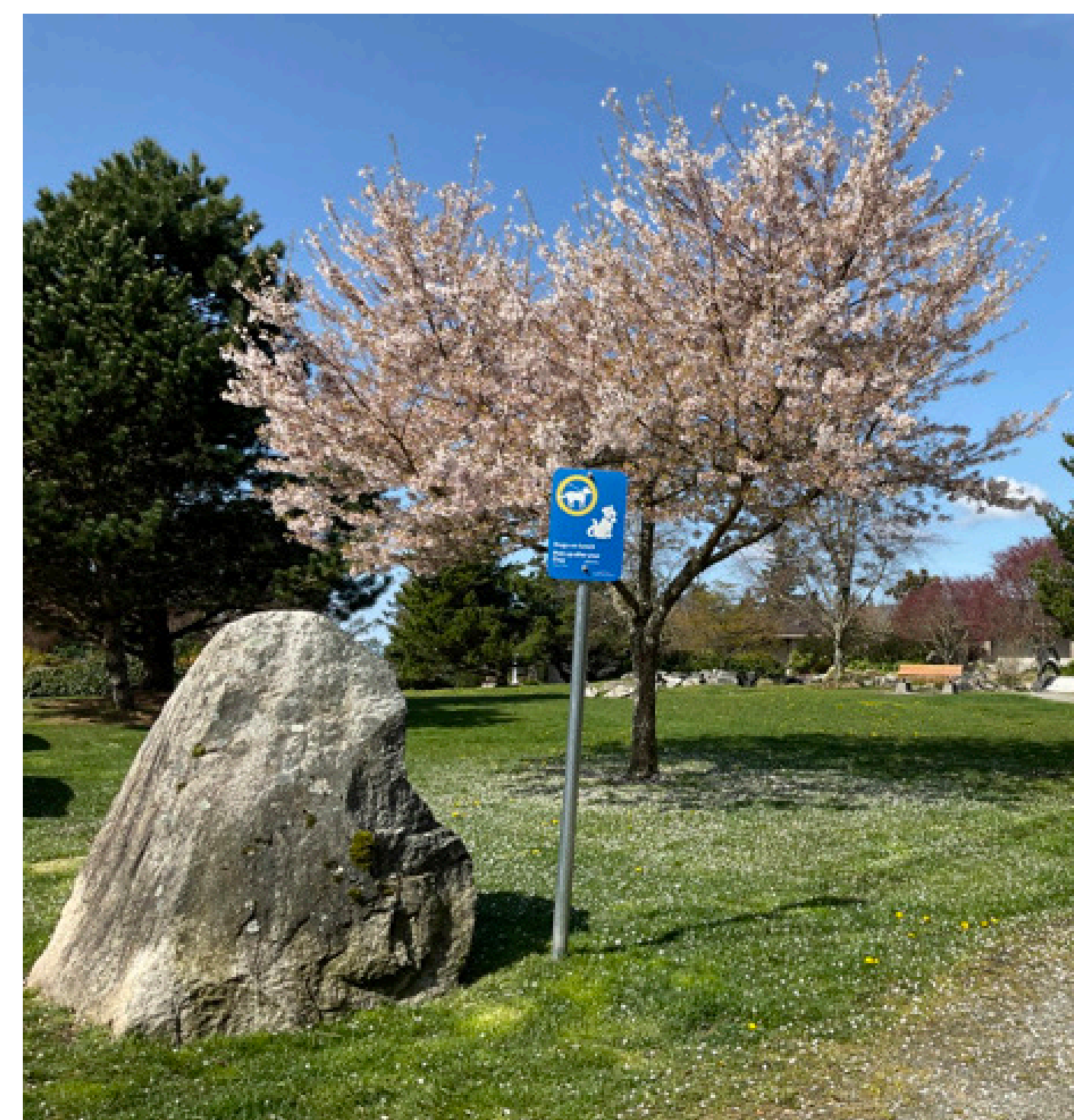




# Caulfeild Land Use Contract

## Background Information



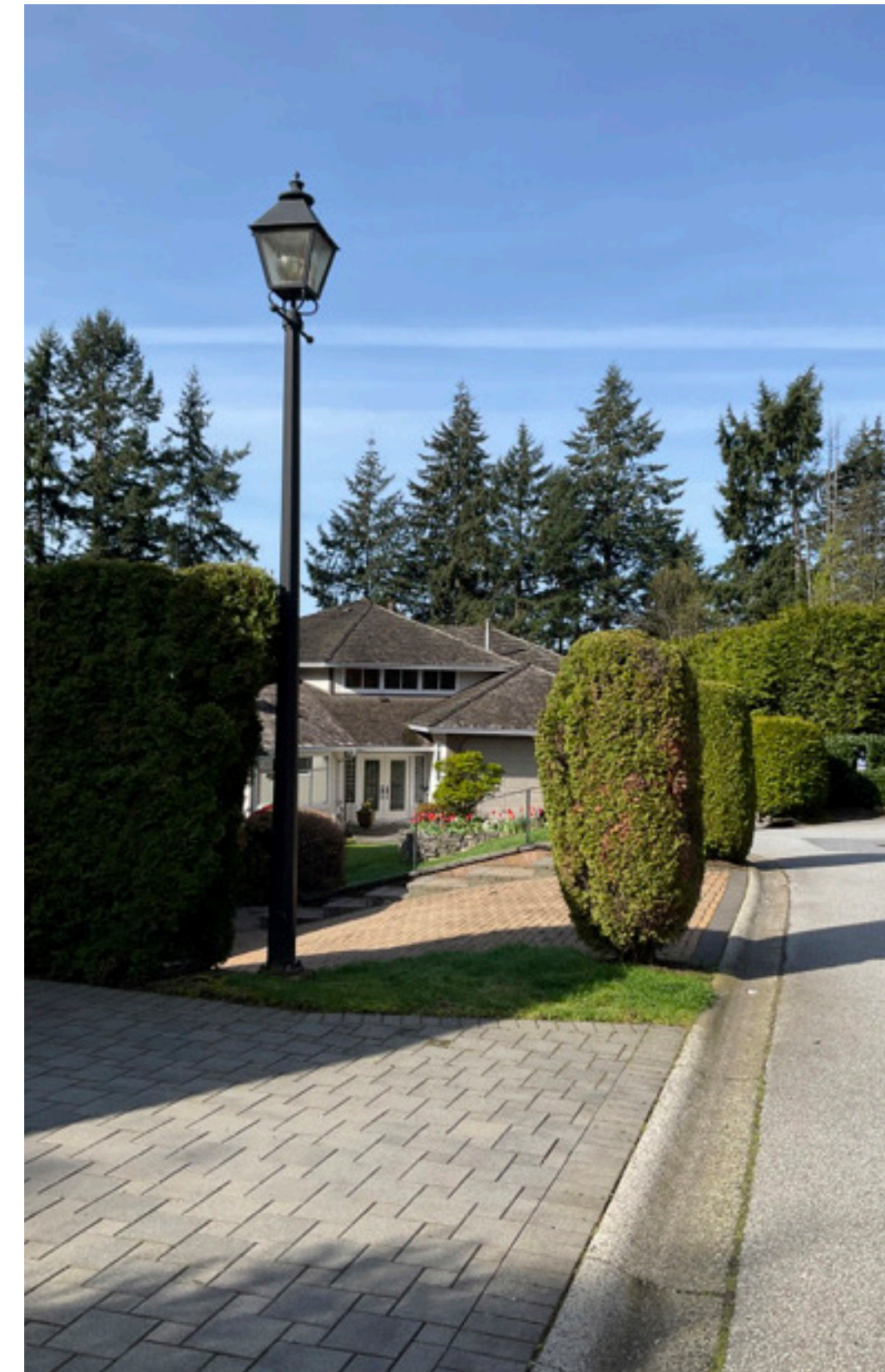


# What is a Land Use Contract?

---

A Land Use Contract (LUC) is a contractual agreement between a local government and property owner that is registered on title. The intent of an LUC was to offer more flexibility than traditional zoning through site-specific land use and development regulations (e.g. density, height, setbacks, landscaping).

LUCs were a provincial legislative tool used between 1971 and 1978 to regulate development within a given area. They were repealed by the legislation in 1978. When the legislation was repealed, no new contracts could be created but existing contracts remained in place.





# Addressing Expiring Land Use Contracts (LUCs)

---

In 2014, the Provincial Government amended the *Local Government Act* to expire all LUCs by June 30, 2024.

Local governments were directed to make appropriate zoning changes to lands subject to a LUC, otherwise the underlying zoning would take effect.

In Spring 2022, Caulfeild residents were notified regarding the provincially driven expiry of the LUC.

Earlier this year, Council directed staff to consult with the Caulfeild community in updating draft bylaw amendments to avoid future legal non-conformities on impacted lands.

