

# Town of Gibsons Zoning Bylaw

Bylaw No. 1342 | 2025



# 1. Title, Contents and Zoning Map

## 1.1. Title and Contents

### 1.1.1. Preface

1. **WHEREAS** it is deemed desirable to adopt a new Zoning Bylaw for the Town of Gibsons in order to:
  - 1.1. better give effect to the policies of the “Town of Gibsons Official Community Plan, Bylaw No. 1339, 2025” and amending Bylaws; and,
  - 1.2. clarify, update, and make more efficient and effective the operation of the Town’s Zoning Bylaw;
2. **NOW THEREFORE** the Council of the Town of Gibsons in open meeting assembled enacts as follows:

### 1.1.2. Title

1. This Bylaw may be cited for all purposes as the "Town of Gibsons Zoning Bylaw No. 1342, 2025," the “Zoning Bylaw,” or the “Bylaw.”

### 1.1.3. Repeals

1. “Town of Gibsons Zoning Bylaw No. 1065, 2007” and amendments thereto, is hereby repealed.
2. On February 1, 2028, Section 7.1.2.3 of the Town of Gibsons Zoning Bylaw No. 1342, 2025 is repealed.

### 1.1.4. Contents

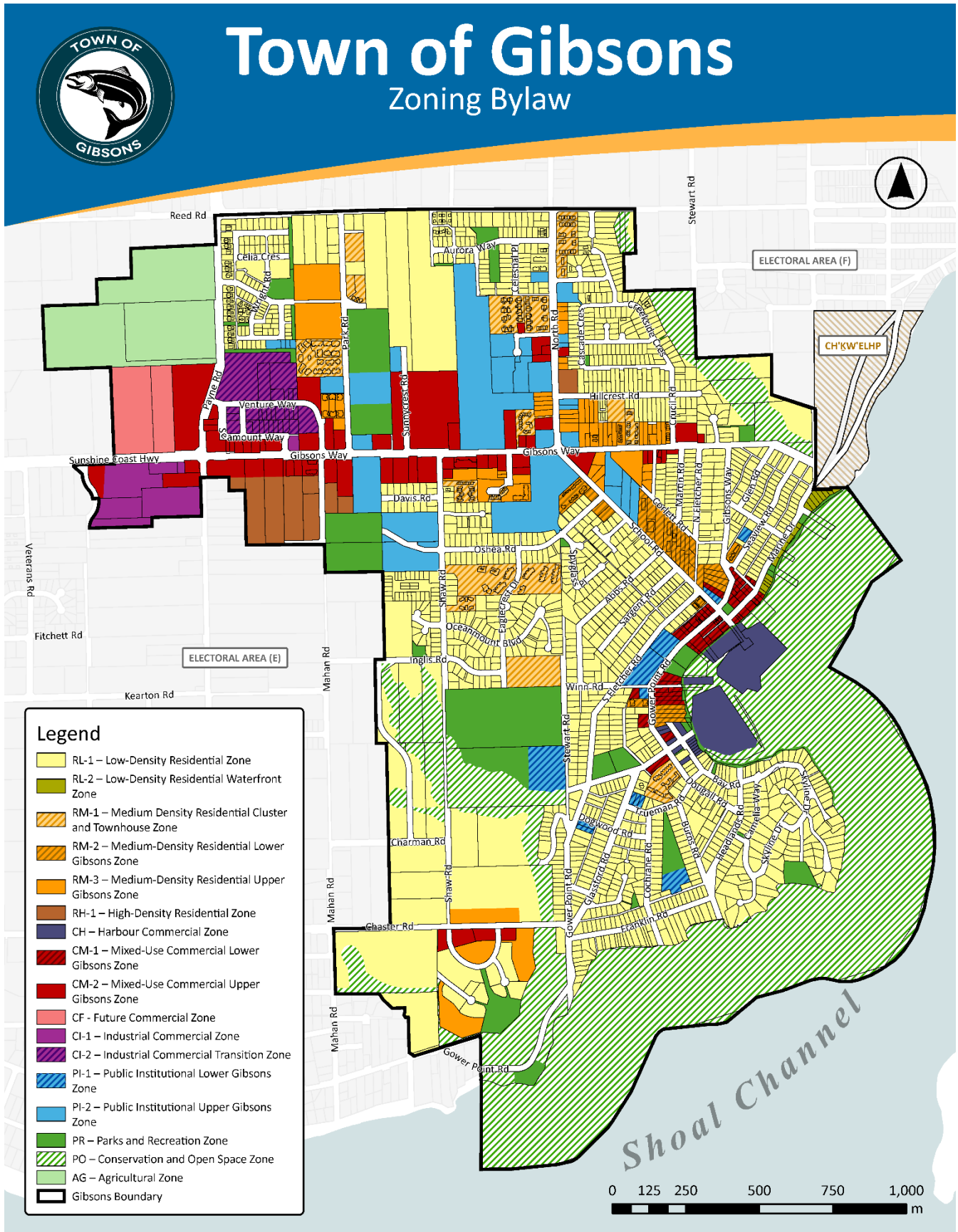
1. The contents of this Bylaw include:

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1.2. Zoning Map



## 2. Standard Zones

### 2.1. List of Zones

1. The Town is hereby divided into the following named zones and their short form equivalent:

Zone Titles	Short Form
<a href="#">Low-Density Residential Zone</a>	RL-1
<a href="#">Low-Density Residential Waterfront Zone</a>	RL-2
<a href="#">Medium-Density Residential Cluster and Townhouse Zone</a>	RM-1
<a href="#">Medium-Density Residential Lower Gibsons Zone</a>	RM-2
<a href="#">Medium-Density Residential Upper Gibsons Zone</a>	RM-3
<a href="#">High-Density Residential Zone</a>	RH-1
<a href="#">Mixed-Use Commercial Lower Gibsons Zone</a>	CM-1
<a href="#">Mixed-Use Commercial Upper Gibsons Zone</a>	CM-2
<a href="#">Harbour Commercial Zone</a>	CH
<a href="#">Industrial Commercial Zone</a>	CI-1
<a href="#">Industrial Commercial Transitional Zone</a>	CI-2
<a href="#">Future Commercial Zone</a>	CF
<a href="#">Public Institutional Lower Gibsons Zone</a>	PI-1
<a href="#">Public Institutional Upper Gibsons Zone</a>	PI-2
<a href="#">Parks and Recreation Zone</a>	PR
<a href="#">Conservation and Open Space Zone</a>	PO
<a href="#">Agricultural Zone</a>	AG
<a href="#">Comprehensive Development Area Zones (Part 9)</a>	CDA

## 2.2. Residential Zones

### 2.2.1. RL-1 – Low-Density Residential Zone

#### 1. Intent

- 1.1. The intent of the Low-Density Residential Zone (RL-1) is to allow a variety of low-density, ground-oriented residential uses at a scale compatible with heritage building forms.

#### 2. Permitted Uses

##### 2.1. Principal Uses

- 2.1.1. [Residential](#)

##### 2.2. Accessory Uses

- 2.2.1. [Accessory Buildings](#)
- 2.2.2. [Home Occupation](#)
- 2.2.3. [Short-Term Rental](#), subject to regulations in [Part 3 Section 3.7.4](#).

- 2.3. Uses permitted in all zones are listed in [Part 3 Section 3.8.1](#).

#### 3. Prohibited Uses

- 3.1. Docks, piers, and wharves are not permitted as an [Accessory Use](#).

#### 4. Density

- 4.1. On [Lots](#) with a [Lot Area](#) less than or equal to 280 m<sup>2</sup>, the maximum number of [Dwelling Units](#) is three.
- 4.2. On [Lots](#) with a [Lot Area](#) greater than 280 m<sup>2</sup>, the maximum number of [Dwelling Units](#) is four.
- 4.3. The maximum [Gross Floor Area \(GFA\)](#) for a [Dwelling Unit](#) developed without any other [Dwelling Units](#) as part of the same [Building](#) is 325 m<sup>2</sup>.
- 4.4. The maximum [Dwelling Units](#) permitted in a [Building](#) is four.

#### 5. Site and Building Regulations

- 5.1. For the portion of the [Lot](#) located within 7.5 m from the [Rear Lot Line](#), the maximum [Building Height](#) is 6.5 m. For all other areas of the [Lot](#), the maximum [Building Height](#) is 8.5 m.
- 5.2. The maximum [Building Longitudinal Axis](#) is 20 m.
- 5.3. The maximum [Lot Coverage](#) is 50%.
- 5.4. The minimum [Setback](#) from North Road is 5 m.
- 5.5. The minimum [Front Lot Line Setback](#) is 5 m.
- 5.6. The minimum [Rear Lot Line Setback](#) when there is no rear [Lane](#) is 3.5 m.
- 5.7. The minimum [Rear Lot Line Setback](#) when there is a rear [Lane](#) is 1.5 m.
- 5.8. The minimum [Interior Side Lot Line Setback](#) is 1.5 m.
- 5.9. The minimum [Exterior Side Lot Line Setback](#) is 3 m.

- 5.10. Where one or more [Dwelling Units](#) are located on a corner [Lot](#) at the intersection of two [Streets](#), and where those [Dwelling Units](#) are set back from the [Lot](#) lines abutting both [Streets](#), by a distance equal to or greater than the [Setback](#) from a [Front Lot Line](#) prescribed in that zone, then the rear [Setback](#) for that [Building](#) may be reduced to that required from an [Exterior Side Lot Line](#).

## 6. Parking Regulations

- 6.1. Parking regulations are found in [Part 4](#) of the Bylaw.

## 7. Landscape Regulations

- 7.1. Landscaping and screening regulations are found in [Part 3 Section 3.4](#) of the Bylaw.

## 8. Subdivision Requirements

- 8.1. The minimum [Lot Area](#) is 280 m<sup>2</sup>.
- 8.2. The minimum [Lot Depth](#) is 25 m.
- 8.3. The minimum [Lot Width](#) for an interior [Lot](#) with a rear [Lane](#) is 10 m.
- 8.4. The minimum [Lot Width](#) for a corner [Lot](#) with a rear [Lane](#) is 12 m.
- 8.5. The minimum [Lot Width](#) for an interior [Lot](#) with no rear [Lane](#) is 13 m.
- 8.6. The minimum [Lot Width](#) for a corner [Lot](#) with no rear [Lane](#) is 15 m.
- 8.7. Despite section 8.1, the minimum [Lot Area](#) is 8 hectares for the following properties:
- 8.7.1. BLOCK 8 PLAN VAP2987 DISTRICT LOT 689 (PID: 013-265-164) – Civic  
Address: 939 Reed Road
  - 8.7.2. BLOCK 9 PLAN VAP2987 DISTRICT LOT 689 (PID: 013-265-172)
  - 8.7.3. BLOCK C PLAN VAP2987 DISTRICT LOT 689 (PID: 013-265-202)

## 2.2.2. RL-2 – Low-Density Residential Waterfront Zone

### 1. Intent

- 1.1. The intent of the Low-Density Residential Waterfront Zone (RL-2) is to allow a variety of low-density, ground-oriented residential uses adapted to the terrain of the waterfront.

### 2. Permitted Uses

#### 2.1. Principal Uses

- 2.1.1. [Residential](#)

#### 2.2. Accessory Uses

- 2.2.1. [Accessory Buildings](#)
  - 2.2.2. [Home Occupation](#)
  - 2.2.3. [Short-Term Rental](#), subject to regulations in [Part 3 Section 3.7.4](#).
- 2.3. Uses permitted in all zones are listed in [Part 3 Section 3.8.1](#).

### 3. Prohibited Uses

- 3.1. Docks, piers, and wharves are not permitted as an [Accessory Use](#).

### 4. Density

- 4.1. On [Lots](#) with a [Lot Area](#) less than or equal to 280 m<sup>2</sup>, the maximum number of [Dwelling Units](#) is three.
- 4.2. On [Lots](#) with a [Lot Area](#) greater than 280 m<sup>2</sup>, the maximum number of [Dwelling Unit](#) is four.
- 4.3. The maximum [Gross Floor Area \(GFA\)](#) for a [Dwelling Unit](#) developed without any other [Dwelling Units](#) as part of the same [Building](#) is 325 m<sup>2</sup>

### 5. Site and Building Regulations

- 5.1. The maximum [Building Height](#) is 4.5 m as measured from the [Average Grade](#) of the portion of sidewalk or pavement on Marine Drive or Marine Crescent fronting the uphill side of the [Lot](#).
- 5.2. The maximum [Building Longitudinal Axis](#) is 20 m.
- 5.3. The maximum [Lot Coverage](#) is 75%.
- 5.4. The minimum [Front Lot Line Setback](#) is 1.5 m.
- 5.5. The minimum [Rear Lot Line Setback](#) when there is no rear [Lane](#) is 2 m.
- 5.6. The minimum [Interior Side Lot Line Setback](#) is 1.5 m.
- 5.7. The minimum [Exterior Side Lot Line Setback](#) is 3 m.
- 5.8. Where one or more [Dwelling Unit](#) are located on a corner [Lot](#) at the intersection of two [Streets](#), and where those [Dwelling Unit](#) are set back from the [Lot](#) lines abutting both [Streets](#), by a distance equal to or greater than the [Setback](#) from a [Front Lot Line](#) prescribed in that zone, then the rear [Setback](#) for that [Building](#) may be reduced to that required from an [Exterior Side Lot Line](#).

## 6. Parking Regulations

6.1. Parking regulations are found in [Part 4](#) of the Bylaw.

## 7. Landscape Regulations

7.1. Landscaping and screening regulations are found in [Part 3 Section 3.4](#) of the Bylaw.

## 8. Subdivision Requirements

8.1. The minimum [Lot Area](#) is 250 m<sup>2</sup>.

8.2. The minimum [Lot Depth](#) is 15 m.

8.3. The minimum [Lot Width](#) for an interior [Lot](#) with a rear [Lane](#) is 10 m.

8.4. The minimum [Lot Width](#) for a corner [Lot](#) with a rear [Lane](#) is 12 m.

8.5. The minimum [Lot Width](#) for an interior [Lot](#) with no rear [Lane](#) is 13 m.

8.6. The minimum [Lot Width](#) for a corner [Lot](#) with no rear [Lane](#) is 15 m.

## 2.2.3. RM-1 – Medium-Density Residential Cluster and Townhouse Zone

### 1. Intent

- 1.1. The intent of the Medium-Density Residential Cluster and Townhouse Zone (RM-1) is to allow medium-density cluster development and townhouses.

### 2. Permitted Uses

#### 2.1. Principal Uses

- 2.1.1. [Residential](#), limited to [Cluster Housing](#) and [Townhouses](#).

#### 2.2. Accessory Uses

- 2.2.1. [Accessory Buildings](#)
  - 2.2.2. [Home Occupation](#)
  - 2.2.3. [Short-Term Rental](#), subject to regulations in [Part 3 Section 3.7.4](#).
- 2.3. Uses permitted in all zones are listed in [Part 3 Section 3.8.1](#).

### 3. Density

- 3.1. The maximum density is 50 [Dwelling Units](#) per hectare rounded down to the nearest whole number. The maximum density may be increased to 75 [Dwelling Units](#) per hectare to facilitate additional housing, provided that a housing agreement is in place with the Town of Gibsons.
- 3.2. The minimum [Amenity Area](#) per [Dwelling Unit](#) is 10 m<sup>2</sup>.

### 4. Site and Building Regulations

- 4.1. The maximum [Building Height](#) is 10 m.
- 4.2. The maximum [Building Height](#) may be increased to 16 m to facilitate additional housing, provided that a housing agreement is in place with the Town of Gibsons.
- 4.3. The maximum [Lot Coverage](#) is 65%.
- 4.4. The minimum [Front Lot Line Setback](#) is 3 m.
- 4.5. The minimum [Rear Lot Line Setback](#) is 1.5 m.
- 4.6. The minimum [Interior Side Lot Line Setback](#) is 1.5 m.
- 4.7. The minimum [Exterior Side Lot Line Setback](#) is 3 m.

### 5. Parking Regulations

- 5.1. Parking regulations are found in [Part 4](#) of the Bylaw.

### 6. Landscape Regulations

- 6.1. Landscaping and screening regulations are found in [Part 3 Section 3.4](#) of the Bylaw.

### 7. Subdivision Requirements

- 7.1. The minimum [Lot Area](#) is 1000 m<sup>2</sup>.
- 7.2. The minimum [Lot Depth](#) is 25 m.
- 7.3. The minimum [Lot Width](#) is 25 m.

## 2.2.4. RM-2 – Medium-Density Residential Lower Gibsons Zone

### 1. Intent

- 1.1. The intent of the Medium-Density Residential Lower Gibsons Zone (RM-2) is to allow medium-density residential uses with building heights of up to four storeys.

### 2. Permitted Uses

#### 2.1. Principal Uses

- 2.1.1. [Residential](#), limited to [Cluster Housing](#), [Townhouses](#), and [Apartments](#).

#### 2.2. Accessory Uses

- 2.2.1. [Accessory Buildings](#)
  - 2.2.2. [Home Occupation](#)
  - 2.2.3. [Short-Term Rental](#), subject to regulations in [Part 3 Section 3.7.4](#).
- 2.3. Uses permitted in all zones are listed in [Part 3 Section 3.8.1](#).

### 3. Density

- 3.1. The maximum density is 75 [Dwelling Units](#) per hectare rounded down to the nearest whole number. The maximum density may be increased to facilitate additional housing, provided that a housing agreement is in place with the Town of Gibsons.
- 3.2. The minimum [Amenity Area](#) per [Dwelling Unit](#) is 10 m<sup>2</sup>.
- 3.3. The maximum number of [Dwelling Units](#) is 69 on the following [Lots](#):
  - 3.3.1. 421, 427, 431, 437, and 445 Gower Point Road, Legal Description: Lots 5, 6, 7, and 8, Block A, District Lot 685, Plan VAP5579

### 4. Site and Building Regulations

- 4.1. The maximum [Building Height](#) is 10 m.
- 4.2. The maximum [Building Height](#) is 16 m on the following [Lots](#):
  - 4.2.1. 421, 427, 431, 437, and 445 Gower Point Road, Legal Description: Lots 5, 6, 7, and 8, Block A, District Lot 685, Plan VAP5579
- 4.3. The maximum [Building Height](#) may be increased to 16 m to facilitate additional housing, provided that a housing agreement is in place with the Town of Gibsons.
- 4.4. The maximum [Lot Coverage](#) is 65%.
- 4.5. The minimum [Front Lot Line Setback](#) is 3 m.
- 4.6. The minimum [Rear Lot Line Setback](#) is 1.5 m.
- 4.7. The minimum [Interior Side Lot Line Setback](#) is 1.5 m.
- 4.8. The minimum [Exterior Side Lot Line Setback](#) is 3 m.

### 5. Parking Regulations

- 5.1. Parking regulations are found in [Part 4](#) of the Bylaw.

