



# STAFF REPORT

**TO:** Council **MEETING DATE:** January 23, 2024  
**FROM:** Planner II **FILE NO:** 3220-GibsonsWay-702  
**SUBJECT:** **OCP and Zoning Amendment for a 5-unit residential development at 702 Gibsons Way**

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## REPORT FOR DECISION

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### PURPOSE

The purpose of this report is to provide Council with the application for a 5-unit detached residential development at 702 Gibsons Way and obtain direction to change the land use of the property to allow a different form of development than what the OCP envisions.

### BACKGROUND

The Town has received the following three applications:

1. OCP Amendment – to change the land use designation from Medium Density Residential to Low Density Residential 1; to remove the minimum FSR in Low Density Residential 1; and to change the design guidelines from DPA 4 (multi-unit residential) to DPA 8 (intensive residential) on Schedule E.
2. Zoning Amendment – to change the zoning from Single-Family and Two-Family Residential 3 (R-3) zone to a new zone: Residential Cluster 3 (RCL-3).
3. Development Permit for Form and Character – under DPA 8

### PREVIOUS APPLICATIONS

Three previous applications in 2018, 2019, and 2021 were received for this property and none have come to fruition. It appears to be a challenging property to develop.

#### 2018

In 2018, the applicant applied for a Zoning Amendment in 2018 to alter the zoning designation from Single-Family and Two-Family Residential Zone 3 (R-3) to Multi-Family Residential Zone 5 (RM-5) to allow the construction of an eight-unit residential multi-family development, as shown in Figure 1. The Zoning Amendment included a change to the RM-5 zone to reduce the

setbacks to allow the proposal, including the reduction of the front setback from 7.5-metres to 3-metres, and the interior side lot setbacks from 4.5-metres to 2-metres.

The proposal was designed with larger upper-floor units and smaller ground-floor units intended to provide family housing in the upper units with a secondary suite on the ground-level to support affordable rental or sale rates.



Figure 1: 2018 proposal for the site

On January 8, 2019, Council considered the results of a Public Hearing and Third Reading and passed the following Resolution:

**R2019-016 Public Hearing Report for Zoning Amendment Bylaw No. 1065-44, 2018 and Third Reading at 702 Gibsons Way**

MOVED by Councillor Croal

SECONDED by Councillor De Andrade

THAT the report titled Public Hearing Report for Zoning Amendment Bylaw No. 1065-44, 2018 and Third Reading at 702 Gibsons Way be received;

AND THAT Bylaw 1065-44, 2018 be altered prior to third reading by deleting provision 2(c) to maintain current Multi-Family Residential Zone 5 (RM-5) setbacks;

AND THAT Council gives "Zoning Amendment Bylaw No. 1065-44, 2018" third reading;

AND FURTHER THAT approval pursuant to Section 52 of the Transportation Act be met prior to consideration of Adoption of Zoning Amendment Bylaw No. 1065-44, 2018.

With the decision to maintain the setbacks of the RM-5 zone, the 6-metre fire lane access and the 4.5-metre side setback, left a small 4.5 m wide developable area. The application was withdrawn, and the Bylaw Readings were rescinded.

**2019**

In 2019, the Town received a Development Variance Permit (DVP) application at 702 Gibsons Way requesting to relax the lot width to facilitate a two-lot subdivision with panhandle access. This application was later withdrawn as the lot area within a panhandle does not contribute to the lot area of a parcel, and the subdivision did not meet the minimum lot area requirements.

**2021**

In 2021, the applicant applied for a two-lot subdivision without panhandle access, to allow a duplex on one lot and a single-family home on the other. A Preliminary Layout Assessment was issued July 13, 2021, and a Servicing Agreement (SA-2022-02) was signed and later withdrawn after the development was put on hold.

**Site Conditions**

The property is difficult to develop due to the following:

- The property is narrow and long, with a 15 m width and 77 m length.
- A 6 m wide access must be provided to meet Fire Code specifications.
- With a 1.5 metre side yard setback, the maximum building width is 7.5 metres.
- Fulfilling parking requirements is challenging: 2 spaces are required per single-family dwelling, duplex, and townhouse unit, and 1.5 spaces per apartment unit.

Past multi-family developments along this portion of Gibsons Way have amalgamated lots (736 Gibsons Way and 728 Gibsons Way) or has direct access to a street (665 Crucil). The applicant has advised that they have spoken with both adjacent property owners to potentially amalgamate and expand the development area, however, neither are interested in selling.

**DISCUSSION****Site and Surrounding Uses**

702 Gibsons Way is located on the upper side of the road, between Crucil Road and Wyngaert Road, as shown in Figure 2.

The property currently consists of one single family home with a garage behind. The property is adjacent to Walt's Towing business to the east and a vacant commercial building to the west. Across the road is a 3-storey live/work apartment building and a 3-storey mixed-use commercial building with commercial at grade residential rentals above.

