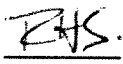
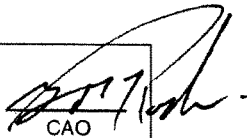


R3

COUNCIL AGENDA/INFORMATION		
<input type="checkbox"/> Closed	Date: _____	Item # _____
<input checked="" type="checkbox"/> Reg. Council	Date: <b>Nov. 2, 09</b>	Item # <b>8</b>
<input type="checkbox"/> Supplemental	Date: _____	Item # _____

 Director	 CAO
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DISTRICT OF WEST VANCOUVER  
750 - 17<sup>TH</sup> STREET, WEST VANCOUVER, BC V7V 3T3

**ON-TABLE**

## COUNCIL REPORT

Date: November 2, 2009 File: 1610-20-4617  
 From: Bob Sokol, Director of Planning, Lands and Permits  
 Subject: **Revised Zoning Bylaw No. 2200, 1968, Amendment Bylaw No. 4617 for Secondary Suites**

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Attached is a revised Zoning Bylaw No. 2200, 1968, Amendment Bylaw No. 4617 for Secondary Suites. It replaces the version attached to the Council report dated October 23, 2009. This version includes changes recommended by the municipal solicitor for clarity and ease of implementation.

Appendix A: Revised Zoning Amendment Bylaw

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District of West Vancouver

**Zoning Bylaw No. 2200, 1968  
Amendment Bylaw No. 4617, 2009**

Effective Date – [Date]

Document # 373609v1

District of West Vancouver

## **Zoning Bylaw No. 2200, 1968 Amendment Bylaw No. 4617, 2009**

A bylaw to amend the Zoning Bylaw to provide for Secondary Suites in certain residential zones of West Vancouver.

WHEREAS the Council of The Corporation of the District of West Vancouver deems it expedient to amend the Zoning Bylaw;

NOW THEREFORE, the Council of the District of West Vancouver enacts as follows:

### **Part 1 Citation**

- 1.1 This bylaw may be cited as Zoning Bylaw No. 2200, 1968 Amendment Bylaw No. 4617, 2009.

### **Part 2 Amends the Zoning Bylaw Definitions**

- 2.1 Zoning Bylaw No. 2200, 1968, Part 1 - Division 2 – Definitions, is amended:
- (a) by deleting the following terms and their definitions:
    - IN-LAW SUITE
    - FAMILY
  - (b) by adding, in alphabetical order, the following:
    - COOKING FACILITIES - means equipment, devices or appliances that can be utilized to prepare a meal within a dwelling unit and includes a sink, counter-top, gas or electric range or stove, counter-top cooking unit, hot plate, wall oven microwave oven, convection oven, toaster oven, electric frying pan, electric wok, pressure cooker, crock pot, cabinetry for the storage of food or any other such culinary facility or appliance or any combination of such culinary facilities and appliances and includes the arrangement of service lines which provide the energy source being used or intended to be used to service such facilities and appliances;

- KITCHEN – shall mean a room for the preparation, cooking or eating of food and containing Cooking Facilities, a sink, cabinetry and ventilation for the Cooking Facilities.
  - SECONDARY SUITE – shall mean a Dwelling Unit accessory to a single family or two family dwelling use.
- (c) by replacing the terms and definitions of Dwelling, Single Family and Dwelling, Two Family or Duplex, with the following;
- DWELLING, SINGLE FAMILY – shall mean a building designed for use exclusively as a Principal Dwelling Unit and includes a Secondary Suite and other accessory uses.
  - DWELLING, TWO FAMILY OR DUPLEX – shall mean a building designed, constructed and occupied or intended to be occupied as two separate Dwelling Units structurally adjoined side-by-side or one above the other and includes Secondary Suites and other accessory uses.

### **Part 3 Amends the Zoning Bylaw General Regulations**

- 3.1 Zoning Bylaw No. 2200, 1968, Part 3 – Division 1 – General Regulations for all Zones, Subdivision 1 – Development in all Zones under General Regulations is amended by deleting sub-section 21-116 Provision for Parking Spaces not Provided on the Same Site as the Main Building, in its entirety.

### **Part 4 Amends the Zoning Bylaw Residential Zones**

- 4.1 Zoning Bylaw No. 2200, 1968, Part 3 – Division 1 – General Regulations for Residential Zones, Subdivision 1 – Development in Residential Zones under General Zoning Regulations is amended:
- (a) by deleting Section 31-109 In-law Suites in its entirety; and
  - (b) by adding the following:
    - 31-109 Secondary Suites
    - 31-109.1 A Secondary Suite must meet the following requirements:
      - (1) a maximum of one such use is permitted per lot;
      - (2) the Secondary Suite must not be detached from the principal building;