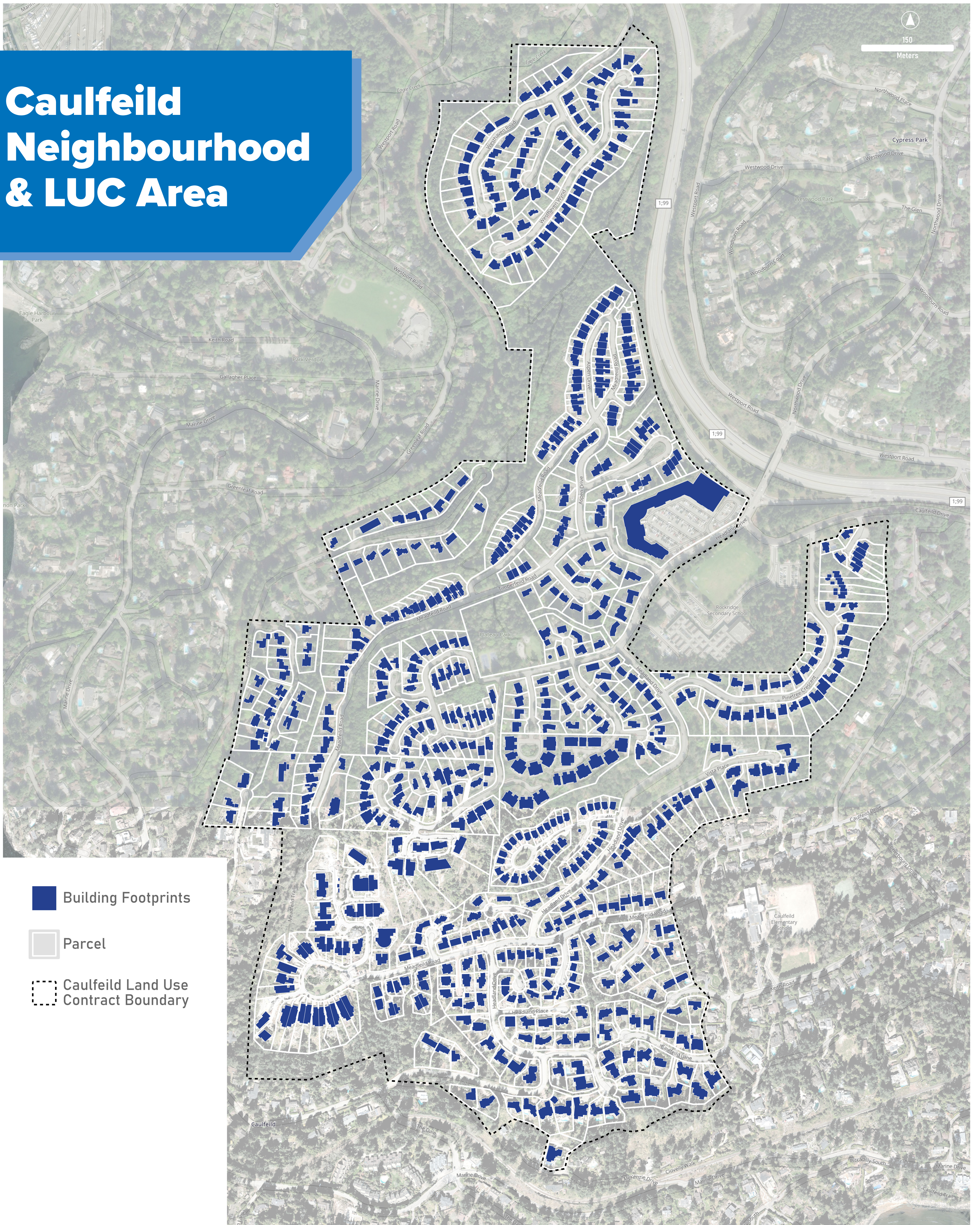
The District of West Vancouver is working with a planning consultant, Urban Systems Ltd., to analyze the Caulfeild LUC and to update the area's zoning.



**The District invites you to review three potential options for the residential areas of Caulfeild that address the expiring LUC but have different implications for redevelopment and future land use in the area.**