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

The property is approximately 1160 m<sup>2</sup> in size and has a 6 m slope from north to south.

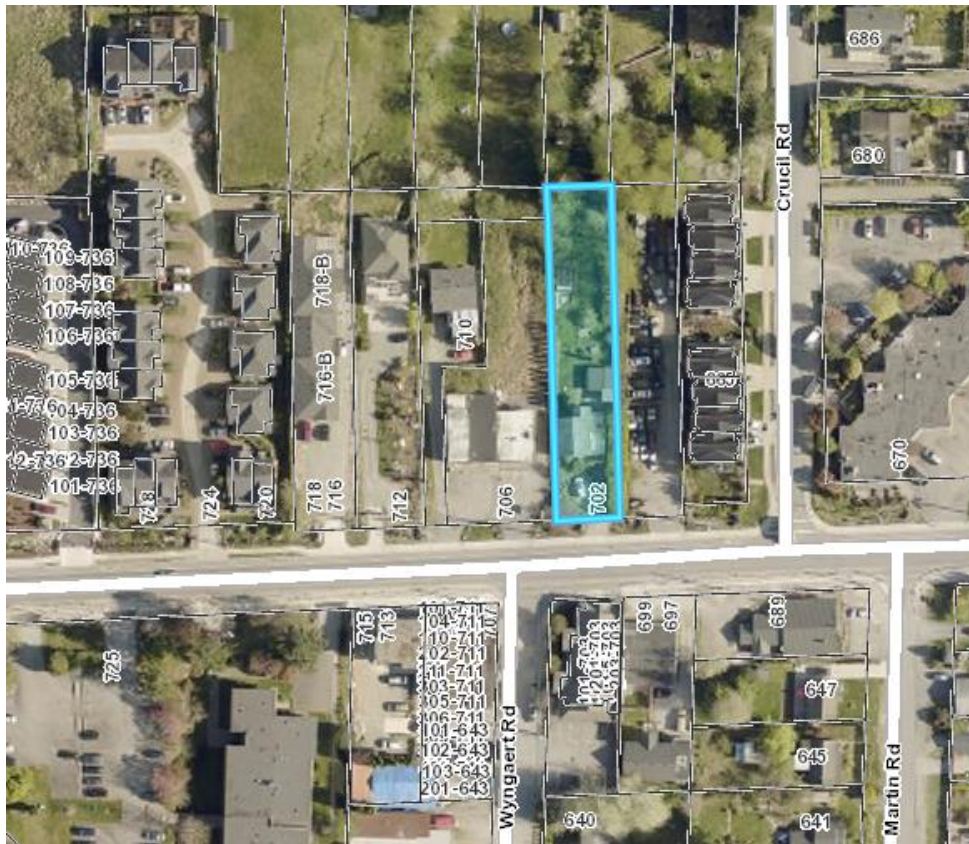


Figure 2: Location of the subject property

Table 1: Surrounding uses

	Existing Land Use	Existing Zoning	Exiting OCP Designation
<b>North</b>	Single-Family	Single-Family and Two-Family Residential Zone 3 (R-3)	Low Density Residential 2
<b>South</b>	Mixed Use building	Live Work Zone 2 (LW2)	Live/Work
<b>East</b>	Walt’s towing yard	Auto Commercial Zone 3 (C-3)	Medium Density Residential
<b>West</b>	Commercial building	Upper Gibsons Commercial District 1 (C-1) and Single-Family and Two-Family Residential Zone 3 (R-3)	Live/work

## Application proposal

The applicant has applied to demolish the existing home on the property and replace it with five 1350 sq ft, 3-storey, 3-bedroom single detached homes, each with its own garage and carport, as shown in Figure 3.



Figure 3: Development proposal

The property will have one shared driveway accessing each house, and each house offers two parking spaces.

The main living area is intended to be on the second floor, with each unit having two south facing decks.

The development will be a strata, with each home having an individual Title. As per the Fire Department's recommendations, each building will be sprinklered.

Five homes are proposed with a total floor space ratio (FSR) for the property at 0.53.

The application drawings are enclosed as attachment A.

This report reviews the land use applications only, considering allowing for multiple single-family homes on one lot, instead of townhouses or an apartment building. A separate report will be prepared to review the form and character of the proposal if Council directs staff to move the land use changes forward.

## Planning Context

### Current Official Community Plan Land Use Designation

The OCP designates 702 Gibsons Way as Medium Density Residential, as shown in Figure 4. The intent of this designation is:

*To permit townhouses, stacked townhouses and 2 to 4 storey apartments with a FSR of 0.7 to a maximum of 1.2 (generally between 40-75 units per hectare).*

The property is also within Development Permit Area 4 for Multi-Unit Residential development.

