



FAQs on addressing expiring Land Use Contracts

What is a Land Use Contract (LUC)?

LUCs were exercised in B.C. between 1971 and 1978 as a form of site-specific, contractual arrangement between local governments and landowners. These contracts regulate development (e.g., density, site coverage, setbacks, heights, etc.) and were registered on land title. When the LUC legislation was repealed in 1978, the existing contracts remained in place, however no new contracts could be created.

Is my land under a Land Use Contract?

Land owners can determine if their lands are under a Land Use Contract through the District of West Vancouver's geographical information mapping system [WESTmap](#). Land owners can use this tool by inserting the address into the search engine, navigating to the left hand layers tab, click Zoning & Land Use, and turn on the LUC layer by clicking DAA. Lands under an LUC will be highlighted in yellow. If you require further assistance please contact the GIS Department at gis@westvancouver.ca. Further information and contact details are available on the dedicated [District mapping webpage](#).

Why are Land Use Contracts being terminated?

In 2014, the Provincial Government amended the Local Government Act to terminate all Land Use Contracts (LUCs) on June 30, 2024 in accordance with Section 547. Sections 545 to 550 further outline associated requirements with respect to the discharge and termination of the LUCs and the adoption of zoning bylaw(s) for the purpose of replacing the LUCs. More information can be found on the [Province's website](#).

How does Land Use Contract Termination impact land owners?

Without further action, land use regulations on lands currently subject to LUCs will revert to the underlying zoning, which are inconsistent with the existing building, structure and uses allowed by the LUCs. This would result in future legal non-conformity on the impacted lands. Further to this if the non-conforming uses, buildings or structures are discontinued for a continuous period of 6 months, any subsequent use of the land, building or other structure becomes subject to the regulations of the underlying zone, potentially affecting development rights unintentionally.

How will the District address impacts from Land Use Contract Termination?

The District currently has 23 LUCs which are due to expire on June 30, 2024. Staff have undertaken a technical review of the expiring LUCs and are proposing bylaw amendments to address 22 of the 23 LUCs. The technical review determined that additional time and resources are required for a separate technical exercise to create new zoning for the Caulfeild Area LUC due to its complex nature, further details are provided below. The proposed Zoning and Tree Bylaw amendments will provide consistent land use regulations on lands impacted, and avoid future non-conformity and potential unintended changes to development rights. Council will be considering these changes at its May 9, 2022 meeting and approval of the bylaw amendments (link available on the dedicated District webpage) are subject to consideration of public input at the public hearing.

What happens to lands under LUC between now and the LUC termination date of June 30, 2024?

The LUCs will continue to be effective until termination. Should Council adopt the proposed amendments to the Zoning Bylaw, new and updated Comprehensive Development Zones will be in place for impacted

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lands so that land use regulations will remain consistent with current LUC provisions and ensure legal conformity for over 500 properties when the LUCs terminate on June 30, 2024.

What are the impacted sites and the proposed Comprehensive Development zones?

Address	Existing Development	Underlying Zone	New Zone
Folkestone Way	Multi-Family Residential: apartments Commercial: restaurant	CD10	CD10
525 Clyde Ave.	Community Care Facility	CD25	CD25
6645 Nelson Ave.	Multi-Family Residential: apartment	RD2	CD63
585 16 th St	Commercial: office	RM2	CD64
1340 Duchess Ave.	Multi-Family Residential: apartment	RM2	CD65
1489-1497 Marine Dr.	Commercial: office, retail	AC1	CD66
1507 Bellevue Ave.	Commercial: office, retail	AC1	CD67
1495 Esquimalt Ave.	Multi-Family Residential: apartment	RM2	CD68
2030-2040 Marine Dr.	Multi-Family Residential: townhomes	RS5	CD69
2119 Bellevue Ave.	Multi-Family Residential: apartment	RM2	CD70
202-250 16 th St, 1571-1579 Bellevue Ave.	Commercial: office, retail	AC1	CD71
440 13 th St, 1285 & 1289 Keith Rd.	Multi-Family Residential: townhomes	RD1	CD72
1363 Clyde Ave.	Multi-Family Residential: apartment	RM2	CD73
4957 Marine Dr	Multi-Family Residential: townhomes	C1	CD74
1858-1896 Bellevue Ave	Multi-Family Residential: townhomes	RD1	CD75
312-320 Keith Rd.	Multi-Family Residential: townhomes	RS3	CD76
5500 Block Parthenon Pl & 5490 Marine Dr.	Single-Detached Residential Public Park	RS3	CD77
950 Cross Creek Rd.	Hollyburn Country Club	RS3	CD78
6330-6338 Bay St.	Commercial: office, retail	RS4	CD79
382-398 Mathers Ave.	Single-Detached Residential	RS3	CD80
800 Block Taylorwood Pl.	Single-Detached Residential	RS3	CD81
6255 & 6265 Imperial Ave, 6620-6678 Marine Dr.	Single-Detached Residential	RS4	CD82
Caulfeild Area	Residential, Commercial, and Institutional	RS10, RS3	To be addressed

Why are the lands under the Caulfeild Area LUC postponed to a later date?

The technical review determined that additional time and resources are required for a separate technical exercise to create new zoning for the Caulfeild Area LUC due to its complex nature. The Caulfeild Area LUC is uniquely different from the other LUCs as it facilitated long-term area-wide development for the Caulfeild neighbourhood, with provisions for residential, commercial, schools, and greenbelt areas on over 700 properties. Each type of use, building and structure led to a variety of different governing regulations in this LUC. Given the complexity of the Caulfeild Area LUC, staff intends to conduct this separate technical exercise and report back to Council on its replacement zoning at a later time (but prior to the expiration of this LUC).

Who can I contact if I have further questions and/or comments?

Further questions and/or comments can be directed to the Planning and Development Services Department at planning@westvancouver.ca or 604 925 7055