# Caulfeild Neighbourhood & LUC Area



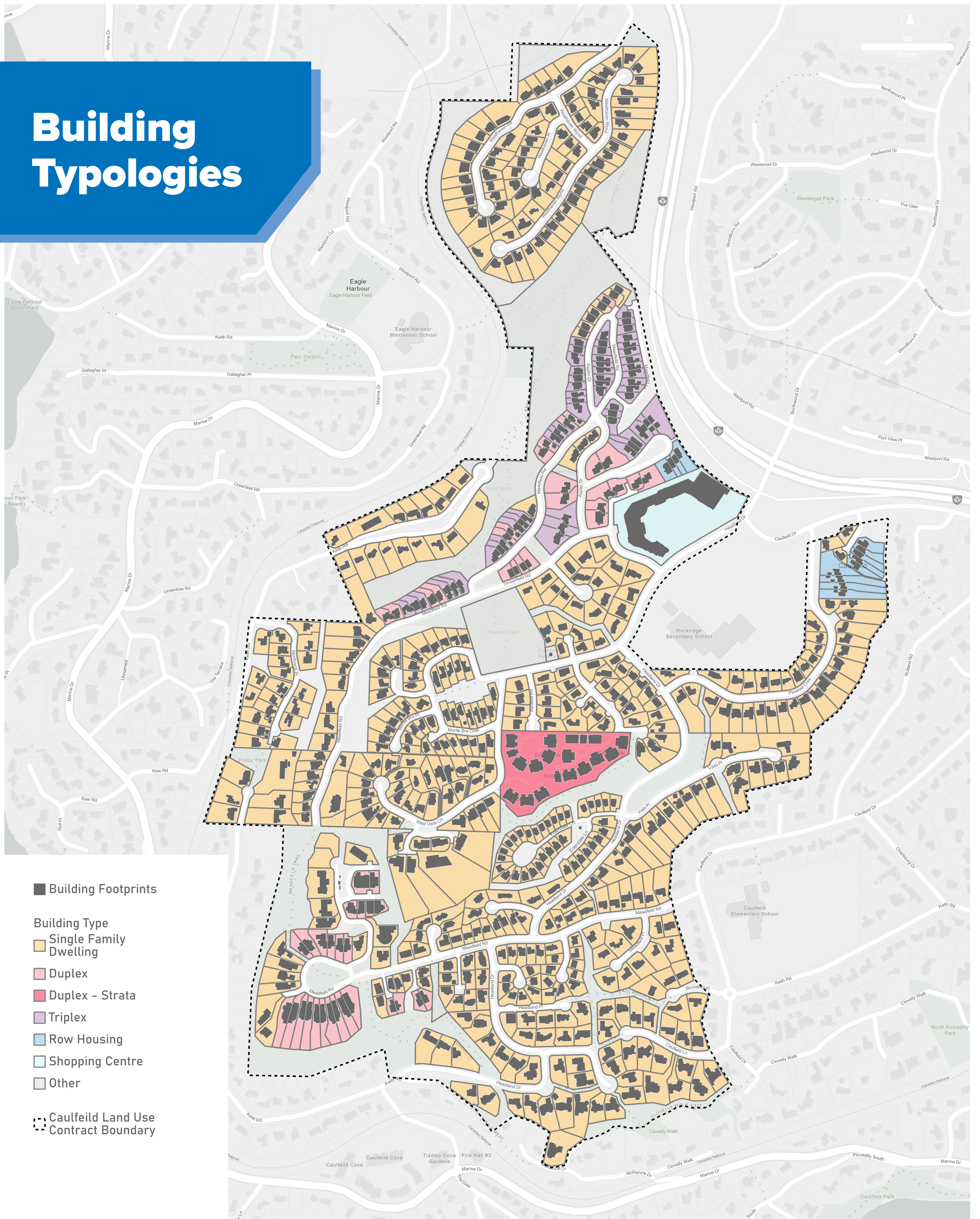
 Building Footprints

 Parcel

 Caulfeild Land Use Contract Boundary

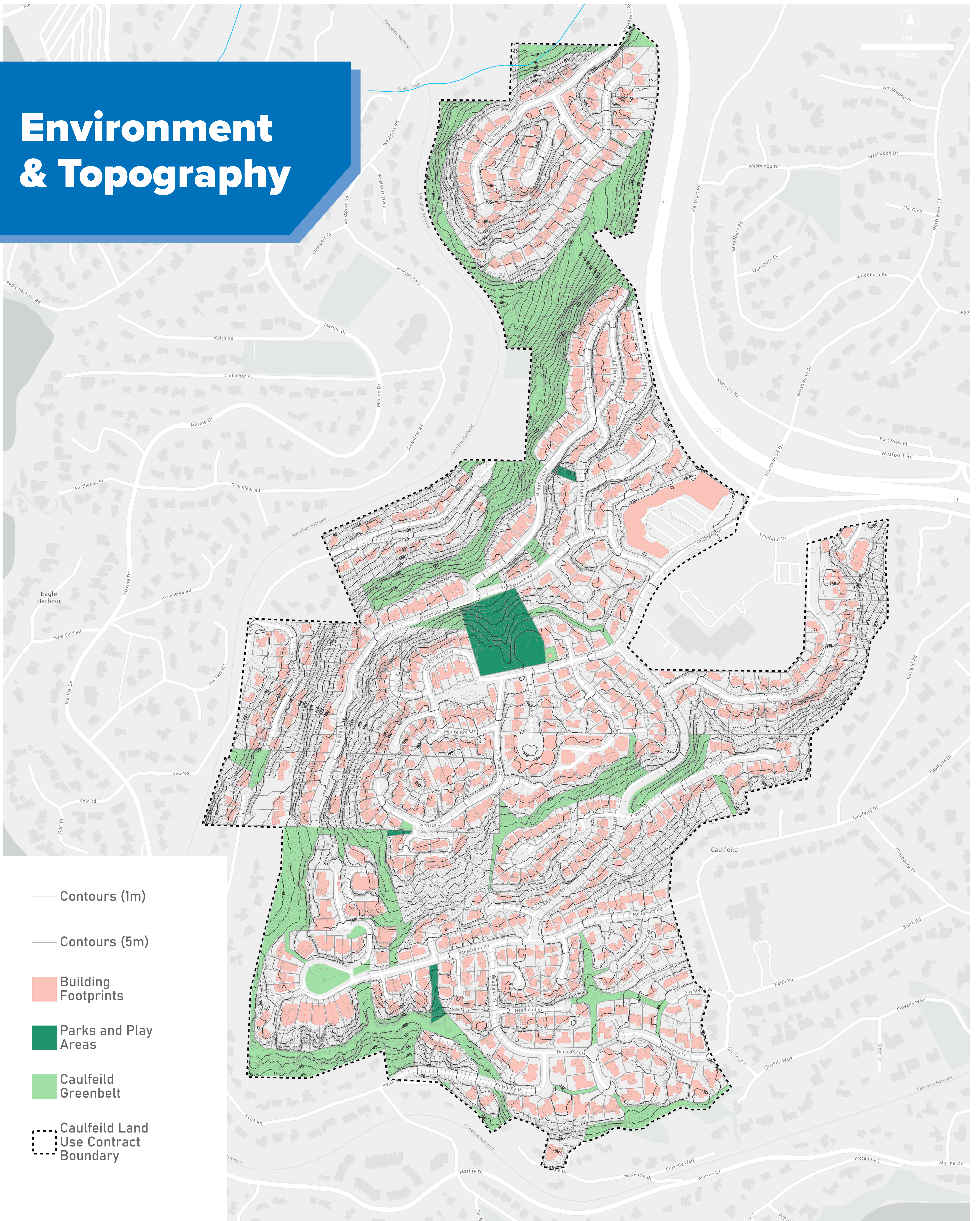


# Building Typologies





# Environment & Topography





# Caulfeild LUC: Commercial Shopping Centre

---

The Caulfeild Village Shopping Centre located on Headland Drive is the only area in Caulfeild where commercial activities are permitted under the LUC. The commercial zone referenced within the LUC is the Commercial Zone 2 (C2).

The LUC and the C2 zone both permit a range of commercial uses, including retail, office, professional and personal services. The LUC differs from C2 commercial zoning in that civic services such as libraries, police stations, and fire halls, as well as racquet clubs and gasoline service stations are permitted. In addition, the LUC does not allow second-storey development, whereas the C2 zone does.

To address the differences between the expiring Caulfeild LUC regulations for the Caulfeild Village Shopping Centre and the C2 zone, a new Comprehensive Development (CD) zone is proposed to be created for the commercial area that aligns with the LUC regulations.





# Caulfeild LUC: Residential Areas

The Caulfeild Area LUC comprises over 250 acres of land and more than 700 residential properties. The intent of the LUC was to facilitate the long-term development of the neighbourhood.

The Caulfeild LUC is complex and unique as it contains a variety of land uses within the area, including residential, commercial, and institutional. In other parts of the District, the Zoning Bylaw governs land use regulations. The applicable residential zones for Caulfeild are:



Single Family  
Dwelling  
Zone 2 (RS2)



Single Family  
Dwelling  
Zone 3 (RS3)



Single Family  
Dwelling  
Zone 10 (RS10)

Therefore, when the Caulfeild LUC expires, the regulations associated with these three residential zones will apply if no further action is taken to update the zoning to align with what has been regulated and built under the LUC.



