

UNIVERSITY ENDOWMENT LANDS

LAND USE, BUILDING AND COMMUNITY

ADMINISTRATION BYLAW

May 1989

The Honourable Jenny W.C. Kwan
Minister
Municipal Affairs

Amended: July 09, 1999

(Consolidated for convenience only to February 4, 2014)

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(Amended by Ministerial Order M008, January 15, 2014)

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Bylaw Amendments:

- Amended by Bill 12 – 2008, Musqueam Reconciliation, Settlement and Benefits Agreement Implementation Act, March 31, 2008
- Amended by Ministerial Order M096, Development Approval Information Area, April 9, 2013
- Amended by Ministerial Order M205, August 12, 2013
- Amended by Ministerial Order M008, January 15, 2014

INTRODUCTION

1. (1) This Bylaw is made pursuant to the University Endowment Land Act.

 (2) The Schedules attached to this Bylaw form part of this Bylaw.
2. This Bylaw applies to the area defined as follows: District Lot 140 and that part of Lot 6494, shown on Plan 11469, Group 1, New Westminster District. This area shall be known as the "University Endowment Lands".
3. The Manager referred to in this Bylaw is the Manager of the University Endowment Lands or his designated representative. The Inspector is the Manager or his designated representative.

 (1) The Manager is granted the authority to enforce this Bylaw.

 (2) The Manager or his representative shall have the right of entry and may enter onto any land or into any building at all reasonable hours in order to inspect the same and to ascertain whether the provisions of applicable Bylaws are being or have been carried out. Except in an emergency that threatens life or property, or if invited by the property owner or his authorized representative, the Manager or his representative shall provide at least 24 hours notice before entering onto any private land or into any private building.

Any person interfering with or obstructing the entry of the Manager or his representatives onto any such land or into any such building, to which said entry is made or attempted pursuant to the provisions of an applicable Bylaw, shall be deemed to be guilty of an infraction of the Bylaw.

- (3) In the granting or refusal of applications or permits, and in the granting of relaxations or the imposition of conditions, due regard shall be given to the spirit and intent of the Bylaw.

DEFINITIONS

4. Definitions of words and phrases used in this Bylaw that are not included in the list of definitions in this section shall be as defined in the National Building Code and related documents or shall have the meanings which are commonly assigned to them in the context in which they are used in this Bylaw.

- (1) "accessory building" means:

- (a) a building, the use of which is ancillary to that of the principal building situated upon the same site, but does not include an additional dwelling unit,
OR
- (b) a building, the use of which is ancillary to the use being made of the land upon which it stands.
- (c) and except for a cabana, an accessory building shall not contain a toilet, bath or shower facilities.

- (2) "accessory use" means:

- (a) a use which is ancillary to the principal building, or use of the principal building, situated on the same site, or
- (b) a use which is ancillary to the principal use being made of the site upon which such accessory use is located.

- (3) ***"Advisory Design Panel"*** (Amended by MO 2008005, effective February 1, 2008) means the committee established pursuant to Policy 3.2 of the Community Plan Bylaw for University Hill.

- (4) “amenity space” means a self-contained unit, with kitchen and washroom facilities.
- a) “residential amenity space” means the use of premises by the residents for meetings, recreation (swimming pool, fitness facility, jacuzzi, sauna), and social functions, or other similar uses but, not sleeping accommodation.
- b) “community village space” means the use of the premises by the UEL *Community Advisory Council (Amended by MO 2008005, effective February 1, 2008)*, the UEL Tenants Society or other groups approved by the UEL *Community Advisory Council (Amended by MO 2008005, effective February 1, 2008)* or the Tenants Society for community meetings, or other similar uses but, not for sleeping accommodation.
- (5) "attached" means that the structural support for a structure is provided by another structure to the extent that the attached structure would not be capable of safely supporting itself if the other structure was removed or where the adjoining walls are pierced by a common opening.
- (6) "Area" means:
- (a) "Area A" means the SF 1 district bounded by Chancellor Boulevard, the easterly property line of properties on the east side of Acadia Road, University Boulevard and Wesbrook Crescent/Mall.
- (b) "Area B" means the SF 1 district bounded by Chancellor Boulevard on the south and Marine Drive on the north and the easterly property line of properties on the east side of Acadia Road.
- (c) "Area C" means the SF1 district bounded by the City of Vancouver on the north and east, Tasmania Road on the west and University Golf Course on the south.

- (7) “balcony” means a cantilevered deck that projects from a building and that except for a guard rail is not enclosed.
- (8) "basement" means a space between two floors, with the floor of the storey above being located less than 4 feet above the average grade.
- (9) “bay window” means a projection from the wall of a building that contains a window, is wholly above the level of the adjacent floor surface and does not result in any projection of the adjacent floor structure.
- (10) "bed and breakfast accommodation" means the use of a dwelling unit as temporary accommodation for tourists or transients where the room rate includes breakfast provided on the premises.
- (11) "boarding-house” means a building containing sleeping-rooms, where lodging and meals for three or more persons are provided for compensation pursuant to previous arrangements or agreements, but does not include a hotel or a special needs residential facility.
- (12) "building" means any structure designed, erected, or intended for the support, enclosure, or protection of persons or property, the use of which requires permanent location on the ground (when a building is divided into separate parts by unpierced fire walls extending from the ground up, each part shall be deemed a separate building).
- (13) "building envelope" means the three dimensional shape within which a building may be located, as determined by this Bylaw.

- (14) "child day care facility" means a facility providing a child minding, nursery school, child group day care, specialized day care, kindergarten or out-of-school day care, but does not include the provision of day care for a maximum of five children in a dwelling unit.
- (15) "community centre" means any building used for purposes of community assembly which are approved by the manager.
- (16) "Community Plan" means the Community Plan Bylaw for University Hill that is adopted pursuant to the University Endowment Land Act.
- (17) "corner site" means a site at the intersection or junction of two or more streets, or of a street and a lane which is not less than 20 feet in width.
- (18) "family" means one or more individuals living as a household and in the case of persons unrelated by blood, marriage, or other law, shall not exceed three in number, but shall not include boarders, lodgers or foster or day-care children or groups of persons comprising a monastery, seminary, convent or similar religious group.
- (19) "floor space ratio" means the figure obtained when the area of the floors of the buildings on a site is divided by the area of the site.
- (20) "fraternity or sorority house". See lodging house.

- (21) "front yard" means a yard extending across the full width of the site from the front line of the site to the front wall of the building. In the case of a corner site, an irregularly shaped lot, or a through site, the front yard shall be the yard with the largest required setback; if the required setbacks are equal, the front yard shall be designated by the manager.
- (22) "full service restaurant" means a facility, located in the CD-1 District, whose sole business is to provide fresh and/or prepared foods to customers seated within its premises. No more than 15 percent of its business is to be derived from take-out orders without the prior approval of the manager of the University Endowment Lands.
- (23) "garage" means a building, or part thereof, used or intended to be used for the shelter, storage, or repair of automobiles.
- (24) "gasoline service station" means a building or land used or equipped to be used for the retail sale of motor fuels and lubricants but does not include a gasoline self-service station, and may include as accessory uses the sale of automotive accessories and other merchandise and such minor repairs to motor vehicles as muffler installing, brake relining, carburetor and ignition servicing, wheel balancing, front end realignment, and similar servicing.
- (25) "grade, average" means the sum of the average of the lesser of natural or finished grade at each side of the structure divided by the number of sides of the structure.

- (26) "grade, natural" means the level of ground undisturbed by human action, or where there is evidence of disturbance by human action, the level of ground as determined by the Building Inspector.
- (27) "grade, finished" means the final ground elevation around the perimeter of the building after development but excluding:
- (a) light wells providing they do not:
 - i) extend more than 36 inches from the building;
 - ii) exceed in length 25% of the length of the wall.
 - (b) basement stairs in side yards providing they do not:
 - i) extend more than 48 inches from the building;
 - ii) exceed 15 feet in length.
 - (c) sunken patios or basement stairs in rear yards providing they do not:
 - i) exceed an area of 150 sq.ft.;
 - ii) extend more than 10 feet from the building;
 - iii) exceed a length of 15 feet along the wall;
 - iv) are not located on the same side of the building as a depressed vehicle access.
- (28) "grocery market" means a single shopping facility, of at least 5,000 square feet, whose primary business is to offer fresh produce, fresh and/or frozen deli-meats, packaged goods, canned goods, baked goods and dairy products. The amount of floor area dedicated to the sale of candy, canned/bottled beverages, take-out foods, newspapers and magazines would not exceed 10 percent of the total floor area.

OR

a combination of speciality food retailers offering one or more of the grocery store type items listed above. The combination of stores must at least provide a good selection of baked goods, fresh produce, dairy products, deli-meats and condiments.

- (29) "half storey" means a story under a gable, hip, or gambrel roof, the wall-plates of which on at least two opposite exterior walls are not more than 2 feet above the floor of such storey.
- (30) "height of buildings" means the vertical distance between the highest point of the building -- excluding antennae, chimneys and similar appurtenances -- and the average grade.
- (31) "highest point"- In a single-family district means:
 - (a) the highest point of a flat roof;
 - (b) the highest point of a mansard roof;
 - (c) the mean height level between a point eight feet above the top floor and the ridge of a gable, hip or gambrel roof. A flat portion of a gable, hip or gambrel roof cannot cover more than 10 percent of the roof area viewed directly from above.
- (32) "home occupation" means a craft or occupation conducted as an accessory use subordinate to the principal residential use of a dwelling unit.
- (33) "hotel" means a building occupied as the temporary abiding place of individuals who are lodged with or without meals, and in which there are more than 15 sleeping-rooms and with no provision for cooking in any room so occupied.

