



## MEMORANDUM

Date: May 3, 2024 Our File: 13-2515-01  
 To: Mayor and Council  
 From: Maeve Bermingham, Community Planner  
 Re: **Revision of proposed Zoning Bylaw Amendment Bylaw -  
 Amendments for Land Use Contract Sites and Replacement  
 Zoning for the Caulfeild Land Use Contract Area**

### RECOMMENDATION

THAT proposed “Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5321, 2024” be modified as described in **Attachment A** of the May 3, 2024 memorandum from the Community Planner.

### Discussion

Following further review, staff have identified minor errors within the proposed Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5321, 2024, that is scheduled to be considered for second reading at the May 27, 2024, regular council meeting. Staff has prepared **Attachment A**, attached to this memorandum, detailing the proposed modifications. The bylaw received first reading at the regular council meeting on April 29, 2024.

The modifications, indicated in red in **Attachment A**, are listed below:

Section Number	Description
686.02 & 686.05	Adjust legal references of subject lots to provide accurate legal address sequence and improve legibility.
686.04	Clarify that the prohibition of “stratification” refers to buildings only and delete parkland provision as redundant with proposed greenspace provision.
686.06 & 686.13	Improve legibility of Commercial Area and Side Yard Setback, Residential – Area A provisions.
686.07	Delete commercial area floor area ratio provision as redundant with the proposed commercial area density provision.

Document #5725460

Date: May 6, 2024  
To: Mayor and Council  
From: Maeve Bermingham, Community Planner  
Re: **Revision of proposed Zoning Bylaw Amendment Bylaw - Amendments for Land Use Contract Sites and Replacement Zoning for the Caulfeild Land Use Contract Area**

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- Various Sections                      Correct reference numbering to associated Sections (i.e., Site Area; Floor Area Ratio; Rear Yard Setback; Front Yard Setback; and Side Yard Setback.
- Various Sections                      Delete maps within relevant sections and replace with maps depicting adjusted boundary lines and minor corrections.

**Attachment A** – Modifications to Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5321, 2024



District of West Vancouver

**Zoning Bylaw No. 4662, 2010,  
Amendment Bylaw No. 5321, 2024**

Effective Date:

# Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5321, 2024

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District of West Vancouver

## **Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5321, 2024**

A bylaw to amend zoning for lands currently under land use contract.

Previous amendments: Amendment bylaws 4672, 4677, 4678, 4679, 4689, 4701, 4680, 4710, 4697, 4716, 4712, 4737, 4726, 4736, 4757, 4752, 4767, 4787, 4788, 4784, 4772, 4791, 4805, 4809, 4828, 4854, 4873, 4866, 4895, 4839, 4898, 4927, 4944, 4905, 4974, 4967, 4982, 4962, 4928, 4992, 5001, 5021, 5024, 5009, 4938, 5044, 5055, 5051, 5068, 5065, 5087, 5069, 5110, 5106, 5132, 5161, 5160, 5013, 5122, 5155, 5169, 5192, 5175, 5171, 5201, 5230, 5081, and 5223.

WHEREAS the Council of The Corporation of the District of West Vancouver deems it expedient to provide for amendments to facilitate existing development currently under land use contract;

NOW THEREFORE, the Council of The Corporation of the District of West Vancouver enacts as follows:

### **Part 1 Citation**

- 1.1 This bylaw may be cited as Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5321, 2024.

### **Part 2 Severability**

If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

### **Part 3 Adds the CD86 Zone & Rezones the Site**

- 3.1 Zoning Bylaw No. 4662, 2010, Schedule A, Section 600 (Comprehensive Development Zones) is amended by adding Section 686 as the CD86 –

Comprehensive Development Zone 86 (Caulfeild Zone) as set out in **Schedule A** to this bylaw.

- 3.2 The lands shown outlined in bold and shaded on the map in **Schedule B** to this bylaw are rezoned from RS2 – Single Family Dwelling Zone 2, RS3 – Single Family Zone 3, and RS10 – Single Family Dwelling Zone 10 to CD86 (Caulfeild Zone).

