

TOWN OF GIBSONS

BYLAW NO. 1065-78, 2024

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 to add the property at 1057 Gibsons Way to the Upper Gibsons Commercial District C-1 zone, to enable development of a six-storey commercial and residential rental development on the site with reduced parking requirements, and to eliminate the minimum size requirement for apartment units in the zone,

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

- 1) This Bylaw may be cited as the *Zoning Amendment Bylaw No. 1065-78, 2024*.
- 2) The *Town of Gibsons Zoning Bylaw No. 1065, 2007* is amended by:
 - a) Altering the zoning designation of LOT B, EXCEPT: PART ON PLAN BCP24580 BLOCK 1 DISTRICT LOT 683 PLAN9351, from the existing C-5 per SCR D Bylaw 310 to Upper Gibsons Commercial District 1 (C-1) on Schedule A to Bylaw No. 1065, as shown in Appendix A attached to and forming part of this bylaw;
 - b) Amending Section 11.02 (5) to remove the following:

“..., limited to apartment dwelling units having a gross floor area of not less than 55.0 m² (592.0 ft²) each”
 - c) Inserting the following after Section 11.11:

11.12 Site-Specific Conditions

For the lot described as LOT B, EXCEPT PART ON PLAN BCP24580 BLOCK 1 DISTRICT LOT 683 PLAN 9351 (1065-1057 Gibsons Way):

- (1) Principal buildings that provide 100% of dwelling units as rentals, including assisted living facilities, may have a maximum building height of 23.0 m.
- (2) Notwithstanding 11.02 (5):
 - a) Apartment use may be located on the ground floor of a building if located behind or below a commercial use that fronts Gibsons Way;

- b) Where commercial and residential uses are combined within a unit, a restrictive covenant shall be registered against the Title of the property identifying the floor areas designated for each use.
- (3) Notwithstanding the regulations in Section 6.12, the minimum number of off-street parking spaces required for a rental apartment dwelling unit or assisted living dwelling unit is 0.97;
- (4) Notwithstanding Section 6.05 (c)(ii), the balance of the letter of credit securing the car share provision may be returned in full upon written confirmation by the car sharing service that it has operated a shared vehicle at the shared vehicle parking space for a minimum of three years after an Occupancy Permit has been issued for the building in respect of which the shared vehicle was provided.
- d) Making such consequential alterations and annotations as are required to give effect to this amending bylaw.

NOTICE of First Reading, mailed the	11 TH	day of JULY,	2024
READ a first time the	XX	day of XXXX,	2024
READ a second time the	XX	day of XXXX,	2024
READ a third time the	XX	day of XXXX,	2024
APPROVED pursuant to Section 52(3)(a) of the <i>Transportation Act</i> the	XX	day of XXXX,	2024
ADOPTED the	XX	day of XXXX,	2024

Silas White, Mayor

Rebecca Anderson, Corporate Officer



Appendix A

Zoning Amendment Bylaw No. 1065-78 2024



To alter the zoning designation of LOT B, EXCEPT PART ON PLAN BCP24580 BLOCK 1 DISTRICT LOT 683 PLAN 9351 (Civic Address: 1065-1057 Gibsons Way) from C-5 per SCR Bylaw 310 to Upper Gibsons Commercial District 1 (C-1) per Bylaw 1065.