

BYLAW NO. PLU 1/17

Being a Bylaw of the Town of Gibbons in the Province of Alberta To Amend Town of Gibbons Bylaw No. PLU 8/06 being the Land Use Bylaw.

WHEREAS, the Municipal Government Act, RSA 2000, as amended ("the Act") provides that a Municipal Council may amend its Land Use Bylaw.

WHEREAS, the Council of the Town of Gibbons wishes to amend its Land Use Bylaw as it affects certain lands.

NOW THEREFORE, the Council of the Town of Gibbons, duly assembled, enacts as follows:

Amend Part I — General under Section 1.3 Interpretation by adding the following:

73(b) "garden suites" — means a subordinate self-contained dwelling which is separate from the principal single detached house. It has cooking, sleeping and bathroom facilities which are separate from those of the principal dwelling located on the lot. For the purpose of this clause, "cooking facilities" includes any stove, hotplate, oven, microwave oven, toaster oven or electric griddle, as well as any wiring or piping containing the energy or power source for such facilities. This Use Class does not include Secondary Suites.

3. Add Section 2.14a to read as follows: 2.14a GARDEN SUITES
 1. A garden or garage suite may not be constructed, erected or moved onto any site prior to the time of the construction of the principal building to which it is accessory.
 2. All garden suites, no matter of size require a development permit.
 3. Garden suites shall only be developed in the rear yards. In the case of a corner or double facing lot, garage suits may be allowed at the digression of the Development Authority.
 4. A site plan for a garden or garage suite shall be submitted with Development Permit application and must indicate:
 - a) the location of all town-owned trees on the site, the adjacent boulevard and on sites on either side of the subject site; and
 - b) details regarding utility service connections. The site plan must be approved by the Town and by all utility agencies which provide service to the site.

5. Sites containing garden or garage suites must have adequately drainage. A site drainage plan shall be submitted and approved by the Town before a development permit can be issued.
 6. All habitable areas of any garden or garage suite shall be above grade.
 7. Minimum floor area allowed for a garden suite will be 37 sq. m. (400 sq. ft.) The gross floor area of a garden or garage suite shall not exceed the gross floor area of the principal dwelling.
 8. Minimum side yard setbacks shall be equal to the minimum setbacks imposed on the principal dwelling.
 9. The maximum rear yard site coverage for a garden suite shall not exceed 25%.
 10. There shall be no more than one suite of any type developed in conjunction with a dwelling.
 11. Condominium plans to provide a separate title for a garden or garage suite shall not be approved.
 12. Windows and doors in garden and garage suites shall be of a size and in locations which will meet applicable building codes but not result in the loss of privacy for residents of adjacent sites.
 13. Balconies may be provided on the second story of garden and garage suites facing a lane, or on corner sites, facing a side street. Balconies shall be screened appropriately so as to inhibit the view into adjacent sites.
 14. Mechanical units such as air conditioners and vents as well as all exterior lighting shall be located so as not to constitute a nuisance to adjacent properties.
 15. One on-site parking space, not in tandem with any other required parking, shall be provided for each garden Suite.
 16. The Development Officer may exercise discretion in considering garden, garage or secondary suite development having regard to:
 - a) compatibility of the Use with the siting, grade elevations, height, building type and material characteristic of surrounding single detached housing and development; and
 - b) the effect on the privacy of adjacent properties.
5. Amend Part 4 District Provisions Sections 4.1 (1) (b), 4.2 (1) (b), and 4.6 (1) (b) to add "garden suites" as a discretionary use.
- Amend Part 4 District Provisions Sections 4.3 (1) (b), 4.7 (1) (b), 4.8 (1) (b), 4.9 (1) (b), and 4.9a (1) (b) to add "secondary suits" "garden suites" and "garage suites" as a discretionary use.

Read a first time this 25th of January, 2017

Read a second time this _____ of _____, 2017

Read a third time this _____ of _____, 2017

Deputy Mayor

Manager