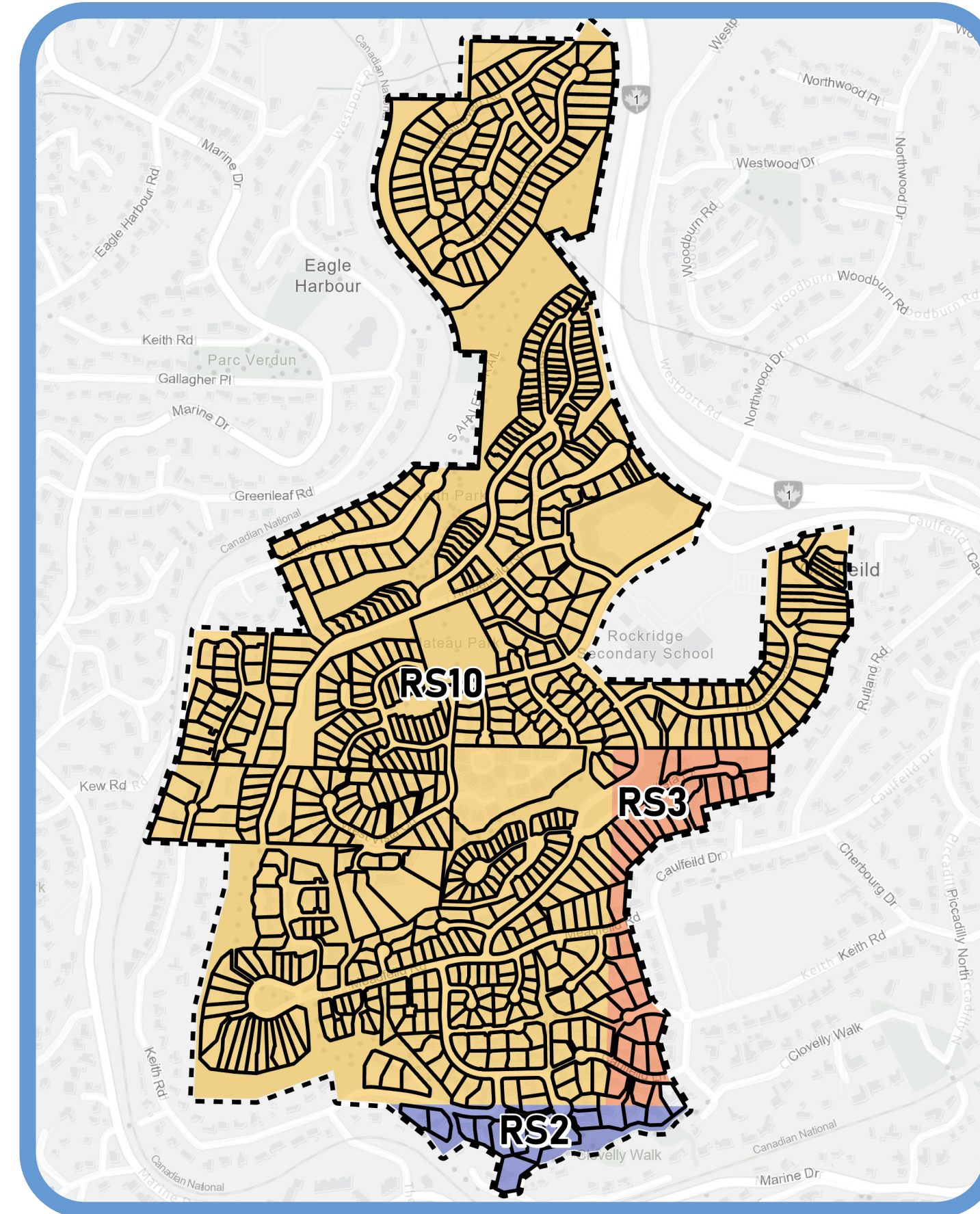


# Existing Residential Zoning

The residential properties in Caulfeild have three underlying single-family residential zones:

- Single Family Dwelling Zone 2 (RS2)
- Single Family Dwelling Zone 3 (RS3)
- Single Family Dwelling Zone 10 (RS10)

The regulations for these zones are outlined in the table below. It is important to note that these zoning regulations are not aligned with the LUC regulations.