## Part 4 Amends the Table of Contents

- 4.1 Zoning Bylaw No. 4662, 2010, Schedule A, Table of Contents is amended accordingly.

## Part 5 Amends Zoning Map

- 5.1 Zoning Bylaw No. 4662, 2010, Schedule A, Section 852, Zoning Map is amended by changing the zoning on the lands as shown outlined in bold and shaded on the map in **Schedule B** to this bylaw,

FROM: RS2 - Single Family Dwelling Zone 2

RS3 - Single Family Dwelling Zone 3

RS10 - Single Family Dwelling Zone 10

TO: CD86 – Comprehensive Development Zone 86 (Caulfeild Zone)

## Part 6 Amendment of Regulations

- 6.1 Zoning Bylaw No. 4662, 2010, Schedule A, Section 610 – CD10 (Folkestone Way) is amended by:

- 6.1.1 Adding the following to Section 610.02 (Permitted Uses) in numerical order:

vii. Home base business

viii. Office

ix. Child care

x. Community care

xi. Lodgers

xii. Secondary suites

- 6.2 Zoning Bylaw No. 4662, 2010, Schedule A, Section 625 – CD25 (Care Facility on Clyde Avenue) is amended by:
- 6.2.1 Adding the following to Section 625.01 (Permitted Uses):
- (d) accessory buildings and uses
- 6.3 Zoning Bylaw No. 4662, 2010, Schedule A, Section 663 – CD63 (6645 Nelson Avenue) is amended by:
- 6.3.1 Adding the following to Section 663.02 (Permitted Uses) in numerical order:
- iii. Accessory buildings and uses
  - iv. Child care
  - v. Community care
  - vi. Home based business
- 6.4 Zoning Bylaw No. 4662, 2010, Schedule A, Section 664 – CD64 (585 16th Street) is amended by:
- 6.4.1 Deleting the text in Section 664.02 (Permitted Uses) and replacing it with the following:
- i. Those uses as provided for in section 701.01 - Ambleside Centre Zone 1 of this bylaw.
- 6.4.2 Deleting the text “accessory” in Section 664.03(2).
- 6.5 Zoning Bylaw No. 4662, 2010, Schedule A, Section 665 – CD65 (1340 Duchess Avenue) is amended by:
- 6.5.1 Adding the following to Section 665.02 (Permitted Uses) in numerical order:
- ii. Accessory buildings and uses
  - iii. Home based business
  - iv. Child care
  - v. Community care
  - vi. Lodgers
- 6.6 Zoning Bylaw No. 4662, 2010, Schedule A, Section 668 – CD68 (1495 Esquimalt Avenue) is amended by:

- 6.6.1 Adding the following to Section 668.02 (Permitted Uses) in numerical order:
  - ii. Accessory buildings and uses
  - iii. Home based business
  - iv. Child care
  - v. Community care
  - vi. Caretaker’s suite
  
- 6.7 Zoning Bylaw No. 4662, 2010, Schedule A, Section 669 – CD69 (2030-2040 Marine Drive) is amended by:
  - 6.7.1 Adding the following to Section 669.02 (Permitted Uses) in numerical order:
    - ii. Accessory buildings and uses
    - iii. Home based business
    - iv. Child care
    - v. Community care
    - vi. Lodgers
  
- 6.8 Zoning Bylaw No. 4662, 2010, Schedule A, Section 670 – CD70 (2119 Bellevue) is amended by:
  - 6.8.1 Adding the following to Section 670.02 (Permitted Uses) in numerical order:
    - iii. Home based business
    - iv. Child care
    - v. Community care
    - vi. Lodgers
  
- 6.9 Zoning Bylaw No. 4662, 2010, Schedule A, Section 671 – CD71 (202-250 16th Street, 1571–1579 Bellevue Avenue) is amended by:



- 6.9.1 Deleting the text in Section 671.02 (Permitted Uses) and replacing it with the following:
  - i. Those uses as provided for in section 701.01 - Ambleside Centre Zone 1 of this bylaw.
  