- (34) "housekeeping unit" means a room or rooms provided with sleeping and cooking facilities.
- (35) "interior site" means a site other than a corner site.
- (36) "institution of a religious, philanthropic, or charitable character" means a building used by a group registered under the Society Act to further the spiritual, moral or physical improvement of others, but does not mean a church, a hospital or a special needs residential facility or a building used purely for administrative purposes.
- (37) "irregularly shaped lot" means a lot that is not approximately rectangular or square in shape or a lot that has a larger frontage than depth.
- (38) "lane" means a public way which affords only a secondary means of access to a site at the side or rear.
- (39) "lodging house" means a building containing sleeping-rooms, where lodging for three or more persons is provided for remuneration and with no provision for cooking in any such sleeping-room and a dwelling existing at the time of the passing of this Bylaw, in which housekeeping rooms are provided, but does not include a hotel or a special needs residential facility.
- (40) "Manager" means a person appointed by the Minister pursuant to the University Endowment Land Act and the Community Plan Bylaw for University Hill to administer the Land Use, Building and Community Administration Bylaw and the Community Plan Bylaw.

- (41) "multiple dwelling" means any building, divided into two or more dwelling units, which is occupied or intended to be occupied as the home or residence of two or more families living independently of one another.
- (42) "nonconforming use" means a use of a building or land which does not conform with the prescribed use regulations of the district in which it is situated.
- (43) "non full-service restaurant" means a facility, located in the CD-1 District, with limited or no seating whose primary business is to sell fresh or prepared foods which require little or no kitchen preparation. The majority of its business would be derived from over-the-counter sales.
- (44) "Open" means that the portion of a deck or balcony facing the street or rear property line shall be open or protected by guard rails the height of which shall not exceed the minimum specified in the building code.
- (45) "parking space" means a permanently surfaced space for the parking of one standard-sized automobile either outside or inside a building or structure, but does not include manoeuvring aisles, driveways and other areas providing access to the space.
- (46) "principal" means the essential nature or basic and determined characteristic as applicable to any building structure or use.
- (47) "Professional Designer" means an Architect or a Professional Engineer registered in the Province of British Columbia.

- (48) "private garage" means a garage accessory to a dwelling on the same building site.
- (49) "***Community Advisory Council***" (***Amended by MO 2008005, effective February 1, 2008***) means the Association referred to in the Community Plan Bylaw.
- (50) "rear line of the building" means the extended line of the wall of the building (or any projecting portion of the building, except steps, sills, belt courses, cornices, eaves, and fire-escapes) which faces the rear line of the site or lot.
- (51) "rear yard" means a yard extending across the full width of the site from the rear line of the building to the rear line of the site.
- (52) "residential storage space" means floor area within or accessory to a dwelling unit, used to store personal items such as recreation equipment, tires, barbeques, suitcases, miscellaneous household articles and similar items, but does not include floor area for clothes closets, linen closets, or kitchen or bathroom cupboards.
- (53) "servant" means a person in the full-time employ of a family for the purposes of providing domestic services and who may live in the same housekeeping unit as the employer.
- (54) "side yard" means a yard extending from the front yard to the rear yard and measured between the side line of the site or lot and the side line of the building, or any projection thereof (see "yard").
- (55) "single-family dwelling" means a separate building designed exclusively for one family and containing only one kitchen or food preparation area.
- (56) "site area" means the area defined by the total exterior boundary of a site.

- (57) "site or lot" means an area of land designated as a separate and distinct parcel on a legally recorded subdivision plan or description filed in the Land Registry Office, and having a principal frontage upon a public street or place.
- (58) "site or lot lines" means the lines bounding a site or lot.
- (59) "Site Coverage" means the percentage of the site covered by buildings and structures, based on the projected area of the outside of the outermost walls of all buildings including accessory buildings and covered decks and patios; but excluding steps, eaves not exceeding 36 inches, and decks or portions of decks built above ground level not exceeding a height of 2 feet above the higher of natural or finished grade below such deck.
- (60) "special needs residential facility" means:
- (a) a community care facility licensed under the Community Care Facility Act of British Columbia,
 - (b) a Child Welfare Facility which has more than 5 children in the care of the Superintendent of Child Welfare,
 - (c) a Group Living Facility which has more than 5 persons in any of the following categories:
 - i) physically disabled persons.
 - ii) mentally retarded persons.
 - iii) persons with a drug or alcohol problem.
 - iv) persons under the legal custody of the Crown.
 - v) persons in emergency or crisis situations.

- (61) "storey" means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it, but does not mean or include a basement or cellar.
- (62) "structure" means any residence, building, fence, machinery, equipment, ornaments, or other man-made or manufactured items.
- (63) "student housing" means rental residential accommodation that is provided by an educational institution to its students, faculty and staff, together with family members, where permitted by the institution. *(Added by Ministerial Order M008, January 15, 2014)*
- (64) "through site" means a site having a frontage on two parallel, or approximately parallel, streets.
- (65) "yard" means a part of the lot or site which is unoccupied and unobstructed by buildings.

APPEAL

- 5. (1) Any person who considers that any refusal to issue a permit, or any refusal to grant approval of an application, or any order issued to him under this Bylaw will cause him undue hardship shall have a right of appeal to the Minister.
- (2) Any person who considers that action on any permit granted is likely to materially affect the value of property owned or leased by him under a registered lease shall have a right of appeal to the Minister.

- (3) Any person exercising the right of appeal to the Minister shall file with the Manager, a written notice of appeal. The appellant shall therein give an address to which all notices may be mailed. The notice of appeal shall be submitted to the Manager within 10 days of the refusal or issuance of the permit in question, in the form prescribed by the Manager.
- (4) The Minister may reject an appeal, if in his opinion, the grounds for appeal:
 - (a) are not clearly stated; or
 - (b) are frivolous or petty.
- (5)
 - (a) If the issuance of a Building Permit is appealed to the Minister pursuant to Section 5 (2), the Manager shall notify the building permit holder, who shall take no action with respect to the building permit until the Minister rules on the appeal.
 - (b) If the issuance of a Development Permit is appealed to the Minister pursuant to Section 5(2), the Manager shall take no action with respect to a building permit application for the proposed development or use until the Minister rules on the appeal.
- (6) Where he considers it advisable, the Minister may refer the matter of the appeal to the *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)* for comment and may decide that there will be a hearing in respect of the appeal and shall then set a date for such hearing. Not less than one week's notice of the said hearing shall be forwarded by registered mail to the appellant, posted to the address given in the said notice of appeal, and also to such other persons as the Minister may deem necessary.
- (7) The Minister will provide a ruling on the appeal within 30 days of receiving written notice of appeal and such ruling shall be final and binding.

NON-CONFORMING USE

6. (1) A building or use shall be non-conforming if it does not conform with the prescribed regulations of the Land Use District in which it is situated.
- (2) A building or use shall be deemed to conform with the requirements of the Land Use District in which it is situated if the building or use conforms with the terms of a Development Permit which authorized any alteration in the requirements or if an alteration of the Bylaw has been made.
- (3) Non-conforming uses shall be subject to *Section 911 of the Local Government Act*.

PENALTY

7. (1) Where any requirement of this Bylaw is not carried out or a prohibited action is taken, and the offence is not immediately rectified by the party concerned when so notified by the Manager, the Manager may take remedial action and charge the cost to the offender, which charge shall become collectable and registrable against the property.
- (2) Any person who violates any provision of this Bylaw, shall be guilty of an offence and shall be liable on summary conviction to a penalty as indicated in Schedule 2.

COMMUNITY ADMINISTRATION

8. Before adopting or amending a bylaw that pertains to any portion of University Hill, the Minister will refer the proposed bylaw or amendment to the Directors of the *Community Advisory Council (Amended by MO 2008005, effective February 1, 2008)* and to the *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)*.
9. An up-to-date copy of all Bylaws in force in the University Endowment Lands shall be available for inspection at the Manager's office during its normal business hours.

DEVELOPMENT PERMITS

10. (1) A Development Permit must be obtained, prior to the commencement of any construction, alteration, excavation, or fill, by any person wishing to:
 - (a) erect or alter any dwelling or accessory building that would be outside the allowable building envelope in the SF-1 Land Use District;
 - (b) erect, demolish or alter the building envelope as defined in Section 51 (1) in a multiple dwelling structure in the MF-1 or MF-2 Land Use Districts;
 - (c) obtain approval for any Conditional Approval Use in any Land Use District;
 - (d) obtain approval for a variance in the accessory building regulations for an irregularly shaped lot in the SF-1 or SF-2 Land Use Districts, pursuant to Section 64(5).
 - (e) obtain approval for alteration of the height or yard regulations in the SF-1 or SF-2 Land Use Districts, pursuant to Section 63(2) or Section 69.
 - (f) obtain approval for projections into the front yard of lots in the MF-1 Land Use District, pursuant to Section 75(2), or in the MF-2 Land Use District, pursuant to Section 89(2).
 - (g) obtain approval for alteration of the yard regulations in the MF-1 Land Use District, pursuant to Section 82.
 - (h) obtain approval for an increase in maximum building height in the C Land Use District, pursuant to Section 102(2).
 - (i) obtain approval for a variance of the regulations for accessory buildings in the C Land Use District, pursuant to Section 111 (1).

- (j) obtain approval for the outdoor display of retail goods in the C Land Use District, pursuant to Section 111 (2).
- (k) obtain approval for the construction of a structure for weather protection that extends beyond the property line of a lot in the C Land Use District, pursuant to Section 111(3).
- (l) erect, demolish or replace a commercial building in the Commercial Land Use District.
- (m) erect, demolish or replace a building in the Comprehensive District (CD-1).
- (n) erect, demolish or replace an institutional building in the Institutional and Public Use District or the I-A: Institutional and Public Use District (A).

(Added by Ministerial Order M008, January 15, 2014)

- (2) An application for a Development Permit shall be made in the manner prescribed in Schedule 11 and shall be accompanied by the fee prescribed in Schedule 2.
- (3) Notwithstanding the issuance of a Development Permit, all other permits or approvals required by these Regulations must be obtained prior to the commencement of any construction, alteration, excavation, or fill.
- (4) Any Development Permit issued shall be void 6 months after the date of issue, unless the development authorized by the permit has meanwhile been commenced, or the Development Permit has been extended, or a building permit for the development has been issued and is unexpired.
- (5) Any Development Permit issued shall be void 24 months after the date of issue unless the development authorized by the permit has been completed in full compliance with all conditions attached to the Development Permit.

