



# STAFF REPORT

**TO:** Committee of the Whole                      **MEETING DATE:** March 19, 2024  
**FROM:** Planner II                                      **FILE NO:** 3220-Shaw-508  
**SUBJECT:** **Zoning Amendment and Development Permit for a Garden Suite at 508 Shaw Road**

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## REPORT FOR DECISION

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### PURPOSE

The Town has received an application for a Garden Suite at 508 Shaw Road. The purpose of this report is to provide Council with the application details and obtain direction on rezoning the property to allow a Garden Suite and issuing the form and character development permit.

### BACKGROUND

The property is outside the Garden Suite Area and therefore the Town has received the following applications:

- Zoning Amendment (ZA-2023-05) to allow a Garden Suite.
- Development Permit for form and character under DPA 8 (DP-2024-10).

### DISCUSSION

#### Site and Surrounding Uses

508 Shaw Road has an existing one-storey single detached home on the property and is located on the northeast corner of Shaw Road and Oceanmount Boulevard, as shown in Figure 1. The lot is accessed from Shaw Road. The existing home does not contain a secondary suite.

Table 1 provides a summary of the existing uses, zoning designations and OCP land use designations for the surrounding properties.

The lot area is approximately 1008 m<sup>2</sup> in size and is relatively flat.

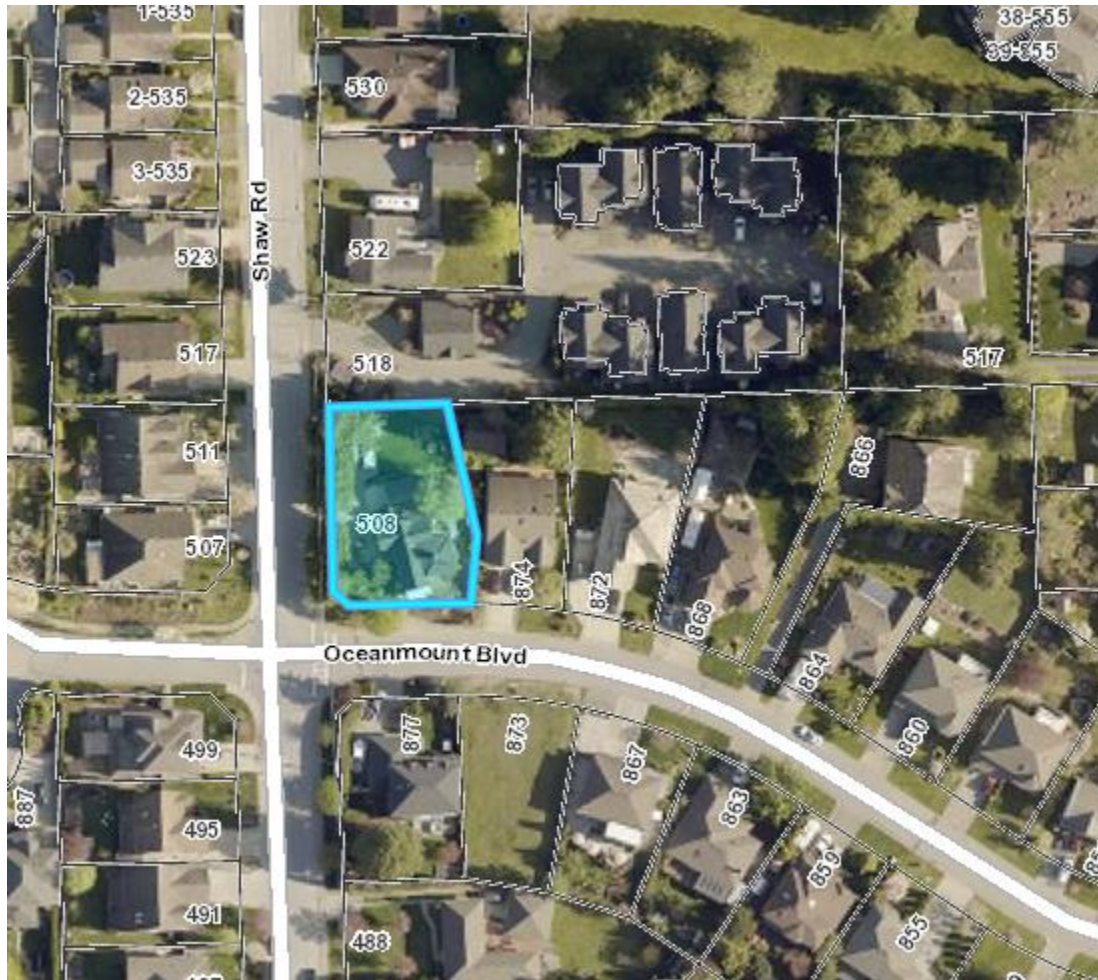


Figure 1: Location of the subject property

Table 1: Surrounding Uses

	Existing Land Use	Existing Zoning	Exiting OCP Designation
<b>North</b>	Multi-Family	Multi-Family Residential 1 (RM-1)	Low Density Residential 1
<b>South</b>	Single Family	Single-Family Residential Zone 1 (R-1)	Detached Residential
<b>East</b>	Single Family	Single-Family Residential Zone 1 (R-1)	Detached Residential
<b>West</b>	Single Family	Single-Family and Two-Family Residential Zone 3 (R-3)	Low Density Residential 1

### Application Proposal

The applicant has applied to construct a Garden Suite on a vacant portion of the parcel, as shown in Figure 2 and Figure 3. The existing single-family home will remain.

A Garden Suite is a detached accessory dwelling. The proposal is to develop a one storey, one bedroom suite. The driveway would be extended to allow an additional parking space on-site.

The rationale for the Garden Suite is to allow the homeowners to age-in-place and provide separate accommodation for family or a carer to live.