- 6.10 Zoning Bylaw No. 4662, 2010, Schedule A, Section 672 – CD72 (440 13th Street, 1285 & 1289 Keith Road) is amended by:
  - 6.10.1 Adding the following to Section 672.02 (Permitted Uses) in numerical order:
    - iv. Home based business
    - v. Child care
    - vi. Community care
    - vii. Lodgers
  
- 6.11 Zoning Bylaw No. 4662, 2010, Schedule A, Section 673 – CD73 (1363 Clyde Avenue) is amended by:
  - 6.11.1 Adding the following to Section 673.02 (Permitted Uses) in numerical order:
    - iii. Home based business
    - iv. Child care
    - v. Community care
    - vi. Lodgers
  
- 6.12 Zoning Bylaw No. 4662, 2010, Schedule A, Section 674 – CD74 (4957 Marine Drive) is amended by:
  - 6.12.1 Adding the following to Section 674.02 (Permitted Uses) in numerical order:
    - iii. Home based business
    - iv. Child care
    - v. Community care
    - vi. Lodgers
  
- 6.13 Zoning Bylaw No. 4662, 2010, Schedule A, Section 675 – CD75 (1858-

1896 Bellevue Avenue) is amended by:

- 6.13.1 Adding the following to Section 675.02 (Permitted Uses) in numerical order:
  - iii. Home based business
  - iv. Child care
  - v. Community care
  - vi. Lodgers
  
- 6.14 Zoning Bylaw No. 4662, 2010, Schedule A, Section 676 – CD76 (312-320 Keith Road) is amended by:
  - 6.14.1 Adding the following to Section 676.02 (Permitted Uses) in numerical order:
    - iii. Home based business
    - iv. Child care
    - v. Community care
    - vi. Lodgers
  
- 6.15 Zoning Bylaw No. 4662, 2010, Schedule A, Section 677 – CD77 (5500 Block Parthenon Place & 5490 Marine Drive) is amended by:
  - 6.15.1 Deleting Section 677.03(1) (Building Lots) and replacing it with the following:
    - (1) Building Lots
      - a. Accessory buildings and uses
      - b. Child care
      - c. Community care
      - d. Home based business
      - e. Lodgers
      - f. Secondary suites
      - g. Single-family dwellings

- 6.15.2 Adding the following to Section 677.04 (Conditions of Use) in numerical order:
  - (5) No more than 20 children shall be permitted in pre-school groups (nursery-kindergarten) for child care uses in a single-family dwelling.
  
- 6.16 Zoning Bylaw No. 4662, 2010, Schedule A, Section 680 – CD80 (382-398 Mathers Avenue) is amended by:
  - 6.16.1 Deleting Section 680.02(1) (Strata Lots) and replacing it with the following:
    - (1) Strata Lots
      - a. Child care
      - b. Community care
      - c. Home based business
      - d. Lodgers
      - e. Secondary suites
      - f. Single-family dwellings
      - g. Accessory uses to the listed uses
  
  - 6.16.2 Adding the following to Section 680.03 (Conditions of Use) in numerical order:
    - (2) The keeping of lodgers shall not be permitted where secondary suites are provided.
    - (3) No more than two lodgers per strata lot are permitted.
  