	Parameter	RS2 Zone	RS3 Zone	RS10 Zone
Floor Area Ratio	Parcels >681.3 m <sup>2</sup>	0.3, max. floor area 975.5 m <sup>2</sup>	0.3, max. floor area 585.4 m <sup>2</sup>	0.3, max. floor area 585.4 m <sup>2</sup>
	Parcels 408.8 – 681.3 m <sup>2</sup>	Max. floor area 204.4 m <sup>2</sup>	Max. floor area 204.4 m <sup>2</sup>	Max. floor area 204.4 m <sup>2</sup>
	Parcels <408.8 m <sup>2</sup>	0.5	0.5	0.5
Site Coverage	Parcels >885 m <sup>2</sup>	30%	30%	30%
	Parcels 664 – 885 m <sup>2</sup>	Max. building footprint 266 m <sup>2</sup>	Max. building footprint 266 m <sup>2</sup>	Max. building footprint 266 m <sup>2</sup>
	Parcels <664 m <sup>2</sup>	40%	40%	40%
	Height	7.62 m	7.62 m	7.62 m
	Accessory Dwelling Units	✓	✓	✓



## What is Floor Area Ratio (FAR)?

Floor Area Ratio is a measurement of the size of a building(s) allowed for a specific property. It is the relationship between the floor area of a building and the total area of a property/lot. In West Vancouver, it is calculated by dividing the total floor area of all storeys of a building by the site area.

$$\text{Floor Area Ratio (FAR)} = \frac{\text{Total Building Floor Area}^*}{\text{Total Parcel Area}}$$

*\*Basements and garages are excluded in certain circumstances.*

For example, if your house is 3,000 sq. ft. in size (excluding your basement and/or garage) and your parcel is 10,000 sq. ft. in size, your FAR is 0.3.



## What is Site Coverage?

Site Coverage is another measurement of what can be built on a property. In West Vancouver, it is calculated by dividing the footprint of all buildings and structures by the site area.



## What is an Accessory Dwelling Unit?

An Accessory Dwelling unit is a secondary residence that exists on a property, either within a principal dwelling or in a separate building. In West Vancouver, these may be in the form of a secondary suite (i.e., basement suite) or detached suite (coach house/ carriage home).



# Technical Zoning Review: Legal Non-Conformities

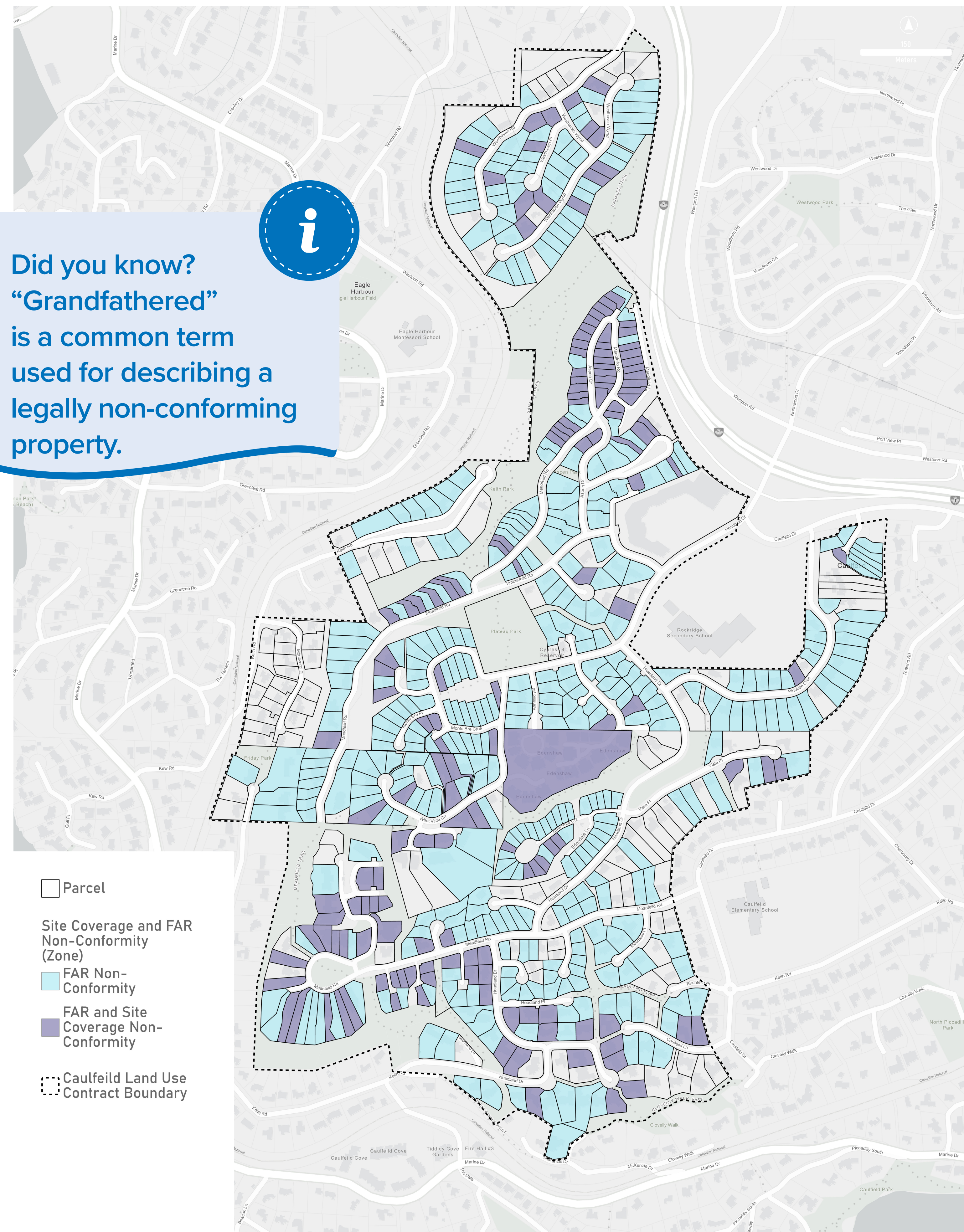
A legal non-conformity is a use of property that was allowed under the zoning regulations at the time when construction initially occurred but that does not conform with the current regulations for the area. New zoning bylaws are not applied retroactively, so the property's pre-existing land use (including buildings) is allowed to continue.