- (6) The Manager may allow an extension or extensions of the periods specified in Sections 10(4) and 10(5) if, in the Manager's opinion, the extension is warranted by the circumstances.
- (7) No Building Permit issued for any purpose for which a Development Permit is required shall be valid unless a Development Permit has been issued.
- (8) The Manager shall conduct a preliminary technical review of the Development Permit application. If the application is complete and the proposed development complies with all applicable Bylaws, the Manager shall accept the application for consideration.
- (9) Upon accepting the Development Permit application for consideration, the Manager shall notify the applicant.
- (10) After being notified that the application has been accepted pursuant to Section 10(8), the applicant will cause to be erected, at the applicant's expense, a sign or signs on the property that is the subject of the application. The size and format of the sign(s) shall be determined by the Manager. The applicant shall advise the Manager, in writing, that the sign has been erected.
- (11) Upon confirming that the sign has been erected, the Manager shall notify in writing the owners of properties adjacent to, or across a street or lane from, the property that is the subject of the application, and any other property owners that the Manager deems may be affected, that the application has been received. The notice shall describe the nature of the proposed application. Notice shall be considered to have been given four days after mailing for the purposes of Section 10(12) (a) and Section 53(2).

- (12) If the Development Permit application is for any of the purposes described in Section 10(1) (b), through 10(1)(l), the Manager shall:
- (a) accept written comments on the application from any person, whether or not they received written notice, up to 30 days from the date of notification pursuant to Section 10(11),
 - (b) refer the Application to the *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)*, together with written comments received pursuant to Section 10(12) (a),
 - (c) accept written comments and recommendations from the *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)* up to 30 days from the date the application was referred to the Committee, pursuant to Section 10(12) (b),
 - (d) after giving due consideration to any recommendations of the *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)*, and to potential impacts of the proposed development on other properties, decide whether to approve or reject the application. If he approves the application, the Manager shall issue a Development Permit.
- (13) If the Development Permit application is for the construction or alteration of a dwelling or accessory building in the SF-1 Land Use District that would be outside the allowable building envelope, then the Manager shall follow the procedure in Sections 53, 54 and 55 of this Bylaw.
- (14) If an applicant fails to comply with any of the requirements of this Bylaw, the Manager shall not approve the application.

BUILDING PERMITS

11. (1) No building or structure shall be erected contrary to this Bylaw.
 - (2) There shall not be erected, constructed, located or made on any site within the University Endowment Lands any structure or other improvement, or any addition thereto or alteration thereof, nor shall any removal, demolition, fill or excavation be commenced, unless and until a building permit has first been obtained and a period of ten days has elapsed from the date of issuance of the building permit, provided that no appeal has been filed pursuant to Section 5.
 - (3) No Tenant improvements shall be made to any structure unless a building permit has first been obtained and a period of 10 days has elapsed from the date of issuance.
 - (4) Where development necessitates the demolition of existing residential rental accommodation within the MF-1 Multiple Dwelling District, no building permit shall be issued for the demolition unless and until:
 - (a) a Development Permit authorizing the new development has been issued;
 - (b) notice of the proposed demolition, and the notice of the end of the tenancy agreement to the tenant, shall not be issued unless and until the Development Permit has been issued; and
 - (c) all tenants have vacated the building voluntarily or six months have elapsed since notice of the proposed demolition has been given to all tenants.
-
12. (1) To apply for a building permit, there shall be submitted to the Manager at the Administration Office of the University Endowment Lands an application in triplicate, including plans and specifications, as required by the Manager.

- (2) If the allowable building envelope for a building or structure is defined by Section 51, the application for a building permit shall include a statement carrying the seal of a Registered Architect or Professional Engineer certifying, or, if the house has been designed by a person other than a registered architect a statement, that the building envelope(s) defined by the plans and specifications submitted pursuant to Section 12 does not deviate from the allowable building envelope(s) defined by Section 51.
 - (3) If a Development Permit has been issued pursuant to Section 53, the application for a building permit shall include a statement carrying the seal of a Registered Architect or Professional Engineer certifying, or, if the house has been designed by a person other than a registered architect a statement, that the building envelope(s) defined by the plans and specifications submitted pursuant to Section 12 does not deviate from the building envelope(s) approved in the Development Permit.
- 13.
 - (1) Plans and specifications for buildings and structures or portions thereof, not covered by Part 9 of the current edition of the B.C. Building Code must carry the seal of a Registered Architect or a Professional Engineer.
 - (2) Prior to the issuance of building permit, where the value of the permit exceeds \$20,000, the applicant shall deposit with the Manager, a certified cheque or money order, in the amount indicated in Schedule 2. This amount may be used by the Manager to defray the cost of maintaining, restoring, rebuilding or replacing any roadway, service, drainage facility, survey monuments or other municipal utilities or property which may be destroyed, damaged or otherwise impaired as a result of the carrying out of the work authorized by the permit, including the removal of all debris from municipal streets, sidewalks and boulevards, and the clean up of escaped oil products from damaged storage tanks. The damage deposit amount may be retained as security to ensure the proper performance of all other obligations with respect to the permit.

When the Manager is satisfied that no further damage to the province's utilities or property will occur, and all other obligations with respect to the building permit have been met, any amount of the deposit remaining to the credit of the applicant together with interest accumulated from the date the deposit is received until the day before the deposit is refunded, shall be returned to them when a letter of substantial compliance is issuable for the building to which the deposit appertains. Interest on damage deposits shall be payable at the interest rate of prime less 1 3/4%.

14. The fee or fees specified in Schedule 2 shall be payable by all applicants for permits before the issuance of any permit or permits in respect of the work for which an application is made. The fees payable for the issuance of a permit for the erection, addition, alteration, repair, removal or demolition of any building or structure, or any part thereof, shall be as indicated in Schedule 2.

PLUMBING, ELECTRICAL, GAS, AND OIL PERMITS

15. (1) Before any plumbing or oil installation is begun within the University Endowment Lands there shall be submitted to the Manager the information, required by the Manager, together with the fee as indicated in Schedule 2.
- (2) No electrical or gas installation shall begin unless all necessary permits have first been obtained from the appropriate regulatory body.
- (3) Under no circumstances shall work commence prior to the issuance of the necessary permit.

SWIMMING POOLS

16. (1) Before construction or installation of any swimming pool is commenced, an application for a permit shall be made to the Manager. Such application shall be in accordance with Schedule 9.

- (2) Accessory buildings related to a swimming pool shall comply with the Accessory Buildings regulations of the Land Use District in which the pool is situated.
- (3) Construction or installation of any swimming pool shall not commence until a permit has been issued.
- (4) The waste water shall be disposed of as set forth in Schedule 9.
- (5) All swimming pools must be fenced as set forth in Schedule 9.
- (6) The fee for the permit shall be as indicated in Schedule 2.
- (7) Where the proposed swimming pool is to be located entirely below grade, the pool may be located within the side or rear yards of the property, providing it does not come closer than a minimum of 5 feet from side or rear lot lines. Where it is proposed to locate a pool in the front yard and the pool is to be entirely below grade, the minimum set-back from the front property-line shall be 50 feet and not less than 20 feet from the side lot-line. Where the proposed swimming pool is located above grade, it must comply with applicable accessory building regulations, except that in no case shall the pool be closer than a minimum of 5 feet from side or rear lot lines. Any cabana, furnace room, or related structures above ground must comply with applicable accessory building regulations.
- (8) Swimming pools must be designed, installed and operated in conformity with the provisions of Schedule 9.

AUTHORITY TO EXTEND, WITHHOLD, CANCEL OR SUSPEND A PERMIT

17. (1) Except as provided in Subsection (2), a building permit shall expire and the rights of the owner under the permit shall terminate if in the opinion of the Manager:
 - (a) the work authorized by the permit is not commenced within 6 months from the date the permit was issued;
 - (b) the work although commenced is not continuously and actively carried out;
 - (c) the work has been substantially discontinued for a period of 6 months.
- (2) The Manager may, on written request of the owner accompanied by the required extension fee, extend the permit for an additional 6 months provided that, in the meantime, no applicable amendments have been made to the Bylaw(s).
- (3) The Manager may withhold a permit for, or order the removal of, any structure, the existence of which is in his opinion contrary to public interest. In deciding whether or not to withhold a permit, the Manager shall consider any recommendations of the *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)*. The Manager in his order for removal shall name a time, not to exceed 90 days, by which such structure shall be removed, and give the reasons for requiring said removal.
- (4) A Building, Plumbing or Development Permit is non-transferable without the approval of the Manager.
- (5) The Manager may cancel or suspend a Building, Plumbing or Development Permit where the property for which the permit is issued is in violation of any other provision of this Bylaw.

- (6) Before cancelling or suspending a Building, Plumbing or Development Permit the Manager shall give to the permit holder 14 days written notice of the alleged violation or non-compliance with the Bylaw.

RECORDS OF PERMITS

18. The Manager shall keep a register of all applications and permits made or issued pursuant to this Bylaw and enter therein the terms upon which a permit is issued, or the reasons for refusing the same, as the case may be, with respect to each application or permit. The register shall be available for public inspection at the Manager's office during its normal business hours.

BUILDING, PLUMBING, ELECTRICAL, GAS AND OIL REGULATIONS AND INSPECTIONS

19. All buildings, swimming pools or other construction will be required to be designed and constructed in accordance with the most current Building Regulations of British Columbia.
20. Electrical installations shall be in accordance with the Electrical Safety Act and Regulations.
21. Gas installations shall be in accordance with the Gas Safety Act and Regulations of the Province of British Columbia.
22. Oil-burning installations shall be in accordance with the B.C. Fire Code for the installation of oil burning equipment.
23. Inspections are required in accordance with Schedule 8 and it is the responsibility of the owner or the owner's representative to request the Manager to arrange for such inspections.

FIRE REGULATIONS AND INSPECTIONS

24. (1) Fire regulations shall be in accordance with the British Columbia Fire Services Act. In addition, the Minister may establish a Schedule of fire safety standards (including fire code standards) for the University Endowment Lands.