The OCP intends for generally 4.6 - 8.7 units on the property. The development proposes 5 units, which aligns with the unit per hectare density, but does not align with the FSR.

An OCP amendment is required as for two reasons:

1. The FSR of the proposal is 0.53, which is below the 0.7 - 1.2 FSR range of the Medium Density Residential land use designation.
2. The Medium Density Residential land use specifies vertical building forms (townhouses, stacked townhouses, and apartments) and therefore single detached dwellings are not listed as a building form in the intent and description of the land use designation.

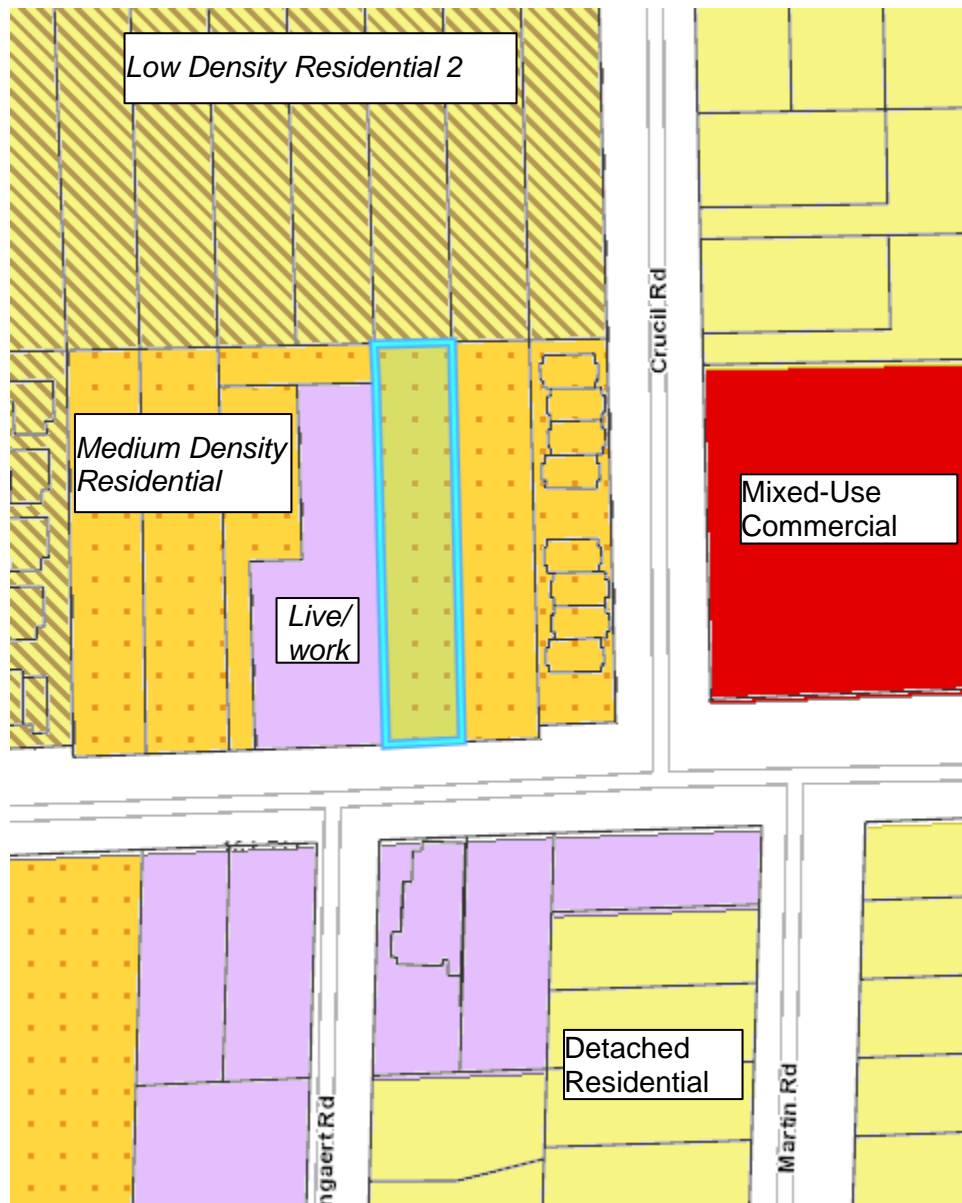


Figure 4: OCP Land Use Designations

### Current Zoning

The property is designated as Single-Family Residential and Two-Family Residential Zone 3 (R-3), as shown in Figure 5, which permits one single family house or one duplex.

The density of the R-3 zone is significantly lower than what is envisioned for this area of Gibsons Way, and the applicants are requesting to increase the density to allow more homes on the property.

