

THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER  
PUBLIC HEARING MINUTES  
MUNICIPAL HALL COUNCIL CHAMBER  
MONDAY, NOVEMBER 16, 2009

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**COUNCIL:**

Mayor P. Goldsmith-Jones; Councillors M. Evison, M. Lewis, T. Panz, M. Smith, W.S. Soprovich, and S. Walker.

**STAFF:**

G. McRadu, Chief Administrative Officer; B. Leigh, Deputy Chief Administrative Officer; S. Scholes, Municipal Clerk; R. Fung, Director of Engineering and Transportation; A. Mooi, Director of Parks and Community Services; B. Sokol, Director of Planning, Lands and Permits; and M. Connelly, Deputy Municipal Clerk.

1. **CALL TO ORDER**

The Hearing was called to order at 7:12 pm.

2. **PUBLIC HEARING**

**Zoning Bylaw No. 2200, 1968, Amendment Bylaw No. 4617, 2009 and Fees and Charges Bylaw No. 4414, 2005, Amendment Bylaw No. 4616, 2009 for Secondary Suites** (File: 1610-20-4616/4617)

**Applicant:** District of West Vancouver

**Affected Lands:** The proposed regulations regarding Secondary Suite uses apply to Single Family and Two Family Dwellings in most residential, comprehensive development and community use zones throughout the municipality.

**Purpose:** The proposed Zoning Bylaw amendment introduces Secondary Suite uses as a Permitted Use in West Vancouver. Details are provided below.

**Proposed Zoning Bylaw Amendment:** A term and definition of a Secondary Suite is added to the Zoning Bylaw as a permitted use in a Single Family or Two Family Dwelling.

Terms and definitions within the Zoning Bylaw are added or amended. Single Family Dwelling and Two Family Dwelling or Duplex are amended to permit a Secondary Suite and terms and definitions of Cooking Facilities and Kitchen are also added to the Zoning Bylaw.

The Terms and Definitions of In-Law Suite and Family are deleted from the Zoning Bylaw which will no longer permit an In-Law Suite within a dwelling unit.

For residential areas, the proposed bylaw introduces Secondary Suites as a Permitted Use within a Single Family or Two Family Dwelling. The following requirements are also added to permit a Secondary Suite on a lot:

1. A maximum of one Secondary Suite is permitted per lot;
2. A Secondary Suite cannot be detached from the principal building (i.e. 'coach house');
3. A Secondary Suite must have a minimum floor area of 20m<sup>2</sup> (215 sq. ft.) and a maximum floor area of either 90 m<sup>2</sup> (968 sq. ft.) or 40% of the total floor area of the building, excluding garage space, whichever is less;
4. The registered owner of the property must occupy, as his/her principal place of residence, either the principal residential use or the Secondary Suite;
5. Lodgers, a personal care facility, Child Care Use or a Bed and Breakfast is not permitted in a building containing a Secondary Suite;
6. The principal entrance to a Secondary Suite must be a separate exterior entrance from that of the Principal Dwelling Unit and must not face the same street as the principal exterior entrance to the Principal Dwelling Unit;
7. One off-street vehicle parking space must be provided for the exclusive use of the Secondary Suite and at least two off-street vehicle parking spaces for the Principal Dwelling Unit if the walking distance from the lot to a bus stop is greater than 200 feet;
8. A Secondary Suite must not be subdivided from the Principal Dwelling Unit under the Land Title Act or the Strata Property Act; and
9. Water service and electrical service for the Secondary Suite and the Principal Dwelling Unit must not be metered separately.

### 3. **PRESENTATION**

A PowerPoint presentation was provided and B. Sokol (Director of Planning, Lands and Permits) provided background information and described the proposed Zoning Bylaw and Fees and Charges Bylaw amendments regarding Secondary Suites.

Discussion ensued and B. Sokol responded to queries of Council relative to cost analysis, home based businesses in secondary suites, parking and impacts on neighbourhood character.