REQUIREMENT FOR PROFESSIONAL DESIGNER

25. (1) Notwithstanding any other provision contained in this Bylaw, the Manager may require as a condition precedent to the issuance of a building permit that all drawings, specifications and plot plans, or any part thereof, be prepared, sealed and signed by and the construction carried out under the supervision of a Professional Designer where the Manager determines that the site conditions, size or complexity of the proposed work warrant this requirement.
- (2) The Manager may also require the Professional Designer to confirm in writing that he has prepared the submissions in accordance with the current edition of the B.C. Building Code, and further to sign an undertaking that he will be responsible for the supervision of construction to completion.
- (3) The Manager may also require the Professional Designer to provide documents or letters of assurance in a form acceptable to the Manager.

SURVEY CERTIFICATE

- 26 (1) The owner shall, after the foundation of the building has been placed and prior to constructing any portion of the building on the foundation submit to the Manager for his approval a plan prepared by a British Columbia Land Surveyor showing:
- (a) the shortest distances from the surfaces of the foundation to all parcel lines;
 - (b) an elevation of the top of the finished concrete wall or in the case of a dwelling constructed on a concrete slab an elevation at the top of the concrete slab. All elevations shall be measured from geodetic datum.

STOP WORK ORDER

- 27 (1) The Manager may direct the immediate suspension or correction of all or any portion of the work on any building by attaching a notice on the building whenever it is found that the work is not being performed in accordance with the B.C. Building Code or any bylaw of the University Endowment Lands.
- (2) The owner shall within 48 hours of attaching a notice under Section 27(1) secure the work area and the lands and premises surrounding the work area so as to make it safe in all respects.
- (3) The owner shall not remove any notice provided for in Section 27(1) until such time as any non-compliance with the building code and bylaw has remedied.
- (4) Subject to Section 27(2), no work other than the required remedial measures shall be carried out on the parcel of land affected by the notice referred to in Section 27(1) until the notice has been removed by the Manager.

DRIVEWAYS

28. Any person wishing to construct or alter a driveway to any property must first obtain permission from the Manager. Only one driveway is permitted per property except:
- (a) properties with a minimum street frontage of 125 feet may have a second driveway;
 - (b) where a property may gain access from a lane, driveways must be located from the lane;
 - (c) a maximum of two driveways are permitted in a single family district.

PLANTING AND YARDS

29. The planting of trees, shrubs, and flowers of all kinds suitable to this climate and the local contours of the ground is encouraged. However, large trees and shrubs, or any planting likely to grow up and reduce the penetration of direct sunlight on neighbouring property or limit important views from neighbouring property, must be kept cut back.
30. No tree, shrub, or other growth shall be allowed to grow where it may interfere in any way with underground or overhead services or encroach on sidewalks or roadways so as to impede pedestrian or vehicle traffic.

31. Where, in the opinion of the Manager a hedge, tree, or shrub is planted or maintained, or any garden ornament or other structure is placed or maintained, so as to interfere with an adjacent property owner in the full enjoyment of his property, the Manager may order the removal of said hedge, tree, shrub, garden ornament or other structure and may set a time-limit for such removal.
32. All setbacks shall be open and unobstructed to the sky, except for:
 - (1) projections not exceeding 24 inches, of cornices, sills, belt courses and chimneys;
 - (2) eaves, not exceeding 36 inches where the distance to the lot line from the projection remains at least 3 feet.
 - (3) landscaping elements;
 - (4) steps in front yards;
 - (5) basement steps in side yards;
 - (6) steps and fire-escapes in rear yards;
 - (7) accessory buildings not exceeding 12 feet in height occupying not more than 20 per cent of the area of a rear yard;
 - (8) structures for the support of plants and vines, such as open pergolas or trellises, and not exceeding 8 feet in height;
 - (9) accessory buildings not exceeding 12 feet in height where permitted in a side yard;

- (10) colonnades, porticos, canopies and other similar structures over walkways and entrances, where permitted in front yards.
- (11) Bay windows in Area A and Area C may intrude into the front and rear yard setback providing they:
 - a) do not exceed 75% of the width of the room;
 - b) have a maximum depth of 24 inches; and
 - c) do not extend continuously for 2 storeys.
- (12) Light wells, if the light wells do not extend more than 36 inches into the required side yards.

GRADING, FENCES AND TENNIS COURTS

- 33. (1) Before grading of the lot, or the erection of any fences or walls, a plan or sketch of same showing the proposed general layout with elevations and details of fencing and walls shall be approved by the Manager. Except as provided for in Section 34, no fence or wall shall be greater than 6 ft. in height at any point, and along a side lot-line for a distance from the street equal to the required front yard and along a front lot-line the fence or wall shall not be greater than 4 ft. in height at any point.
- (2) Notwithstanding the foregoing, no fence or similar structure in the required front yard shall exceed 4 ft. in height.

34. Where a fence is constructed around a tennis court, the maximum height of such fence shall not exceed 10 ft. above the playing surface of the tennis court. The fencing material and any material attached to it must have the appearance of being virtually transparent when viewed from any site boundary and any planted material or growth that may reduce this transparency must be kept cut back. Tennis courts may not be artificially illuminated and may not be located in a front yard.
35. On any corner site on which a front yard is required by this Bylaw, no wall, fence, hedge, or other structure shall be erected to a greater height than 3.5 feet along each street from a distance from the corner equal to the depth of the required front yard, and no hedge, shrub, or other growth shall be maintained within such required front-yard space so as to obstruct vision clearance to traffic.

SEWERS

36. The sanitary sewers in the University Endowment Lands Area, having been designed and constructed with a view to carrying sanitary sewage only, the connection thereto of rain-water leaders, drains, sumps, etc. is prohibited. All surface drainage, roof water, and ground water must be otherwise disposed of, preferably by connection to the storm sewer where the grade thereof permits, or to a rockpit. A connection fee as indicated in Schedule 2, will be charged for each 4-inch sewer connection (either sanitary or storm-water), and full cost for larger-size connections, payable in advance.

When storm or sanitary sewer systems are designed to be a pumped system, an owner must submit a letter, under the seal of a British Columbia Registered Professional Engineer, certifying that the Engineer has designed and inspected the pumped system and that the pump and drainage system complies with good engineering practice.

WATER SERVICES

37. The standard size of water service in the University Endowment Lands is three -quarter inch diameter. When new water service is desired, the applicant shall pay the fee indicated in Schedule 2. If a service larger than the standard is required, such service, if feasible, will be installed from the supply main to the property-line upon the applicant agreeing to pay the full cost thereof.

HOME OCCUPATIONS

38. (1) No person other than a member of the family residing on the premises shall be engaged in a home occupation on the premises.
- (2) No products or material shall be sold from or within the dwelling unit.
- (3) There shall be nothing to indicate from the exterior of the dwelling unit or building that it is being used for any purpose other than its principal or approved use.
- (4) No products or materials shall be stored outside of the dwelling unit, building or accessory building.
- (5) No offensive noise, odour, vibration, smoke, heat, light or other objectionable effect shall be produced as a result of the home occupation.

BUSINESS LICENCE

39. (1) No business shall operate from premises within the University Endowment Lands until a Business Licence has been issued for the business by the Manager.

- (2) No business licence shall be issued by the Manager for any business which does not fully comply with all applicable Bylaws and Regulations.
- (3) The fees for business licenses shall be as set out in Schedule 2.
- (4) The fee for any Business Licence issued after July 01, in any year, shall be one half of the respective fee provided for in Schedule 2.

OTHER RESTRICTIONS

- 40. Except on parcels or lots which have been designated for multi-family development, not more than one dwelling for one family, shall be erected on any one parcel or lot, and no residence, building or parcel of land may be partitioned, subdivided, or let with the intent or purpose that any parts there of shall be used or occupied, nor shall the same be used or occupied by more than one family.
- 41. No part of any building in a Single Family Dwelling District shall be used for the purpose of accommodating a secondary housekeeping unit.
- 42. No water from any pond, stream, watercourse, ditch or culvert shall be diverted or drained, nor shall the water flow be interfered with in any way without written consent from the Manager.
- 43. The restrictions and stipulations contained herein shall not in any way be interpreted as a release from any of the obligations or liabilities imposed by statute or the common law on owners or tenants of property, or from any of the restrictions embodied in the agreements of sale or leases.

44. The limitation in respect to the height of buildings specified in this Bylaw shall not apply to the domes and spires of churches, providing the same do not exceed 10 per cent of the area of the main building.

LAND USE DISTRICTS

45. (1) For the purposes of this Bylaw, the area contained within the boundary of the Community Plan is divided into the following Land Use Districts:

- (a) Single Family Dwelling District (SF-1).
- (b) Single Family Dwelling District (SF-2).
- (c) Multiple Dwelling District, Low-Rise (MF-1).
- (d) Multiple Dwelling District, High-Rise (MF-2).
- (e) Local Commercial District (C).
- (f) Institutional District (I).
- (g) I-A: Institutional and Public Use District (A).

(Added by Ministerial Order M008, January 15, 2014)

- (2) The boundaries of these Land Use Districts are shown on Schedule 1.
- (3) A person wishing to request a change in a Land Use District may make application to the Minister in accordance with Schedule 11.

SF-1: SINGLE FAMILY DWELLING DISTRICT

INTENT

46. The intent of SF-1 is to maintain the single-family character of the neighbourhoods in this District, by maintaining the general scale, image and quality prevalent in each neighbourhood, and to provide the opportunity for community consultation regarding any proposed significant changes in the neighbourhood.

OUTRIGHT APPROVAL USES

47. Subject to all other provisions of this Bylaw, the uses listed in Section 48 shall be permitted in this District.
48. Uses
- (a) Single family dwellings.
 - (b) Accessory buildings customarily ancillary to single-family dwellings.
 - (c) the keeping of not more than two roomers, boarders, or lodgers.

CONDITIONAL APPROVAL USES

49. Subject to all other provisions of this Bylaw, the Manager may approve any of the uses listed in Section 50, including such conditions as he may decide, provided that before making a decision he:
- (a) considers the intent of the Bylaw, and the recommendations of the ***Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)***; and
 - (b) notifies such property owners and residents he deems may be affected.

50. Conditional Uses

- (a) parks and playgrounds.
- (b) home occupations.