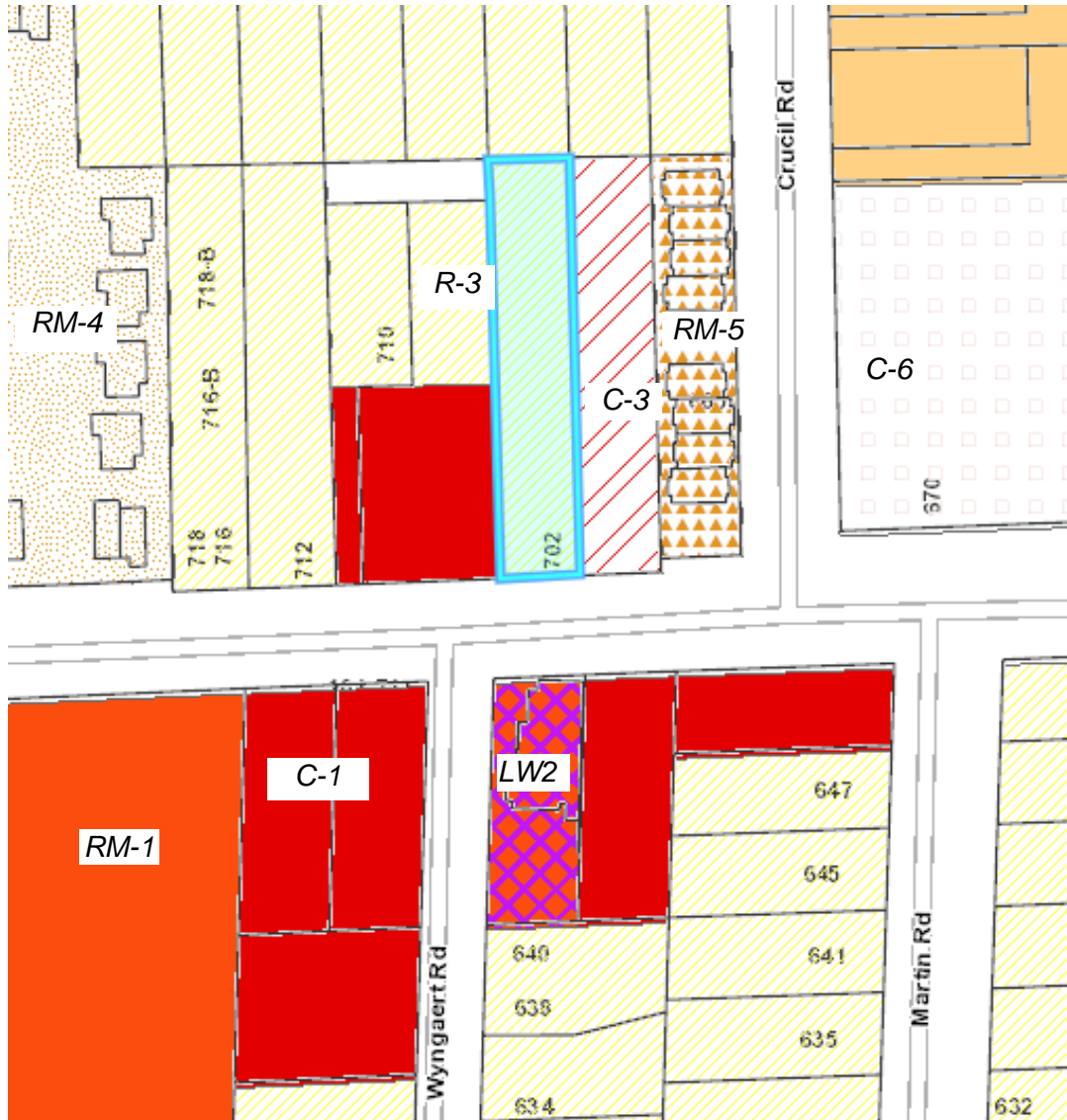


Figure 5: Current Zoning

**FSR and General Units per Hectare**

The Zoning Bylaw defines Floor Space Ratio and Gross Floor Area (GFA) as the following:

**“FLOOR SPACE RATIO (FSR)”** means a ratio calculated by gross floor area of buildings divided by the lot area upon which the buildings are located.

**“GROSS FLOOR AREA”** means the sum of the horizontal areas of each storey of a building measured from the interior faces of the exterior walls providing that in the case of a wall containing windows, the glazing line of the windows may be used. The measurement is exclusive of basement areas used only for storage or service to the building, unfinished attic space, attached garages, carports, breezeways, porches, balconies, exit stairways, corridors, and terraces. In the case of apartments, public corridors, common amenity spaces, and building mechanical systems are also excluded. In the case of congregate housing, communal dining and kitchen facilities are excluded.

The OCP provides a “general” unit per hectare calculation as well as an FSR which is not consistent with smaller unit sizes. Smaller unit sizes are likely to be more attainable than larger units. This density discrepancy will be reviewed in the OCP update.