- 6.17 Zoning Bylaw No. 4662, 2010, Schedule A, Section 681 – CD81 (800 Taylorwood Place) is amended by:
  - 6.17.1 Deleting Section 681.02 (Permitted Uses) and replacing it with the following:
    - i. Accessory buildings, structures, and uses
    - ii. Child care
    - iii. Community care

- iv. Home based business
- v. Lodgers
- vi. Secondary suites
- vii. Single-family dwellings
- viii. Site management office

6.18 Zoning Bylaw No. 4662, 2010, Schedule A, Section 682 – CD82 (6255 & 6265 Imperial Avenue, 6620–6678 Marine Drive) is amended by:

6.18.1 Deleting Section 682.02(1) (Individual lots) and replacing it with the following:

- (1) Individual lots
  - a. Child care
  - b. Community care
  - c. Home based business
  - d. Secondary suites
  - e. Single-family dwellings
  - f. Accessory uses to the listed uses

6.18.2 Adding the following to Section 682.03 (Conditions of Use) in numerical order:

- (4) The keeping of lodgers shall not be permitted where secondary suites are provided.
- (5) No more than two lodgers per strata lot are permitted.

## **Part 7 Effective Date**

7.1 Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5321, 2024 will be effective on June 30, 2024, or as otherwise specified in the schedules.

## **Schedules**

Schedule A – CD86 – Comprehensive Development Zone 86 (Caulfeild Zone)

Schedule B – Amends Zoning Maps

READ A FIRST TIME on [Date]

PUBLICATION OF NOTICE OF PUBLIC HEARING on XXX XX and XX, 2024

APPROVED by the Minister of Transportation and Infrastructure on [Date].

PUBLIC HEARING HELD on [Date]

READ A SECOND TIME on [Date]

READ A THIRD TIME on [Date]

ADOPTED by the Council on [Date].