**ALLOWABLE SIZE AND LOCATION OF SINGLE FAMILY DWELLINGS AND
ACCESSORY BUILDINGS**

ALLOWABLE BUILDING ENVELOPE

51. (1) Subject to the provisions of Sections 54 and 55, and unless a Development Permit is obtained, the allowable building envelope for a single family dwelling and accessory buildings shall be defined as:

Subject to Section 52, the three dimensional surface formed by the exact shape, location and elevation of the dwelling unit and accessory buildings that existed on the site as of the date this bylaw is enacted plus an additional 3 feet measured horizontally from each applicable point on the exterior walls, porches, sundecks, and stairways of the dwelling unit and accessory buildings, and an additional 1 foot measured vertically from each applicable point on the roof, porch, sundeck and stairway. The measurements shall be the perpendicular distance from the applicable surface.

- (2) unless a Development Permit is obtained, any renovation or changes to the existing dwelling or accessory buildings or any construction of a new dwelling or accessory buildings must be fully contained within the allowable building envelope and must fully comply with all applicable Bylaws.
- (3) notwithstanding 51(2) an accessory building less than 100 square feet in floor area does not require a Development Permit providing it fully complies with all other applicable Bylaws.

DEFINING THE ALLOWABLE BUILDING ENVELOPE

- 52. (1) For the purpose of defining the allowable building envelope for Section 51, each owner of a single-family dwelling in this District may provide a drawing prepared and stamped by a British Columbia Land Surveyor or a Professional Engineer or a Registered Architect, showing the location, elevation and shape of the dwelling and all accessory buildings that existed on the site as of July 1, 1989.
- (2) For properties for which no drawing is provided for the purposes of Section 52(1) the drawings and plans on file in the Manager's office for existing structures shall be presumed to be correct and shall be used for the purpose of defining the allowable building envelope for Section 51.

ALTERATION OF THE ALLOWABLE BUILDING ENVELOPE

- 53. (1) An application may be made to the Manager for a Development Permit to construct a single family dwelling or accessory building that is outside the allowable building envelope defined in Section 51, or for which a building envelope cannot be defined using Section 51.

- (2) The Manager shall accept written statements of objection to the application from any person, whether or not they received written notice, up to 30 days from the date of notification pursuant to Section 10(11). The statements of objection shall clearly state the reasons for the objection.
- (3) If the Manager receives no written statements pursuant to Section 53(2), he shall issue a Development Permit.
- (4) If the Manager receives any written statements pursuant to Section 53(2), the Manager shall notify the applicant.
- (5) (a) If requested by the applicant, the Manager shall convene a meeting to which he will invite the applicant, the applicant's designer and any persons who submitted a written statement of objection pursuant to Section 53(2).

The purpose of this meeting will be to review the proposed development and to identify and, if possible, resolve any concerns regarding size, style, architectural compatibility, light penetration, reduction of privacy. Any invited person who does not attend this meeting or who is not represented at this meeting by a duly authorized representative, shall be conclusively deemed to have no objections for the purposes of Section 53(5)(c), even if such person(s) subsequently files a statement(s) of objection pursuant to Section 53(5)(c).

- (b) If, as a result of a meeting convened pursuant to Section 53(5)(a), the applicant decides to modify the proposal, a new application must be submitted. The application shall be made in the manner prescribed by the Manager but it need not be accompanied by the fee prescribed in Schedule 2.

- (c) If, following the meeting, the applicant decides to proceed with the application without any modification, he must advise the Manager of his intention and the Manager will notify, in writing, the people who attended, or were represented at, the meeting. Within 10 days of the date of this notice, any notified person may give the Manager a written statement indicating that he objects to the issuance of a permit and describing the reasons for the objection. If no written statements of objection are received by the Manager, he shall issue a Development Permit.
- (6) If the applicant does not request a meeting pursuant to Section 53(5)(a), or if any written statements of objection are received by the Manager pursuant to Section 53(5)(c), the Manager shall refer the matter to the *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)*. The *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)* shall, within 30 days of the date the matter was referred to it, recommend either that the application be approved or rejected and shall explicitly state its reasons in writing.
- (7) After receiving the recommendations of the *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)*, and giving due consideration to:
 - (a) the recommendations of the *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)*;
 - (b) information provided by interested parties regarding the potential impacts of the proposed development on other properties, in terms of size, style, architectural compatibility, view, sunlight penetration, privacy, or property value, and
 - (c) the intent of the Bylaw and applicable design guidelines for University Hill single detached dwellings.

The Manager shall decide whether to approve or reject the application. If he approves the application the Manager shall issue a Development Permit.

54. Notwithstanding Section 53, no Development Permit or Building Permit shall be issued for any building that does not comply with the provisions of Sections 59 through 69.
55. If a Development Permit is issued pursuant to Section 53, for the purposes of Section 51, the allowable building envelope shall be defined as the three dimensional surface formed by the dwelling and accessory buildings approved in the Development Permit, plus an additional 3 feet measured horizontally from each applicable point on the exterior walls, porches, sundecks, and stairways of the dwelling unit and accessory buildings, and an additional 1 foot measured vertically from each applicable point on the roof, porch, sundeck and stairway. The measurements shall be the perpendicular distance from the applicable surface.

SF-2: SINGLE-FAMILY DWELLING DISTRICT

INTENT

56. The intent of SF-2 is to permit single family residential development in the neighbourhoods in this District.

OUTRIGHT APPROVAL USES

57. (1) Subject to all other provisions of this Bylaw, the uses listed in Section 57(2) shall be permitted in this District.
- (2) Uses
- (a) single-family dwellings.
 - (b) accessory buildings customarily ancillary to single-family dwellings.
 - (c) the keeping of not more than two roomers, boarders, or lodgers.

CONDITIONAL APPROVAL USES

58. (1) Subject to all other provisions of this Bylaw, the Manager may approve any of the uses listed in Section 58 (2), including such additional conditions as the Manager may decide, provided that before making a decision he:
- (a) considers the intent of the Bylaw and the recommendations of the *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)*; and
 - b) notifies such adjacent property owners and residents he deems may be affected.

(2) Conditional Uses

- (a) churches and accessory buildings customarily ancillary to churches, that existed as of the date this regulation is enacted.
- (b) parks and playgrounds.
- (c) home occupations.

SITE AREA

59. The minimum site area for a lot in a Single Family Land Use District shall be equal to the site area that existed as of the date this regulation is enacted or as subsequently altered by the transfer of a portion of a site to the Province of B.C. In areas not in a Single Family Land Use District as of the date this regulation is enacted, the minimum site area for a single family residential lot shall be as shown on the relevant plan in Schedule 5.

HEIGHT

60. The height of a principal building shall not exceed two storeys nor 25 feet.

FRONT YARD

61. (1) A front yard with a depth of not less than that shown on the relevant map in Schedule 5 shall be provided.
- (2) On through or corner sites, the front yard shall be the yard with the largest setback shown in Schedule 5. Where it is not possible to identify the front yard using this method, the front yard shall be the yard designated as the front yard by the Manager

- (3) Covered porches shall be permitted to project into the front yard setback a maximum of 5 feet provided that:
 - a) such a projection is limited to 30% of the width of the building;
 - b) the porch shall be open or protected by guard rails the height of which shall not exceed the minimum specified in the B.C. Building Code;
 - c) the porch is located at the basement or first storey;
 - d) the roof height does not exceed 12 feet measured from the porch floor.
- (4) Bay windows in Area A and Area C may intrude into the front and rear yard setback providing they:
 - a) do not exceed 75% of the width of the room;
 - b) have a maximum depth of 24 inches; and
 - c) do not extend continuously for 2 storeys.

SIDE YARD

- 62. (1) A side yard with a width of not less than that shown on the relevant map in Schedule 5 shall be provided on each side of the principal building.
- (2) On a corner site a portion of the principal building may extend into the exterior side yard providing:
 - a) the extension is located no closer to the front of the building than the lesser of 30 feet or the required front yard setback;
 - b) the maximum extension cannot exceed 1/3 of the required depth of the side yard setback;
 - c) the portion extending into the exterior side yard is limited to one storey.
 - d) the extension does not extend into the required rear yard setback;
 - e) the exterior side yard is not reduced to less than 20 feet.

REAR YARD

63. (1) A rear yard shall be provided for each parcel as shown on the relevant map in Schedule 5.
- (2) In the case of an irregularly shaped parcel, the Manager may vary the rear yard requirement.

ACCESSORY BUILDINGS

64. (1) The use of an accessory building must be ancillary to that of the principal building but it may not include one or more dwelling units.
- (2) Accessory building(s) may be located in the rear yard and in one of the side yards providing the accessory building(s) are not less than: 5 feet from any side lot-line nor 4 feet from a rear lot-line where there is a rear lane abutting the rear lot-line nor 5 feet from a rear lot-line where there is no rear lane.
- (3) The total floor area, measured to the extreme outer limits of the building, of all accessory buildings shall not be greater than the larger of 20% of the required rear yard or 500 square feet.
- (4) Not more than 50% of the width of the rear yard may be occupied by accessory buildings.
- (5) Accessory buildings or portions thereof located in a required side yard shall not have floor areas exceeding a total of 300 square feet.

- (6) No accessory building shall exceed 12 feet in height measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge of a gable, hip or gambrel roof, provided that no portion of an accessory building may extend more than 15 feet above the average grade.
- (7) In the case of an irregularly shaped lot, the Manager may vary the accessory building requirements.

FLOOR SPACE RATIO

- 65 (1) (a) In Area A the floor space ratio shall not exceed the lesser of .27 of the site area or 4200 square feet;
- (b) In Area B, if the site area is:
 - (i) less than 19,700 square feet the floor space ratio shall not exceed the lesser of .27 of the site area or 4925 square feet;
 - (ii) between 19,701 square feet and 35,000 square feet the floor space ratio shall not exceed the lesser of .25 of the site area or 7,000 square feet;
 - (iii) greater than 35,001 square feet the floor space ratio shall not exceed the lesser of .20 of the site area or 9,000 square feet.
- (c) In Area C the floor space ratio shall not exceed the lesser of .35 of the site area or 2650 square feet.

