

ITEM 6
MANAGER'S REPORT NO. 62
COUNCIL MEETING 87/10/13

RE: FAMINOW vs DISTRICT OF NORTH VANCOUVER
APPLICATIONS FOR IN-LAW ACCOMMODATIONS

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Director Planning & Building Inspection be adopted.

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TO: Municipal Manager 1987 October 06

FROM: Director Planning &
Building Inspection

SUBJECT: FAMINOW vs DISTRICT OF NORTH VANCOUVER
APPLICATIONS FOR IN-LAW ACCOMMODATIONS

RECOMMENDATION:

1. THAT Council receive this report for information purposes.

REPORT

A recent decision in the Supreme Court of British Columbia held that municipalities cannot restrict the occupancy of suites by reference to family relationships. In light of that decision, Burnaby's in-law suite regulations, if challenged, would, in all likelihood, be found invalid. On the other hand, if North Vancouver's appeal succeeds, our bylaw is not likely to be challenged.

The outcome of the appeal cannot be predicted with any certainty. The prudent course in this circumstance is to cease issuing licences for in-law suites. For this reason staff are currently holding new applications for in-law suite licences in abeyance and, unless otherwise directed, will continue with this approach until the legislative authority of the municipality with respect to such suites has been defined.

In the meantime, staff will examine alternative means that may be pursued by those needing assistance which would include the provision of accommodation for live-in family members.


GRA/jce


A. L. PARR
DIRECTOR PLANNING &
BUILDING INSPECTION

cc: Chief Building Inspector