### 6. Landscape Regulations

- 6.1. Landscaping and screening regulations are found in [Part 3 Section 3.4](#) of the Bylaw.

## 7. Subdivision Requirements

- 7.1. The minimum [Lot Area](#) is 1000 m<sup>2</sup>.
- 7.2. The minimum [Lot Depth](#) is 25 m.
- 7.3. The minimum [Lot Width](#) is 25 m.

## 2.2.5. RM-3 – Medium-Density Residential Upper Gibsons Zone

### 1. Intent

- 1.1. The intent of the Medium-Density Residential Upper Gibsons Zone (RM-3) is to allow medium-density residential uses and limited accessory commercial uses on corner lots in Upper Gibsons, with building heights of up to four storeys.

### 2. Permitted Uses

#### 2.1. Principal Uses

- 2.1.1. [Residential](#), limited to [Cluster Housing](#), [Townhouses](#), and [Apartments](#).

#### 2.2. Accessory Uses

- 2.2.1. [Accessory Buildings](#)
  - 2.2.2. [Food and Beverage](#)
  - 2.2.3. [Home Occupation](#)
  - 2.2.4. [Retail](#)
  - 2.2.5. [Short-Term Rental](#), subject to regulations in [Part 3 Section 3.7.4](#).
- 2.3. Uses permitted in all zones are listed in [Part 3 Section 3.8.1](#).

### 3. Use-Specific Regulations

- 3.1. The maximum combined [Gross Floor Area](#) for [Food and Beverage](#) and [Retail Uses](#) is 50 m<sup>2</sup>.
- 3.2. [Food and Beverage](#) and [Retail Uses](#) are permitted on a corner [Lot](#) and must be located on the ground floor of the [Principal Building](#).

### 4. Density

- 4.1. The maximum density is 100 [Dwelling Units](#) per hectare, rounded down to the nearest whole number. The maximum density may be increased to 149 [Dwelling Units](#) per hectare facilitate additional housing, provided that a housing agreement is in place with the Town of Gibsons.
- 4.2. The minimum [Amenity Area](#) per [Dwelling Unit](#) is 10 m<sup>2</sup>.

### 5. Site and Building Regulations

- 5.1. The maximum [Building Height](#) is 15 m.
- 5.2. The maximum [Lot Coverage](#) is 75%.
- 5.3. The minimum [Setback](#) from Highway 101, North Road, and abutting [Lots](#) zoned RL-1 or RL-2 is 5 m.
- 5.4. The minimum [Front Lot Line Setback](#) is 3 m.
- 5.5. The minimum [Rear Lot Line Setback](#) is 1.5 m.
- 5.6. The minimum [Interior Side Lot Line Setback](#) is 1.5 m.
- 5.7. The minimum [Exterior Side Lot Line Setback](#) is 3 m.

### 6. Parking Regulations

- 6.1. Parking regulations are found in [Part 4](#) of the Bylaw.

## 7. Landscape Regulations

7.1. Landscaping and screening regulations are found in [Part 3, Section 3.4](#) of the Bylaw.

## 8. Subdivision Requirements

- 8.1. The minimum [Lot Area](#) is 1000 m<sup>2</sup>.
- 8.2. The minimum [Lot Depth](#) is 25 m.
- 8.3. The minimum [Lot Width](#) is 25 m.

## 2.2.6. RH-1 – High-Density Residential Zone

### 1. Intent

- 1.1. The intent of the High-Density Residential Zone (RH-1) is to allow high-density residential uses near transit and services in Upper Gibsons, with limited accessory commercial uses and building heights of up to six storeys.

### 2. Permitted Uses

#### 2.1. Principal Uses

- 2.1.1. [Residential](#), limited to [Townhouses](#) and [Apartments](#).

#### 2.2. Accessory Uses

- 2.2.1. [Accessory Buildings](#)
  - 2.2.2. [Food and Beverage](#)
  - 2.2.3. [Home Occupation](#)
  - 2.2.4. [Retail](#)
  - 2.2.5. [Short-Term Rental](#), subject to regulations in [Part 3 Section 3.7.4](#).
- 2.3. Uses permitted in all zones are listed in [Part 3 Section 3.8.1](#).

### 3. Use-specific Regulations

- 3.1. The maximum combined [Gross Floor Area](#) for [Food and Beverage](#) and [Retail Uses](#) is 100 m<sup>2</sup>.
- 3.2. [Food and Beverage](#) and [Retail Uses](#) must be located on the ground floor of the [Principal Building](#).

### 4. Density

- 4.1. The maximum density is 150 [Dwelling Units](#) per hectare, rounded down to the nearest whole number. The maximum density may be increased to facilitate additional housing, provided that a housing agreement is in place with the Town of Gibsons.
- 4.2. The minimum amenity area per [Dwelling Unit](#) is 10 m<sup>2</sup>.

### 5. Site and Building Regulations

- 5.1. The maximum [Building Height](#) is 15 m. The maximum density may be increased to 20 m to facilitate additional housing, provided that a housing agreement is in place with the Town of Gibsons.
- 5.2. The maximum [Lot Coverage](#) is 80%.
- 5.3. The minimum [Front Lot Line Setback](#) is 3 m.
- 5.4. The minimum [Rear Lot Line Setback](#) is 1.5 m.
- 5.5. The minimum [Interior Side Lot Line Setback](#) is 1.5 m.
- 5.6. The minimum [Exterior Side Lot Line Setback](#) is 3 m.

### 6. Parking Regulations

- 6.1. Parking regulations are found in [Part 4](#) of the Bylaw.

## 7. Landscape Regulations

7.1. Landscaping and screening regulations are found in [Part 3, Section 3.4](#) of the Bylaw.

## 8. Subdivision Requirements

- 8.1. The minimum [Lot Area](#) is 1000 m<sup>2</sup>.
- 8.2. The minimum [Lot Depth](#) is 25 m.
- 8.3. The minimum [Lot Width](#) is 25 m.

## 2.3. Commercial Zones

### 2.3.1. CM-1 – Mixed-Use Commercial Lower Gibsons Zone

#### 1. Intent

- 1.1. The intent of the Mixed-Use Commercial Lower Gibsons Zone (CM-1) is to create active commercial street and seawalk frontages and support economic vitality in Lower Gibsons, with residential opportunity above or below the ground floor, and with building heights of up to two storeys from the street level.

#### 2. Permitted Uses

##### 2.1. Principal Uses

- 2.1.1. [Arts and Culture](#)
- 2.1.2. [Entertainment and Recreation](#)
- 2.1.3. [Food and Beverage](#)
- 2.1.4. [Hotel](#)
- 2.1.5. [Office](#)
- 2.1.6. [Residential](#)
- 2.1.7. [Retail](#)
- 2.1.8. [Service Commercial](#)

##### 2.2. Accessory Uses

- 2.2.1. [Accessory Buildings](#)
- 2.2.2. [Home Occupation](#)
- 2.2.3. [Microbrewery](#)
- 2.2.4. [Short-Term Rental](#), subject to regulations in [Part 3 Section 3.7.4](#).

##### 2.3. Site Specific Principal Uses

- 2.3.1. [Institutional](#) is permitted on the following [Lots](#):

- 2.3.1.1. Lot C, Block 22, District Lot 685, Plan VAP4856

- 2.4. Uses permitted in all zones are listed in [Part 3 Section 3.8.1](#).

#### 3. Use-specific Regulations

- 3.1. [Residential Uses](#) must be located above, below, or behind a [Commercial Use](#) facing a [Street](#).

#### 4. Density

- 4.1. The maximum density is 75 [Dwelling Units](#) per hectare, rounded down to the nearest whole number.
- 4.2. The minimum [Amenity Area](#) per [Dwelling Unit](#) is 10 m<sup>2</sup>.

#### 5. Site and Building Regulations

- 5.1. The maximum [Building Height](#) is 7.5 m.

- 5.2. The maximum [Building Height](#) for [Lots](#) along the north side of Marine Drive is 7.5 m, measured from the [Average Natural Grade](#) at the Marine Drive property line.
- 5.3. The maximum [Building Height](#) for lots along the south side of Marine Drive is 4.5 m, measured from the [Average Natural Grade](#) at the Marine Drive property line.
- 5.4. The maximum [Building Height](#) is 10 m on the following [Lots](#):
  - 5.4.1. 529 Gibsons Way, Legal Description: Lot 22, Block 2, District Lot 686, Plan VAP3307
  - 5.4.2. 721 Winn Road, Legal Description: Lot 3, District Lot 685, Plan VAP4060
  - 5.4.3. 385 Gower Point Road, Legal Description: Lot 1, Block A, District Lot 686, Plan VAP14197
  - 5.4.4. 397 Gower Point Road, Legal Description: Lot 1, Block A, District Lot 685, Plan VAP5579
  - 5.4.5. 444 Gower Point Road, Legal Description: Lot 18, Block 4&9, District Lot 685, Plan VAP7013
  - 5.4.6. 473 Gower Point Road, Legal Description: Lot C, Block 22, District Lot 685, Plan VAP4856
  - 5.4.7. 505 Gower Point Road, Legal Description: Lot A, Block 16, District Lot 685, Plan VAP7109
- 5.5. The maximum [Lot Coverage](#) is 90%.
- 5.6. The minimum [Front Lot Line Setback](#) is 1.5 m.
- 5.7. The minimum [Rear Lot Line Setback](#) is 1.5 m.
- 5.8. The minimum [Interior Side Lot Line Setback](#) is 0 m when the abutting [Lot](#) is not in a residential zone.
- 5.9. The minimum [Interior Side Lot Line Setback](#) is 1.5 m when the abutting [Lot](#) is in a residential zone.
- 5.10. The minimum [Exterior Side Lot Line Setback](#) is 1.5 m.

## 6. Parking Regulations

- 6.1. Parking regulations are found in [Part 4](#) of the Bylaw.

## 7. Landscape Regulations

- 7.1. Landscaping and screening regulations are found in [Part 3, Section 3.4](#) of the Bylaw.

## 8. Subdivision Requirements

- 8.1. The minimum [Lot Area](#) is 235 m<sup>2</sup>.
- 8.2. The minimum [Lot Depth](#) is 7.5 m.
- 8.3. The minimum [Lot Width](#) is 30 m.

## 2.3.2. CM-2 – Mixed-Use Commercial Upper Gibsons Zone

### 1. Intent

- 1.1. The intent of the Mixed-Use Commercial Upper Gibsons Zone (CM-2) is to create active commercial streets and support economic vitality by encouraging a mix of commercial uses on the ground floor or above, complemented by residential use above, with building heights of four to six storeys.

### 2. Permitted Uses

#### 2.1. Principal Uses

- 2.1.1. [Arts and Culture](#)
- 2.1.2. [Entertainment and Recreation](#)
- 2.1.3. [Food and Beverage](#)
- 2.1.4. [Gas Station](#), subject to section 3.2 of this zone.
- 2.1.5. [Hotel](#)
- 2.1.6. [Microbrewery](#)
- 2.1.7. [Office](#)
- 2.1.8. [Residential](#), limited to [Townhouses](#) and [Apartments](#).
- 2.1.9. [Retail](#)
- 2.1.10. [Service Commercial](#)
- 2.1.11. [Veterinary Services](#)

#### 2.2. Accessory Uses

- 2.2.1. [Accessory Buildings](#)
- 2.2.2. [Business Services](#)
- 2.2.3. [Home Occupation](#)
- 2.2.4. [Short-Term Rental](#), subject to regulations in [Part 3 Section 3.7.4](#).

- 2.3. Uses permitted in all zones are listed in [Part 3 Section 3.8.1](#).

### 3. Use-specific Regulations

- 3.1. [Residential Uses](#) must be located above, below or behind a [Commercial Use](#) facing a [Street](#).
- 3.2. [Gas Stations](#) are only permitted in the following lots:
  - 3.2.1. 883 Gibsons Way, Legal Description: Lot P Plan VAP20757 District Lot 1328.
  - 3.2.2. 900 Gibsons Way, Legal Description: Lot 1 Block C Plan VAP16817 District Lot 689.
  - 3.2.3. 1012 Seamount Way, Legal Description: Lot 54 Block 1-4 Plan VAP 18824 District Lot 689.

### 4. Density

- 4.1. The maximum density is 150 [Dwelling Unit](#) per hectare, rounded down to the nearest whole number. The maximum density may be increased to facilitate

additional housing, provided that a housing agreement is in place with the Town of Gibsons.

- 4.2. The minimum [Amenity Area](#) per [Dwelling Unit](#) is 10 m<sup>2</sup>.

## 5. Site and Building Regulations

- 5.1. The maximum [Building Height](#) is 15 m.
- 5.2. Notwithstanding 2.3.2.5.5.1 above, the maximum [Building Height](#) is 10 m on the following lots:
- 5.2.1. 682 Gibsons Way, Legal Description: Lot 86, Block 7, District Lot 688, Plan VAP14641
  - 5.2.2. 670 Crucil Road, Legal Description: Lot 86, Block 7, District Lot 686, Plan VAP14641
  - 5.2.3. 689 Gibsons Way, Legal Description: Lot 14, Block 2, District Lot 686, Plan VAP4303
  - 5.2.4. 697 Gibsons Way, Legal Description: Lot 4, Block 2, District Lot 686, Plan VAP7759
  - 5.2.5. 699 Gibsons Way, Legal Description: Lot 4, Block 2, District Lot 686, Plan VAP7759
  - 5.2.6. 707 Gibsons Way, Legal Description: Lot 1, Block 2, District Lot 686, Plan VAP7759
  - 5.2.7. 746 North Road, Legal Description: Lot C, Block 4, District Lot 688, Plan VAP17237
  - 5.2.8. 771 Gibsons Way, Legal Description: Lot D, Block 2, District Lot 686, Plan VAP20785
- 5.3. The maximum [Building Height](#) may be increased to 20 m to facilitate additional housing, provided that a housing agreement is in place with the Town of Gibsons.
- 5.4. The maximum [Lot Coverage](#) is 80%.
- 5.5. The minimum [Setback](#) from any [Lot](#) line abutting Highway 101 or North Road is 5 m.
- 5.6. The minimum [Front Lot Line Setback](#) is 3 m.
- 5.7. The minimum [Rear Lot Line Setback](#) is 1.5 m.
- 5.8. The minimum [Interior Side Lot Line Setback](#) is 0 m when the abutting [Lot](#) is not in a residential zone.
- 5.9. The minimum [Interior Side Lot Line Setback](#) is 1.5 m when the abutting [Lot](#) is in a residential zone.
- 5.10. The minimum [Exterior Side Lot Line Setback](#) is 3 m.

## 6. Parking Regulations

- 6.1. Parking regulations are found in [Part 4](#) of the Bylaw.

## 7. Landscape Regulations

- 7.1. Landscaping and screening regulations are found in [Part 3 Section 3.4](#) of the Bylaw.

## 8. Subdivision Requirements

- 8.1. The minimum [Lot Area](#) is 235 m<sup>2</sup>.
- 8.2. The minimum [Lot Depth](#) is 7.5 m.
- 8.3. The minimum [Lot Width](#) is 30 m.

## 2.3.3. CH – Harbour Commercial Zone

### 1. Intent

- 1.1. The intent of the Harbour Commercial Zone (CH) is to allow commercial uses that support marine activities and commercial enterprises that serve the public, and support fishing and water-based transportation activities.

### 2. Permitted Uses

#### 2.1. Principal Uses

- 2.1.1. [Business Services](#)
- 2.1.2. [Food and Beverage](#)
- 2.1.3. [Manufacturing](#)
- 2.1.4. [Marine Services](#)
- 2.1.5. [Office](#)
- 2.1.6. [Parking Lot](#)
- 2.1.7. [Retail](#)
- 2.1.8. [Service Commercial](#)

#### 2.2. Accessory Uses

- 2.2.1. [Accessory Buildings](#)
- 2.2.2. One [Houseboat](#) is permitted per [Lot](#) as an accessory to [Marine Services Use](#).

- 2.3. Uses permitted in all zones are listed in [Part 3 Section 3.8.1](#).

### 3. Site and Building Regulations

- 3.1. The maximum [Building Height](#) is 7.5 m.
- 3.2. The maximum [Lot Coverage](#) is 80%.
- 3.3. The minimum [Front Lot Line Setback](#) is 7.5 m.
- 3.4. The minimum [Rear Lot Line Setback](#) is 9 m.
- 3.5. The minimum [Interior Side Lot Line Setback](#) is 3 m.
- 3.6. The minimum [Exterior Side Lot Line Setback](#) is 3 m.

### 4. Parking Regulations

- 4.1. Parking regulations are found in [Part 4](#) of the Bylaw.

### 5. Landscape Regulations

- 5.1. Landscaping and screening regulations are found in [Part 3, Section 3.4](#) of the Bylaw.

### 6. Subdivision Requirements

- 6.1. The minimum [Lot Area](#) is 1000 m<sup>2</sup>.
- 6.2. The minimum [Lot Depth](#) is 30 m.
- 6.3. The minimum [Lot Width](#) is 30 m.

## 2.3.4. CI-1 – Industrial Commercial Zone

### 1. Intent

- 1.1. The intent of the Industrial Commercial Zone (CI-1) is to allow industrial and commercial uses, including manufacturing and material supply to the public and to other businesses. Retail sales, except wholesales, are limited in size to ensure that the principal uses are service- and logistics-oriented.

### 2. Permitted Uses

#### 2.1. Principal Uses

- 2.1.1. [Automotive Services](#)
- 2.1.2. [Business Services](#)
- 2.1.3. [Manufacturing](#)
- 2.1.4. [Marine Services](#)
- 2.1.5. [Office](#)
- 2.1.6. [Veterinary Services](#)
- 2.1.7. [Warehousing](#)

#### 2.2. Accessory Uses

- 2.2.1. [Accessory Buildings](#)
- 2.2.2. [Food and Beverage](#)
- 2.2.3. [Retail](#)

- 2.3. Uses permitted in all zones are listed in [Part 3 Section 3.8.1](#).

### 3. Use-specific Regulations

- 3.1. The maximum total [Gross Floor Area](#) permitted for [Retail Use](#) is 1000 m<sup>2</sup>.
- 3.2. The maximum total [Gross Floor Area](#) permitted for [Food and Beverage Use](#) is 1000 m<sup>2</sup>.

### 4. Site and Building Regulations

- 4.1. The maximum [Building Height](#) is 12 m.
- 4.2. The maximum [Lot Coverage](#) is 80%.
- 4.3. The minimum [Front Lot Line Setback](#) is 6 m.
- 4.4. The minimum [Rear Lot Line Setback](#) is 3 m.
- 4.5. The minimum [Interior Side Lot Line Setback](#) is 3 m.
- 4.6. The minimum [Exterior Side Lot Line Setback](#) is 3 m.

### 5. Parking Regulations

- 5.1. Parking regulations are found in [Part 4](#) of the Bylaw.