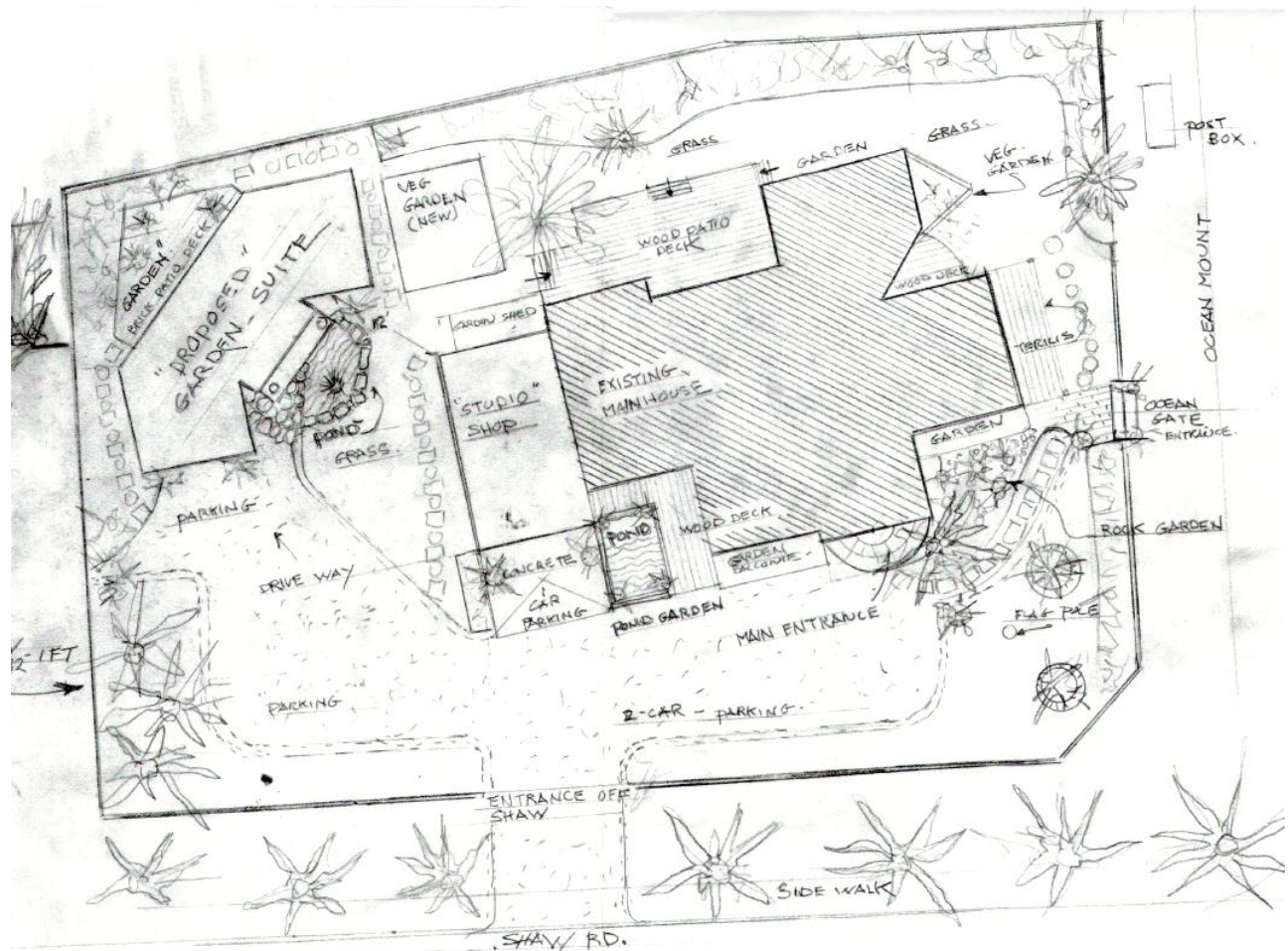


Figure 2: Proposed site plan.

**Planning Review**

A plan check was completed, and is provided in Table 2:

*Table 2: Plan Check*

	<b>BYLAW</b>	<b>PROPOSED</b>	<b>MET?</b>
Rear Setback (North)	1.5 m	1.4 m	Yes
Setback from Principal Dwelling	5 m	3.4 m	No – to include in the Zoning Amendment
Interior Side Setback (East)	1.5 m	1.4 m	Yes
Exterior Side Setback (West)	3.0 m	> 3.0 m	Yes
Height	6 m	4 m	Yes
Lot Cover	45 %	30 %	Yes
Parking	1 additional	2 additional	Yes
Total Floor Area Maximum	90 m <sup>2</sup>	55 m <sup>2</sup>	Yes

**Planning Context**

***Official Community Plan***

The OCP designates 508 Shaw Road as Detached Residential. The intent of this designation is:

*To permit single-detached dwellings, and duplex housing with a maximum floor space ratio (FSR) of 0.5 (generally 15 to 20 units per hectare).*

The OCP supports the zoning amendment to allow a Garden Suite on the property.

***Zoning Bylaw***

The property is zoned Single-Family Residential 1 (R-1). The permitted use of the lot is to allow for a single-family home with a secondary suite. The property is outside the Garden Suite designated area and therefore, the development proposal for the Garden Suite requires a Zoning Amendment.

***Proposed Zoning Amendment***

The proposed Zoning Amendment would add the property to the Garden Suite Area and provide a site-specific condition that would allow the Garden Suite to be located closer to the principal dwelling.

Currently the Bylaw requires a Garden Suite to be at least 5 m from the principal dwelling, the proposed site plan shows that the 5 m cannot be achieved on the lot; therefore, site specific condition has been provided in the Zoning Amendment to allow a building separation of 3 m for this property.



The draft Zoning Amendment Bylaw Number 1065-77 is enclosed as Attachment B. As the Zoning meets the Official Community Plan, a Public Hearing is not permitted. Notice of First Reading will be mailed to neighbours within 100m of the subject property, and an advert will be placed in the Coast Reporter for 2 consecutive weeks prior to First Reading.

### ***Development Permit (DPA 8)***

All Garden Suites must obtain a Development Permit for form and character prior to applying for a Building Permit.

Garden Suites fall under Development Permit 8 (DPA8).

