COUNCIL REPORT

Date: November 30, 2015
From: S. Scholes, Municipal Clerk
File: 1610-20-4854

RECOMMENDATION


1.0 Purpose

To provide a summary of the nature of the representations respecting proposed Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 4854, 2015 (to establish regulations regarding Temporary Use Permits) made at the public hearing that was held and closed on November 23, 2015.

2.0 Legislation/Bylaw/Policy

Public Hearings are held pursuant to the Local Government Act.

3.0 Background

3.1 Previous Decisions

Council at its November 2, 2015 regular meeting passed the following motions regarding first reading of the proposed zoning amendment bylaw and setting a date for the public hearing:

THAT proposed “Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 4854, 2015” to establish regulations regarding temporary use permits be read a first time.

THAT proposed “Development Procedures Bylaw No. 3984, 1996, Amendment Bylaw No. 4827, 2015” to establish procedures regarding temporary use permits be read a first time.

THAT proposed “Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 4854, 2015” be presented at a public hearing scheduled for November 23, 2015 at 6:00 p.m. in the Municipal Hall Council Chamber, and that the Municipal Clerk give statutory notice of the scheduled Public Hearing.

The notice of public hearing was published in the North Shore News on November 15 and November 18, 2015 and the notice was mailed to owners and
occupiers within the notification area pursuant to Local Government Act requirements. Copies of the notice were posted to the District's public notice posting places (external bulletin boards at municipal hall and website).

During the public hearing members of the public were also given the opportunity to make representations to Council regarding proposed Development Procedures Bylaw No. 3984, 1996, Amendment Bylaw No. 4827, 2015 (to establish procedures for Temporary Use Permits).

3.2 Summary of the nature of the representations respecting the proposed bylaw that were made at the November 23, 2015 public hearing

The Manager of Development Planning provided a presentation and described the proposed bylaws.

Three members of the public made representations:
- Two members of the public spoke in support of the proposed zoning bylaw amendment including: flexibility for business owners’ business plans; temporary use permits would provide time to establish a small business before moving to a permanent home, would help keep the community dynamic, could provide for housing accommodation on lands within the District for Syrian refugees.
- One member of the public spoke relative to the October 15, 2015 Design Review Committee meeting and the British Pacific Properties presentation centre temporary use application and process.

Two written submissions were received for the public hearing:
- One submission dated November 23 2015; and
- One submission from T. Reinsch, Macdonald Realty Ltd., dated November 23, 2015.

4.0 Conclusion

A public hearing regarding proposed Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 4854, 2015 (to establish regulations regarding Temporary Use Permits) was held and closed on November 23, 2015. Three members of the public made representations at the public hearing and two written submissions were received for the public hearing.

The unadopted minutes of the November 23, 2015 public hearing are attached as Appendix A.

Certified as being fair and accurate:

\[Signature\]
S. Scholes, Municipal Clerk
November 30, 2015

Appendices:
- Appendix A: Unadopted minutes of November 23, 2015 public hearing
COUNCIL:

Acting Mayor C. Cassidy; Councillors M. Booth, N. Gambioli, M. Lewis, and W. Soprovich. Absent: Mayor M. Smith; Councillor C. Cameron.

STAFF:

N. Leemhuis, Chief Administrative Officer; S. Scholes, Municipal Clerk; J. Bailey, Director, Planning and Development Services; R. Fung, Director, Engineering and Environment Services; I. Gordon, Director, Financial Services; A. Mooi, Director, Parks, Culture and Community Services; M. Chan, Director, Corporate Services; and M. Panneton, Deputy Clerk.

1. CALL TO ORDER

The public hearing was called to order at 6:00 p.m.

2. PUBLIC HEARING

Proposed Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 4854, 2015 (to establish regulations regarding Temporary Use Permits) (File: 1610-20-4854)

Applicant: The Corporation of the District of West Vancouver

Subject Lands: All lands within the District of West Vancouver

Purpose: Proposed Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 4854, 2015 would establish regulations for Temporary Use Permits. A Temporary Use Permit would allow the municipality to permit a use not otherwise permitted in a zone for a specified length of time. The underlying zoning would remain intact. Council would consider Temporary Use Permit applications and may establish conditions when issuing a permit.

Proposed Zoning Bylaw Amendment: If adopted, proposed Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 4854, 2015, would establish regulations for Temporary Use Permits for all lands within the District of West Vancouver.

A public input opportunity was also provided concurrently to allow members of the public to make representations to Council regarding proposed Development Procedures Bylaw No. 3984, 1996, Amendment Bylaw No. 4827, 2015 (to establish procedures for Temporary Use Permits).

Proposed Development Procedures Bylaw Amendment: If adopted, proposed Development Procedures Bylaw No. 3984, 1996, Amendment Bylaw No. 4827, 2015 would establish procedures for processing Temporary Use Permit applications, including a requirement for public notification of Council's consideration of a Temporary Use Permit application.