Development proposals should meet the FSR and be generally within the units per hectare densities, meeting the intent of the OCP.

Taking the lot area of 702 Gibsons Way as an example, the minimum GFA for one unit is 102 m<sup>2</sup> (1097 ft<sup>2</sup>) and the maximum is 351 m<sup>2</sup> (3778 ft<sup>2</sup>). The GFA does not include any basement areas used only for storage or service to the building, attached garages, carports, breezeways, porches, balconies, exit stairways, corridors, and terraces. These unit sizes are large, especially when looking at increasing density, improving housing stock and creating attainable housing. 2020 Statistics Canada data: Rural Canada Housing Profiles, residential property characteristics, shows that the average total living area in British Columbia is 166 m<sup>2</sup> or 1790 ft<sup>2</sup>.

The GFA calculations are shown in Table 2 for information.

*Table 2: GFA Calculations for Medium Density Residential*

	<b>0.7 FSR</b>	<b>1.2 FSR</b>
<b>Lot Area</b>	1172 m <sup>2</sup> or 12623 ft <sup>2</sup>	1172 m <sup>2</sup> or 12623 ft <sup>2</sup>
<b>GFA of each unit if 4 units on the property</b>	205 m <sup>2</sup> or 2206 ft <sup>2</sup>	351 m <sup>2</sup> or 3778 ft <sup>2</sup>
<b>GFA of each unit if 5 units on the property</b>	162 m <sup>2</sup> or 1743 ft <sup>2</sup>	281 m <sup>2</sup> or 3024 ft <sup>2</sup>



<b>GFA of each unit if 8 units on the property</b>	102 m <sup>2</sup> or 1097 ft <sup>2</sup>	175 m <sup>2</sup> or 1883 ft <sup>2</sup>
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The Architect provided a comparison of what the development would look like with a 0.80 FSR. Figure 6 shows the 0.80 FSR renderings compared with the proposed 0.53 FSR. The main difference is the unit size and the greenspace reduction. The 3 m building separation is reduced to significantly. The Architect noted that the 0.80 FSR rendering was not checked for building or fire code compliance.



.80 FSR

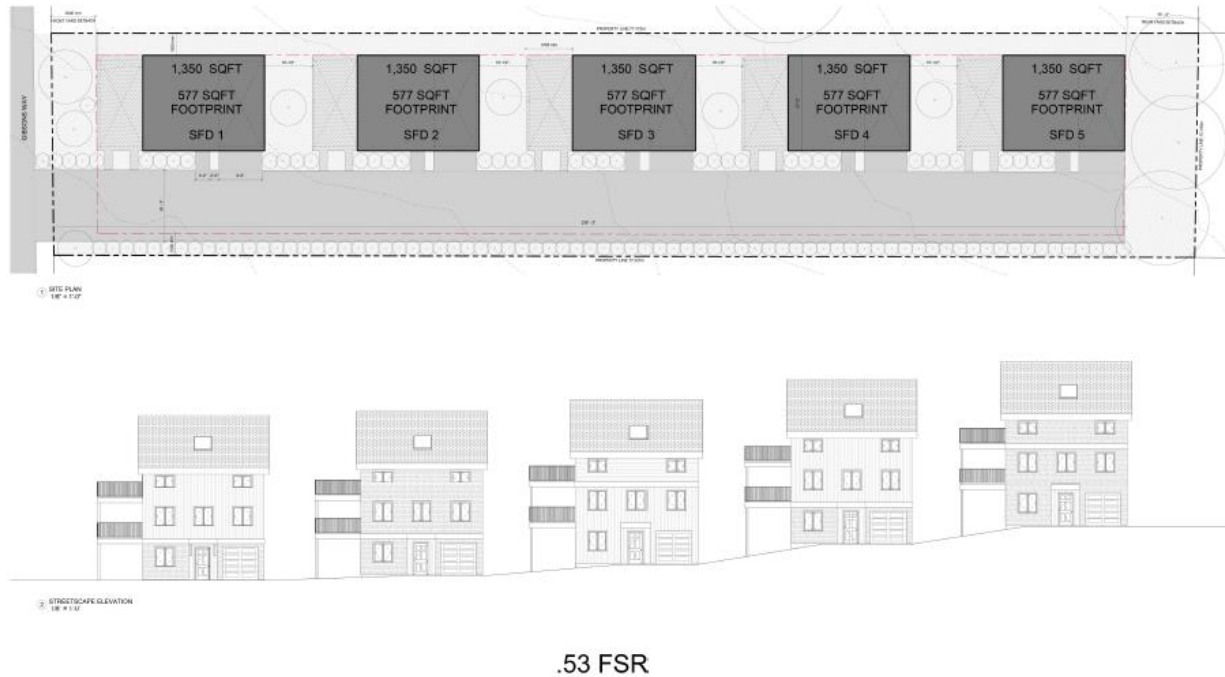


Figure 6: Comparison Site Plan and Elevation with 0.80 FSR above and 0.53 FSR below

**Bill 44 Housing Statutes (Residential Development) Amendment Act, 2023**

In November 2023, the Provincial government introduced changes to require local governments with populations over 5000 to pre-zone to allow multiple units on single family and two-family lots. As the Town of Gibsons has a population under 5000 and isn't within an urban containment boundary, these mandates do not apply to the Town.