### 6. Landscape Regulations

- 6.1. Landscaping and screening regulations are found in [Part 3, Section 3.4](#) of the Bylaw.

## 7. Subdivision Requirements

- 7.1. The minimum [Lot Area](#) is 1100 m<sup>2</sup>.
- 7.2. The minimum [Lot Depth](#) is 30 m.
- 7.3. The minimum [Lot Width](#) is 30 m.

## 2.3.5. CI-2 – Industrial Commercial Transition Zone

### 1. Intent

- 1.1. The intent of the Industrial Commercial Transition Zone (CI-2) is to allow industrial and commercial uses in industrial areas that are transitioning to commercial areas.

### 2. Permitted Uses

#### 2.1. Principal Uses

- 2.1.1. [Automotive Services](#)
- 2.1.2. [Arts and Culture](#)
- 2.1.3. [Business Services](#)
- 2.1.4. [Entertainment and Recreation](#)
- 2.1.5. [Manufacturing](#)
- 2.1.6. [Marine Services](#)
- 2.1.7. [Microbrewery](#)
- 2.1.8. [Office](#)
- 2.1.9. [Service Commercial](#)
- 2.1.10. [Veterinary Services](#)
- 2.1.11. [Warehousing](#)
- 2.1.12. [Retail](#)

#### 2.2. Accessory Uses

- 2.2.1. [Accessory Buildings](#)
- 2.2.2. [Food and Beverage](#)

- 2.3. Uses permitted in all zones are listed in [Part 3 Section 3.8.1](#).

### 3. Use-specific Regulations

- 3.1. The maximum total [Gross Floor Area](#) permitted for [Retail Use](#) is 1000 m<sup>2</sup>.
- 3.2. The maximum total [Gross Floor Area](#) permitted for [Food and Beverage Use](#) is 1000 m<sup>2</sup>.

### 4. Site and Building Regulations

- 4.1. The maximum [Building Height](#) is 12 m.
- 4.2. The maximum [Lot Coverage](#) is 80%.
- 4.3. The minimum [Front Lot Line Setback](#) is 6 m.
- 4.4. The minimum [Rear Lot Line Setback](#) is 3 m.
- 4.5. The minimum [Interior Side Lot Line Setback](#) is 3 m.
- 4.6. The minimum [Exterior Side Lot Line Setback](#) is 3 m.

### 5. Parking Regulations

- 5.1. Parking regulations are found in [Part 4](#) of the Bylaw.

## 6. Landscape Regulations

6.1. Landscaping and screening regulations are found in [Part 3, Section 3.4](#) of the Bylaw.

## 7. Subdivision Requirements

- 7.1. The minimum [Lot Area](#) is 1100 m<sup>2</sup>.
- 7.2. The minimum [Lot Depth](#) is 30 m.
- 7.3. The minimum [Lot Width](#) is 30 m.

## 2.3.6. CF – Future Commercial Zone

### 1. Intent

- 1.1. The intent of the Future Commercial Zone (CF) is to allow limited commercial and residential uses in areas that are reserved for future mixed-use commercial developments.

### 2. Permitted Uses

#### 2.1. Principal Uses

- 2.1.1. [Business Services](#)
- 2.1.2. [Service Commercial](#)

#### 2.2. Accessory Uses

- 2.2.1. [Accessory Buildings](#)
  - 2.2.2. [Residential](#), limited to 1 [Dwelling Unit](#)
- 2.3. Uses permitted in all zones are listed in [Part 3 Section 3.8.1](#).

### 3. Use-specific Regulations

- 3.1. The maximum total [Gross Floor Area](#) permitted for [Residential Use](#) is 325 m<sup>2</sup>.
- 3.2. The maximum total [Gross Floor Area](#) permitted for [Business Services](#) is 1500 m<sup>2</sup>.
- 3.3. The maximum total [Gross Floor Area](#) permitted for [Service Commercial](#) is 1500 m<sup>2</sup>.

### 4. Site and Building Regulations

- 4.1. The maximum [Building Height](#) is 8.5 m.
- 4.2. The maximum [Lot Coverage](#) is 50%.
- 4.3. The minimum [Front Lot Line Setback](#) is 6 m.
- 4.4. The minimum [Rear Lot Line Setback](#) is 3 m.
- 4.5. The minimum [Interior Side Lot Line Setback](#) is 3 m.
- 4.6. The minimum [Exterior Side Lot Line Setback](#) is 3 m.

### 5. Parking Regulations

- 5.1. Parking regulations are found in [Part 4](#) of the Bylaw.

### 6. Landscape Regulations

- 6.1. Landscaping and screening regulations are found in [Part 3, Section 3.4](#) of the Bylaw.

### 7. Subdivision Requirements

- 7.1. The minimum [Lot Area](#) is 6 hectares.
- 7.2. The minimum [Lot Depth](#) is 30 m.
- 7.3. The minimum [Lot Width](#) is 30 m.

## 2.4. Institutional Zones

### 2.4.1. PI-1 – Public Institutional Lower Gibsons Zone

#### 1. Intent

- 1.1. The intent of the Public Institutional Lower Gibsons Zone (PI-1) is to allow a mix of community-oriented uses, including educational, cultural, recreational, public administration, and health and safety services, as well as rental residential development at a scale compatible with heritage building forms.

#### 2. Permitted Uses

##### 2.1. Principal Uses

- 2.1.1. [Arts and Culture](#)
- 2.1.2. [Health Services](#)
- 2.1.3. [Institutional](#)
- 2.1.4. [Office](#)
- 2.1.5. [Residential](#)
- 2.1.6. [Parks and Recreation](#)

##### 2.2. Accessory Uses

- 2.2.1. [Accessory Buildings](#)
- 2.2.2. [Food and Beverage](#)
- 2.2.3. [Home Occupation](#)
- 2.2.4. [Retail](#)

- 2.3. Uses permitted in all zones are listed in [Part 3 Section 3.8.1](#).

#### 3. Use-specific Regulations

- 3.1. [Residential Uses](#) are permitted only in the form of [Residential Rental Tenure](#) provided that a housing agreement is in place with the Town of Gibsons.
- 3.2. The maximum total [Gross Floor Area](#) permitted for [Retail Uses](#) is 50 m<sup>2</sup>.
- 3.3. The maximum total [Gross Floor Area](#) permitted for [Food and Beverage Uses](#) is 50 m<sup>2</sup>.

#### 4. Site and Building Regulations

- 4.1. The maximum [Building Height](#) is 9 m.
- 4.2. The maximum [Lot Coverage](#) is 80%.
- 4.3. The minimum [Front Lot Line](#) Setback is 3 m.
- 4.4. The minimum [Interior Side Lot Line](#) Setback is 1.5 m.
- 4.5. The minimum [Exterior Side Lot Line](#) Setback is 1.5 m.
- 4.6. The minimum [Rear Lot Line](#) Setback is 3 m.

#### 5. Parking Regulations

- 5.1. Parking regulations are found in [Part 4](#) of the Bylaw.

## 6. Subdivision Requirements

- 6.1. The minimum [Lot Area](#) is 1000 m<sup>2</sup>.
- 6.2. The minimum [Lot Width](#) is 30 m.
- 6.3. Minimum [Lot Depth](#) is 30 m.

## 7. Landscape Regulations

- 7.1. Landscaping and screening regulations are found in [Part 3, Section 3.4](#) of the Bylaw.

## 2.4.2. PI-2 – Public Institutional Upper Gibsons Zone

### 1. Intent

- 1.1. The intent of the Public Institutional Upper Gibsons Zone (PI-2) is to allow a mix of community-oriented uses, including educational, cultural, recreational, public administration, and health and safety services, as well as rental residential development in Upper Gibsons.

### 2. Permitted Uses

#### 2.1. Principal Uses

- 2.1.1. [Arts and Culture](#)
- 2.1.2. [Health Services](#)
- 2.1.3. [Institutional](#)
- 2.1.4. [Office](#)
- 2.1.5. [Residential](#)
- 2.1.6. [Parks and Recreation](#)

#### 2.2. Accessory Uses

- 2.2.1. [Accessory Buildings](#)
- 2.2.2. [Food and Beverage](#)
- 2.2.3. [Home Occupation](#)
- 2.2.4. [Retail](#)

- 2.3. Uses permitted in all zones are listed in [Part 3 Section 3.8.1](#).

### 3. Use-specific Regulations

- 3.1. [Residential](#) is permitted with a height of up to 20m only in the form of [Residential Rental Tenure](#) provided that a housing agreement is in place with the Town of Gibsons.
- 3.2. The maximum total [Gross Floor Area](#) permitted for [Retail Uses](#) is 50 m<sup>2</sup>.
- 3.3. The maximum total [Gross Floor Area](#) permitted for [Food and Beverage Uses](#) is 50 m<sup>2</sup>.

### 4. Site and Building Regulations

- 4.1. The maximum [Building Height](#) is 15 m, unless subject to section 2.4.2.3.1.
- 4.2. The maximum [Lot Coverage](#) is 80%.
- 4.3. The minimum [Front Lot Line](#) Setback is 3 m.
- 4.4. The minimum [Interior Side Lot Line](#) Setback is 1.5 m.
- 4.5. The minimum [Exterior Side Lot Line](#) Setback is 1.5 m.
- 4.6. The minimum [Rear Lot Line](#) Setback is 3 m.

### 5. Parking Regulations

- 5.1. Parking regulations are found in [Part 4](#) of the Bylaw.

## 6. Subdivision Requirements

- 6.1. The minimum [Lot Area](#) is 1000 m<sup>2</sup>.
- 6.2. The minimum [Lot Width](#) is 30 m.
- 6.3. Minimum [Lot Depth](#) is 30 m.

## 7. Landscape Regulations

- 7.1. Landscaping and screening regulations are found in [Part 3, Section 3.4](#) of the Bylaw.

### 2.4.3. PR – Parks and Recreation Zone

#### 1. Intent

- 1.1. The intent of the Parks and Recreation Zone (PR) is to allow for public recreation, outdoor activities, sports, and community gatherings.

#### 2. Permitted Uses

##### 2.1. Principal Uses

- 2.1.1. [Parks and Recreation](#)
- 2.1.2. [Conservation](#)

##### 2.2. Accessory Uses

- 2.2.1. [Accessory Buildings](#)
- 2.2.2. [Food and Beverage](#)

- 2.3. Uses permitted in all zones are listed in [Part 3 Section 3.8.1](#).

#### 3. Site and Building Regulations

- 3.1. The maximum [Building Height](#) is 10.5 m.
- 3.2. The minimum [Front Lot Line](#) Setback is 9 m.
- 3.3. The minimum [Interior Side Lot Line](#) Setback is 3 m.
- 3.4. The minimum [Exterior Side Lot Line](#) Setback is 3 m.
- 3.5. The minimum [Rear Lot Line](#) Setback is 9 m.

#### 4. Landscape Regulations

- 4.1. Landscaping and screening regulations are found in [Part 3, Section 3.4](#) of the Bylaw.

#### 5. Parking Regulations

- 5.1. Parking regulations are found in [Part 4](#) of the Bylaw.

## 2.4.4. PO – Conservation and Open Space Zone

### 1. Intent

- 1.1. The intent of the Conservation and Open Space Zone (PO) is to protect natural areas and ecosystems and provide public access to nature. Development is restricted to preserve ecological integrity, maintain biodiversity, and protect wildlife habitats.

### 2. Permitted Uses

- 2.1. Notwithstanding [Part 3, Section 3.8.1](#) of the Bylaw, the following use is the only permitted use in the PO Zone:
  - 2.1.1. [Conservation](#)

## 2.5. Agricultural Zone

### 2.5.1. AG – Agricultural Zone

#### 1. Intent

- 1.1. The intent of the Agricultural Zone (AG) is to allow agricultural and limited residential uses on lands within the Agricultural Land Reserve (ALR).

#### 2. Permitted Uses

##### 2.1. Principal Uses

2.1.1. [Agricultural](#)

2.1.2. [Residential](#)

##### 2.2. Accessory Uses

2.2.1. [Accessory Buildings](#)

2.2.2. [Home Occupation](#)

- 2.3. Uses permitted in all zones are listed in [Part 3 Section 3.8.1](#).

#### 3. Density

- 3.1. The maximum number of [Dwelling Units](#) is three.
- 3.2. The maximum total [Gross Floor Area \(GFA\)](#) for [Residential](#) is 600 m<sup>2</sup>.

#### 4. Site and Building Regulations

- 4.1. The maximum [Building Height](#) is 10.5 m.
- 4.2. The maximum [Lot Coverage](#) is 25%.
- 4.3. The minimum [Front Lot Line](#) Setback is 10 m.
- 4.4. The minimum [Interior Side Lot Line](#) Setback is 10 m.
- 4.5. The minimum [Exterior Side Lot Line](#) Setback is 10 m.
- 4.6. The minimum [Rear Lot Line](#) Setback is 10 m.

#### 5. Parking Regulations

- 5.1. Parking regulations are found in [Part 4](#) of the Bylaw.

#### 6. Subdivision Requirements

- 6.1. The minimum [Lot Area](#) is 20,240 m<sup>2</sup>.

## 3. General Regulations

### 3.1. Siting & Buildings

#### 3.1.1. Buildings Per Lot

1. No [Building](#) or [Structure](#) shall be constructed, extended, altered or moved, nor any change in [Use](#) of land undertaken, so as to cause any existing [Building](#) or [Structure](#) on the same [Lot](#) to contravene the provisions of the Bylaw.

#### 3.1.2. General Location and Siting of Buildings or Structures

1. No [Building](#) and [Structure](#) shall be sited closer to a [Lot](#) line than the [Setback](#) specified in this Bylaw.
2. A [Building](#) must not be located over a [Lot](#) line, except where a party wall separating two [Dwelling Units](#) is located on and parallel to an [Interior Side Lot Line](#).

#### 3.1.3. Siting Exceptions

1. Roof overhangs, eaves, gutters, canopies, sunlight control projections or balconies, where projecting beyond the face of a [Principal Building](#) and located at least 2.5 m above [Finished Grade](#) may be sited 1 m closer to a [Front Lot Line](#), [Rear Lot Line](#) or [Exterior Side Lot Line](#), and 0.6 m closer to an [Interior Side Lot Line](#), than the [Setback](#) specified elsewhere in this Bylaw.
2. Porches, porticoes, steps and decks projecting beyond the face of a [Principal Building](#) may be sited 1 m closer to a [Front Lot Line](#), [Rear Lot Line](#) or [Exterior Side Lot Line](#), and 0.6 m closer to an [Interior Side Lot Line](#), than the [Setback](#) specified elsewhere in this Bylaw.
3. Bay windows, chimneys, alcoves, and other minor architectural features projecting from the face of a [Principal Building](#) not exceeding 2.5 m each in length, nor together not covering more than 50% of the length of the section of the wall from which they project, may be sited 0.6 m closer to [Lot](#) lines than the setbacks specified elsewhere in this Bylaw.
4. Retaining walls may be sited within setbacks and areas subject to flooding when provided for the purpose of protecting sites from subsidence, erosion, and site stability; retaining walls may not be sited in areas subject to flooding or within setbacks if the purpose is not deemed to meet the aforementioned criteria or for aesthetic, privacy, or property demarcation purposes.

#### 3.1.4. Height Exceptions

1. Certain features and equipment are exempt from the maximum [Building Height](#) otherwise permitted in this Bylaw, provided they meet the coverage limits below.
  - 1.1. The following [Structures](#) are exempt from the [Building Height](#) limit:
    - 1.1.1. Church steeples, cupolas, domes, and towers
    - 1.1.2. Stair towers, elevator penthouses, hose towers, and stage towers
    - 1.1.3. Mechanical and service equipment, including ventilating, cooling, and heating systems, water tanks, and solar panels

- 1.1.4. Wind turbines, antennae, aerials, flagpoles, chimneys, and transmission towers
- 1.1.5. Transparent guards, fire escapes, open trellises, shade structures, industrial silos, cranes, storage tanks, and rigging towers
- 1.2. Together, these features must not cover more than 20% of the [Lot Area](#) or 10% of the roof area of the [Building](#) on which they are located.

### 3.2. Agricultural Land Reserve (ALR)

1. For any [Lot](#) abutting the [Agricultural Land Reserve](#), the minimum setback for a [Building](#) or [Structure](#) is 10 m from the ALR boundary.

### 3.3. Development in Areas Subject to Flooding

1. Any portion of a [Building](#) or [Structure](#) used for habitation shall be located:
  - 1.1. At least 0.6 m above the 200-year flood level or 2 m above the natural boundary of the ocean or any waterbody or watercourse, whichever is higher;
  - 1.2. At least 15 m from the natural boundary of the ocean;
  - 1.3. At least 30 m from the natural boundary of Gibson Creek;
  - 1.4. At least 15 m from the natural boundary of Charman and Chaster creeks; or
  - 1.5. At least 5 m from the natural boundary of Goosebird and all other creeks.
2. The floor level elevation required under subsection (3.3.1.1) above may be achieved by landfill or structural elevation, but where landfill is used, the face of such landfill must be adequately protected against erosion.
3. The maximum height from the underside of floor joists to the floor below is a maximum of 1.8 m for crawlspaces before they become a basement.
4. Heating, ventilation, electrical equipment and switchgear are prohibited from being located below the floor level elevation required under subsection (3.3.1.1).

## 3.4. Landscaping & Screening

### 3.4.1. Fences, Retaining Walls and Landscape Screens

1. Subject to subsection (2) hereunder and to any applicable provisions of any other Bylaw in regard to [fences](#) adjacent to a public highway, [fences](#) and [Landscape Screens](#), including hedges, not exceeding 1.5 m in height may be sited in any location on a [Lot](#).
2. [Fences](#) and [Landscape Screens](#), including hedges not exceeding 2.4 m in height, except as provided by subsection (3) hereunder, may be located anywhere on a [Lot](#) behind the [Front Lot Line Setback](#) for a [Principal Building](#), except as otherwise provided in subsection (4).
3. [Retaining Walls](#) and landscaping having a height less than 1.2 m may be sited in any location on a [Lot](#), provided that tiered landscape [Retaining Walls](#) must be separated by 1.2 m and limited to two tiers, or will be considered a single wall structure for height calculations.
4. [Retaining Walls](#) with a height greater than 1.2 m must meet [Setbacks](#) as provided in the zone.
5. On [Lots](#) zoned PR or PO, [Fences](#) and [Landscape Screens](#), including hedges, not exceeding 3.5 m in height, may be located on any portion of a [Lot](#), where the purpose of the [Fence](#) or [Landscape Screen](#) is to screen tennis courts and similar facilities.
6. On [Lots](#) zoned CI-1, CI-2, CM-1, CM-2 or CF, [Fences](#) and [Landscape Screens](#), including hedges, not exceeding 3.5 m in height, may be located on the [Lot](#) behind the [Front Lot Line Setback](#) required for [Principal Building](#), where the purpose of the [Fence](#) or [Landscape Screen](#) is to screen permitted accessory outdoor storage.
7. Corner Visibility and Sight Triangles:
  - 7.1. A sight triangle is defined as the triangular area on a [Lot](#) formed by:
    - 7.1.1. a line joining points 9 m from the intersection of two [Streets](#), measured along the [Front Lot Line](#) and the [Exterior Side Lot Line](#); or
    - 7.1.2. a line joining points 6 m from the intersection of a [Street](#) and a [Lane](#), measured along the [Lot](#) lines adjoining the [Street](#) and the [Lane](#).
  - 7.2. No [Accessory Building](#) or [Structure](#), [Fence](#), [Landscape Screen](#), [Retaining Wall](#), hedge, or other vegetation, shall be constructed, planted, or maintained so as to obstruct visibility between 1 m and 2 m in height above the adjacent road surface within a sight triangle.
  - 7.3. Where a [Street](#) or [Lane](#) intersection is truncated, the measurements for the sight triangle shall be taken from the projected intersection point of the [Lot](#) lines.