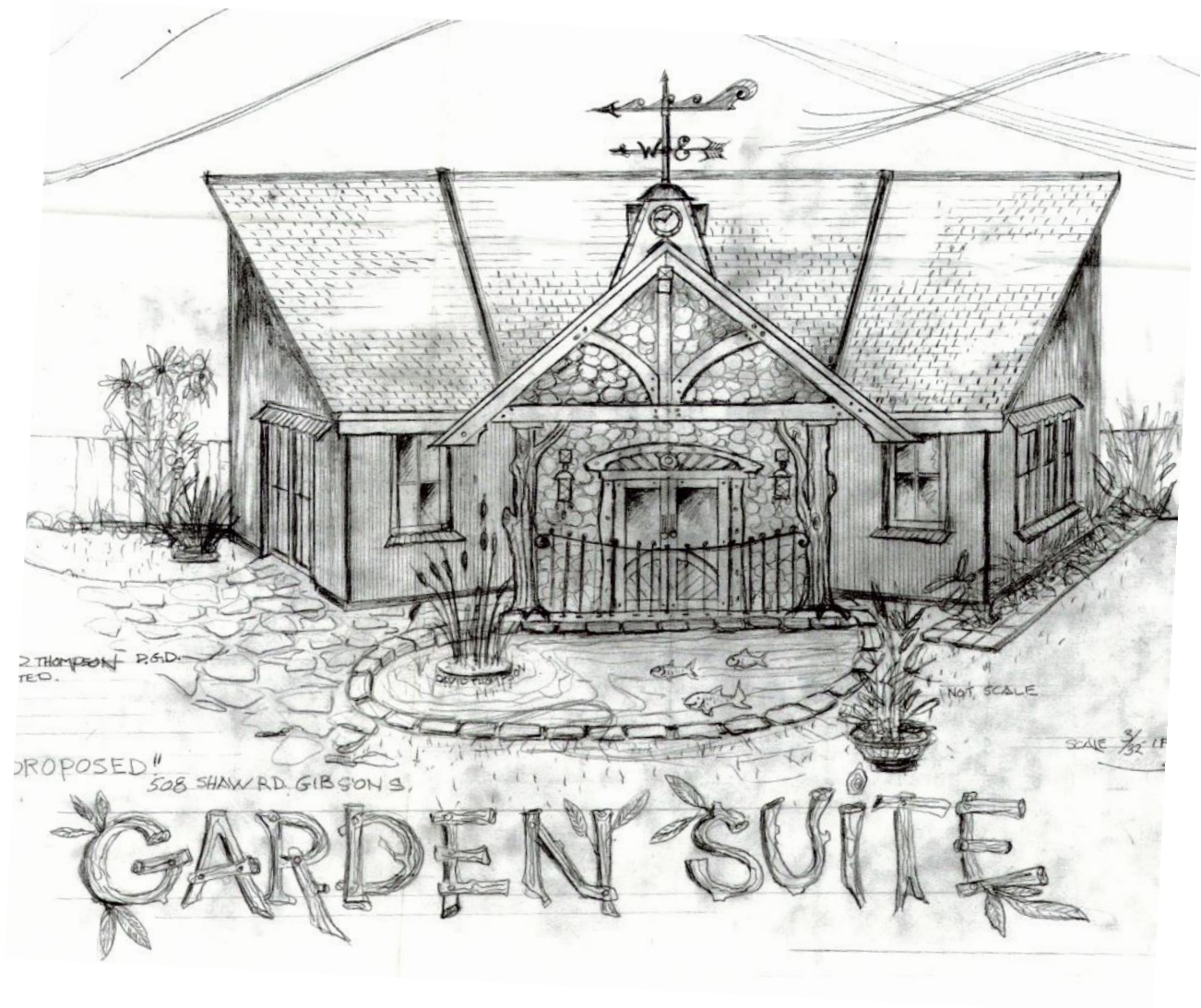


Figure 3: Proposed Garden Suite front elevation

Staff have reviewed the plans and have provided a summary for Council consideration:

### *General Form and Character*

The guidelines suggest that development should fit with the small-town character of Gibsons by demonstrating architecture, landscape design and site design that respects the surrounding context. The Garden suite is one storey, with windows placed to avoid overlook to neighbouring properties.

The Garden Suite is proposed to be finished in rusted corrugated metal, with the main entry accentuated with two logs and timber.

The design of the proposed single-story garden suite fits with the existing principle dwelling and is sensitive to the scale and mass of the adjacent buildings.

### *Solar orientation*

The guidelines state that Garden Suites be orientated to ensure that most of the primary living space receives direct sunlight. The main structure is positioned for southern solar exposure, and the applicant has stated that solar panels are proposed to be placed on the roof of the Garden Suite.

### *Parking and Access*

Two additional gravel parking spaces will be added to the site. The guidelines state that parking should not dominate the proposed Garden Suite, and that there should be a 4.0 m wide clear area connecting the street and Garden Suite to ensure safe fire access to all units. The 4.0 m wide access is met. Staff note that much of the site is taken up by parking, however there are landscaping elements such as a new pond in front of the Garden Suite and the existing mature tall hedge along Shaw Road as shown in Figure 4, which limit the visual impacts of the parking.

### *Landscaping*

The applicant has been careful to retain as much of the existing landscaping to comply with the guidelines, and a private patio at the rear of the Garden Suite is proposed. The new vegetable garden buffers the Garden Suite from the rear yard of the principal dwelling creating some privacy.

## **Advisory Design Panel**

The Advisory Design Panel (ADP) met on February 9, and members supported the application with the following recommendations.