- (2) The following shall be included in the computation of floor space ratio:
- (a) all floors having a minimum ceiling height of 4 feet to be measured to the extreme outer limits of the building.
 - (b) stairways, fire escapes, elevator shafts and other features which the Manager considers similar, to be measured by their gross cross-sectional areas included in the measurements for each floor at which they are located.
 - (c) where the distance from a floor to the floor above or where there is no floor above to the top of the roof joists exceeds 12 feet, an amount equal to the area of the floor below the excess height.
- (3) The following shall be excluded in the computation of floor space ratio:
- (a) open balconies, open sun decks, and any other appurtenances which, in the opinion of the Manager are similar to the foregoing;
 - (b) covered balconies, covered sun decks, and any other appurtenances which, in the opinion of the Manager, are similar to the foregoing, provided that the total area of these exclusions does not exceed eight percent of the permitted floor area;
 - (c) where floors are used for off-street parking and loading or uses which, in the opinion of the Manager are similar to the foregoing, those floors or portions thereof not exceeding 24 feet in length so used which:

- (i) are located in an accessory building and any portions of a principal building which comply with the accessory building regulations, or
 - (ii) are within a portion of the principal building which does not otherwise comply with the accessory building regulations, up to a maximum of 600 square feet.
- (d) areas of undeveloped floors located above the highest storey or half - storey, or adjacent to a half-storey with a ceiling height of less than 4 feet, and to which there is no permanent means of access other than a hatch.
- (e) Basements, cellars, and other spaces below floor surfaces located less than 4 feet above average grade.

SITE COVERAGE

66. (1) The maximum site coverage for all buildings shall be:
- (a) In Area A, 25% of the site area;
 - (b) In Area B, 25% of the site area;
 - (c) In Area C, 35% of the site area.

OFF-STREET PARKING AND SIGNS

67. (1) Off-street parking shall be provided and maintained in accordance with the provisions of Schedule 3.
- (2) Any signs in this District must conform with the provisions of Schedule 4.

BUILDING DEPTH

68. The distance between the front and rear of a principal building shall not exceed 75 feet. Accessory buildings are exempt from this requirement.

ALTERATION OF REGULATIONS

69. The Manager may alter the height, yard and building depth provisions of this District where, due to conditions peculiar to the site, the existing building or to the proposed development, literal enforcement would result in unnecessary hardship, provided that:
- (a) he first considers applicable design guidelines for University Hill single detached dwellings;
 - (b) he notifies such adjacent property owners and residents he deems may be affected; and
 - (c) in no case shall the height be increased to more than 35 feet;
 - (d) he considers the existing building depth.

MF-1: MULTIPLE DWELLING DISTRICT

INTENT

70. The intent of MF-1 is to permit medium density residential development, including townhouses and low-rise apartment buildings, and to encourage underground parking and limited site assembly through floor area bonus incentives.

OUTRIGHT APPROVAL USES

71. (1) Subject to all other provisions of this Bylaw, the uses listed in Section 71 (2) shall be permitted in this District.
- (2) Uses:
- (a) Multiple dwelling;
 - (b) Accessory Buildings customarily ancillary to any of the uses listed in this Section;
 - (c) Accessory Uses customarily ancillary to any of the uses listed in this Section.

CONDITIONAL APPROVAL USES

72. (1) Subject to all other provisions of this Bylaw, the Manager may approve any of the uses listed in Section 72 (2), including such additional conditions as he may decide, provided that before making a decision he:

- a) considers the intent of the Bylaw and the recommendations of the *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)*; and
- b) notifies such adjacent property owners and residents he deems may be affected.

(2) Conditional Uses

- (a) Bed and Breakfast Accommodation.
- (b) Boarding or Lodging House.
- (c) Child Care Facility.
- (d) Church.
- (e) Club or Lodge (fraternal), provided that no commercial activities are carried on.
- (f) Community Centre.
- (g) Park or Playground.
- (h) Parking Area ancillary to a principal use on an adjacent site.
- (i) Public Authority Building or Use essential in this District.
- (j) Public Utility.
- (k) School (public or private)
- (l) Social Service Centre operated by a non-profit society.
- (m) Special Needs Residential Facility
- (n) Accessory Buildings customarily ancillary to any of the uses listed in this Section.
- (o) Accessory uses customarily ancillary to any of the uses listed in this Section.

SITE AREA

73. The minimum site area for a multiple dwelling or rooming house shall be 7,000 square feet.

HEIGHT

74. The height of a building shall not exceed four storeys nor 45 feet, provided that no portion of the building shall extend more than 48 feet above the average grade.

FRONT YARD

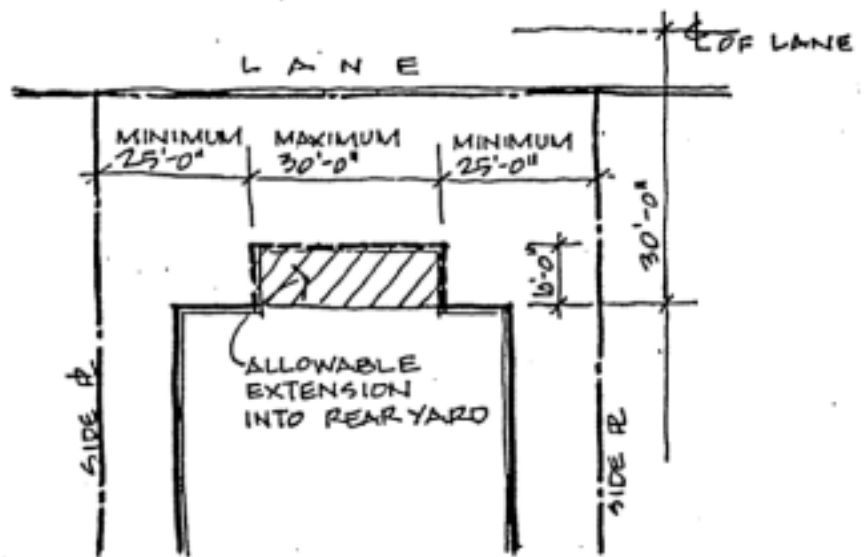
75. (1) A front yard with a minimum depth of 20 feet shall be provided.
- (2) At the discretion of the Manager, colonnades, porticos, canopies and other similar structures over walkways and entrances may project into the required front yard.

SIDE YARDS

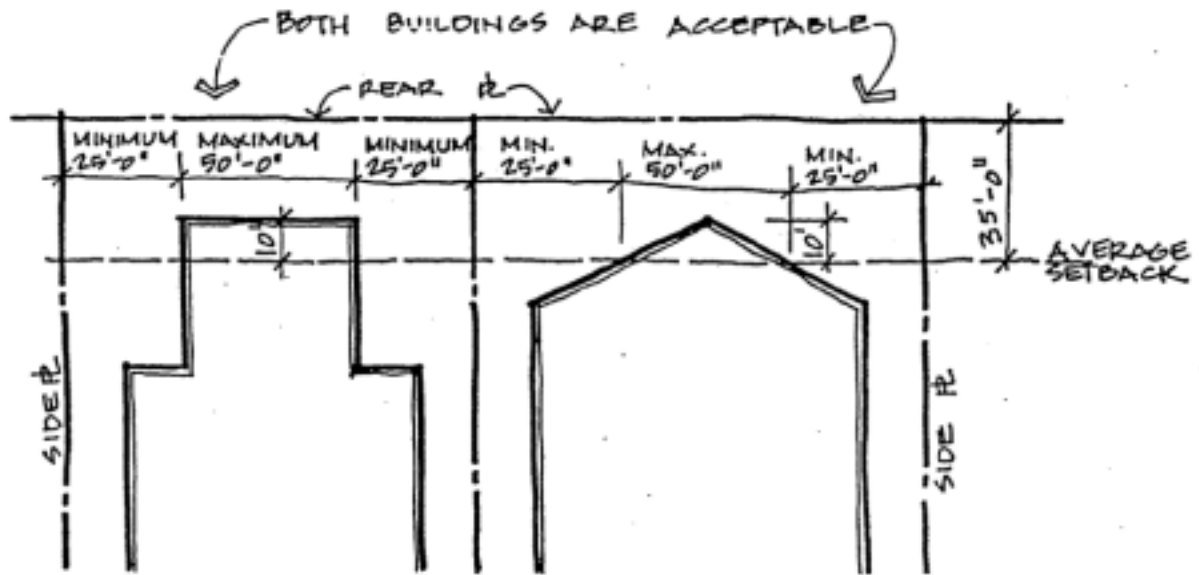
76. (1) A side yard with an average width of 15 feet shall be provided on each side of the principal building, but in no case shall the side yard be less than 5 feet.
- (2) In the case of a corner site, the exterior side yard shall not be regulated by Section 76(1) but shall be 20 feet in width.

REAR YARD

77. (1) A rear yard with a minimum depth of 30 feet shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane up to a maximum reduction of 10 feet.
- (2) Where the principal building or any portion thereof abutting the rear yard is 30 feet or less in width and is located 25 feet or more from an adjoining site, it may extend up to 10 feet into the required rear yard.



- (3) Where the principal building or any portion thereof abutting the rear yard is 50 feet or less in width and is located 25 feet or more from an adjoining site, and where the average distance from the building to the rear property line is 35 feet taken across the full width of the site, the building or that portion thereof may extend up to 10 feet into the required rear yard.



ACCESSORY BUILDINGS

78. (1) The use of an accessory building must be ancillary to that of the principal building, but it may not include one or more dwelling units.
- (2) No accessory building shall exceed 12 feet in height measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge of a gable, hip or gambrel roof, provided that no portion of an accessory building may extend more than 15 feet above the average grade.
- (3) All accessory buildings shall be located in the rear yard and in no case shall an accessory building be located less than the width of the required side yard from a flanking street;
- (4) The total floor area, measured to the extreme outer limits of the building, of all accessory buildings shall not be greater than 30 percent of the minimum rear yard prescribed for this District.