### 3.4.2. Landscape Policy

1. Where a new [Building](#) is constructed, or an existing [Building](#) is altered or extended, the application for such work must include a “Landscape Plan” prepared by a Qualified Professional.
2. All portions of a [Lot](#) not occupied by a [Building](#) or [Structure](#), driveways, parking and loading spaces and permitted accessory outdoor storage, must be landscaped and maintained.

## 3.5. Vehicles & Access

### 3.5.1. Parking of Commercial and Recreational Vehicles, and Storage of Boats

1. On any [Lot](#) zoned RL-1, RL-2, RM-1, RM-2, and RM-3:
  - 1.1. no commercial vehicles shall be parked, other than for service or delivery calls, except for one commercial vehicle not exceeding 2.7 metric tonnes (3 tons) of gross vehicle weight, located within a [Building](#), and not more than two commercial vehicles not exceeding 1.8 metric tonnes (2 tons) of gross vehicle weight, and used by residents of the [Lot](#) for personal transportation;
  - 1.2. one [Recreational Vehicle](#), not kept for [Commercial Use](#) and not longer than 10.5 m may be parked on a [Lot](#); and,
  - 1.3. one or more boats, not kept for [Commercial Use](#) and not longer than 10.5 m, may be stored on a [Lot](#).

### 3.5.2. Derelict Vehicles, Boats, Aircraft, and Machinery

1. No wrecked, derelict, or abandoned motor vehicles, trailers, aircraft, machinery, boats, or components thereof shall be stored or parked on any [Lot](#) outside of a [Building](#), except where otherwise permitted by this Bylaw.

### 3.5.3. Driveway Accesses Near Intersections

1. In any zone, where the [Lot](#) is adjacent to the intersection of two [Street](#), or the intersection of a [Street](#), and a [Lane](#), any driveway must maintain a distance of not less than 7.5 m from its edge to the right-of-way of the intersecting [Street](#), or [Lane](#) provided that, if the intersecting street, is Highway 101, then the length of such distance shall be increased to not less than 17 m.

## 3.6. Accessory Buildings & Features

### 3.6.1. Accessory Buildings Combined with Principal Buildings

1. [Accessory Buildings](#) and [Structures](#) on any [Lot](#) are only permitted where accessory to a [Principal Building](#), on the same [Lot](#), and where that [Principal Building](#), already exists or is constructed simultaneously with such [Accessory Building](#) or [Structure](#).
2. [Accessory Buildings](#) must not contain [Dwelling Units](#).

### 3.6.2. Number of Accessory Buildings

1. Except in the AG zone, the maximum number of [Accessory Building](#), and [Structures](#) permitted on a [Lot](#) is a total of 3.

### 3.6.3. Height of Accessory Buildings

1. [Accessory Buildings](#) have a maximum [Building Height](#) of 4 m.

### 3.6.4. Size of Accessory Buildings

1. [Accessory Buildings](#) and [Structures](#) in the RL-1 and RL-2 zones must not together cover more than 56 m<sup>2</sup> of any [Lot](#), and in all other zones must not together cover more than 10% of any [Lot](#).

### 3.6.5. Siting of Accessory Buildings

1. Except as otherwise required by the regulations of the AG zone, all [Accessory Buildings](#) and [Structures](#) must be sited no closer to a [Rear Lot Line](#) than 1.5 m, and no closer than stipulated for [Principal Building](#) on the same [Lot](#), to an [Interior Side Lot Line](#), [Exterior Side Lot Line](#), or [Front Lot Line](#).

### 3.6.6. Siting of Garages

1. Where a [Garage](#) or carport is attached to, or located within 1.5 m of, a [Principal Building](#), it must be located within the same setbacks required for the [Principal Building](#).

### 3.6.7. Garages and Carports on Steep Slopes

1. Notwithstanding other siting and height provisions in Part 3 General Regulations, additional height and reduced setbacks for [Garages](#) and carports on steep slopes are allowable provided all the following conditions are met:
  - 1.1. for the purposes of this section, a steep slope is present if the [Average Natural Grade](#) of the [Lot](#) is at least 13%;
  - 1.2. the [Building Height](#) as measured from the centerline of the travelled surface of the abutting [Street](#) or [Lane](#) must not exceed 3.5 m;
  - 1.3. the [Garage](#) or carport must have a floor area smaller than 56 m<sup>2</sup>, a width less than 6.8 m, and a length less than 10 m; and,
  - 1.4. the [Garage](#) or carport must be sited as follows:
    - 1.4.1. at least 1 m separate from a [Principal Building](#)
    - 1.4.2. at least 1 m from front and rear property lines

- 1.4.3. not more than 2 m from front or rear property line
- 1.4.4. at least 1.5 m from an interior lot line
- 1.4.5. at least 3 m from an exterior lot line
- 1.4.6. on the downhill side of a [Street](#) or [Lane](#)

### 3.6.8. Siting of Swimming Pools

- 1. Swimming Pools, including apron areas, must be sited not less than:
  - 1.1. 3 m from a [Front Lot Line](#); and
  - 1.2. 1.5 m from a [Rear Lot Line](#) or [Interior Side Lot Line](#);

## 3.7. Residential Developments

### 3.7.1. Dwelling Units in Basements

1. A [Dwelling Unit](#) is not be permitted in any [Basement](#) unless at least 30% of the perimeter of such [Dwelling Unit](#) has an external wall, not more than 0.5 m below the average [Finished Grade](#) of the adjoining ground.

### 3.7.2. Community Care

1. Provided that a [Dwelling Unit](#) complies with all applicable enactments of the Province and of the Town regarding fire and health safety:
  - 1.1. a community care facility licensed as a children's day care for not more than eight children is permitted in a [Dwelling Unit](#); and,
  - 1.2. a community care facility licensed as a residence for not more than ten persons, not more than six of whom are persons in care, is permitted in a [Dwelling Unit](#) with ground-oriented dedicated access in any residential zone, as an [Accessory Use](#).

### 3.7.3. Home Occupations

1. [Home Occupation](#) is a permitted [Accessory Use](#) in any [Dwelling Unit](#), subject to the following conditions:
  - 1.1. a [Home Occupation](#) must not include vehicle repair or maintenance, body shops, metal fabrication, the sale of goods not produced on the premises, the production or sale of highly combustible products or [Short-Term Rental](#);
  - 1.2. a [Home Occupation](#) must not include outdoor storage of equipment, materials, containers or finished product;
  - 1.3. a [Home Occupation](#) must not produce any vibration, noise, heat, glare, odours, air pollution or electrical interference discernible from the outside of the dwelling in which the Home Occupation is located;
  - 1.4. no external indication must exist that a [Dwelling Unit](#) contains an accessory [Home Occupation](#), except for a single sign not exceeding 0.3 m<sup>2</sup> in area;
  - 1.5. a [Home Occupation](#) must be conducted only by the residents in the [Dwelling Unit](#) to which the [Home Occupation](#) is accessory, and such [Use](#) shall not occupy more than 20% of the [Gross Floor Area \(GFA\)](#) of such [Dwelling Unit](#);
  - 1.6. not more than one vehicle, not exceeding 2.7 metric tonnes (3 tons) gross vehicle weight shall be used in the conduct of a home business, and if licensed for [Commercial Use](#), shall be parked in accordance with Part 4 of this Bylaw;
  - 1.7. a [Home Occupation](#) must not involve frequent arrivals or departures by vehicles for deliveries or customer or client visits; such movements shall be limited to no more than five per day;
  - 1.8. a Town Business License is required for the conduct of any [Home Occupation](#); and
  - 1.9. not more than two home occupations are permitted on a property.

### 3.7.4. Short-Term Rentals

1. [Short-Term Rentals](#) are permitted in any zone that permits a [Residential Use](#), subject to the following conditions:
  - 1.1. Except in the Mixed-Use Commercial Lower Gibsons Zone (CM-1), [Short-Term Rentals](#) are only permitted in a [Dwelling Unit](#) that is [Short-Term Rental Operator's Principal Residence](#), and for certainty, a person cannot have more than one [Principal Residence](#).
  - 1.2. Except in the Mixed-Use Commercial Lower Gibsons Zone (CM-1), the [Short-Term Rental](#) use of an entire [Dwelling Unit](#) where the [Short-Term Rental Operator](#) is not living in the unit during the guest stay, is only permitted for three months in a calendar year.
  - 1.3. The [Short-Term Rental](#) use of part of a [Dwelling Unit](#) is permitted year-round so long as the [Short-Term Rental Operator](#) is living in the unit during the guest stay and is limited to no more than two [Bedrooms](#) at a time.
  - 1.4. [Short-Term Rental](#) is not permitted in a [Recreational Vehicle](#), motor vehicle, tent, boat or any other structure that is not a [Dwelling Unit](#).
  - 1.5. No external indication shall exist that a [Dwelling Unit](#) or portion thereof is used as a [Short-Term Rental](#), except for a single sign not exceeding 0.3 m<sup>2</sup> in area.
  - 1.6. Parking must be provided as indicated in a submitted parking plan that is in accordance with Section 4.1.5.3 of this bylaw.
  - 1.7. A valid Town Business Licence is required for the conduct of any [Short-Term Rental](#) use.
  - 1.8. No more than 35 [Dwelling Units](#) in the Town of Gibsons can be used for [Short-Term Rentals](#) where the [Dwelling Unit](#) is not the [Principal Residence](#) of the [Short-Term Rental Operator](#).

## 3.8. Uses Permitted and Uses Prohibited in All Zones

### 3.8.1. Uses Permitted in All Zones

1. [Public Utility](#) ;
2. [Street](#), [Lane](#), or highway;
3. [Community Care](#)
4. [Daycare](#);
5. [Parks and Recreation](#);
6. [Conservation](#) and,
7. [Emergency Services](#).

### 3.8.2. Uses Prohibited in All Zones

1. The [Use](#) of land, [Buildings](#), or [Structures](#) for commercial agriculture, and the keeping of animals other than household pets is prohibited in all zones except the AG zone.
2. Any [Use](#) of land, [Buildings](#), or [Structures](#) which produces malodorous, noxious or highly combustible matter, or generates discernible vibrations, loud noises, heat, glare, radiation or electrical interference, discernible beyond the [Lot](#) lines of the lot upon which such use is located, is prohibited in all zones.
3. The [Use](#) of land, [Buildings](#), or [Structures](#) for a [Cannabis Store](#) is prohibited in all zones, except for the following property:
  - 3.1. Unit 203-442 Marine Drive (Legal Description: LOT 3 BLOCKS D, H AND J DISTRICT LOT 686 PLAN 3971)
  - 3.2. 1095 Sunshine Coast Hwy (Legal Description: LOT B (REFERENCE PLAN 4221) EXCEPT PART BCP24843 BLOCK 8 DISTRICT LOT 682 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 4779)
4. The [Use](#) of land, [Buildings](#), or [Structures](#) for a [Cannabis Consumption Lounge](#) is prohibited in all zones.
5. The [Use](#) of land, [Buildings](#), or [Structures](#) for [Cannabis Production](#) is prohibited in all zones, except in the Agricultural Land Reserve or where specifically permitted.

## 4. Parking Regulations

### 4.1. Parking Regulations

#### 4.1.1. Off-Street Parking and Loading Use

1. All permitted [Uses](#) must be provided with the number of off-street, parking and loading spaces required under this Part 4 of this Bylaw, unless another number is stipulated in the regulations for a zone. A required [Parking Space](#) must not be used for the long-term storage of vehicles.

#### 4.1.2. Voluntary Establishment of Parking Spaces

1. Where off-street [Parking Spaces](#) are provided exceeding the number required under this Part 4, the location, design, and operation of such additional parking must comply with the requirements of this Part 4.

#### 4.1.3. Location of Required Off-Street Parking

1. All [Parking Spaces](#) required by this Part 4 must be located on the same [Lot](#) as the [Use](#) to which they are subordinate, except as permitted by subsection 4.1.3.2.
2. All or part of the [Parking Spaces](#) required by this Part 4 to serve a [Use](#) on a [Lot](#) may be located on a different [Lot](#) than the [Lot](#) on which such [Use](#) is located, provided that:
  - 2.1. The [Lot](#) providing the required parking is within 100 m of the [Lot](#) containing the principal use;
  - 2.2. The [Lot](#) providing the required parking is in the same zone as the lot containing the principal use or in a zone where [Parking Lot](#) is a principal permitted [Use](#);
  - 2.3. There is a registered restrictive covenant against the title of both [Lots](#), in favour of the Town, and ensuring full compliance with the requirements of this Part 4; and,
  - 2.4. Such parking meets all requirements of this Bylaw.

#### 4.1.4. Alternate Parking Provisions

##### 1. Limited Application

- 1.1. An alternate parking provision must not reduce the minimum required off-street [Parking Spaces](#) for:
  - 1.1.1. [Lots](#) with three or fewer [Dwelling Units](#); or,
  - 1.1.2. Persons with a Disability in accordance with section 4.1.10 for any [Use](#).

##### 2. Car Share Vehicle and Parking

- 2.1. Where there are 50 or more residential units on a lot, the minimum vehicle parking requirement in section 4.1.5, not including visitor parking requirements, can be reduced by ten [Parking Spaces](#) per car share vehicle placement through a car-share organization. Onsite car-share spaces are counted to the overall parking count subject to the following regulations:

- 2.1.1. the maximum reduction in total required parking spaces by provision of one or more car shares is 20%;
- 2.1.2. the [Shared Vehicle Parking Spaces](#) must be located on-site or within 100 m of the subject property, in a highly visible spot, at-grade, publicly accessible at all times, clearly marked for the exclusive use of the shared vehicle and guaranteed to operate for a minimum of two years;
- 2.1.3. Where located on-site, the [Shared Vehicle Parking Spaces](#) and access to the space must be subject to any reciprocal access easements and other agreements required to ensure access to egress from and the right for the members of the car sharing service to use the [Shared Vehicle Parking Space](#) and the shared vehicle;
- 2.1.4. A car sharing service provided in respect of a reduction in required off-street [Parking Space](#) under subsection 2.1.1 shall:
  - 2.1.4.1. Provide neighbourhood car-sharing services to its members by making [Shared Vehicle](#) available for short-term use for round trips only;
  - 2.1.4.2. Have a membership generally open to a substantial segment of the population of the Town of Gibsons; and
  - 2.1.4.3. Operate within the Town of Gibsons.

### 3. Payment-in-Lieu of Providing Parking Spaces

- 3.1. Where required [Parking Spaces](#) cannot or will not be provided on-site, the owner may, in lieu of providing such spaces, pay into the Town's Transportation Demand Management and Public Parking Reserve Fund the sum of Thirty Thousand Dollars (\$30,000) per parking space required by this Bylaw in respect of the construction or alteration of a [Building](#) or a change of [Use](#), subject to:
  - 3.1.1. The development is located within the CM-1 zone, or within such other area as may be designated by Council as eligible for cash-in-lieu contributions.
  - 3.1.2. Payment of the required amount shall be made prior to issuance of the Building Permit authorizing the construction of the building for which the parking would otherwise be required.
  - 3.1.3. Funds collected under this section may be used by the Town to:
    - 3.1.3.1. Acquire, construct, expand, or improve off-street public parking facilities, including surface or structured parking lots owned or operated by the Town; or
    - 3.1.3.2. Secure, through lease, easement, or other legal agreement, publicly accessible parking spaces within private parking facilities, provided that such spaces are designated and signed for public use and maintained in accordance with terms approved by the Director; or
    - 3.1.3.3. Provide or enhance alternative transportation infrastructure and programs that reduce private vehicle ownership or use, including but not limited to:
      - 3.1.3.3.1. procurement and placement of car-share vehicles and dedicated on-street or off-street [Shared Vehicle Parking Spaces](#);

- 3.1.3.3.2. provision of car-share memberships or credits for residents or employees of contributing developments;
- 3.1.3.3.3. establishment of shared-mobility hubs, wayfinding, secure bicycle parking, and end-of-trip facilities; and
- 3.1.3.3.4. implementation of supportive programs or infrastructure identified in Council-approved transportation plans.
- 3.1.4. Payment of the required monies by the owner, prior to issuance of a Building Permit authorizing the construction of the [Building](#) that would otherwise require the [Parking Space](#).

#### 4. Shared Parking Spaces

- 4.1. Where the peak use of [Parking Spaces](#) for two or more [Uses](#) on the same [Lot](#) or adjacent [Lot](#) occurs at different periods of time, and required parking for such [Use](#) is or may be shared, the total number of [Parking Spaces](#) required by section 4.1.5 for such [Use](#) may be reduced by no more than 25%, provided that the following requirements are met:
  - 4.1.1. The types of [Parking Spaces](#) or [Uses](#) for shared parking spaces are visitor [Parking Spaces](#), [Retail](#), [Office](#), and [Institutional](#);
  - 4.1.2. A written report has been submitted to the Town by a professional engineer experienced in parking matters, expressing the opinion that such reduction would not result in an increase in demand for the use of on-street [Parking Spaces](#) in the vicinity of the [Uses](#) in question;
  - 4.1.3. A restrictive covenant in favour of the Town is registered against the title of the [Lot](#) or [Lots](#) concerned, limiting the use of the [Lot](#) to the [Uses](#) that have been determined to require the reduced number of [Parking Space](#), including any relevant restrictions on the hours of operation of these [Uses](#); and

#### 5. Cumulative Reductions

- 5.1. Reductions permitted by subsections 4.1.4.2 and 4.1.4.4 are cumulative.