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Mayor

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Corporate Officer

## Schedule A – CD86 – Comprehensive Development Zone 86 (Caulfeild Zone)

### 686 CD86 (Caulfeild Zone)

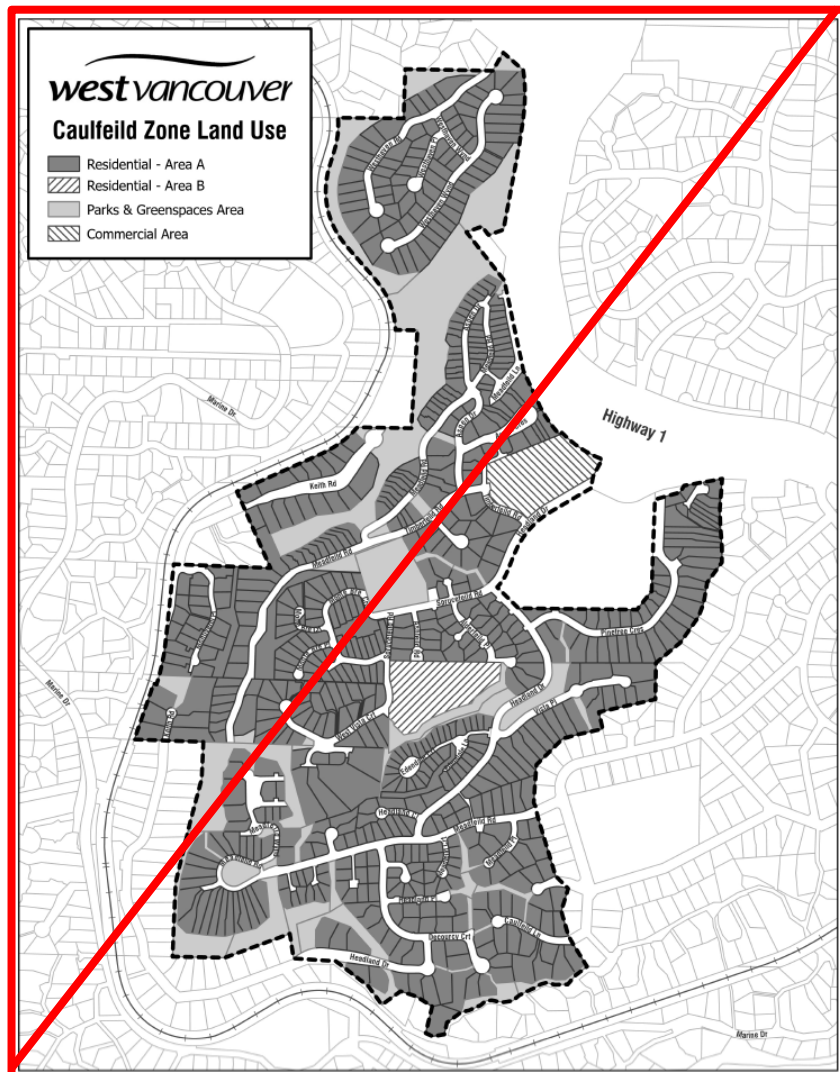
AMENDING  
BYLAW

### SECTION REGULATION

#### 686.01 Map

Lands zoned CD86 are shaded on the map below and shall be identified as:

- (a) Residential – Area A
- (b) Residential – Area B
- (c) Commercial Area
- (d) Parks and Greenspaces Area





**686.02 Definitions**

- (1) Within the CD86 Zone the following definition shall apply:
- “Common Area” shall mean and include: ~~Plan VAP17835 District Lot 879 Parcel H Lot 52, Plan VAP18948 District Lot 879 Parcel H Lot 100, Plan VAP20429 District Lot 885 Parcel H Lot 14, Plan LMS2640 District Lot 890 Lot N, Plan LMS3329 District Lot 890 Block Q PID 007-353-499, Lot 52, Block H, District Lot 879, Plan17835; Lot 100, Parcel H, District Lot 879, Plan VAP18948; PID 006-919-545, Lot 14, Block H, District Lot 885, Plan20429; CP (not road), Lot N, District Lot 890, Strata Plan LMS2640; and CP (not road), Block Q, District Lot 890, Strata Plan LMS3329.~~

**686.03 Permitted Uses**

- (1) Residential - Area A
  - (a) Accessory buildings and uses
  - (b) Child care
  - (c) Community care
  - (d) Common area
  - (e) Duplex dwellings
  - (f) Ground-oriented dwellings
  - (g) Home based business
  - (h) Lodgers
  - (i) Secondary suite
  - (j) Single-family dwelling
  
- (2) Residential - Area B
  - (a) Accessory buildings and uses
  - (b) Child care
  - (c) Community care
  - (d) Common area
  - (e) Duplex dwellings
  - (f) Ground-oriented dwellings
  - (g) Home based business
  - (h) Lodgers
  - (i) Secondary suite
  - (j) Single-family dwelling
  
- (3) Commercial Area
  - (a) Accessory buildings and uses
  - (b) Amusement place
  - (c) Bakery
  - (d) Bakeshop or confectionery
  - (e) Bank or credit union
  - (f) Business or commercial school, including art and music academy
  - (g) Child care
  - (h) Community care
  - (i) Dry cleaner
  - (j) Electric appliance repair shop
  - (k) Fire halls
  - (l) Funeral home
  - (m) Libraries
  - (n) Liquor primary licensed premises
  - (o) Microbrewery, winery, and distillery
  - (p) Office
  - (q) Personal services