As shown on the map, when the Caulfeild Area LUC expires in 2024, more than 80% of residential properties in Caulfeild will be considered legally non-conforming under the existing zoning regulations (RS2, RS3, and RS10 zones).

## What does this mean for me as landowner and resident?

1. If a property owner wanted to significantly renovate, construct an addition or new house of the same size as exists today that may not be permitted, and it could require a zoning amendment or variance application.
2. If a building was destroyed to a certain extent, it may not be allowed to be rebuilt and redevelopment would be required to follow the current zoning regulations.

*Non-conformities shown on the map were determined through a technical analysis using available spatial data for residential building footprints and lot sizes in Caulfeild. It is important to note that this data may not be 100% accurate and is not inclusive of any new developments that have occurred in Caulfeild in recent years.*





## PROPOSED OPTIONS

### Option 1 – “Do Nothing”

---

Under this option, no action will be taken before the expiration of the Caulfeild Area Land Use Contract. Residential properties in Caulfeild will be subject to the underlying zoning regulations (RS2, RS3, RS10).

Over 80% of the existing residential developments could be classified as legally non-conforming. This means that many property owners will not be able to make any significant exterior modifications or additions to their property without a zoning amendment or variance application.

As well, if a property was destroyed to a certain extent, it would not be allowed to be rebuilt and redevelopment would be required to follow the current zoning regulations.



## Option 2 – “Legalize Existing Development & Apply RS10 Zoning”

---

Under this option, residential property owners will have two choices for redeveloping their property:

1. Redevelop the property as it currently exists (i.e., legalize the existing buildings and development); or
2. Redevelop the property in accordance with the RS10 zoning regulations. A secondary suite (i.e., basement suite and/or coach house) could potentially be built, either at the time of redevelopment or in the future.

In this scenario, the future primary home may be smaller than what was originally constructed (if choice two is selected) due to RS10’s maximum floor area regulations. However, it provides additional flexibility in developing secondary suites, which was not previously permitted (i.e., basement suite and/or coach house\*).

*\*It is important to note that not all sites may be suitable for or able to have a coach house permitted.*



## Option 3 – “Legalize Existing Development & Apply the LUC Regulations”

---

Under this option, residential property owners will have two choices for redeveloping their property:

1. Redevelop the property as it currently exists (i.e., legalize the existing buildings and development); or
2. Redevelop the property in accordance with the regulations of the LUC as follows:
  - **Density** – Maximum 0.35 FAR (permitted in zoning for most RS zones from 1989 – 2021)
  - **Site coverage** – Maximum 30%
  - **Height** – Maximum 8 m



# Comparison of Options

Parameter	1 – LUCs Lapse	Option 2 – Apply RS10 Zoning	Option 3 – New Zone
FAR	RS2, RS3, or RS10 regulations apply	Parcels >681.3 m <sup>2</sup>	0.3
		Parcels 408.8 – 681.3 m <sup>2</sup>	Floor area <204.4 m <sup>2</sup>
		Parcels <408.8 m <sup>2</sup>	0.5
Parcels >885 m <sup>2</sup>		30%	
Parcels 664 – 885 m <sup>2</sup>		Floor area <266 m <sup>2</sup>	
Parcels <664 m <sup>2</sup>		40%	
Site Coverage			0.35
Height		7.62 m	8 m
		✓	X
Accessory Dwelling Units			

