

Q: What is a Land Use Contract (LUC)?

A: A Land Use Contract (LUC) is a legal agreement between a municipality and the original developer which was executed prior to the subdivision and/or development taking place. The *Municipal Act* allowed Land Use Contracts to be created to regulate the development of land. Land Use Contracts (LUCs) were used to control land use development in the 1960's to 1980's and commonly specified permitted land uses, siting, site development guidelines, parking and site specific servicing requirements.

Q: How do I know if my property is regulated by a Land Use Contract?

A: Your Certificate of Title will have a LUC listed as one of the charges. You may also check on the City's online mapping program (WebMap) to initially check this, which can be accessed through this link: <http://maps.abbotsford.ca>, or directly from the top of the City's homepage at www.abbotsford.ca.

Q: How does a Land Use Contract affect me?

A: If your property has a LUC registered on the Certificate of Title, then the use and any upgrades to the property (such as a new building, addition or new business tenant) must comply with the LUC provisions. This also means that your property is not regulated by the Abbotsford Zoning Bylaw.

Q: Does my Land Use Contract permit a secondary suite?

All of the LUCs in Abbotsford currently do not permit suites (see next page for more information on how to change this).

Q: How do I get a copy of my Land Use Contract?

LUCs are available through the Land Titles Office (88 6th Street, New Westminster, 1-877-577-5872 or www.lsta.ca). Your solicitor and/or real estate agent can assist you with the document retrieval.

Q: What is the future of Land Use Contracts?

On May 29th, 2014 *Bill 17: Miscellaneous Statutes Amendment Act, 2014*, was passed by the Province of British Columbia. Bill 17 amended the *Local Government Act* and *Community Charter*. This Bill requires that all LUCs be terminated by June 30, 2024. Therefore, all municipalities that have LUCs within their jurisdiction must have a zoning designation in place for each property regulated by a LUC by that time. This Bill also enables local governments to pursue early termination of LUCs.



PLANNING & DEVELOPMENT SERVICES

Building Permits & Licences

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Planning Services

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Land Use Contracts

Q: How can I change my Land Use Contract before Bill 17 changes are implemented?

A: There are three different ways to change a LUC;

- 1) Vary (this includes items such as changing the permitted height or setbacks of a building);
- 2) Amend (this could be an amendment to allow for a secondary suite); or
- 3) Discharge (this would allow your property to be regulated by the Zoning Bylaw).

Any change to a LUC must be approved by City Council. The process can be initiated by making a Development Application with the Planning Services Division. If you would like to apply to vary the LUC, you can apply for a Development Variance Permit. Similarly if you would like to apply to amend or discharge a LUC, the process can be started by making a Development Application with the Planning Services Division. Amendments and discharges are treated like a rezoning application.

Q: Will my application to change a Land Use Contract be successful?

A: Each LUC proposal is considered on its own merit and all proposals must go through a City Council approval process and neighbourhood notification process. Therefore certainty cannot be provided.

If your proposal is in line with City policies, strategies and visions, an affirmative recommendation from staff is more likely. If you have further questions on LUCs, you can contact the Planning Services Division at planning-info@abbotsford.ca or at 604-864-5510 to speak to Planning staff.



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