When the Town reaches a population of 5000 and introduces the Small-Scale, Multi-Unit (SSMU) Housing mandate, the 702 Gibsons Way would likely be zoned to allow 4 units, as the property is greater than 280 m<sup>2</sup>. 6 units would be permitted if transit along Gibsons Way was to increase to every 15 minutes (currently hourly depending on time of day). If the property was subdivided, the two properties together may allow up to 8 units.

**OCP Amendment**

The existing Medium Density Residential land use designation permits vertical housing types, including stacked townhouses, townhouses and 2 to 4 storey apartments, with an FSR of 0.7 to 1.2.

The development proposes five 3-storey single detached homes. The proposal has an FSR of 0.53 which is substantially under the FSR envisioned for the Medium Density Residential of 0.7 to a maximum of 1.2. However, the proposal meets the "general" 40-75 units per hectare, as the project is calculated to have 43 units per hectare.

To allow the proposal and reconcile these density differences, the Land Use designation should be changed to Low Density Residential 1, which has the intent to:

*To permit small lot single-detached dwellings, duplexes, cluster housing, or multi-unit housing in a single-detached building form with a FSR of 0.6 to a maximum FSR of 0.75 (generally 20 to 25 units per hectare).*

With this change, the minimum FSR and the “generally 20-25 units per hectare” should be removed for this Land Use designation, which would remove the minimum GFA for dwelling units, allowing smaller units. The revised intent and description of the Low Density Residential 1 Land Use designation would read as follows:

*To permit small lot single-detached dwellings, duplexes, cluster housing, or multi-unit housing in a single-detached building form with a maximum FSR of 0.75.*

This change would be in line with the SSMUH mandates, which the Town would eventually need to introduce, and can be reviewed again as part of the larger OCP update. Should Council want to move forward with this application, Council may direct staff to draft the OCP amendment bylaw for consideration.

### **Zoning Amendment**

For the development proposal to move forward, the zoning would need to be changed from the existing R-3 zone to one that would allow multiple detached housing units on a lot. It could be a new Residential Cluster zone – Residential Cluster Zone 3 (RCL-3).

A new zone is necessary to allow for the density and height of the proposal. This new zone would allow for a higher density and allow for higher buildings as well as increase the lot coverage. Should Council want to move forward with this application, Council will direct staff to draft the zoning amendment bylaw for consideration.

### **Community Amenity Contribution**

The Community Amenity Contribution (CAC) program applies to this project. CACs are payable by the rezoning applicant prior to Council consideration of adoption of the Zoning/OCP Amendment Bylaw. The Applicant has offered to pay \$15,000 as set out in Council Policy 3.14. The CAC offer letter is enclosed as Attachment B.

## **POLICY / PLAN IMPLICATIONS**

### **Strategic Plan Implications**

Staff have reviewed the proposal under a social equity lens. The proposal aims to provide attainable 3-bedroom single family homes, which may be used for multi-generational housing, family housing, or multi-family housing.

### **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.

### **Waste Management Plan Implications**

The application was referred to the Sunshine Coast Regional District for comment:

*The applicant is encouraged to ensure building design includes adequate space for storage and servicing of recycling, food waste and garbage receptacles and ensuring the storage space is inaccessible to wildlife.*

*Through the construction phase, the applicant is encouraged to review materials accepted at the Sechelt Landfill and sort accordingly to maximize diversion and ensure compliance with recyclable materials and controlled waste. Consideration should also be given to make sure any containers for separating garbage, recycling and food waste remain accessible to collection service providers during construction and will be accessible post-construction.*

**Social and Housing Needs Assessment (2023)**

The 2023 report states that to enable working age adults and families to live on the Sunshine Coast, there needs to be a significant increase in housing that is more suitable and more affordable.