- (3) the Secondary Suite must occupy 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 lot must occupy, as his/her principal place of residence, either the Principal Dwelling Unit or the Secondary Suite;
- (5) the keeping of lodgers, or a personal care facility, or a 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:
  - (a) be a separate exterior entrance from that of the Principal Dwelling Unit; and
  - (b) 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 exclusively for the use of the Secondary Suite and at least two off-street vehicle parking spaces must be provided exclusively for the Principal Dwelling Unit, if the walking distance from the lot to the sign indicating the location of a bus stop, in use and serviced by a public transit service, is more than 200 feet;
- (8) the Secondary Suite off-street vehicle parking space:
  - (a) must be located so that any vehicle parked in any required vehicle parking space on the lot may exit the lot without the need to manoeuvre other vehicles;
  - (b) must be provided in addition to any parking spaces required by this bylaw for visitor parking;
  - (c) must be constructed of pervious materials and contained by a suitable edge treatment to prevent erosion; and
  - (d) must not utilize the same garage entry as the required car parking spaces for the Principal Dwelling Unit;

- (9) the Secondary Suite must not be subdivided from the Principal Dwelling Unit under the Land Title Act or the Strata Property Act; and
  - (10) water service and electrical service for the Secondary Suite and the Principal Dwelling Unit must not be metered separately.
- 4.2 Zoning Bylaw No. 2200, 1968, Part 3 – Division 1 – General Regulations for Residential Zones, Subdivision 1 – Development in Residential Zones under General Zoning Regulations is amended in sub-section 31-116.2 (b) by replacing the words “contain an in-law suite” with the words “contain a Secondary Suite”.
- 4.3 Zoning Bylaw No. 2200, 1968, Part 3 – Division 2 – Single Family Zones as follows:
- R.S.1 Zone, Section 32-102 Uses Permitted;
  - R.S.2 Zone, Section 32-202 Uses Permitted;
  - R.S.2A Zone, Section 32-2A02 Uses Permitted;
  - R.S.3 Zone, Section 32-302 Uses Permitted;
  - R.S.4 Zone, Section 32-402 Uses Permitted;
  - R.S.5 Zone, Section 32-502 Uses Permitted;
  - R.S.7 Zone, Section 32-702 Uses Permitted;
  - R.S.8 Zone Section 32-802 Uses Permitted;
  - R.S.9 Zone, Section 32-902 Uses Permitted;
  - R.S.10 Zone, Section 32-1002 Uses Permitted; and
  - R.S.11 Zone, Section 32-1102 Uses Permitted; are amended:
- (a) by deleting the following:
    - in-law suites subject to compliance with the regulations contained in Section 31-109, provided however where this use is assumed, the keeping of lodgers shall not be permitted.
  - (b) and by adding the following to each of the eleven Sections as a permitted use:
    - Secondary Suites subject to the regulations of Section 31-109.
- 4.4 Zoning Bylaw No. 2200, 1968, Part 3 – Division 3 – Two Family Zones as follows:
- R.T.1 Zone, Section 33-102 Uses Permitted; and
  - R.T.2 Zone, Section 33-202 Uses Permitted are amended:

- (a) by deleting any or all of the following wherever they appear:
  - in-law suites in single family dwellings only, subject to compliance with the regulations contained in Section 31-109, provided however where this use is assumed, the keeping of lodgers shall not be permitted.
- (b) and by adding the following to each of the two Sections as a permitted use:
  - Secondary Suites subject to the regulations of Section 31-109.

4.5 Zoning Bylaw No. 2200, 1968, Part 3 – Division 4 – Multiple Dwelling Zones (Low Density) as follows:

R.M.L.3 Zone, Section 34-302 Uses Permitted; and  
R.M.L.4 Zone, Section 34-402 Uses Permitted are amended by adding the following to each of the sections as a permitted use:

- Secondary Suites subject to the regulations of Section 31-109.

## **Part 5 Amends the Zoning Bylaw Comprehensive Development Zones**

- 5.1 Zoning Bylaw No. 2200, 1968, Part 3 – Division 6 – Comprehensive Development Zones - CD3 Zone, Section 36-302 Uses Permitted, subsections 302.02, 302.03, 302.05 are amended by adding the following:
  - Secondary Suites subject to the regulations of Section 31-109.
- 5.2 Zoning Bylaw No. 2200, 1968, Part 3 – Division 6 – Comprehensive Development Zones - CD4 Zone, Section 36-402 Uses Permitted, subsection 402.01 is amended:
  - (a) by deleting the following:
    - in-law suites subject to compliance with the regulations contained in Section 31-109, provided however where this use is assumed, the keeping of lodgers shall not be permitted.
  - (b) and by adding the following:
    - Secondary Suites subject to the regulations of Section 31-109.

## Part 6 Amends the Zoning Bylaw Community Use Zones

6.1 Zoning Bylaw No. 2200, 1968, Part 6 – Division 2 – Community Use Zones - P.A.2 Zone, Section 62-202 Uses Permitted is amended;

(a) by deleting the following:

- in-law suites in single family dwellings only, subject to compliance with the regulations contained in Section 31-109, provided however where this use is assumed, the keeping of lodgers or boarders shall not be permitted.

(b) and by adding the following:

- Secondary Suites subject to the regulations of Section 31-109.

READ A FIRST TIME on [Date]

READ A SECOND TIME on [Date]

READ A THIRD TIME on [Date]

APPROVAL by (insert statutory approvals, e.g. Minister of Highways, Minister of Health, or Inspector of Municipalities).

ADOPTED by the Council on [Date].

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Mayor

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Municipal Clerk

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