FLOOR SPACE RATIO

79. (1) The maximum floor space ratio shall be 1.00 provided, however, that this amount may be increased as follows:
- (a) where the area of a site exceeds 12,000 square feet and the frontage of such site is 80 feet or more, an amount equal to 0.25 may be added.
 - (b) where parking spaces are provided within the outermost walls of a building or underground (but in no case with the floor of the parking area above the highest point of the finished grade around the building), an amount equal to .20 multiplied by the ratio of the number of parking spaces provided which are completely under cover to the total number of required parking spaces may be added, but in no case shall this increase exceed a figure of 0.20.
- (2) The following shall be included in the computation of floor space ratio:
- (a) all floors having a minimum ceiling height of 4 feet, including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building;
 - (b) stairways, fire escapes, elevator shafts and other features which the Manager considers similar, to be measured by their gross cross sectional areas and included in the measurements for each floor at which they are located.

(3) The following shall be excluded in the computation of floor space ratio:

- (a) uncovered balconies, uncovered sun decks, and any other appurtenances which, in the opinion of the Manager, are similar to the foregoing;
- (b) covered balconies, covered sun decks, and any other appurtenances which, in the opinion of the Manager, are similar to the foregoing, provided that the total area of these exclusions does not exceed eight percent of the permitted floor area;
- (c) floors or portions thereof which are located at or below grade and which are used for off-street parking and loading, heating and mechanical equipment, or uses which, in the opinion of the Manager, are similar to the foregoing, provided that a parking space does not have a length of more than 24 feet for the purpose of exclusion from the floor space ratio computation;
- (d) floors or portions thereof which are located above grade and which are used for off-street parking provided that:
 - (i) the parking spaces are located in an accessory building or buildings situated in the rear yard; and
 - (ii) a parking space does not have a length of more than 24 feet for the purpose of exclusion from floor space ratio computation;
- (e) child day care facilities to a maximum floor area of 10 percent of the permitted floor area, provided the Manager is satisfied that there is a need for a day care facility in the immediate neighbourhood;

- (f) areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a half-storey with a ceiling height of less than 4 feet, and to which there is no permanent means of access other than a hatch.

SITE COVERAGE

- 80. Except where the principal use of the site is a parking area, the maximum site coverage for any portion of the site used as parking area shall be 30 percent.

OFF-STREET PARKING, LOADING SPACES AND SIGNS

- 81. (1) Off-street parking and loading spaces shall be provided and maintained in accordance with the provisions of Schedule 3.
- (2) Any signs in this District must conform with the provisions of Schedule 4.

ALTERATION OF REGULATIONS

- 82. The Manager may alter the yard provisions of this District where, due to conditions peculiar to the site or an existing building, literal enforcement would result in unnecessary hardship, provided that:
 - (a) he first considers applicable design guidelines for University Hill multi-family residential development;
 - (b) he notifies such adjacent property owners and residents he deems may be affected; and
 - (c) in no case shall the yard requirements be reduced to less than 60 percent of the amount specified in this District.

MF2: MULTIPLE DWELLING DISTRICT

INTENT

83. The intent of MF-2 is to permit medium-density residential development, including low-rise and high-rise apartment buildings and to encourage a higher quality of parking, open space and daylight access through floor area bonus incentives.

OUTRIGHT APPROVAL USES

84. (1) Subject to all other provisions of this Bylaw, the uses listed in Section 84 (2) shall be permitted in this District.
- (2) Uses
- (a) Multiple Dwelling.
 - (b) Accessory Buildings customarily ancillary to any of the uses listed in this Section.
 - (c) Accessory Uses customarily ancillary to any of the uses listed in this Section.

CONDITIONAL APPROVAL USES

85. (1) Subject to all other provisions of this Bylaw, the Manager may approve any of the uses listed in Section 85(2) including such additional conditions as he may decide, provided that before making a decision he:
 - (a) considers the intent of the Bylaw, and the recommendations of the ***Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)***; and
 - (b) notifies such adjacent property owners and residents as he deems may be affected.
- (2) Conditional Uses
 - (a) Ambulance Station.
 - (b) Bed and Breakfast Accommodation.
 - (c) Boarding or Lodging House.
 - (d) Child Care Facility.
 - (e) Church.
 - (f) Club/ Lodge (fraternal), provided that no commercial activities are carried on.
 - (g) Community Centre.
 - (h) Hospital, including a conversion from an existing building but not including a mental or animal hospital.
 - (i) Institution of a religious, philanthropic or charitable character.
 - (j) Park or Playground.

- (k) Parking Area ancillary to a principal use on an adjacent site.
- (l) Public Authority Building or use essential in this District.
- (m) Public Utility.
- (n) School (public or private)
- (o) Social Service Centre operated by a non-profit society.
- (p) Special Needs Residential Facility
- (q) Accessory Buildings customarily ancillary to any of the conditional uses listed in this Section.
- (r) Accessory uses customarily ancillary to any of the uses listed in this Section.

SITE AREA

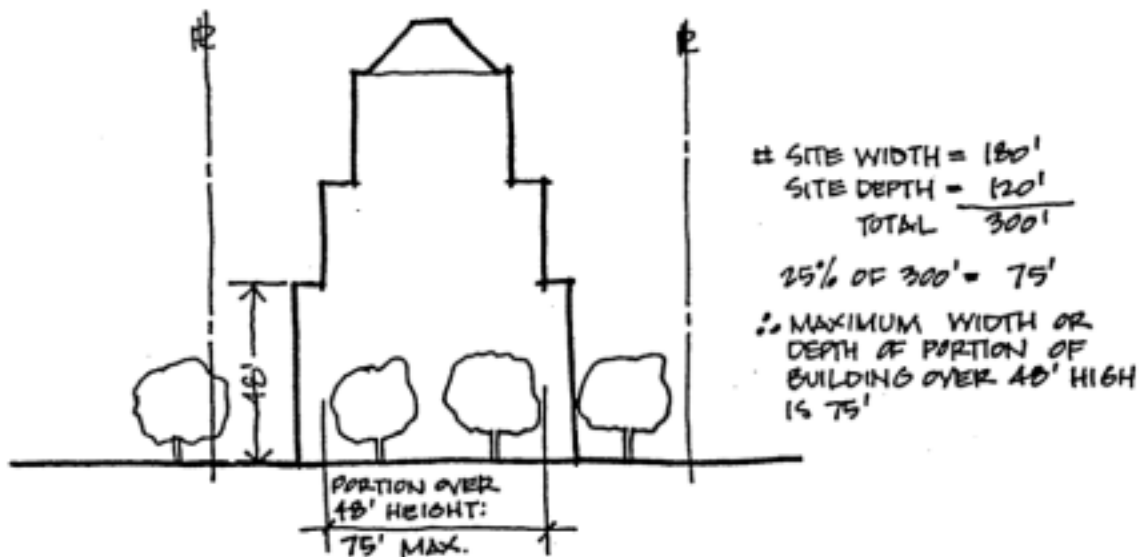
86. The minimum site area for a multiple dwelling or rooming house shall be 20,000 square feet.

FRONTAGE

87. Not applicable

HEIGHT AND LENGTH

88. (1) On any site the maximum height of a building shall be 135 feet, provided, however, that where any portion or portions of a building extend more than 48 feet above the average grade, neither the length nor the width of any such portion or portions combined shall exceed an amount equal to 25 percent of the sum of the average depth of the site and the average width of the site.



- (2) For the purposes of Section 88, where it is proposed to erect a building in two or more parts (towers), a site may be interpreted as two or more sites as the case may be, provided that the area of each site created is 25,000 square feet or more, and parts of the building (towers) are not less than 80 feet apart.

FRONT YARD

89. (1) A front yard with a minimum depth of 20 feet shall be provided.
- (2) At the discretion of the Manager, colonnades, porticos, canopies and other similar structures over walkways and entrances may project into the required front yard.

SIDE YARDS

90. (1) A side yard with an average width of 15 feet shall be provided on each side of the principal building, but in no case shall the side yard be less than 5 feet.

- (2) In the case of a corner site, the exterior side yard shall not be regulated by Section 90(1) above but shall be 20 feet in width.

REAR YARD

91. A rear yard with a minimum depth of 30 feet shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane up to a maximum reduction of 10 feet.

ACCESSORY BUILDINGS

92. (1) The use of an accessory building must be ancillary to that of the principal building, but it may not include one or more dwelling units.
- (2) No accessory building shall exceed 12 feet in height measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge of a gable, hip or gambrel roof, provided that no portion of an accessory building may extend more than 15 feet above the average grade.
- (3) All accessory buildings shall be located in the rear yard and in no case shall an accessory building be located less than the width of the required side yard from a flanking street.
- (4) The total floor area, measured to the extreme outer limits of the building, of all accessory buildings shall not be greater than 30 percent of the minimum rear yard prescribed for this District.

FLOOR SPACE RATIO

93. (1) The maximum floor space ratio shall be 1.25 provided, however, this amount may be increased as follows:
- (a) where parking spaces are provided within the outermost walls of a building or underground (but in no case with the floor of the parking area above the highest point of the finished grade around the building), an amount equal to .20 multiplied by the ratio of the number of parking spaces provided which are completely under cover to the total number of required parking spaces may be added, but in no case shall this increase exceed a figure of 0.20;
 - (b) Where the site coverage is 50 percent or less, an amount equal to 0.012 may be added for each one percent or fraction thereof by which such coverage is reduced below 50 percent.
- (2) The following shall be included in the computation of floor space ratio:
- (a) all floors having a minimum ceiling height of 4 feet, including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building;
 - (b) stairways, fire escapes, elevator shafts and other features which the manager considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

- (3) The following shall be excluded in the computation of floor space ratio:
- (a) uncovered balconies, uncovered sun decks, and any other appurtenances which in the opinion of the Manager, are similar to the foregoing;
 - (b) covered balconies, covered sun decks, and any other appurtenances which, in the opinion of the Manager, are similar to the foregoing, provided that the total area of these exclusions does not exceed eight percent of the permitted floor area;
 - (c) floors or portions thereof which are located at or below grade and which are used for off-street parking and loading, heating and mechanical equipment, or uses which, in the opinion of the Manager, are similar to the foregoing, provided that a parking space does not have a length of more than 24 feet for the purpose of exclusion from the floor space ratio computation;
 - (d) floors or portions thereof which are located above grade and which are used for off-street parking provided that:
 - (i) the parking spaces are located in an accessory building or building situated in the rear yard; and
 - (ii) a parking space does not have a length of more than 24 feet for the purpose of exclusion from floor space ratio computation;
 - (e) child day care facilities to a maximum floor area of 10 percent of the permitted floor area, provided the Manager is satisfied that there is a need for a day care facility in the immediate neighbourhood;

- (f) areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a half-storey with a ceiling height of less than 4 feet, and to which there is no permanent means of access other than a hatch.