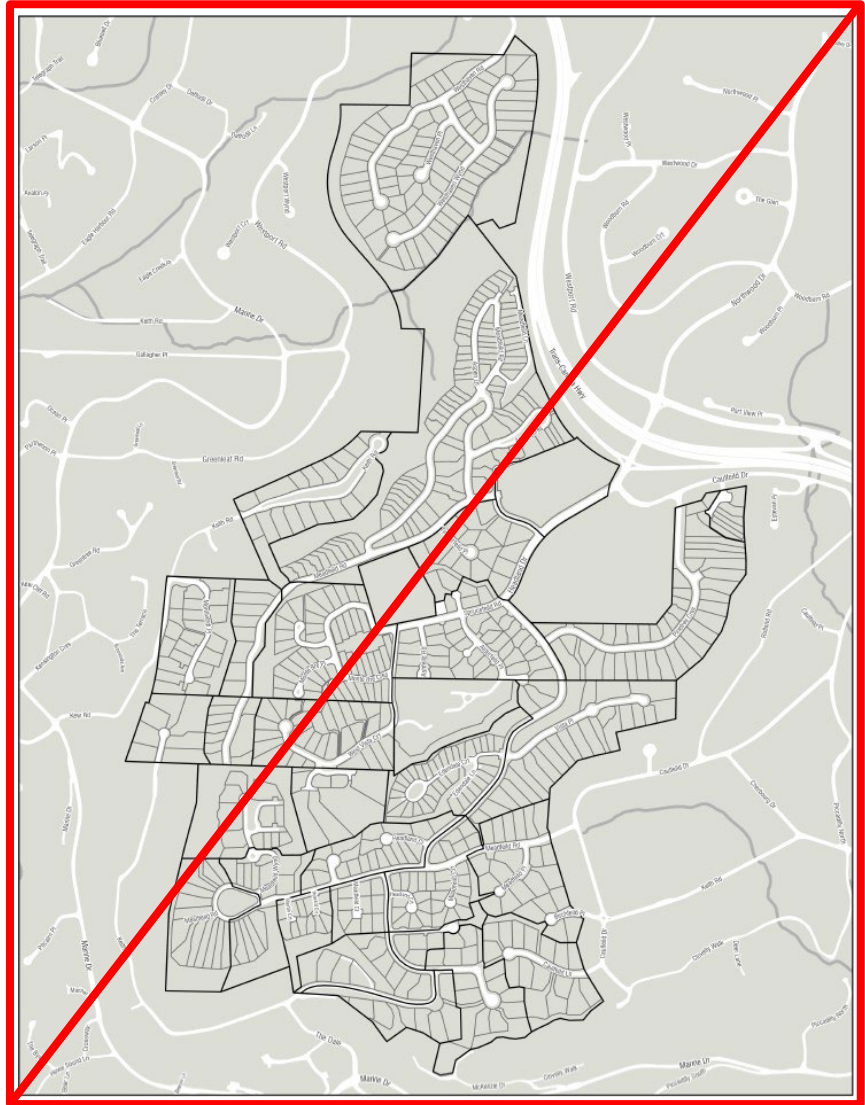
- (r) Pet care establishment
  - (s) Photograph gallery
  - (t) Printing shop
  - (u) Recreation buildings
  - (v) Restaurant
  - (w) Store or shop for the conduct of retail business but excluding gasoline service stations
  - (x) Theatre excluding drive-in theatre
  - (y) Veterinary medical clinic
- (4) Parks and Greenspaces Area
- (a) Parks and playgrounds
  - (b) Park accessory uses