#### 4.1.5. Number of Required Off-Street Parking Spaces

- 1. The minimum number of off-street [Parking Spaces](#) required for a [Residential Use](#) must be calculated with the following parking rates rounded up to the next full [Parking Space](#):

Table 4.1.5.1 Parking Rates for Residential Use			
Section	Multiple Dwelling Unit Type/Tenure	Per Unit Parking Rate	
		Unit <a href="#">Gross Floor Area</a> 45 m <sup>2</sup> or less	Unit <a href="#">Gross Floor Area</a> greater than 45 m <sup>2</sup>
T.1.1	<a href="#">Rental Housing</a>	0.75 spaces per <a href="#">Dwelling Unit (DU)</a>	0.9 spaces per <a href="#">DU</a>
T.1.2	<a href="#">Affordable Housing</a>	0.5 spaces per <a href="#">DU</a>	0.6 spaces per <a href="#">DU</a>
T.1.3	<a href="#">Townhouse</a>	1.25 spaces per <a href="#">DU</a>	
T.1.4	Small-scale, multi-unit housing in RL-1, RL-2, and RL-3 zones	1 or 2 <a href="#">DU</a> require 2 spaces	
T.1.5		3 or 4 <a href="#">DUs</a> require 3 spaces	
T.1.6		5 <a href="#">DUs</a> require 4 spaces	
T.1.7		6 <a href="#">DUs</a> require 5 spaces	
T.1.8		More than 6 <a href="#">DUs</a> require 1 space per <a href="#">DU</a>	
T.1.9	All other multiple dwellings	0.85 spaces per <a href="#">DU</a>	1 space per <a href="#">DU</a>

2. The minimum number of off-street [Parking Spaces](#) required for a non-residential use must be calculated with the following parking rates rounded up to the next full [Parking Space](#). 'Floor area' in this section refers to [Gross Floor Area \(GFA\)](#):

Table 4.1.5.2 Parking Rates for Non-residential Uses		
Section	Use	Parking Rate
T.2.1	<a href="#">Hotel</a>	1 space per room
T.2.2	<a href="#">Health Services</a>	1 space per 80 m <sup>2</sup> floor area
T.2.3	<a href="#">Community Care</a>	1 space per 80 m <sup>2</sup> floor area
T.2.4	<a href="#">Arts and Culture</a>	1 space per 6 seats or 1 space per 12 m <sup>2</sup> of total assembly area
T.2.5	<a href="#">Entertainment and Recreation</a>	1 space per 20m <sup>2</sup> floor area
T.2.6	<a href="#">Food and Beverage</a>	1 space per 10 m <sup>2</sup> floor area
T.2.7	<a href="#">Retail</a>	If floor area is less than 800 m <sup>2</sup> : 1 space per 50 m <sup>2</sup> floor area <hr/> If floor area is 800 m <sup>2</sup> or greater: 1 space per 40 m <sup>2</sup> floor area
T.2.8	<a href="#">Office</a>	1 space per 55 m <sup>2</sup> floor area
T.2.9	<a href="#">Service Commercial</a>	1 space per 40 m <sup>2</sup> floor area
T.2.10	<a href="#">Veterinary Services</a>	1 space per 40 m <sup>2</sup> floor area
T.2.11	<a href="#">Institutional</a>	1 space per 80 m <sup>2</sup> floor area
T.2.12	<a href="#">Institutional</a> for elementary or middle school	1 space per 150 m <sup>2</sup> floor area
T.2.13	<a href="#">Institutional</a> for secondary school	1 space per 75 m <sup>2</sup> floor area
T.2.14	<a href="#">Marine Services</a>	1 space per two berths or two moorings
T.2.15	<a href="#">Business Services</a> , <a href="#">Manufacturing</a> , <a href="#">Microbrewery</a> , <a href="#">Warehousing</a>	1 space per 100 m <sup>2</sup> floor area

3. The parking requirements for [Short-Term Rentals](#) are as follows:

3.1. One [Parking Space](#) must be provided for:

- 3.1.1. Each bedroom used as [Short-Term Rental](#), up to a maximum requirement of 4 spaces; and
- 3.1.2. Each vehicle owned by the [Short-Term Rental Operator](#) that will be present during guest stays

**4.1.6. Access to Parking**

- 1. All required [Parking Spaces](#), must have an access and egress driveway or driveways, connecting the maneuvering aisle or aisles giving access to [Parking Spaces](#) to a [Street](#) or [Lane](#).
- 2. In Low-Density Residential (RL) zones, [Parking Spaces](#) may be [Tandem Parking](#), provided that the two [Parking Spaces](#) serve the same dwelling unit, and visitor parking is not [Tandem Parking](#).
- 3. Except in the Low Density Residential (RL) and Agricultural (AG) zones, driveways as required in 4.1.6.1 shall be not less than 3.5 m wide where used for one-way vehicular traffic, or 6 m wide where used for two-way vehicular traffic.

**4.1.7. Small Car Parking**

- 1. Of the total required number of [Parking Spaces](#) required on a [Lot](#), up to 30% may take the form of “small car” [Parking Spaces](#) as described in section 4.1.9.

**4.1.8. Visitor Parking**

- 1. Visitor [Parking Spaces](#) required for a [Residential Use](#) must be conveniently located for visitor use and clearly marked “VISITOR PARKING.”
- 2. Visitor [Parking Spaces](#) are required only for [Residential Use](#) with seven or more [Dwelling Units](#), and are calculated in addition to the off-street [Parking Spaces](#) required in Section 4.1.5
- 3. Where required, Visitor [Parking Spaces](#) are to be provided at the minimum rates outlined in Table 4.1.8.3:

Table 4.1.8.3 Visitor Parking Rates		
Section	Dwelling Type	Visitor Parking
T.3.1	Townhouse	0.2 spaces per <a href="#">Dwelling Unit (DU)</a>
T.3.2	<a href="#">Rental Housing &amp; Affordable Housing</a>	0.05 spaces per <a href="#">DU</a>
T.3.3	Small-scale Multi-Unit	No spaces required for 6 <a href="#">DUs</a> or fewer
T.3.4	Housing (SSMUH)	0.2 spaces per <a href="#">DU</a> for over 6 <a href="#">DU</a>
T.3.5	All Other Multiple Dwellings	0.1 spaces per <a href="#">DU</a>

4. Visitor parking requirement calculations must be rounded up the nearest whole number.

**4.1.9. Design Standards for Parking Spaces and Maneuvering Aisles**

1. Required [Parking Spaces](#) and maneuvering aisles providing access to them must comply with the following minimum dimensions ([Table 4.1.9.1, Figure 1](#)), except in the Low Density Residential (RL) and Agricultural (AG) zones.

Table 4.1.9.1 Parking Space and Maneuvering Aisles Dimensions						
Section	Parking Angle In Degrees	Width (A)	Length (B)	Depth to Curb (C)	Aisle Width (D)	Total Module (E)
T.1.1	0°	2.7 m	7 m	2.6 m	3.6 m	8.8 m
T.1.2	30°	2.7 m	5.8 m	5.2 m	3.6 m	14 m
T.1.3	45°	2.7 m	5.8 m	5.9 m	4 m	15.8 m
T.1.4	60°	2.7 m	5.8 m	6.3 m	5.6 m	18.2 m
T.1.5	90°	2.7 m	5.8 m	5.8 m	7.6 m	19.2 m

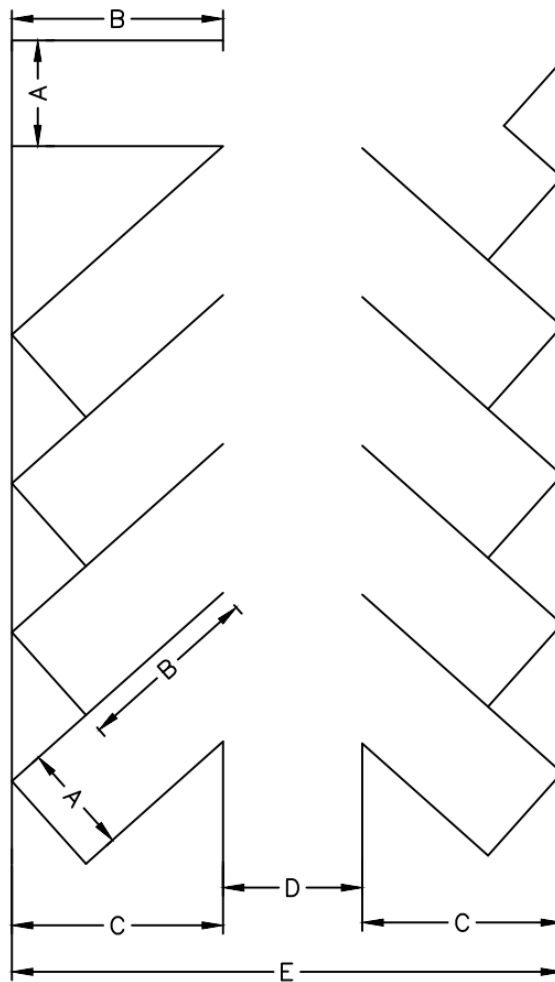


Figure 1. Angled Parking

2. Provided that where the parking angle is 60°, 45°, 30° or 180° (parallel), the corresponding aisle width in Table 4.1.9.1 is permitted where providing for one-way travel; for two-way traffic, the width of the aisle must be 6.1 m.
3. For small car [Parking Spaces](#) as permitted under section 4.1.7, [Parking Spaces](#) and the maneuvering aisles ([Figure 1](#)) providing access to them must comply with the following minimum dimensions:

Table 4.1.9.3 Small Car Parking Space and Maneuvering Aisles Dimensions						
Section	Parking Angle In Degrees	Width (A)	Length (B)	Depth to Curb (C)	Aisle Width (D)	Total Module (E)
T.3.1	0°	2.5m	5.4m	2.5m	3.6m	8.6m
T.3.2	30°	2.5m	4.8m	4.8m	3.6m	13.2m
T.3.3	45°	2.5m	4.8m	5 m	4 m	14 m
T.3.4	60°	2.5m	4.8m	5.3m	5.6m	16.2m
T.3.5	90°	2.5m	4.8m	4.8m	6.7m	16.3m

4. Where the length of a [Parking Space](#) or maneuvering aisle abuts a wall, the width of the space or aisle must be increased by 0.3 m to account for vehicle door swing space.
5. Non-parallel [Parking Spaces](#) located on a surface with a slope of 10% or greater must provide a curb stop, allowing a minimum overhang of at least 0.9 m.
6. [Parking Spaces](#) and maneuvering aisles must be paved with concrete asphalt, pavers, or similar pavement; permeable pavements shall be permitted provided they are compact, non-eroding, dust-free, graded and drained to dispose of surface water, and are not located on slopes of 10% or greater.
7. Each [Parking Space](#) must be delineated by painted lines; where such space is for visitor use or a small car space as required or permitted by sections 4.1.7 and 4.1.8, it shall be clearly marked “VISITOR SPACE” or “SMALL CAR SPACE”, as the case may be, and where maneuvering aisles are intended for one-way vehicular circulation, they shall be marked with arrows and directional signage at entrances.
8. Lighting, with a full cut-off design, must be provided in surface parking lots.

#### 4.1.10. Parking Spaces for Persons with Physical Disabilities

1. Accessible [Parking Spaces](#) must be sized and marked for the exclusive use of persons with physical disabilities
2. The following parking rates for accessible [Parking Spaces](#) must be provided for the following [Uses](#):

Table 4.1.10.2 Parking Rates for Parking Spaces for Persons with Physical Disabilities		
Section	Use	Parking Rate
T.2.1	<a href="#">Residential</a> (with 7 or more <a href="#">Dwelling Units</a> )	One accessible <a href="#">Parking Space</a> plus 0.034 accessible <a href="#">Parking Spaces</a> per <a href="#">Dwelling Unit</a>
T.2.2	Non-Residential Uses	One accessible <a href="#">Parking Space</a> per development over 500 m <sup>2</sup> <a href="#">GFA</a> plus 0.040 accessible <a href="#">Parking Spaces</a> for every additional 1000 m <sup>2</sup> <a href="#">GFA</a>
T.2.3	<a href="#">Community Care</a>	A minimum of 15% of required vehicle <a href="#">Parking Spaces</a> are required to be accessible
T.2.4	<a href="#">Health Services</a>	A minimum of 15% of required vehicle <a href="#">Parking Spaces</a> are required to be accessible

3. The first accessible [Parking Space](#) must be van accessible, and where more than 6 accessible [Parking Spaces](#) are required, an additional van accessible [Parking Space](#) must be provided at each multiple of 6 [Parking Spaces](#).
4. In developments with a [Residential Use](#) where visitor [Parking Spaces](#) are required, 0.02 accessible visitor [Parking Spaces](#) per [Dwelling Unit](#) must be provided, plus 0.0042 spaces per [Dwelling Unit](#) for each additional visitor [Parking Space](#).
5. All required accessible [Parking Spaces](#) and van accessible [Parking Spaces](#) must be provided on the same [Lot](#) as the [Building](#) or [Use](#) which they serve.
6. The grade of accessible [Parking Spaces](#) and van accessible [Parking Spaces](#) must not exceed 5% in any direction.
7. Where an accessible [Parking Space](#) or van accessible [Parking Space](#) is situated immediately adjacent to another accessible [Parking Space](#) or van accessible [Parking Space](#), then the access aisle may be shared between the two spaces.
8. Accessible [Parking Spaces](#) ([Figure 2](#)):
  - 8.1. Must have a minimum width of 3.4 m and length of 5.8 m, and an adjacent 1.5 m wide access aisle;
    - 8.1.1. With an additional 0.3 m width where there is an obstruction on one side;
    - 8.1.2. With an additional 0.6 m width where there is an obstruction on both sides;
    - 8.1.3. Where van-accessible, a minimum clear height of 2.4 m and an access aisle 2.4 m wide are required.
  - 8.2. Must be clearly marked on the pavement and by a vertically erected sign at the head of the space; and

- 8.3. Must be located so as to allow clear and convenient access to the use or uses for which accessory parking is being provided.

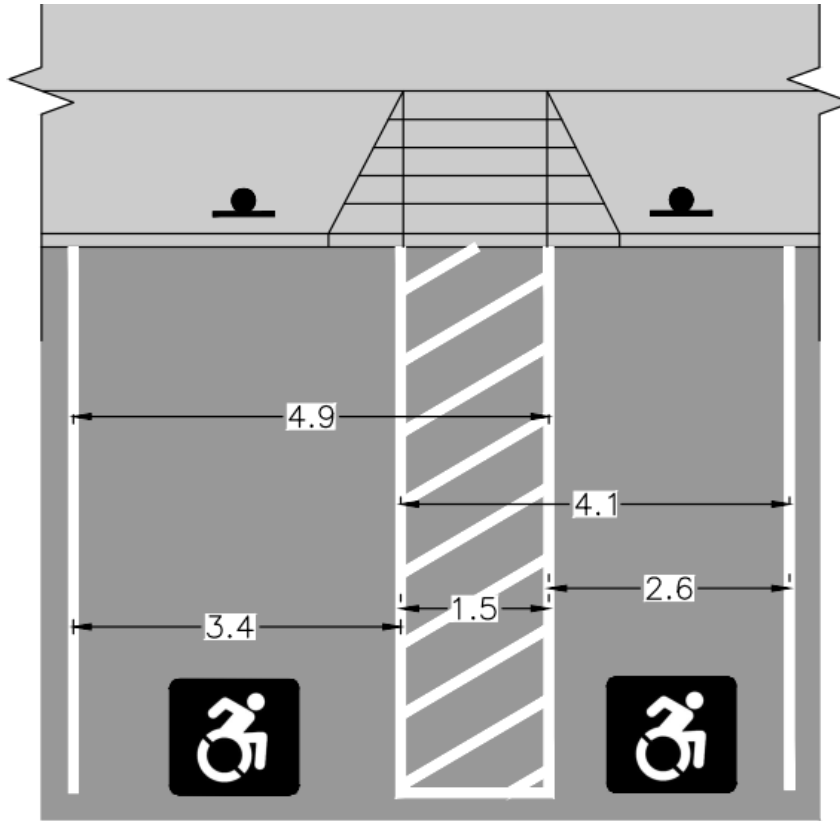


Figure 2. Accessible Parking Requirements

**4.1.11. Lots or Buildings with Mixed Uses**

- 1. In the case of [Lots](#) containing more than one [Use](#) for which parking is required, the total requirement for the [Lot](#) is the sum of the requirements of each individual [Use](#) calculated separately, and rounded up to the next full space for each individual [Use](#), subject to the shared parking requirements calculated separately in accordance with section 4.1.5.4.

**4.1.12. Provision of Electric Vehicle Charging Infrastructure**

- 1. A parking area containing 10 or more parking spaces required by this Bylaw also requires one energized electrical outlet for every 10 required parking spaces, labeled for the use of electric vehicle charging and capable of providing Level 2 or higher charging for an electric vehicle.
- 2. Notwithstanding subsection 4.1.12.1, the following uses must have the following minimum percentage of energized electrical outlets and Level 2 or higher EV charging stations per [Parking Space](#):

Table 4.1.12.2 EV Parking Requirements for specific uses			
Section	Class of Use	Minimum Energized Electrical Outlets	Minimum Level 2 EV Charging Stations
T.2.1	<a href="#">Community Care</a>	20%	5%
T.2.2	<a href="#">Office</a>		10%
T.2.3	<a href="#">Food and Beverage</a>	15%	5%
T.2.4	<a href="#">Retail</a>		
T.2.5	<a href="#">Service Commercial</a>		
T.2.6	<a href="#">Veterinary Services</a>		
T.2.7	<a href="#">Hotel</a>	15%	5%
T.2.8	<a href="#">Health Services</a>		
T.2.9	<a href="#">Institutional</a>		
T.2.10	<a href="#">Arts and Culture</a>		
T.2.11	<a href="#">Entertainment and Recreation</a>		
T.2.12	<a href="#">Business Services, Manufacturing, Microbrewery, Warehousing</a>	10%	

3. Where an Electric Vehicle Energy Management System is being used to manage infrastructure provided in compliance with this section 4.1.12, a report completed by a qualified professional confirming that the Electric Vehicle Management System provides a sufficient rate of electric vehicle charging shall be provided to the Town prior to the issuance of an Occupancy Permit for the building in respect of which the parking spaces and charging infrastructure are required.

#### 4.1.13. Off-Street Loading Space Requirements

1. The minimum number of off-street loading spaces required is:
  - 1.1. No loading space is required for developments with fewer than 2,500 m<sup>2</sup> of [Gross Floor Area \(GFA\)](#) of non-residential uses or [Residential Uses](#) with less than 50 [Dwelling Units](#).
  - 1.2. One Class A loading space is required for developments with [Residential Uses](#) with 50 or more [Dwelling Units](#).
  - 1.3. One Class B loading space is required for developments with 2,500 m<sup>2</sup> or more of [Gross Floor Area \(GFA\)](#) of non-residential uses.
2. The minimum dimensions for loading spaces required is:

Table 4.1.13.2 Loading Space Minimum Dimensions						
Section	Class A Loading Space			Class B Loading Space		
	Length	Width	Height	Length	Width	Height
T.2.1	5.5 m	2.7 m	2.3 m	9 m	3 m	3.8 m

3. Each loading space must have access from a [Street](#), or [Lane](#), and have sufficient additional maneuvering space such that use of the loading space does not occupy or block a [Street](#), or [Lane](#), or impinge upon required [Parking Spaces](#).
4. All required off-street loading spaces must be provided with pavement that is durable and dust-free and curbing sufficient to protect adjacent areas from maneuvering vehicles.
5. All required off-street loading spaces must provide signage indicating that spaces are dedicated for loading purposes.
6. Class A loading spaces may be shared with required visitor [Parking Spaces](#) in [Residential Uses](#), where minimum design requirements for a Class A loading space are met.

