 2021 12:26 PM  
**To:** Kirsten Rawkins; [planning@givsons.ca](mailto:planning@givsons.ca)  
**Subject:** Re: Nicole Poirier, 594 Shaw Road

KIRSTEN RAWKINS, Planner  
Planning and Development Services  
Town of Gibsons  
[604-886-2274](tel:604-886-2274)

RE: Board of Variance Application re [594 Shaw Road](#)

I reside at [REDACTED], and am one of the nearest neighbours to the property at [594 Shaw Road](#). I am writing this letter to voice my support for the proposed renovations which my neighbour, Nicole Poirier, is planning for her property at [594 Shaw Road](#). I have seen the proposed plans for the conversion of the garage to a "mortgage helper" suite on the property. I see no reason why this proposed project should not proceed.

Yours truly,  
Jennifer D Hollett  
[REDACTED]

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