#### **4. PUBLIC HEARING PROCEDURE**

Mayor Goldsmith-Jones described the procedure for the Public Hearing.

We are convening this Public Hearing to consider and receive submissions regarding Zoning Bylaw No. 2200, 1968, Amendment Bylaw No. 4617, 2009 and Fees and Charges Bylaw No. 4414, 2005, Amendment Bylaw No. 4616, 2009, regarding Secondary Suites.

Anyone who believes their interest in property is affected by the proposed bylaws will be heard, or may make a written submission. No one will be discouraged or prevented from making his or her views heard.

Members of Council may ask questions of you following your presentation but our function tonight is to listen to the views of the public, not to debate the proposed bylaws.

After the Public Hearing has concluded, Council may, without further notice, give whatever effect Council believes proper to the representations.

Your only opportunity to comment on the proposed zoning amendment bylaw is during the Public Hearing. We are not permitted to receive further submissions once we have closed the Public Hearing.

We have received documents which are available for your review. A list of documents and copies of these may be obtained from the Clerk during the Public Hearing. Written submissions received during the course of these proceedings will be added to these documents so that everyone may examine them.

To maintain order and to ensure that everyone has an opportunity to be heard here are our rules of procedure:

1. A Speakers' List has been established. Please ensure that you place your name on the list at any time throughout the Public Hearing. If you are speaking from prepared remarks, we would appreciate a copy.
2. Please begin your remarks by stating your name and address. If you are speaking on behalf of some other person or organization, please identify the name of that person or organization.
3. Please limit your remarks to 5 minutes (a bell will sound with 15 seconds to go) and to the subject of the proposed bylaw. Please be respectful to others.
4. After everyone has spoken once, you will have an opportunity to speak again if you wish.

If you have any concerns about the rules or the Hearing, please address your comments to me, as the Chair.

**5. REPORTS/CORRESPONDENCE**

1) Reports received up to November 16, 2009:

TITLE	DATE	DATE RECEIVED	NO.
Secondary Suite Program and Discussion Paper (including appendices A and B)	July 17, 2009	October 7, 2009	R-1
Zoning Bylaw No. 2200, 1968, Amendment Bylaw No. 4617, 2009 and Fees and Charges Bylaw No. 4414, 2005, Amendment Bylaw No. 4616, 2009 for Secondary Suites (including appendices A to D)	October 23, 2009	November 2, 2009	R-2
Revised Zoning Bylaw No. 2200, 1968, Amendment Bylaw No. 4617	November 2, 2009	November 2, 2009	R-3

2) Correspondence received up to November 16, 2009:

Author	DATE	DATE RECEIVED	NO.
D. and S. Simunic	September 10, 2009	September 21, 2009	C-1
C. Thompson	September 17, 2009	October 5, 2009	C-2
L. Gilbert and P. Grainger	November 15, 2009	November 16, 2009	C-3
K. Pople	November 16, 2009	November 16, 2009 ON TABLE	C-4
G. Polman	November 16, 2009	November 16, 2009 ON TABLE	C-5

S. Scholes (Municipal Clerk) informed that on November 2, 2009 Council set the date for the Public Hearing, the statutory notice of Public Hearing was published in the North Shore News on November 8 and November 11, 2009 and noted written submissions received for the November 16, 2009 Public Hearing.

## 6. PUBLIC INPUT

Mayor Goldsmith-Jones called for public input.

O. Zappa (1195 Mathers Avenue) spoke relative to the proposed bylaw amendments and queried the North Shore News article regarding additional staffing for the secondary suites program implementation.

K. Pople (1215 Keith Road) spoke in support of the bylaw regulations and requirements and described concerns regarding parking regulations, safety, home based businesses within secondary suites and the registration fee. K. Pople provided a written submission.

G. Polman (Interested Taxpayers' Action Committee) informed that ITAC was supportive of the concept of secondary suites and described concerns regarding the proposed fee structure, additional staffing, and registration deadlines. G. Polman provided a written submission.