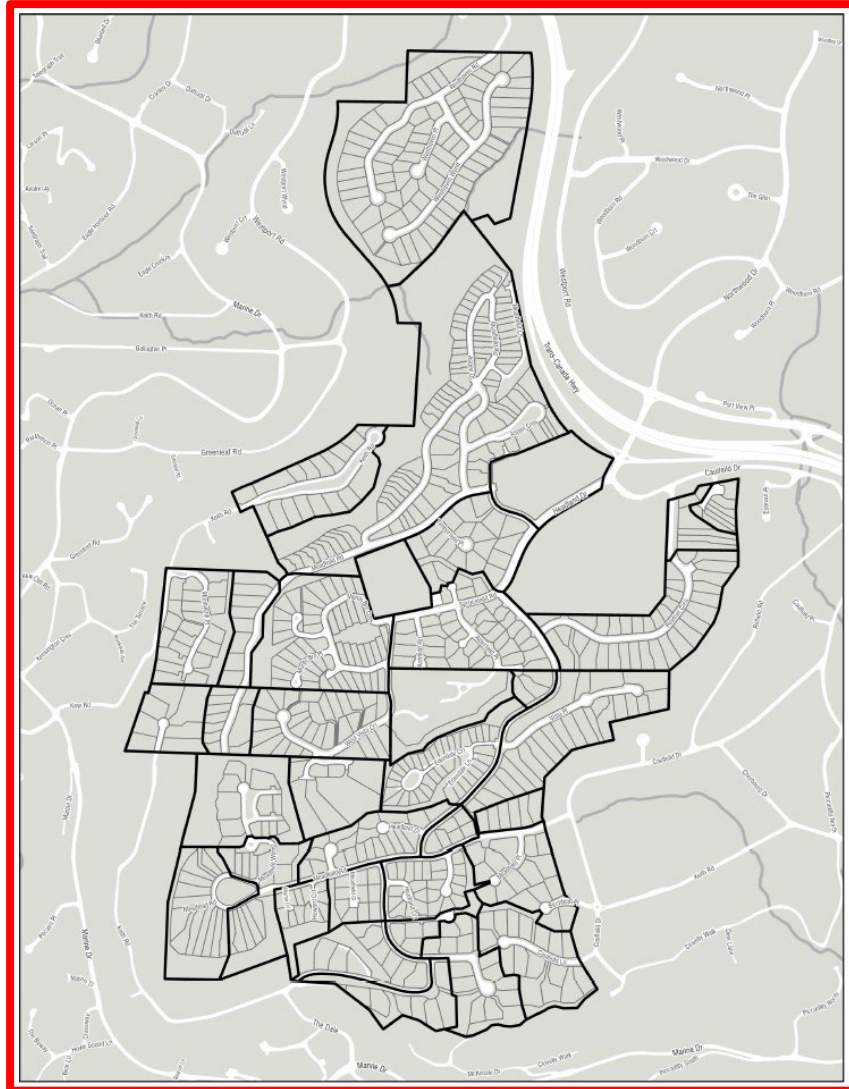
#### **686.04 Conditions of Use**

- (1) Residential Area A  
Stratification of buildings ~~or land~~ is prohibited.
- (2) Common Area  
Common areas shall be used for ~~parkland~~, recreation and greenspace use.

#### **686.05 Site Area**

- (1) Residential - Areas A & B
- (a) Minimum permitted site area for any residential parcel is the site area lawfully registered on the parcel as of June 30, 2024.
  - (b) The requirements of Section ~~686.04-686.05~~(1)(a) shall not prevent the adjustment of a site line between two lots existing as of June 30, 2024.
  - (c) Notwithstanding Section 686.05(1)(a) the following two parcels may be subdivided to three parcels PID 029-502-420, ~~Plan BCP39953, District Lot 890, Parcel A, Lot 8~~ Parcel C (being a consolidation of lots 7 and 8, see CA4246242), District Lot 890, Plan BCP39953; and PID 027-840-751, ~~Plan BCP39953, District Lot 890, Parcel A, Lot 9-Parcel 9, District Lot 890, Plan BCP39953.~~
  - (d) Any inclusions or exclusions must be in accordance with Section 120.23 of this bylaw.
  - (e) For parcels shown within the boundaries on the map below, a pro rata share of all common site or sites, and/or greenbelt areas shall be used to calculate site area.





**686.06 Density**

- (1) Residential – Area A
  - (a) The maximum number of dwelling units shall not exceed three per lot.
  
- (2) Residential – Area B
  - (a) The maximum number of principal dwelling units shall not exceed 35.
  
- (3) Commercial Area
  - (a) The maximum permitted gross floor area of **any all** development on the subject lot is 6,700 square metres.

**686.07 Floor Area Ratio**

- (1) Residential – Area A
- (a) The maximum permitted floor area for any lot is the greater of:
- i. the floor area lawfully constructed on the lot as of June 30, 2024; or
  - ii. 0.35 floor area ratio of site area to a maximum floor area of 585.4 square metres.
- (b) For the purposes of section ~~686.06~~ 686.07(1)(a)(i) the District may require a survey by a suitably qualified professional certifying the actual gross floor area constructed on a lot as of June 30, 2024.