This proposal looks at constructing five 3-bedroom homes, providing attainable housing for families. When looking at the research highlights, this project would fall between the following sectors:

**What does affordable and diverse workforce housing look like?**

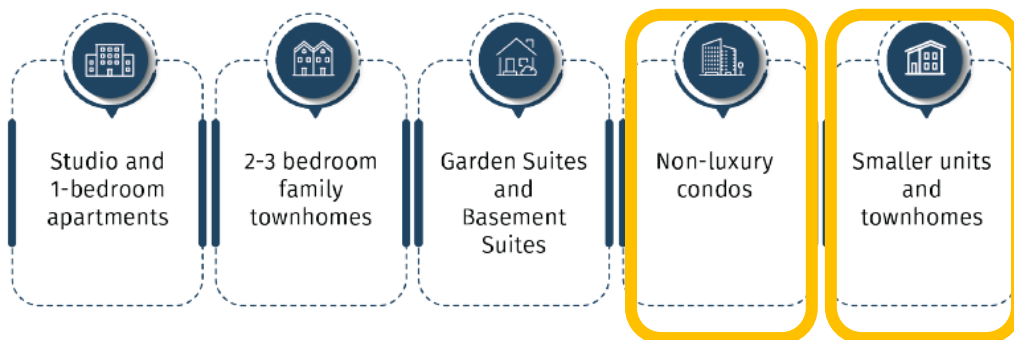


Figure 7: Infographic from the 2023 Social and Housing Needs Assessment Executive Summary page 17

**CONDITIONS FOR APPROVAL**

**Lane development between Hillcrest and Gibsons Way**

The Town is slowly creating a lane parallel to and between Hillcrest Road and Gibsons Way, as many of the lots fronting these roads are long and narrow. This lane is created through rezonings or subdivision with road dedications and is currently intermittent. By creating a rear access lane, the area can densify more easily, and it also improves the active transportation network with a new link. Thus the property owner will be requested to provide a 5 m right of way for future lane access at the rear of the property on condition of development.

Recently the Town has received a petition requesting the lane, enclosed as Attachment C.

**Sprinkler Covenant**

The Fire Department reviewed the development plans, and because the access driveway is under 6 m wide, the Fire Department is requesting that all dwelling units on the property be sprinklered. This would be included in a Covenant and registered to the property Title as a condition of rezoning.

**REFERRAL**

Referral comments have been received and presented in the Table below.

Referrals sent	Comments Received
<p><i>Skwxwú7mesh Úxwumix (Squamish Nation)</i></p>	<p><i>SN's Archaeology Specialist commented that overall, there is low archaeological concern as the location is up from the waterline and previously disturbed. He asks to ensure that a Chance Find Management Protocol is in place but that no other archaeological work required at this time.</i></p> <p><i>Comments from the Environmental Specialist:</i></p> <ul style="list-style-type: none"> <li><i>- Our Climate Action Managers recommend the proponent consider the implementation of climate resilient standards (e.g., HEPA smoke filters, passive cooling, and increased stormwater drainage capacity) and recommend the building design incorporates future climate impacts (increased temperatures, increased risk to fire and smoke, increased rainfall and wind, as well as changes to external flood risks). We also recommend buildings are designed to net zero carbon emissions (considering clean power/heat, building envelope, renewables, and embodied carbon) and the highest sustainability standards as possible (including considerations for water conservation, stormwater management, waste management, transportation, environmental conservation, and food security).</i></li> <li><i>- Would like to review any associated EOAs, EIAs, BMPs, and/or EMPs for these proposed works.</i></li> </ul>

<p>Gibsons and District Volunteer Fire Department (GDVFD)</p>	<p><i>A-9.10.20.3.(1) Fire Department Access Route Modification. In addition to other considerations taken into account in the planning of fire department access routes, special variations could be permitted for a house or residential building that is protected with an automatic sprinkler system. The sprinkler system must be designed in accordance with the appropriate NFPA standard and there must be assurance that water supply pressure and quantity are unlikely to fail. These considerations could apply to buildings that are located on the sides of hills and are not conveniently accessible by roads designed for firefighting equipment and also to infill housing units that are located behind other buildings on a given property.</i></p> <p><i>The driveway is under 6 meters so access for fire trucks is limited and sprinklers would be requested.</i></p> <ol style="list-style-type: none"> <li><i>1. Road design is in accordance with BCBC 3.2.5.6.</i></li> <li><i>2. Access Routes and Access Route locations are in accordance with BCBC 3.2.5.4. and 3.2.5.5.</i></li> </ol>
<p>Vancouver Coastal Health</p>	<p><i>No comments received as of January 15, 2024</i></p>
<p>Ministry of Transportation and Infrastructure (MOTI)</p>	<p><i>No comments received as of January 15, 2024</i></p>
<p>Infrastructure Services Department</p>	<ul style="list-style-type: none"> <li><i>- 5 meter right of way at northern end of property required</i></li> <li><i>- On-site water service analysis required by developer's engineer to ensure that there is sufficient fire flows for sprinklers and fire hydrant.</i></li> <li><i>- Applicable fees include DCCs, Prowse Road Latecomer fee, SCR D Bulk Water Facilities Charge, and Service Connection Fees.</i></li> <li><i>- Gibsons Way is designated as a Type 1 Collector Road, therefore full frontage works are required (as per Bylaw 1175).</i></li> <li><i>- Tree Removal Permit required prior to removal of trees.</i></li> </ul>
<p>Building Department</p>	<p><i>Spatial separation calculations to be provided with building permit submission.</i></p> <ul style="list-style-type: none"> <li><i>-Code compliance still to be determined with building permit review.</i></li> <li><i>-If lower level is to be used as secondary suite, it will need to be constructed with the required fire separations and other code requirements.</i></li> <li><i>-Fire department access to be reviewed by Gibsons Fire Department. (Seems to be not wide enough on proposed drawings)</i></li> <li><i>-Sprinklers may be required depending on the spatial separation calculations and the fire department access.</i></li> </ul>
<p>Public Works Department</p>	<p><i>Property is currently serviced; services may need to be resized for the increased number of units</i></p>
<p>Sunshine Coast Regional District (SCR D)</p>	<p><i>Comments under Waste Management Plan.</i></p>