G. Ward Hall (1449 Fulton Avenue) spoke relative to the proposed fee structure and regulating occupancy in secondary suites.

N. Gambioli (1286 Duchess Avenue) spoke in support of the proposed bylaw amendments, and described concerns relative to parking.

V. Christison (Lionsview Seniors' Planning Society, 600 West Queens, North Vancouver) referred to the Community Dialogue on Neighbourhood Character and Housing Working Group's recommendations, and spoke relative to housing issues, the need for additional housing, and secondary suite inspections.

C. Sedgewick (1209 Clyde Avenue) queried the definition of an illegal suite and described concerns relative to parking.

K. Mellquist (1190 Renton Place) spoke in opposition to secondary suites and described issues relative to a neighbour's secondary suite and concerns regarding privacy, property integrity, and impact on value of homes adjacent to secondary suites.

K. Coules (5309 Westhaven Wynd) requested clarification regarding legal "in-law suites".

C. Reynolds (Editor, West Van Matters) spoke relative to safety issues concerning narrow roads, impervious surfaces related to parking, proposed fee structure, home based businesses in secondary suites, and queried whether the number of secondary suites in an area could be limited.

P. Jackson (410 Eastcot Road) requested clarification regarding whether a self-contained suite provided without a rental charge would be a secondary suite.

B. Sokol responded to queries of Council relative to suites provided without rental charge relative to building code requirements.

B. Musters (408 Inglewood Avenue) spoke in support of secondary suites, spoke relative to higher assessed property values, proposed fee structure for secondary suites, queried how many home based businesses were in West Vancouver, and described parking concerns.

Mayor Goldsmith-Jones asked if anyone further wished to speak.

P. Backhouse (2511 Nelson Avenue) queried and spoke relative to concerns regarding bylaw enforcement regarding secondary suites.

Mayor Goldsmith-Jones asked if anyone further wished to speak.

E. Cordingley (4666 Keith Road) spoke in opposition to the proposed amendments and described concerns relative to impact on property adjacent to secondary suites, and bylaw enforcement.

Mayor Goldsmith-Jones asked if anyone further wished to speak.

T. Wardell (1165 13<sup>th</sup> Street) spoke relative to secondary suites noting that they have existed in West Vancouver for many years, and the registration program and costs.

B. Shard (1363 Clyde Avenue) requested clarification relative to off-street parking and queried regarding entrances to secondary suites.

Mayor Goldsmith-Jones asked if anyone further wished to speak.

A. Abtin (6482 Argyle Avenue) spoke in support of the proposed amendments and commented on neighbourhoods with secondary suites.

Mayor Goldsmith-Jones asked if anyone further wished to speak.

K. Gustavson (3685 McKechnie Avenue) spoke in support of the proposed amendments, queried regarding suites occupied by family members, and described concerns regarding parking and bylaw enforcement..

Mayor Goldsmith-Jones asked if anyone further wished to speak.

D. Yousefi (663 Duchess Avenue) spoke relative to the proposed bylaw amendment and his secondary suite.

J. Mellquist (1190 Renton Place) spoke relative to bylaw enforcement regarding secondary suites and the issues and experiences relative to a neighbour's secondary suite.

B. Sokol responded to speakers' queries relative to illegal suites, In-law suites, bylaw enforcement, parking, fee structure, access to secondary suites, and proposed staffing for the secondary suite program, throughout the Hearing.

The Mayor called three times if anyone else wished to speak. There was no response.

7. **CLOSURE OF PUBLIC HEARING**

MOVED by Evison, seconded by Soprovich:

THAT all written and verbal submissions regarding Zoning Bylaw No. 2200, 1968, Amendment Bylaw No. 4617, 2009 and Fees and Charges Bylaw No. 4414, 2005, Amendment Bylaw No. 4616, 2009 up to and including November 16, 2009 be received and that the Public Hearing be closed.

Discussion ensued.

The question was called on the motion.

**CARRIED**

The Hearing closed at 8:39 pm.

Certified Correct:

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MAYOR

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MUNICIPAL CLERK

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