#### 4.1.14. Landscaping and Screening of Off-Street Parking and Loading Spaces

1. Where required parking spaces are located in an underground structure or beneath a building and would otherwise be visible from the lot line, they must be screened from view by suitable landscaping or a landscape screen.
2. Where there are one hundred or more adjacent required off-street, parking spaces on a [Lot](#), raised sidewalks, curbed planters, and landscape beds must be provided between every 10 parking stalls in a row or at the discretion of the approving authority to break up the apparent expanse of the parking area.
3. Except in the RL zones, a [Landscape Screen](#) must be provided and maintained along the portion of the perimeter of any unenclosed parking area or loading zone.

#### 4.1.15. Provision of Off-Street Bicycle Parking Spaces

1. [Class 1 Bicycle Parking Spaces](#) required by this Bylaw must comply with the following requirements (*Figure 3*):
  - 1.1. [Class 1 Bicycle Parking Spaces](#) shall be located at-grade, within sight of a building entry or elevator for the use or uses for which the bicycle parking spaces are being provided.
  - 1.2. [Class 1 Bicycle Parking Spaces](#) shall be located within a water resistant and secure locker, room, or compound. A maximum of 40 bicycle parking spaces shall be located in each locker, room, or compound.
  - 1.3. [Class 1 Bicycle Parking Spaces](#) shall be designed for bicycles to be placed horizontally or vertically in the bicycle parking spaces.
  - 1.4. [Class 1 Bicycle Parking Spaces](#) shall be lighted with uniform 160 lux (min.) lighting which yields true colours.
  - 1.5. [Class 1 Bicycle Parking Spaces](#) shall comply with the minimum dimensions indicated in the following table:

Table 4.1.15.1.5 Minimum Dimensions for Bicycle Parking Space				
Section	Regulation	Horizontal Bike Parking Space	Vertical Bike Parking Space	Inclusive Bike Parking
T.1.5.1	Width	0.6 m	0.6 m	0.9 m
T.1.5.2	Depth	1.8 m	1.2 m	3 m
T.1.5.2	Vertical Clearance	2.1 m	2.1 m	2.1 m

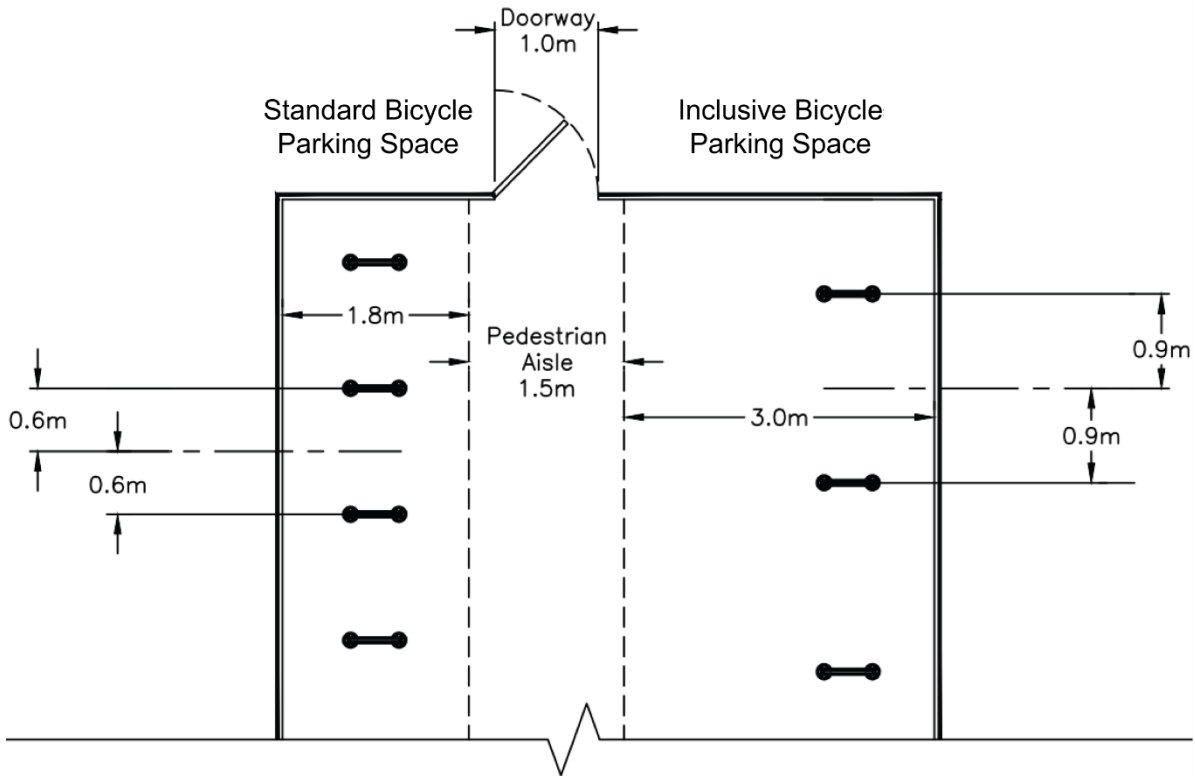


Figure 3. Minimum dimensions for Bicycle Parking

- 1.6. A maximum of 33% of the required [Class 1 Bicycle Parking Spaces](#) may be designed for bicycles to be placed vertically such that the bicycle is suspended on the wheels or hung above ground.
- 1.7. A minimum of 10% of the required [Class 1 Bicycle Parking Spaces](#) must be inclusive bike parking; and,
- 1.8. [Class 1 Bicycle Parking Spaces](#) shall be located within lockers that have lockable doors which open to the full height and width of each locker and have the minimum dimensions indicated in the following table:

Table 4.1.15.1.8 Minimum Dimensions for Bicycle Lockers				
Section	Length	Width	End Width at Door	End Width Opposite Door
T.1.8.1	1.8 m	1.2 m	0.6 m	0.2 m

- 2. [Class 2 Bicycle Parking Spaces](#) required by this Bylaw must comply with the following requirements:

- 2.1. [Class 2 Bicycle Parking Spaces](#) shall be located within 15 m and sight of a principal building entry for the use or uses for which the bicycle parking spaces are being provided;
- 2.2. [Class 2 Bicycle Parking Spaces](#) shall be in a well-lit location;
- 2.3. [Class 2 Bicycle Parking Spaces](#) shall be provided in racks made of sturdy, theft-resistant material and securely anchored to the floor or ground and designed to support the bicycle frame, not the wheels, and allow both the frame the front wheel to be locked to the rack with a U-style lock; and,
- 2.4. [Class 2 Bicycle Parking Spaces](#) shall be situated far enough from obstructions (walls, other bicycle racks, landscaping) to allow unencumbered access to all bicycle spaces at full capacity; and,
- 2.5. A minimum of 1 of the required [Class 2 Bicycle Parking Spaces](#) must be inclusive bike parking.

#### 4.1.16. Number of Required Bicycle Parking Spaces

1. The minimum number of off-street bicycle parking spaces required for a [Residential Use](#) must be calculated with the following parking rates rounded up to the next full bicycle parking space:

Table 4.1.16.1 Bike Parking Rates for Residential Use			
Section	Residential Use	Bike Parking Rate	
T.1.1	6 <a href="#">Dwelling Units</a> or fewer	No requirement	
T.1.2	<a href="#">Rental Housing</a>	Class 1	1 per <a href="#">Dwelling Unit</a>
T.1.3		Class 2	6 spaces per <a href="#">Building</a>
T.1.4	<a href="#">Affordable Housing</a>	Class 1	1 per <a href="#">Dwelling Unit</a>
T.1.5		Class 2	6 spaces per <a href="#">Building</a>
T.1.6	All Other <a href="#">Residential</a>	Class 1	1.25 per <a href="#">Dwelling Unit</a>
T.1.7		Class 2	6 spaces per <a href="#">Building</a>

2. The minimum number of off-street bicycle parking spaces required for a non-residential [Use](#) must be calculated with the following parking rates rounded up to the next full bicycle parking space. ‘Floor area’ in this section refers to [Gross Floor Area \(GFA\)](#):

Table 4.1.16.2 Bike Parking Rates for Non-residential Uses			
Section	Use	Bike Parking Rate	
T.2.1	<a href="#">Manufacturing, Microbrewery, Warehousing, Hotel, Health Services, and Entertainment and Recreation</a>	Class 1	1 space per 500 m <sup>2</sup> floor area
T.2.2		Class 2	1 space per 100 m <sup>2</sup> floor area
T.2.3	<a href="#">Retail, Office, Food and Beverage</a> or <a href="#">Service Commercial</a>	Class 1	1 space per 250 m <sup>2</sup> floor area
T.2.4		Class 2	6 spaces per building
T.2.5	<a href="#">Arts and Culture</a>	Class 1	1 space per 400 m <sup>2</sup> floor area
T.2.6		Class 2	1 space per 100 m <sup>2</sup> floor area
T.2.7	<a href="#">Institutional</a>	Class 1	1 space per 500 m <sup>2</sup> floor area
T.2.8		Class 2	1 space per 100 m <sup>2</sup> floor area
T.2.9	<a href="#">Institutional</a> for elementary or secondary schools	Class 1	1 space for each 3 staff members; 2 spaces for each 10 students
T.2.10		Class 2	Elementary: 2 spaces for each 10 students Secondary: 3 spaces for each 10 students
T.2.11	<a href="#">Institutional</a> for college	Class 1	1 space for each 4 staff members, plus 1 space for each 10 students
T.2.12		Class 2	1 space for each 10 students

#### 4.1.17. Number of Required Mobility Scooter Parking Spaces

- The minimum number of mobility scooter parking spaces required must be calculated with the following parking rates rounded up to the next full mobility scooter parking space:

Table 4.1.17.1 Bike Parking Rates for Non-residential Uses		
Section	Use	Mobility Scooter Parking Rate
T.1.1	Residential (senior housing)	2 spaces per <a href="#">Building</a> ; plus 1 additional space per 25 parking spaces
T.1.2	<a href="#">Hotel</a> and <a href="#">Entertainment and Recreation</a>	2 spaces per <a href="#">Building</a>
T.1.3	<a href="#">Health Services</a>	4 spaces per <a href="#">Building</a>
T.1.4	<a href="#">Retail, Office, Food and Beverage</a> or <a href="#">Service Commercial</a>	2 spaces per <a href="#">Building</a>
T.1.5	<a href="#">Arts and Culture</a>	2 spaces per <a href="#">Building</a>

- Mobility scooter parking spaces shall be no less than 1 m wide and 1.5m long.
- Mobility scooter parking spaces shall be located adjacent to the primary building entrance and must not impede pedestrian access to the building or sidewalk.
- Mobility scooter parking spaces shall be secured and located within 2 m of a 110V outlet.

### 4.1.18. Cycling End-of-Trip Facilities

1. The minimum number of required cycling end-of-trip facilities is:

Table 4.1.18.1 Minimum Cycling End-of-Trip Facilities Requirements						
Section		End-of-Trip Facility				
		Water Closet <sup>1</sup>	Wash Basin <sup>2</sup>	Shower facility <sup>3</sup>	Bicycle Repair Station <sup>4</sup>	Clothing Locker <sup>5</sup>
<b>Residential Use</b>						
T.1.1	with fewer than 30 <a href="#">Dwelling Units</a>	No end of trip facilities required				
T.1.2	with 30 or more <a href="#">Dwelling Units</a>	0	0	0	1	0
T.1.3	<a href="#">Hotel</a>	0	0	0	1	0
<b>All Other Uses</b>						
Requirements based on required number of Class 1 Bicycle Parking Spaces:						
T.1.4	5 or fewer	0	0	0	0	1.25 times the number of required <a href="#">Class 1 Bicycle Parking spaces</a>
T.1.5	6-10	0	1	1	1	
T.1.6	11-20	0	2	2	1	
T.1.7	21-30	0	3	3	1	
T.1.8	31-40	2	4	4	2	
T.1.9	For each additional 30 or part thereof	2 additional	2 additional	2 additional	1 additional	

2. Cycling end-of-trip facilities shall be provided in a common area and be located no more than 50m from the [Class 1 Bicycle Parking Space](#) area.

<sup>1</sup> **Water closet** - a room or compartment containing a toilet and associated privacy provisions

<sup>2</sup> **Wash basin** - a sink for washing hands and face, and a facility for grooming consisting of a countertop, mirror and electrical outlet

<sup>3</sup> **Shower facility** - a room or compartment containing one or more showers, intended for use by cyclists or pedestrians

<sup>4</sup> **Bicycle repair station** - a publicly accessible station or kit equipped with basic bicycle repair tools, a bicycle pump, and a bicycle stand

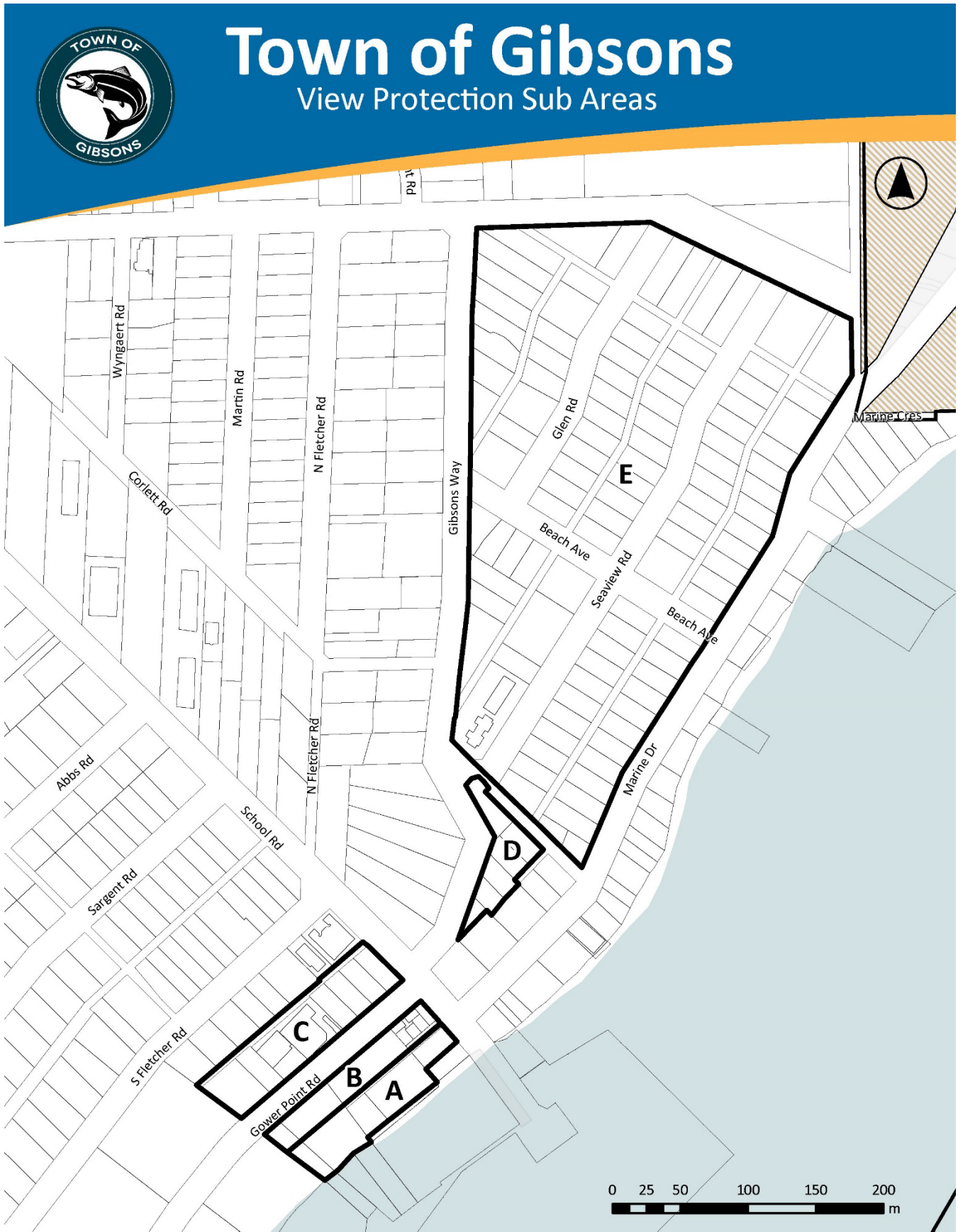
<sup>5</sup> **Clothing locker** - a secure, enclosed compartment provided for the temporary storage of personal items or clothing

## 5. View Protection Area Regulations

### 5.1. Application and Intent

1. Within the area shown on the View Protection Sub-Areas Map, [Lots](#) within this boundary must follow the [Building Height](#) and [Setback](#) regulations as set out in this section. Where the regulations of this Part differ from the [Setback](#) and [Building Height](#) regulations of the listed zones, the provisions of this Part shall take precedence within the area shown on View Protection Sub-Area Map.

### 5.2. View Protection Sub-Areas Map

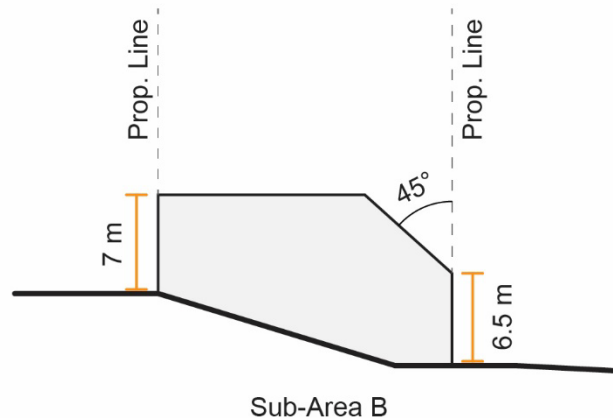


### 5.3. Sub-Area A

1. The maximum [Building Height](#) is 7.5 m as measured from the [Average Grade](#) of the portion of the property line on Molly's lane.