- (2) ~~Commercial Area~~  
~~The maximum permitted gross floor area of development on the subject lot is 6,700 square metres.~~

**686.08 Site Coverage**

- (1) Residential – Areas A & B
- (a) The maximum permitted site coverage for any lot is the greater of:
- i. the site coverage lawfully constructed on the lot as of June 30, 2024; or
  - ii. 30% of site area.
- (a) For the purposes of 686.08(1)(a)(i) the District may require a survey by a suitably qualified professional certifying the actual site coverage on a lot as of June 30, 2024.

**686.09 Building Height**

- (1) Residential – Areas A & B
- (a) Maximum permitted height for any building on a lot is the greater of:
- i. the building height that was lawfully constructed on the lot as of June 30, 2024; or
  - ii. 8 metres.
- (b) For the purposes of Section 686.09(1)(a)(i) the District may require a survey by a suitably qualified professional certifying the actual building height constructed on a lot as of June 30, 2024.

- (2) Commercial Area  
10.7 metres maximum.

#### **686.10 Number of Storeys**

- (1) Residential – Areas A & B  
2 plus basement maximum.
- (2) Commercial Area  
Maximum 1 storey, except mezzanines as defined and provided for in the BC Building Code.

#### **686.11 Rear Yard Setback**

- (1) Commercial Area
- (a) 9.1 metres minimum, except:
- i. where the site is flanked by a lane, the required rear yard may be provided either from the rear line of the building or between the sideline of the site adjoining the lane and the sideline of the building.
  - ii. 4.3 metres minimum on a corner site where the required number of off-street parking spaces and access aisles thereto are provided between the front site line and the front line of the building; or
- (b) 4.3 metres applies where a pedestrian arcade has been provided and where the required minimum number of off-street parking spaces and access aisles thereto are located either:
- i. on a site other than the site of the main building; or
  - ii. partly within the building and partly on a site other than the site of the main building, or
  - iii. within the building.
- (2) Residential - Area A
- (a) Minimum rear yard setback permitted on a lot is:
- i. the smallest rear yard setback that was lawfully constructed on the lot as of June 30, 2024; or
  - ii. 9.1 metres.
- (b) For the purposes of Section ~~686.12~~ 686.11(1)(a)(i) the District may require a survey by a suitably qualified professional certifying the actual rear yard setback constructed on a lot as of June 30, 2024.

**686.12 Front Yard Setback**

- (1) Residential - Area A
- (a) Minimum front yard setback permitted on a lot is:
- i. the smallest front yard setback that was lawfully constructed on the lot as of June 30, 2024; or
  - ii. 6.7 metres.
- (b) For the purposes of Section 686.12(1)(a)(i) the District may require a survey by a suitably qualified professional certifying the actual front yard setback constructed on a lot as of June 30, 2024.

**686.13 Side Yard Setback**

- (1) Residential - Area A
- (a) Minimum side yard setback permitted on a lot is:
- ~~iii. the smallest side yard setback that was lawfully constructed on the lot as of June 30, 2024; or~~
  - ~~iv. 1.2 metre.~~
  - i. the smallest side yard setback that was lawfully constructed on the lot as of June 30, 2024; or
  - ii. 1.2 metres.
- (b) For the purposes of Section ~~686.12~~ 686.13(1)(a)(i) the District may require a survey by a suitably qualified professional certifying the actual side yard setback constructed on a lot as of June 30, 2024.

**686.14 Off-street Parking**

- (1) Commercial Area
- (a) Minimum of 1 parking space for every 37.5 square metres of commercial gross floor area.
- (b) Applications for approval of provision of front yard parking on corner sites in this zone must receive the approval of the Director of Engineering and Transportation having regard to location of access crossovers in relation to traffic requirements and shall only be considered for corner sites having a frontage of not less than 45.7 metres on the major street to be served.

## Schedule B – Amends Zoning Maps

Amendment to Zoning Bylaw No. 4662, 2010, Schedule A, Section 852, Zoning Maps.

The area shown outlined in bold and shaded on the map below rezones the site to CD86.