*THAT the Advisory Design Panel supports the Zoning Amendment to allow a garden suite.*

*AND THAT the Advisory Design Panel is in support of the form and character under the guidelines provided under DPA8 with the following points:*

- *Consider addition of skylights*
- *Consider using shingle siding*

*AND THAT the Advisory Design Panel supports a decreased setback between the main dwelling and garden suite.*

*AND FURTHER THAT the Advisory Design Panel supports the expansion of the garden suites area to more properties.*

The ADP minutes are enclosed as Attachment C. The Draft Development Permit (DP-2024-10) is enclosed as Attachment D.



*Figure 4: Entry to the property from Shaw Road*

**REFERRAL**

The application was referred in January and the following comments have been received:

<b>Referral sent to:</b>	<b>Comments received</b>
<b><i>Gibsons and District Volunteer Fire Department (GDVFD)</i></b>	<p>Please maintain access to the Garden Suite and contact the Fire Department before any occupants move in.</p> <p>Please have fire safety equipment on site during construction.</p>
<b><i>Ministry of Transportation and Infrastructure (MOTI)</i></b>	No comments received
<b><i>Infrastructure Services</i></b>	<p>Garden Suite to extend existing services</p> <p>The developer is responsible for ensuring that civic address assignment is appropriate for this development.</p> <p>Development Cost Charges (DCCS) are applicable See "Schedule A" of the Town's DCC Bylaw No. 1218, 2016.</p>
<b><i>Building Department</i></b>	<p>Spatial separation calculations may be required to confirm approved location as part of Building Permit application.</p> <p>Owners should reach out to Building Department to discuss permit requirements.</p>

**POLICY / PLAN IMPLICATIONS**

**Strategic Plan Implications**

The Strategic Plan looks to encourage secondary and accessory suites. This development proposal meets this objective.

**Financial Plan Implications**

Increased density generally has a positive impact on the Financial Plan as it enables the Town to collect comparatively more property taxes and user fees without significant infrastructure expansion being required.



## NEXT STEPS

If Council rezones the property and endorses the Development Permit, the property owner would apply for a Building Permit and pay the Development Cost Charges before starting construction.

## RECOMMENDATIONS / ALTERNATIVES

Three options are proposed below for Council's consideration. Staff recommends Option 1.

### **Option 1: Notify neighbours of First Reading, then proceed with three readings and authorize the issuance of DP-2024-10 subject to Adoption of Bylaw 1065-76.**

The application is consistent with the OCP and therefore a public hearing is not required. Neighbours must be notified of the date of First Reading, and therefore this option proceeds with the notification process.

As the property is within 800 m of a highway, Ministry Approval is required before adoption. Therefore, after neighbours are notified, Council may give this bylaw up to three readings in one meeting.

Staff recommend authorizing the issuance of DP-2024-10 subject to the adoption of the Zoning Amendment.

Staff recommend issuing the Development Permit for form and character and have added that the applicant consider the use of shingle siding and skylight. Staff note that wooden shingles may not be suitable due to fire separations between buildings and therefore the applicant may be required to use alternative materials that provide a similar effect.

*THAT staff be directed to notify neighbours of the date of First Reading of Zoning Amendment Bylaw 1065-76, 2024.*

*AND THAT Council authorizes the issuance of DP-2024-10 subject to:*

- a) the consideration of adding shingle siding and a skylight to the proposed Garden Suite; and*
- b) adoption of Zoning Amendment Bylaw 1065-76, 2024*

### **Option 2: Request changes to draft Bylaw 1065-76**

This option provides Council with the opportunity to request a change, or more information before proceeding to first reading.

*THAT the following changes be made/information be provided prior to First Reading of Zoning Bylaw Amendment 1065-76, 2024...*

### **Option 3: Deny the Zoning Amendment and close the file.**

This option rejects the application.

*THAT Zoning Amendment Bylaw 1065-76, 2024 be rejected.*

**ATTACHMENTS**

- Attachment A – Application Drawings and applicant proposal
- Attachment B – Draft Bylaw 1065-76
- Attachment C – ADP minutes from February 9, 2024
- Attachment D – Draft DP-2024-10

Respectfully Submitted,

Katie Thomas  
Planner II

**Report reviewed by:**

<input checked="" type="checkbox"/>	Chief Administrative Officer
<input type="checkbox"/>	Director of Corporate Services
<input type="checkbox"/>	Director of Finance
<input type="checkbox"/>	Director of Infrastructure Services
<input checked="" type="checkbox"/>	Director of Planning and Development