### 5.4. Sub-Area B

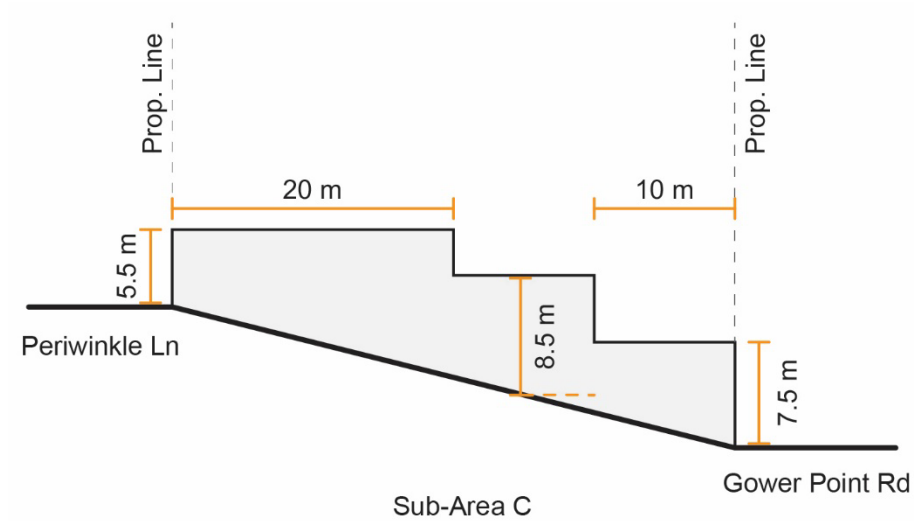
1. The maximum [Building Height](#) is 7 m as measured from the [Average Natural Grade](#) of the property line on the uphill side of the site and the building must be contained within an envelope defined by a series of lines drawn vertically from [Natural Grade](#), at the seaward property line, to a height of 6.5 m, thence inward over the building at an angle of  $45^\circ$  to the plane of the building face as seen in the figure below.



2. The [Building Longitudinal Axis](#) of any [Building](#), measured at or above an elevation of 1m above the natural grade of the property line on Gower Point Rd, must not exceed 30m.

### 5.5. Sub-Area C

1. For the portion of a [Lot](#) located within 20 m of the property line along Periwinkle Lane, the maximum [Building Height](#) is 5.5 m, as measured from the [Average Natural Grade](#) of the segment of the property line on Periwinkle Lane.
2. For the portion of a [Lot](#) located within 10 m of the property line along Gower Point Road, the maximum [Building Height](#) is 7.5 m, as measured from the [Average Natural Grade](#) of the segment of the property line on Gower Point Road.
3. For all other areas of the [Lot](#), the maximum [Building Height](#) is 8.5 m.



### 5.6. Sub-Area D

1. The maximum [Building Height](#) is 4.5 m as measured from the [Average Natural Grade](#) of the property line fronting Gibsons Way.
2. The minimum Lot Line Setback from Jack's Lane is 0 m.

### 5.7. Sub-Area E

1. For RL-1 Zone [Lots](#), the portion of the [Lot](#) located within 7.5 m from the [Rear Lot Line](#), the maximum [Building Height](#) is 4.5 m.

## 6. Definitions

### 6.1. Use Definitions

**Accessory Building** means a subordinate **Building** located on the same **Lot** as a **Principal Building** or **Use**, the use of which is customarily incidental to the **Principal Building** or use.

**Agricultural** means a **Use** providing for the growing, rearing, cultivating, producing, and harvesting of agricultural products; including the storage and sale on an individual farm of the products harvested, reared or produced on that farm, and the storage of farm machinery, implements and supplies, and repair to farm machinery and implements, used on that farm; specifically excludes all manufacturing, processing, storage and repairs not specifically included in this definition.

**Arts and Culture** means the **Use** of land, **Buildings** or **Structures**, for the purpose of artistic and cultural activities. This **Use** includes, art galleries, theatres, museums, libraries, community centres, heritage sites, meeting halls, and conference facilities.

**Automotive Services** means the **Use** of land, **Buildings** or **Structures**, for the retail sale, lease, or rental of motor vehicles and recreational vehicles, the sale of motor fuels, lubricants, parts and accessories, and the servicing and repair of vehicles.

**Business Services** means the **Use** of land, **Buildings** or **Structures**, for the provision of services primarily to commercial, industrial, or institutional businesses. Typical uses include research and testing laboratories, media production studios, recycling and recovery facilities, rental and repair of tools and industrial equipment, sale and servicing of industrial supplies, storage, and wholesaling operations. Excludes retail sales to the general public, personal services, and professional offices.

**Cannabis Consumption Lounge** means the **Use** of land, **Buildings** or **Structures** where cannabis products of any type are consumed.

**Cannabis Production** means the **Use** of land, **Buildings** or **Structures**, for the growing, production, processing, destruction, storage or distribution of cannabis, but does not include a **Cannabis Store**.

**Cannabis Store** means the **Use** of land, **Buildings** or **Structures** licenced under provincial regulations, for the retail sale of cannabis products.

**Community Care** means the **Use** of land, **Buildings** or **Structures**, for providing for the care of persons in premises licenced under the *Community Care and Assisted Living Act*.

**Conservation** means the **Use** of land for conservation, preservation, and/or restoration of natural areas and ecosystems. This use includes landscape buffers and trails for appropriate passive recreation activities.

**Daycare** means the **Use** of land, **Buildings** or **Structures**, for providing care for children, including an opportunity for social, emotional, physical and intellectual growth, which is licensed under the Child Care Regulations made pursuant to the Provincial Childcare Licensing Regulations.

**Entertainment and Recreation** means the **Use** of land, **Buildings** or **Structures** for leisure, amusement, athletic, or cultural activities, whether operated on a commercial or non-profit basis, and may include facilities for spectators or participants. Typical **Uses** include indoor or outdoor theatres, cinemas, concert halls, amusement arcades, bowling alleys, fitness or sports centres, dance halls, skating rinks, swimming pools, arenas, and similar places of entertainment, exercise, or recreation. Excludes adult entertainment establishments and casinos.

**Emergency Services** means the **Use** of land, **Buildings** or **Structures**, for the purpose of providing urgent response to public safety needs. This Use includes ambulance stations, police stations, and fire stations.

**Food and Beverage** means the **Use** of land, **Buildings** or **Structures**, for the preparation, sale, take-out, and consumption of food or beverages that may be served within the Principal Building or at outdoor seating. This does not include Microbreweries.

**Gas Station** means the **Use** of land, **Buildings** or **Structures**, for the retail sale of fuel and lubricants for motor vehicles. A **Gas Station** may include fuel pumps, storage tanks, and offer additional services such as car washes, convenience stores, and minor vehicle repairs.

**Health Services** means the **Use** of land, **Buildings** or **Structures** for the purpose of providing medical, dental, therapeutic, and residential health services. This **Use** includes but is not limited to hospitals, nursing homes, and senior care facilities.

**Home Occupation** means an occupation, profession, or craft carried out as an **Accessory Use** within a **Dwelling Unit**, or in an **Accessory Building** to a **Dwelling Unit**, by a resident on the **Lot**.

**Hotel** means the **Use** of land, **Buildings** or **Structures** for the principal commercial purpose of providing temporary accommodation to the traveling or vacationing public in guest rooms accessed from a common lobby or corridor, and may include accessory restaurants, meeting rooms, recreational facilities, and staff residences.

**Houseboat** means a boat which is or can be moored for use as a **Dwelling Unit**.

**Institutional** means the **Use** of land, **Buildings** or **Structures** for the purpose of providing community, educational, religious, cultural, social, health or government services to the public, including but not limited to **Health Services**, municipal buildings, schools, and funeral homes and mortuaries.

**Manufacturing** means the **Use** of land, **Buildings** or **Structures**, for fabrication, processing, assembly, treating, preparing, inspecting, altering, adapting, or finishing of materials or things in order to produce finished goods or components thereof.

**Marine Services** means the **Use** of land, **Buildings** or **Structures** for the servicing, sale, maintenance, repair, or storage of boats, marine engines, or marine equipment. This Use includes the sale and storage of marine fuel and marine-related product, the development of wharves, piers, and docks, and the provision of services with boat charters, water taxis, and passenger ferries.

**Microbrewery** means the **Use** of land, **Buildings** or **Structures**, licensed by the Liquor Control and Licensing Branch, for the brewing, distilling, and bottling of beers, ales, ciders, and spirits.

**Office** means the **Use** of land, **Buildings** or **Structures**, or part thereof, for the conduct and administration of a business, practice of a profession or conduct of public administration; includes financial institutions and other business offices; professional offices; and government offices including post offices, libraries, and health administration offices.

**Parking Lot** means the **Use** of land, **Buildings** or **Structures** for the purpose of providing parking spaces to the general public.

**Parks and Recreation** means the **Use** of land, **Buildings** or **Structures** for the purpose of public leisure and/or outdoor activities. This **Use** includes playgrounds, parks, community gardens, and indoor and outdoor sports facilities.

**Public Utility** means a **Use** providing essential servicing within the Town, including water, sewer, storm water facilities, pumping station, treatment plant, traffic controls, electrical, geo-exchange infrastructure, gas, cable, internet, telephone, lamp standards, directional or parking signs, bus shelters, and similar services established by the Town or a corporation operating under the *Utilities Commission Act*.

**Retail** means the **Use** of land, **Buildings** or **Structures**, for public sales of goods, wares, merchandise, or things; includes retail stores, supermarkets, auction rooms, nurseries for the sale of plant materials and bakery shops, but does not include service stations or the sale of vehicles.

**Residential** means the **Use** of land, **Buildings** or **Structures**, for the provision of housing consisting of one or more **Dwelling Units** in a **Building**.

**Service Commercial** means the **Use** of land, **Buildings** or **Structures** for the provision of personal, household, or business services to the public, and may include accessory retail sales directly related to such services. Typical uses include personal service shops such as barber shops, beauty salons, tanning and massage studios; fitness centres; repair or servicing of household goods, electronics, furniture, bicycles and locks; commercial schools or studios providing instruction in trades, business, languages, arts, dance, music, or driving; laundromats and dry-cleaning establishments; tailoring,

dressmaking and shoe repair shops; printing, photocopying and business support services; restaurants, cafés and coffee shops; and studios or offices for media, broadcasting and telecommunications services. Excludes motor vehicle service stations, car washes, industrial repair operations, and any manufacturing or processing uses.

**Short-Term Rental** means the **Accessory Use** of a **Dwelling Unit**, or a portion of a **Dwelling Unit**, for the accommodation of paying guests, but is not a **Residential Tenancy**.

**Veterinary Services** means a facility where animals are given medical, surgical, or dental treatment by a licensed veterinarian, and may include related boarding of animals in short-term care in connection with treatment.

**Warehousing** means the **Use** of land, **Buildings** or **Structures** for the receipt, indoor storage, distribution, and delivery of goods and merchandise; may include sales at wholesale not open to the general public.

## 6.2. General Definitions

**Access Route** means a road which is not a **Street** or **Lane**, on common property in a **Bare Land Strata**, which provides access to strata **Lot** within that plan.

**Accessory Use** means a **Use** subordinate in area, extent and purpose to, customarily incidental to, and aiding or contributing to, the **Principal Use** of the **Lot** upon which the Accessory Use is located.

**Affordable Housing** means non-market housing subsidized for low-income households that is managed and operated by non-profit organizations, the Town of Gibsons, First Nations, or by the Provincial or Federal Governments.

**Agricultural Land Reserve (ALR)** means the total of all agricultural land in British Columbia, as managed by the Agricultural Land Commission (ALC).

**Amenity Area** means indoor and outdoor spaces that provide recreational, social, or leisure facilities. Examples of amenity areas might include gardens, playgrounds, fitness centers, lounges, or community rooms.

**Apartment** means a **Building** containing three or more **Dwelling Units**, each having independent access from an interior corridor or common entrance, and typically arranged in multiple storeys. **Apartments** include shared facilities such as lobbies, lifts, and **Amenity Areas**.

**Bare Land Strata** means a bare land strata plan as defined in the *Strata Property Act*.

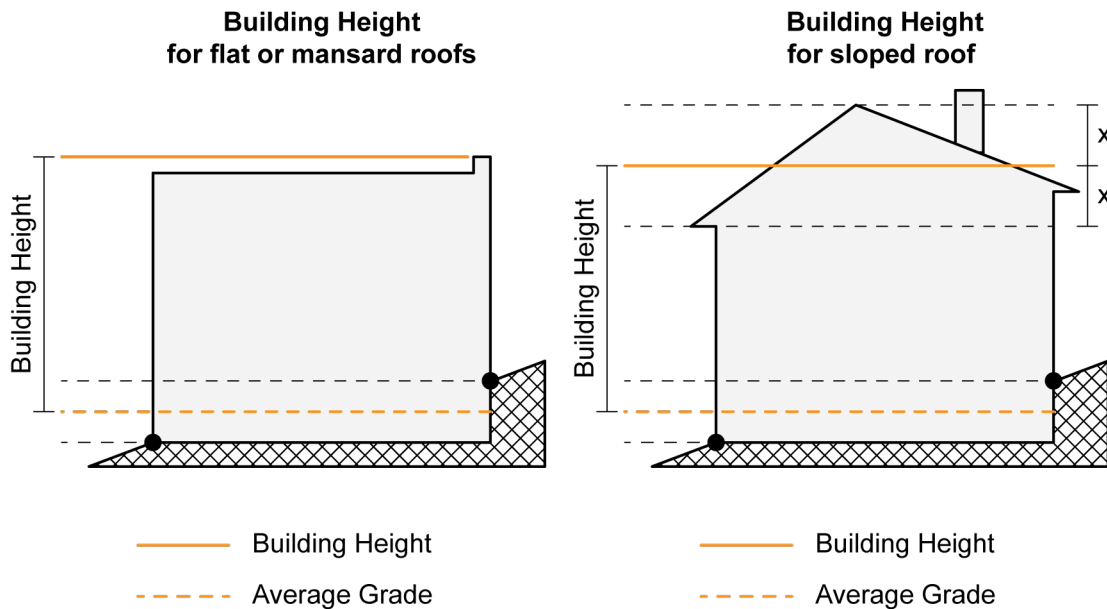
**Basement** means a space between two floors, the lower floor of which is more than 0.5 m but less than 1.5 m below the average **Finished Grade** at the perimeter of the **Building**.

**Bedroom** means a room located within a **Dwelling Unit** that is used for sleeping.

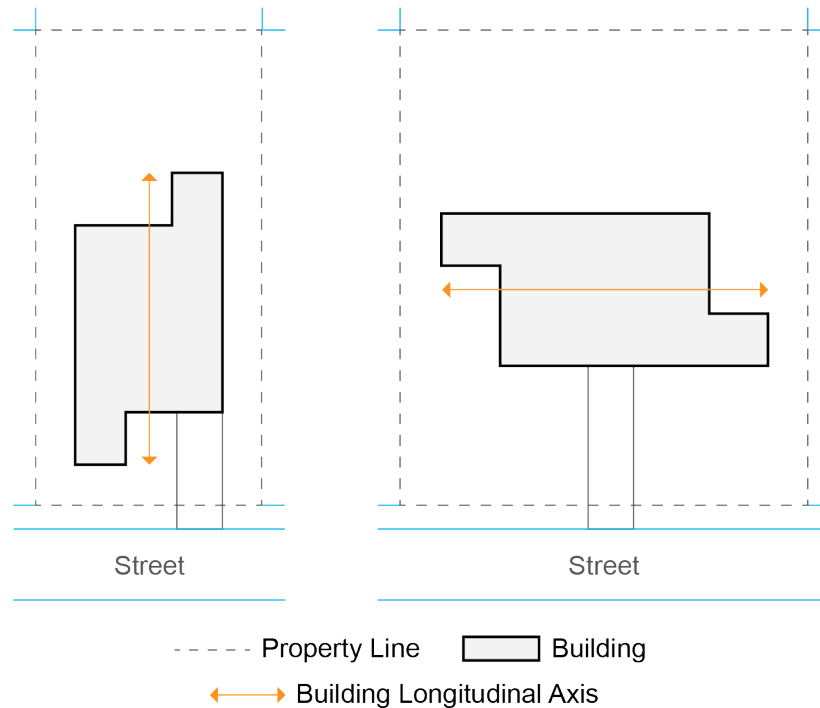
**Building** means a **Structure** wholly or partly enclosed by a roof supported by walls, columns or air pressure, and used for the shelter or accommodation of persons, animals or property, but excludes tents and recreation vehicles. When a building is divided into parts by party walls located upon **Lot** lines, then each part so divided may, for the purposes of this Bylaw, be deemed a separate building for ownership purposes.

**Building Height** means the vertical distance from **Average Grade** to:

1. the midpoint of the highest sloped roof plane for a pitched, hipped, or gambrel roof, or;
2. the highest point of the roof surface for a flat or mansard roof



**Building Longitudinal Axis** means the longest distance that can be measured from the farthest and closest measurable points of a **Building** perpendicular to any **Lot** line. Any two **Buildings** separated by less than 3 m will be calculated as one **Building** in determining the **Building Longitudinal Axis**.



[Class 1 Bicycle Parking Space](#) means a bicycle rack space for the long-term parking of one bicycle.

[Class 2 Bicycle Parking Space](#) means a bicycle rack space for the short-term parking of one bicycle.

[Cluster Housing](#) means a group of detached, semi-detached, or townhouse-style [Dwelling Units](#) arranged in proximity on a single [Lot](#), where individual units share common open space and access drives. [Cluster Housing](#) includes shared facilities such as [Amenity Areas](#).

[Commercial Use](#) means an occupation, employment or enterprise that is carried out for gain or monetary profit by any person or corporation.

[Cooking Facility](#) means the main means of cooking a meal within a [Dwelling Unit](#) or [Hotel](#) unit, and includes gas, propane, or electric ranges or stoves, microwave ovens, counter-top cooking units, hot plates, wall ovens, toaster ovens, electric frying pans, pressure cookers, crock pots or any other such appliances, and includes the arrangement of service lines which provide the energy source being used or intended to be used to service such appliances.

[Crawlspace](#) means a space between two floors, the lower floor of which is more than 1.8 m below the average [Finished Grade](#) at the perimeter of the [Building](#).

[Dwelling Unit](#) means a self-contained room or set of rooms, with a private entrance, that is designed and intended to be occupied as a residence, and includes, at a minimum, separate and distinct sleeping, sanitary and [Cooking Facility](#).

**Fence** means a structure used as an enclosure, boundary or screen or all or part of a lot, but excludes retaining walls, hedges, trees, or other types of natural vegetation.

**Garage** means a **Building** or **Structure**, or part thereof, used or designed to be used for the parking and storage of vehicles.

**Grade, Average** in reference to a **Building** or **Structure** means the arithmetic average of **Natural Grade** elevations at the outside corners of a **Building** or **Structure** excluding exterior decks, patios, stairs, bay windows and other similar minor projections, and excluding corners formed by minor changes in wall planes.