J. Bailey (Director, Planning and Development Services) introduced the proposed bylaws. A PowerPoint presentation regarding the proposed bylaw amendments was provided and C. Bishop (Manager, Development Planning) described the proposed
bylaw amendments and spoke relative to presentation slides: Purpose; Temporary Use Permits; Amending Bylaws – Framework; and Conclusion.

Council members commented and queried regarding temporary use permits including: legislation; the timing of the amendment; Council consideration, issuance, and duration of temporary use permits; land amalgamation; consideration for neighbourhood; examples of how the permits could be applied; notification; and compliance bonds; and C. Bishop responded to queries of Council.

3. **PUBLIC HEARING PROCEDURE**

On behalf of Acting Mayor Cassidy, S. Scholes (Municipal Clerk) described the procedure for the public hearing:

Council is convening this public hearing to consider and receive submissions regarding proposed Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 4854, 2015. Members of the public may also make representation to Council regarding proposed Development Procedures Bylaw No. 3984, 1996, Amendment Bylaw No. 4827, 2015.

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

Council members 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 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 proposed Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 4854, 2015 is during the public hearing. Council is not permitted to receive further submissions the public hearing has been closed.

Council has received documents which are available for your review. A list of documents and copies of these may be obtained from the Municipal 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. You may 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. Council requests that you please begin your remarks by stating your name and address or your name and whether you are a West Vancouver resident. If you are speaking on behalf of some other person or organization, Council requests that you 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 bylaws. Please be respectful to others.
4. After everyone has spoken once, you will have an opportunity to speak subsequent times to provide additional information, if you wish.

If you have any concerns about the rules of the hearing, please address your comments to Acting Mayor Cassidy, as the Chair.

4. REPORTS/WRITTEN SUBMISSIONS

1) Reports received up to the close of the public hearing on November 23, 2015:

<table>
<thead>
<tr>
<th>REPORT TITLE</th>
<th>REPORT DATED</th>
<th>RECEIVED AT COUNCIL MEETING</th>
<th>#</th>
</tr>
</thead>
<tbody>
<tr>
<td>Temporary Use Permits</td>
<td>October 14, 2015</td>
<td>November 2, 2015</td>
<td>R-1</td>
</tr>
</tbody>
</table>

2) Written submissions received up to the close of the public hearing on November 23, 2015:

<table>
<thead>
<tr>
<th>SUBMISSION AUTHOR</th>
<th>SUBMISSION DATED</th>
<th>#</th>
</tr>
</thead>
<tbody>
<tr>
<td>Redacted</td>
<td>November 23, 2015</td>
<td>C-1</td>
</tr>
<tr>
<td>T. Reinsch, Macdonald Realty Ltd.</td>
<td>November 23, 2015</td>
<td>C-2</td>
</tr>
</tbody>
</table>

S. Scholes (Municipal Clerk) noted the total number of staff reports and written submissions received to date, informed that on November 2, 2015 Council set the date for the public hearing, the statutory notice of public hearing was published in the North Shore News on November 15 and November 18, 2015, and that the reports and written submissions are available for public inspection throughout the hearing.

5. PUBLIC INPUT

Acting Mayor Cassidy called for public input.

T. Ohta (1414-1450 Chestnut Street, Vancouver; on behalf of C. Zhang, Sager Education) spoke in support of the proposed zoning bylaw amendment including: flexibility for business owners’ business plans; would like to open a small independent high school not currently allowed by the zoning and a temporary use permit would provide time to establish the small business before moving to a permanent home; and temporary use permits would help keep the community dynamic.

U. Kummel (364 Keith Road) spoke in support of the proposed zoning bylaw amendment including: housing accommodation for Syrian refugees on lands within the District; and providing other assistance for Syrian refugees.

C. Reynolds (Editor, West Van Matters) referred to the October 15, 2015 Design Review Committee meeting minutes and queried regarding the British Pacific Properties presentation centre temporary use application and process. J. Bailey (Director, Planning and Development Services) informed of the committee’s assessment of the application prior to staff making recommendations to Council, and bylaw provisions.
Acting Mayor Cassidy queried three times if there was anyone further wishing to speak at the public hearing and there was no response.

6. **CLOSURE OF PUBLIC HEARING**

MOVED by Soprovich, seconded by Gambioli:

THAT all written and oral submissions regarding proposed Zcning Bylaw No. 4662, 2010, Amendment Bylaw No. 4854, 2015, and proposed Development Procedures Bylaw No. 3984, 1996, Amendment Bylaw No. 4827, 2015, up to and including the November 23, 2015 public hearing be received and that the public hearing be closed.

CARRIED

The public hearing was closed at 6:31 p.m.

Certified Correct:

_________________________________
MAYOR

_________________________________
MUNICIPAL CLERK

NOVEMBER 23, 2015          UNADOPTED PUBLIC HEARING MINUTES          PHM-4