

**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER
PUBLIC HEARING MINUTES
MUNICIPAL HALL COUNCIL CHAMBER
MONDAY, OCTOBER 5, 2009**

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; K. Won, Acting Director of Finance; and M. Connelly, Deputy Municipal Clerk.

1. CALL TO ORDER

The meeting was called to order at 7:08 pm.

2. PUBLIC HEARING

Zoning Bylaw No. 2200, 1968, Amendment Bylaw No. 4603, 2009
(File: 1610-20-4603)

Applicant: District of West Vancouver

Affected Lands: The proposed regulations regarding Home Craft, Occupation or Business uses apply to residential zones

Purpose: The proposed Zoning Bylaw amendment updates regulations (Section 31.105) for Home Craft, Occupation or Business uses in West Vancouver.

Proposed Zoning Bylaw Amendment: *The Provisions for a Home Craft, Occupation or Business* are amended to:

- (a) Allow home based business operators to have clients attend their business sites provided no more than one client attends the property at any one time.
- (b) Remove the current restriction on the wholesale dollar value of the “stock-in-trade”, materials, supplies or goods that can be stored or kept on the property.
- (c) Provides for the following types of businesses to be prohibited from being operated as home occupations:
 - o A beauty salon or barber shop;
 - o Schools or recital areas;
 - o Orchestra or band training;
 - o A restaurant;
 - o Stables or kennels for the boarding and breeding of animals;
 - o Places of public assembly;
 - o Retail sales directly from the site;
 - o Real estate office;
 - o The salvage or repair, or both, of motor vehicles;
- (d) Require that all client parking is provided off-street.

3. PRESENTATION

L. Holitzki (Manager of Permits and Inspections/Bylaws) provided a PowerPoint presentation, described the proposed amendments and regulations to permit a home craft, occupation, or business, and responded to queries of Council.

B.Sokol (Director of Planning, Lands and Permits) spoke relative to the definition of client, noting it could mean more than person, for example a family.

4. PUBLIC HEARING PROCEDURE

S. Scholes (Municipal Clerk) described the procedure for the Public Hearing.

This Public Hearing is convened to consider and receive submissions regarding Zoning Bylaw No. 2200, 1968, Amendment Bylaw No. 4603, 2009 (*Home Craft, Occupation or Business*).

Anyone who believes their interest in property is affected by the proposed bylaw 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 Council's function tonight is to listen to the views of the public, not to debate the proposed bylaw.

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 Zoning Bylaw Amendment Bylaw is during the Public Hearing. Council is not permitted to receive further submissions once the Public Hearing has closed.

Council has 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 the 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, Council 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 Mayor Goldsmith-Jones, as the Chair.

5. **REPORTS/CORRESPONDENCE**

1) Reports received up to October 5, 2009:

TITLE	DATE	DATE RECEIVED	NO.
<u>Zoning Bylaw Amendment – Home Craft, Occupation or Business</u>	August 31, 2009	September 21, 2009	R-1

2) Correspondence received up to October 5, 2009:

TITLE	DATE	DATE RECEIVED	NO.
C. Adams	October 5, 2009	October 5, 2009	C-1
J. Parker	October 5, 2009	October 5, 2009 (on-table)	C-2
T. Dobell	October 5, 2009	October 5, 2009 (on-table)	C-3

S. Scholes (Municipal Clerk) informed that on September 21, 2009 Council set the date for the Public Hearing; the statutory notice of Public Hearing was published in the North Shore News on September 27 and September 30, 2009, and noted written submissions received for the October 5, 2009 Public Hearing.

6. **PUBLIC INPUT**

Mayor Goldsmith-Jones called for public input.

J. Parker (6445 Fox Street) spoke relative to the proposed amendment, requested clarification of the definition of public assembly, and provided a written submission.

M. Taylor (3915 Westridge Avenue) spoke relative to the proposed amendment, and commented regarding limitations on artistic and creative pursuits.

C. Ducklow (6420 Fox Street) spoke in support of the proposed amendment, described experience with her home business and requested clarification of the definition of client.

S. Morrison (1790 21st Street) spoke relative to the proposed bylaw amendment, described experiences and concerns regarding a neighbour's home business and requested clarification of the bylaw restrictions.

T. Dobell (6433 Fox Street) spoke in opposition to the proposed amendment, described experiences and concerns regarding a neighbour's home business and queried regarding bylaw enforcement and regulation issues. T. Dobell provided a written submission.

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

D. Vowles (464 16th Street) spoke in support of the proposed amendment, conveyed her experience with a home based business and noted that most municipalities have changed their bylaws to permit home based businesses.

J. Lavine (2867 Marine Drive) spoke in support of the proposed amendment, and commented on difficulties in obtaining office space in West Vancouver.

Mayor Goldsmith-Jones queried three times whether there was anyone further who wished to speak. There was no response.

7. ADJOURNMENT OF PUBLIC HEARING

MOVED by Lewis, seconded by Soprovich:

THAT staff report back to Council regarding the October 5, 2009 Public Hearing regarding Zoning Bylaw No. 2200, 1968, Amendment Bylaw No. 4603, 2009 and that the Public hearing be adjourned to November 2, 2009 at 7:00 pm in the Municipal Hall Council Chamber.

Discussion ensued.

The question was called on the motion.

CARRIED
Councillor Smith voted in the negative

The Public Hearing was adjourned at 7:49 pm.

Certified Correct:

MAYOR

MUNICIPAL CLERK

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