**Grade, Average Natural** of a property line or other defined line on a **Lot** means the arithmetic average of the **Natural Grade** elevations of the points where such property line or other defined line intersects other property lines of the lot.

**Grade, Finished** means the elevation of the ground at any point adjoining the exterior wall of a **Building** or **Structure**.

**Grade, Natural** means the natural level of the ground on a **Lot**, formed without human intervention. Where the lot has been subdivided from a parent parcel, and where the Approving Officer's conditions of approval include a grading plan, **Natural Grade** means the grade levels established by such a plan. Where **Natural Grade** has been obscured by excavation or filling, **Natural Grade** shall be deemed to be as determined by a registered land surveyor, based on the elevations at the corners of the lot and the topography of adjacent streets and lots.

**Gross Floor Area (GFA)** means the sum of the horizontal areas of each **Storey** of a **Building** measured from the interior faces of the exterior walls. The measurement is exclusive of **Basement** areas, underground parking and unfinished attic space. In the case of apartments, public corridors, exit stairways, corridors, common amenity spaces, and Building mechanical systems are also excluded. In the case of congregate housing, communal dining and kitchen facilities are excluded.

**Habitable Space** means rooms used for cooking, eating, sleeping, or human occupancy; excludes **Garage** areas and **Crawlspaces**.

**Highest Building Face** means the **Building** plan elevation, of the major **Building** plan elevations, which has the greatest vertical distance between natural grade along the base of that **Building** elevation and the allowable **Building Height**.

**Highest Building Face Envelope (HBFE)** means the envelope described by a series of lines drawn vertically up the **Highest Building Face** from **Natural Grade** along its base to a height specified within the zone as the height of the HBFE, thence inward over the **Building** at an angle of 45° to the plane of the **Building** face.

**Impermeable Surface** means any surface material, or substrate to a surface material, such as roofing, asphalt, concrete, stone, brick, solid wood or plastic, which would impede the movement of stormwater directly to the soil and roots below, but does not include

permeable paving systems designed to support tree root growth, bark mulch, wood chips, or wood or plastic decking with openings between spaced boards, where these materials are not constructed with an impermeable substrate.

**Industrial Use** means occupation, employment or enterprise for industrial activities that is carried out for gain or monetary profit by any person or corporation.

**Lane** means a dedicated highway which provides a secondary means of access to a **Lot**, at its rear or side.

**Landscape Screen** means a barrier which may be either a compact, evergreen hedge or mixed planting which is at least 1.5 m in height and 0.6 m in width when planted, and broken only for access drives or walks, which is in an area of not less than 0.6 m in width and incorporating suitable plant material, and broken only for access drives or walks.

**Lot** means any parcel, block or other area in which land is held, or into which land is subdivided, including a strata **Lot** within a **Bare Land Strata** plan as defined by the *Strata Property Act*, but does not include a **Lane**, **Street**, or **Access Route**.

**Lot Area** means the total horizontal area within the **Lot** lines of the lot, but excluding:

3. sloping portions of the lot having a slope of more than 50%, over a horizontal distance of 6 m or more;
4. land covered by the surface of water, as defined by its high water mark;
5. portions of the land in easement for major electrical or other energy transmission lines; and,
6. portions of a **Panhandle Lot** within “panhandle” portion of the lot.

**Lot Coverage** means the percentage of **Lot Area** covered by the vertical projection onto the horizontal plane of **Impermeable Surface** on the **Lot** such as principal and **Accessory Buildings** and **Structures**, including roof overhangs and covered entries, porches and decks, and other features such as swimming pools, open decks, walkways, driveways, parking, loading and storage spaces, where such features are constructed or paved with **Impermeable Surface** or substrates.

**Lot Line, Exterior Side** means the **Lot** or lines not being a **Front Lot Line** or **Rear Lot Line**, common to the lot and a **Street**, or in the case of a **Bare Land Strata** lot, common to the lot and an **Access Route**.

**Lot Line, Front** means the boundary of a **Lot** which abuts an existing or dedicated public **Street**, or in the case of a strata lot, an **Access Route**. Where there is more than one abutting **Street** or **Access Route**, it shall be the shortest dimension on a public **Street** or **Access Route**. If the dimensions are equal, the front lot line shall be designated by the owner and filed with the Town.

**Lot Line, Interior Side** means the **Lot** line, other than a **Front Lot Line** or **Rear Lot Line**, which is common to more than one lot, or to a lot and a **Lane**.

**Lot Line, Rear** means the **Lot** line or lines most distant from the **Front Lot Line**, or in the case of a lot having two intersecting side lot lines, the Rear Lot Line shall be deemed to be a line within the **Lot** 6 m in length; joining the two side **Lot** lines, parallel to and most distant from the **Front Lot Line**.

**Lot Depth** means the horizontal distance between the **Front Lot Line** and the **Rear Lot Line** or deemed **Rear Lot Line** of a **Lot**; where the front and **Rear Lot Line** are not parallel, lot depth shall be the horizontal distance between the midpoint of the **Front Lot Line** and **Rear Lot Line** or deemed **Rear Lot Line**.

**Lot Width** means the shorter of two measurements across a **Lot**, one on a line parallel to and 9 m to the rear of the **Front Lot Line**, and one on a line parallel to and 16 m to the rear of the **Front Lot Line**.

**Manufactured Home** means a **Dwelling Unit**, intended for year-round occupation; constructed as a unit at a site other than the lot it occupies; having bathroom and cooking facilities permanently connected to water supply and sewage disposal systems; having a habitable floor area of not less than 70 m<sup>2</sup>; and affixed to a foundation. A **Manufactured Home** does not include **Recreational Vehicles**.

**Natural Boundary** means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years, as to mark upon the soil of the bed of the lake, river, stream or other body of water a character distinct from that of the banks thereof, in respect to vegetation as well as in respect to the nature of the soil itself.

**Official Community Plan** means the *Town of Gibsons Official Community Plan*.

**Panhandle** means a strip of land that is used principally as a driveway, the end of which forms the boundary between the *lot* of which that strip of land is a part of and:

1. a **Street**;
2. a right-of-way easement giving access to the **Lot** if there is no **Street** abutting that boundary;  
or
3. the nearest public highway if there is no **Street** or right-of-way easement abutting that boundary.

**Parking Space** means a space within a **Building**, driveway, or a parking area for the parking of one vehicle, excluding access aisles.

**Planted Landscape Cover (PLC)** means any permeable area of a **Lot** that is planted and maintained with vegetation, including

1. existing or planted trees, shrubs, planting beds and;
2. permeable paving that allows for the healthy growth of tree roots (such as structural soil or porous pavement), provided it is located within the dripline of a tree and;

3. water features that are integrated into a larger landscaped area (e.g., ponds, rain gardens) and:
4. green roofs may be counted towards this requirement, subject to design review;

This definition excludes all building footprints, conventional non-permeable paved driveways, paved parking stalls, concrete sidewalks, and impermeable patios.

**Principal Building** means a **Building** that accommodates a **Principal Use** or uses; a Principal Building may also accommodate an **Accessory Use** or uses.

**Principal Residence** means a single **Dwelling Unit** where a person lives at least nine months in a calendar year and conducts their daily affairs, including, without limitation, paying bills and receiving mail, and is the **Dwelling Unit** with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver's licenses, personal identification, and vehicle registration.

**Principal Use** means the main **Use** for which land, **Building** or **Structure**, are used.

**Recreational Vehicle** means a motor vehicle or a vehicle towed by a motor vehicle, providing accommodation and includes travel trailer, tent trailer, camper, caravan, and motor home.

**Rental Housing** means a **Dwelling Unit** for living accommodation rented or intended to be rented by a tenant.

**Residential Rental Tenure** means the occupancy of a **Dwelling Unit** under a rental agreement with the Town of Gibsons, and subject to the *Rental Tenancy Act*.

**Residential Tenancy** means the use of an entire **Dwelling Unit** or portion thereof under a tenancy agreement that has a term of 30 days or more and is subject to the *Residential Tenancy Act*.

**Retaining Wall** means a structure designed to hold back or support soil behind it, commonly used in landscaping and construction to prevent erosion, manage sloped terrain, or create level areas on uneven ground.

**Setback** means the horizontal distance from the nearest portion of a **Building** or **Structure** on a **Lot**, to a lot line of that lot, measured at a right angle to that lot line.

**Shared Vehicle** means a four-wheeled automobile, van or pick-up truck owned and operated by an organization which provides car-sharing services to its members.

**Shared Vehicle Parking Space** means a **Parking Space** reserved for the exclusive use of a **Shared Vehicle**.

**Short-Term Rental Operator** means a person who is listed as the operator on a valid Town of Gibsons **Short-Term Rental** business licence.

**Storey** means the space in a **Building** between two adjacent floor levels or between a floor and the roof, but does not include a **Basement**, **Crawlspace**, mezzanine, or attic.

**Stormwater System** means a system of works, which may include pipes, ponds, open channels, swales and ditches, designed and constructed to collect and manage the flow of storm water or run-off.

**Street** means a dedicated public thoroughfare which provides the primary means of access to an abutting **Lot** or **Lots**.

**Structure** means an erection or construction of any kind whether fixed to, supported by or sunk into land or water; includes swimming pools.

**Support and Amenity Services** means meal preparation, meal service, administration services, and may include any of the following: counselling, medical services, social and recreation uses, house cleaning, and laundry service; provided to residents in conjunction with their supportive housing or assisted housing.

**Tandem Parking** means two **Parking Space**, one behind the other, with a common or shared point of access to manoeuvring aisle, **Lane**, or **Street**.

**Townhouse** means a **Building** divided vertically into three or more **Dwelling Units**, each having a separate ground-level entrance and direct access to the outdoors. **Townhouses** are typically attached in a row, share common side walls, and may include individual private yards or patios.

**Use** means the purpose for which any **Lot**, **Building** or **Structure** is designed, arranged, constructed, or intended, or for which it is occupied, used, or maintained.

**Watercourse** means is any natural or man-made depression with well defined banks and a bed 0.6 m or more below the surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of 2 km<sup>2</sup> or more.

## 7. Administrative and Interpretative Clauses

### 7.1. Basic Provisions

#### 7.1.1. Application

1. This Bylaw applies to land within the geographical boundaries of the Town of Gibsons. Where land is covered by water, the regulations of this Bylaw apply to the surface of water.

#### 7.1.2. Location and Boundaries of Zone

1. Subject to subsection 7.1.2.2, the location and boundaries of the zones are shown on section 1.2 on the Zoning Map.
2. Where any [Lot](#) abuts a [Street](#), [Lane](#), or roadway, the zoning of that lot shall be deemed to extend to the centreline of such abutting [Street](#), [Lane](#) or roadway. Where an area of land that was highway is added to a [Lot](#), the zoning of the [Lot](#) extends to such area.
3. Despite section 1.2, the zoning for the lands legally described as follows is zone CDA-1:
  - 3.1. Lot 2, Block A, District Lot 686, Plan VAP14197 (PID: 007-359-870)
  - 3.2. Lot 1, Block A, District Lot 686, Plan VAP14197 (PID: 007-359-829)
  - 3.3. Lot 1, Block A, District Lot 685, Plan VAP5579 (PID: 011-118-202)
  - 3.4. Lot A, Block A, District Lot 685, Plan VAP5579 (PID: 011-117-524)
  - 3.5. Lot 2, Block A, District Lot 685, Plan VAP5579 (PID: 011-118-211)

#### 7.1.3. Restriction of Uses

1. Land including the surface of water, [Buildings](#) and [Structures](#) must not be used except as permitted by, and in conformity with, the provisions of this Bylaw.
2. [Buildings](#) and [Structures](#) must not be constructed, extended, or altered except as permitted by this Bylaw.
3. The use of land, [Buildings](#), or [Structures](#) must not be changed or extended except in conformity with the provisions of this Bylaw.
4. All [Uses](#) must be conducted within a [Building](#), except for the sale of automobiles.

#### 7.1.4. Non-Conforming Use

1. A [Use](#) or siting of land, [Building](#), or [Structure](#) that was lawful at the time of enactment of this Bylaw or an amendment thereto, but that does not comply with a provision or provisions of this Bylaw or an amendment thereto, may be continued as a non-conforming [Use](#), subject to the conditions and limitations for non-conforming uses set out in the *Local Government Act* and amendments thereto.

#### 7.1.5. Lot Width

1. The width of the [Front Lot Line](#) of a [Lot](#) must not be less than 2/3 of the minimum required width set out in the regulations of the applicable zone.

2. The width between the side lot lines of a [Lot](#), projected if necessary for this measurement, on a line parallel to and 25 m to the rear of the [Front Lot Line](#), shall be not less than 2/3 of the minimum required width set out in the regulations of the applicable zone.

## 7.2. Interpretation

### 7.2.1. Interpretation

1. Whenever the singular or masculine is used in this Bylaw, it includes the plural of the feminine or the body politic or corporate as the parties or context so require.
2. In this Bylaw, “must” is to be construed as imperative.
3. If any part, section, subsection, definition, paragraph or any other portion of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid portion must be severed and the remainder of this Bylaw is deemed to have been enacted without the invalid portion.
4. Despite anything else in this bylaw, use and development in accordance with a development permit (a “DP”) issued before the adoption of this bylaw is permitted, but only if a complete application for all required building permits in respect of the development is submitted before the DP expires, lapses, or is cancelled.

## 7.3. Enforcement

### 7.3.1. Inspection

1. Those persons appointed by the Council as Director of Planning, Bylaw Enforcement Officer or Building Inspector, or any other employee of the Town under the direction of one of them, are hereby authorized to enter upon any premises to ascertain whether the provisions of this Bylaw are being or have been complied with, subject to the provisions of the “*Community Charter*”.

### 7.3.2. Offence

1. Any person who violates any provision of this Bylaw or who causes, permits or suffers any contravention of its regulations, contravenes this Bylaw and is liable to the penalties imposed. Obstruction of the entry of any person authorized to conduct inspections also constitutes a contravention.

### 7.3.3. Penalties

1. Every person who violates the provisions of this Bylaw or permits an act or thing to be done in contravention of this Bylaw, or fails to comply with any order, direction or notice given under this Bylaw, is, on conviction, liable to a fine not exceeding \$2000, and not less than \$100 per day for continuing offence and costs. In default of payment thereof, forthwith, or within such time as the presiding Provincial Court Judge directs, the fine imposed will be recoverable under the provisions of the *Offence Act*.

### 7.3.4. Notice of Violation and Order to Remedy

1. Where a [Use](#) of land or of a [Building](#) or [Structure](#) or part thereof contravenes this Bylaw, the Director of Planning or the Bylaw Enforcement Officer may give the owner, agent or any other person responsible for the violation written notice specifying the violation and

ordering that the violation cease. Such order may also require that remedial measures be undertaken or work done, by the time and in the manner specified in the order.

### 7.4. Enactment

**READ** a first time on the 18<sup>th</sup> day of November 2025

**READ** a second time on the 10<sup>th</sup> day of December 2025

**PUBLIC HEARING** held on the 6<sup>th</sup> day of January 2026

**READ** a third time on the 6<sup>th</sup> day of January 2026

**RECEIVED** the approval of the Minister of Transportation on the 20<sup>th</sup> day of January, 2026.

**ADOPTED** on the 20<sup>th</sup> day of January 2026

\_\_\_\_\_  
Silas White, Mayor

\_\_\_\_\_  
Rebecca Anderson, Corporate Officer

## 8. Record of Amendments

## 9. Comprehensive Development Zones

### 9.1.1. CDA-1 – Comprehensive Development Area 1 Zone

#### 1. Intent

- 1.1. The regulations of this zone apply to the [Use](#) of land, [Building](#), and [Structure](#) within the Comprehensive Development Area Zone 1. The intent of the CDA-1 zone is to allow for a mix of residential and tourist [Commercial Use](#).

#### 2. Permitted Uses

##### 2.1. Principal Use for subarea 1

- 2.1.1. [Hotel](#)

##### 2.2. Principal Use for subarea 2

- 2.2.1. [Residential](#)

##### 2.3. Accessory Uses allowed in both subarea 1 and 2

- 2.3.1. [Food and Beverage](#) and dining facilities attached to a [Hotel](#) use, up to 940 m<sup>2</sup> in [Gross Floor Area \(GFA\)](#)
- 2.3.2. Conference facilities other than [Food and Beverage](#) and dining facilities, attached to a [Hotel](#)
- 2.3.3. [Service Commercial](#)
- 2.3.4. [Retail](#) attached to a [Hotel](#), up to 170 m<sup>2</sup> in [Gross Floor Area \(GFA\)](#).
- 2.3.5. Off-street parking for a principal [Food and Beverage](#) use in the adjacent CH zone
- 2.3.6. Other [Accessory Use](#) customarily incidental and subordinate to a permitted use.

##### 2.4. Accessory Uses allowed only in subarea 1

- 2.4.1. Marine fuel storage accessory to a principal fuel sales use in the adjacent CH zone

##### 2.5. Accessory Uses allowed only in subarea 2

- 2.5.1. [Home Occupation](#)

#### 3. Density

##### 3.1. Base density

- 3.1.1. Maximum number of [Dwelling Units](#) is 3; and,
- 3.1.2. Maximum number of [Hotel](#) beds: 11.

##### 3.2. Bonus density

- 3.2.1. Maximum [Gross Floor Area \(GFA\)](#) regardless of the number of [Dwelling Units](#) or [Hotel](#) beds, excluding enclosed parking and loading areas, subject to the owner providing to the Town cash contributions of \$156,648 for the Affordable Housing Reserve Fund (Bylaw 1069, 2007) and \$100,000 for the Community Amenity Reserve Fund (Bylaw 1070, 2007), prior to the issuance of either building permits for in excess of 11 [Hotel](#)

units in total in sub-area 1 or building permits for in excess of 3 [Dwelling Units](#) in total in sub-area 2:

- 3.2.1.1. All [Residential](#): 5625 m<sup>2</sup>; and,
- 3.2.1.2. All [Hotel](#): 10,725 m<sup>2</sup>.

**4. Setbacks and general regulations**

4.1. Part 3 Sections 3.1.3.1, 3.1.4, and 3.5.3 do not apply in this zone.

**5. Maximum Height of Buildings**

5.1. Notwithstanding Part 6 Section 6.2, for the purposes of determining [Building Height](#) in this zone, 6.36 m geodetic is deemed to be the [Average Natural Grade](#).

- 5.1.1. Notwithstanding Part 5, [Principal Building](#) must not exceed the following heights:
  - 5.1.1.1. For subarea 1: 31.44 m (103.42 ft); and,
  - 5.1.1.2. For subarea 2: 25.05 m (82.4 ft).

**6. Off-Street Parking and Loading**

6.1. Off-street parking and loading must be provided and maintained in accordance with all provisions of Part 4, except that a reduction in parking requirements up to 20% may be applied for this site subject to a traffic study by a qualified person demonstrating that sufficient parking is being provided.

**7. Subareas Map**