Advisory Design Panel (ADP)	<i>The draft minutes from the January 10, 2024 meeting are enclosed as Attachment D.</i>
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**OPTIONS**

Three options are proposed below for Council’s consideration. Staff recommends Option 2.

**Option 1      Direct staff to draft amendments to the Official Community Plan and Zoning Bylaw.**

*THAT staff be directed to draft an Official Community Plan Amendment Bylaw and **Zoning Amendment Bylaw for the development as proposed.***

<b>Pros</b>	<b>Cons</b>
<p><i>Increases the density of the lot, and avoids subdivision into more detached lots .</i></p> <p><i>Single family form of the project breaks up the massing and provides view corridors between units.</i></p> <p><i>Proposal provides detached multi-unit housing, in a walkable area of Town.</i></p>	<p><i>Spot-zoning.</i></p> <p><i>Building form is not what the OCP currently envisions.</i></p> <p><i>Does not provide interesting outdoor amenity space between buildings</i></p> <p><i>May set a precedent to reduce OCP density in the area.</i></p>

**Option 2      Request revision to the proposal to align with the intent of the Medium Density Residential Land Use Designation more closely**

*A) THAT the Applicant be directed to revise the proposal to meet the Medium Density Residential OCP land use designation.*

OR

*B) THAT the Applicant be directed to revise the proposal to add an additional unit to increase the FSR of the project.*

This is staffs recommended option. The narrow lot is difficult to develop to the OCPs intention. This option provides direction and clarity to the applicant on what Council would like to see from a revised application.

The ADP recommended eliminating the single-family style and increasing density on the lot. Increasing the density will have implications on parking, lot coverage and privacy. The applicant has mentioned two possible alternatives to the single detached proposal. Staff have provided some pros and cons to each alternative, noting that a complete proposal has not yet been reviewed.

Alternative proposal 1: 6 townhouse units, same style as original proposal, without setbacks between units

<b>Pros</b>	<b>Cons</b>
<p><i>Brings the FSR more into alignment, however at 0.64 FSR, its still under the 0.7 FSR the Medium Density Residential designation is looking for.</i></p> <p><i>The proposal fits the vertical housing type specified in Medium Density Residential</i></p> <p><i>Parking would be met.</i></p>	<p><i>Reduces open space</i></p> <p><i>Eliminates view corridors between units</i></p>

Alternative proposal 2: 8-12 apartment style units

<b>Pros</b>	<b>Cons</b>
<p><i>Retains the OCP's vision for multi-family residential housing in the form of apartments or townhouses.</i></p> <p><i>More units on the lot.</i></p>	<p><i>Reduces open space</i></p> <p><i>Limited outdoor amenity space</i></p> <p><i>Eliminates view corridors</i></p> <p><i>Parking reduction required</i></p> <p><i>Possible overlook to neighbouring lots.</i></p>

**Option 3 Deny the proposal**

*THAT the applications OCP-2023-03 and ZA-2023-04 be denied, and the file closed.*

This option rejects the proposal. The applicant would not be able to re-apply for 6 months if the proposal is denied by Council.

<b>Pros</b>	<b>Cons</b>
<p><i>Retains the OCP's vision for multi-family residential housing in the form of apartments or townhouses.</i></p>	<p><i>Retains the R-3 zoning, which is not an efficient use of land in this location.</i></p>



**Attachments**

- Attachment A – Application package
- Attachment B – CAC offer letter
- Attachment C – Letters requesting a lane between Hillcrest and Gibsons Way
- Attachment D – ADP minutes

Respectfully Submitted,

Katie Thomas  
Planner II

**Report reviewed by:**

X	Chief Administrative Officer
X	Director of Corporate Services
	Director of Finance
	Director of Infrastructure Services
X	Director of Planning and Development