SITE COVERAGE

- 94. Except where the principal use of the site is a parking area, the maximum site coverage for any portion of the site used as parking area shall be 30 percent.

OFF-STREET PARKING, LOADING SPACES AND SIGNS

- 95. (1) Off-street parking and loading spaces shall be provided and maintained in accordance with the provisions of Schedule 3.
- (2) Any signs in this District must conform with the provisions of Schedule 4.

VERTICAL ANGLE OF DAYLIGHT

- 96. (1) In the case of buildings over 48 feet in height, no part thereof shall project above lines extending over the site at right angles from:
 - (a) all points along the ultimate centre line of any street in front of the site and inclined at an average angle of 25 degrees to the horizontal;
 - (b) all points along the rear boundary line of the site or the ultimate centre line of the lane where one has been dedicated, and inclined at an average angle of 25 degrees to the horizontal;

- (c) all points along any interior side boundary of the site at ground level and inclined at an average angle of 30 degrees to the horizontal;
 - (d) in the case of a corner site, all points along the ultimate centre line of the flanking street or lane and inclined at an average angle of 25 degrees to the horizontal.
- (2) For the purpose of computing the average angles of daylight on each side of the site, each angle shall be multiplied by the length of the applicable portion of the building or site over which such angle applies, and the sum of these products (angle times length applicable) shall be divided by the total length of the corresponding site boundary.

C: COMMERCIAL DISTRICT

INTENT

97. The intent of this District is to provide for a wide range of commercial activities and services that require central locations to serve nearby neighbourhoods and the University of B.C. non-resident day population.

OUTRIGHT APPROVAL USES

98. (1) Subject to all other provisions of this Bylaw and to compliance with Section 98(3) and all other applicable Regulations, the uses listed in Section 98(2) shall be permitted in this District.
- (2) Uses
- (a) Accessory Buildings customarily ancillary to any of the uses listed in this Section.
 - (b) Accessory Uses customarily ancillary to any of the uses listed in this section, provided that unless permitted as an outright approval use pursuant to Section 98 of this Bylaw, the total floor area of all accessory uses is not greater than 25 percent of the gross floor area of the principal use, and all accessory uses are located within the principal building.
 - (c) Appliance Repair Shop.
 - (d) Barber Shop or Beauty Parlour.

- (e) Business School.
- (f) Clinic or Office for medical, dental or similar purposes, including associated laboratory facilities, but not including any such use where the principal services rendered are related to drug or alcohol detoxification or rehabilitation.
- (g) Financial Institution.
- (h) Laundromat or Dry Cleaning Establishment with a floor area not exceeding 3,000 square feet.
- (i) Office.
- (j) Parking Area, subject to the provisions of Section 109 of these Regulations.
- (k) Parking Garage, subject to the provisions of Section 109 of these Regulations.
- (l) Photography Studio.
- (m) Messenger or Telegraph Service.
- (n) Radio Broadcasting and Receiving Station to facilitate the movement of vehicles on land, water or air.
- (o) Restaurant, but not including a drive-in restaurant.
- (p) Retail or Service outlets catering to the needs of neighbourhood residents and the non-resident day-time population of the University, except those specifically identified as Conditional Uses in Section 99(2).
- (q) Shoe Repair Shop.
- (r) Swimming Pool not operated by a public authority.

(3) Conditions of Use

- (a) All occupied ground floor space must be occupied by retail or service outlets (including restaurants, barber shop, beauty parlour, dry cleaner, laundromat) catering to the needs of neighbourhood residents and the non-resident day-time population of the University or financial institutions.
- (b) All commercial uses listed in this section shall be carried on wholly within a completely enclosed building except for the following:
 - i) parking and loading facilities;
 - ii) restaurant;
 - iii) display of flowers, plants, fruits and vegetables.

CONDITIONAL APPROVAL USES

99. (1) Subject to all other provisions of this Bylaw and all other applicable Regulations, the Manager may approve any of the uses listed in Section 99(2), subject to the conditions of Section 99(3) and including such conditions or additional regulations as he may decide, provided that before making a decision he:
- a) considers the intent of the Bylaw and the recommendations of the ***Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)***; and
 - b) notifies such adjacent property owners and residents he deems may be affected.

(2) Conditional Uses

- (a) Accessory Uses to any of the uses listed in this Section.
- (b) Ambulance Dispatchers.
- (c) Animal Hospital.
- (d) Antennae and Masts for the commercial transmission and reception of radio and television signals.
- (e) Appliance Repair Shop.
- (f) Automotive Repair Shop.
- (g) Bed and Breakfast Accommodation.
- (h) Child Day Care Facility
- (i) Club or Lodge (fraternal).
- (j) Collection Agency.
- (k) Community Centre.
- (l) Dwelling Units in conjunction with any of the uses listed in this section except that no portion of the first storey of a building to a depth of 35 feet from the front wall of the building and extending across its full width shall be used for residential purposes except for entrances to the residential portion.
- (m) Gasoline Self-Service Station.
- (n) Gasoline Service Station.
- (o) Electric Repair Shop.
- (p) Hall.
- (q) Health Club or Spa.

- (r) Hotel or Motel.
- (s) Jewellery Manufacturing Shop.
- (t) Liquor Store.
- (u) Lithography or Print Shop.
- (v) Pet Shop.
- (w) Public Authority Building or use.
- (x) Public Utility.
- (y) Recreational Facility, including a Bowling Alley, Racket or Ball Court, or similar facility for public use.
- (z) School (professional, vocational or trade).
- (aa) School (public or private).
- (ab) School or Academy for the teaching of drama, music, art, dance, meditation, self-defence, self-improvement and similar arts.
- (ac) Sign and Showcard Shop.
- (ad) Social Service Centre operated by a non-profit society.
- (ae) Special Needs Residential Facility.
- (af) Temporary Parking Area.
- (ag) Theatre, but not including a drive-in theatre.
- (ah) Any other use which is not specifically listed in this or any other Land use District in this Bylaw but which the Manager considers comparable in nature to the uses listed for this District, having regard to the intent of this Land Use District.
- (ai) Accessory Uses customarily ancillary to any of the uses listed in this Section.

(3) Conditions of Use

All commercial uses listed in this section shall be carried on wholly within a completely enclosed building except for the following:

- a) parking and loading facilities;
- b) gasoline service station and gasoline self-service station.

SITE AREA

100. The minimum site area in this District shall be 2,000 square feet.

FRONTAGE

101. Not applicable.

HEIGHT

102. (1) The maximum height of a building shall not exceed three storeys nor 45 feet.

(2) The Manager may permit an increase in the maximum height of a building with respect to any development, provided he first notifies such property owners and residents as he may deem to be affected and takes into account the following:

- a) the height, bulk and location of the building and its effects on the site, surrounding buildings and streets, and existing views; and
- b) the amount of open space, including plazas, and the effects of overall design on the general amenity of the area; and
- c) the intent of this Land Use District and the relationship of the development with nearby residential areas.

FRONT YARD SETBACK

103. No front yard shall be required and, if provided, no front yard shall be used for parking.

SIDE YARDS AND SETBACK

104. (1) No side yard shall be required except where the site adjoins, without the intervention of a street or lane, a site located in a Residential District, in which case a side yard, not less than 10 feet in width, shall be provided on the side adjoining such Residential District.
- (2) Where a side yard is provided, although not required, the minimum width shall be 3 feet.
- (3) In the case of a corner site, a setback of 4 feet from the side property line abutting the flanking street shall be required for any parking area.

REAR YARD AND SETBACK

105. (1) A rear yard with a minimum depth of 10 feet shall be provided, except that where the rear of the site abuts a lane, this required minimum depth shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.
- (2) Where any portion of a building contains residential uses, that portion shall be set back a minimum of 25 feet from the rear property line across the full width of the building, except that where the rear of the site abuts a lane, this required minimum setback shall be decreased by the lane width between the rear property line and the ultimate centre line of the lane.

ACCESSORY BUILDINGS

106. (1) The use of an accessory building must be ancillary to that of the principal building, but it may not include one or more dwelling units.
- (2) No accessory building shall exceed 12 feet in height measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge of a gable, hip or gambrel roof, provided that no portion of an accessory building may extend more than 15 feet above the average grade.
- (3) All accessory buildings shall be located in the rear yard.
- (4) The total floor area, measured to the extreme outer limits of the building, of all accessory buildings shall not be greater than 15 percent of the total area of the site.

FLOOR SPACE RATIO

107. (1) The floor space ratio shall not exceed 2.5 except that where any portion of a building is used for residential purposes, each square foot of that residential portion shall be counted as two and one-half square feet for the purpose of this section.
- (2) The following shall be included in the computation of floor space ratio:
- (a) all floors having a minimum ceiling height of 4 feet, including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building;
- (b) stairways, fire escapes, elevator shafts and other features which the manager considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

(3) The following shall be excluded in the computation of floor space ratio:

- (a) open balconies, open sundecks, and any other appurtenances which, in the opinion of the Manager, are similar to the foregoing;
- (b) covered balconies, covered sundecks, and any other appurtenances which, in the opinion of the Manager, are similar to the foregoing, provided that the total area of these exclusions does not exceed eight per cent of the permitted floor area;
- (c) areas of floors used for heating and mechanical equipment or uses which in the opinion of the Manager are similar to the foregoing;
- (d) child day care facilities to a maximum floor area of 10 percent of the permitted floor area, provided the Manager is satisfied that there is a need for a day care facility in the immediate neighbourhood;
- (e) areas of floors below grade that are used for off-street parking or loading, provided that a parking space does not have a length of more than 24 feet for the purpose of exclusion from the floor space ratio computation.

SITE COVERAGE

108. Not applicable.

OFF-STREET PARKING AND LOADING

109. Off-street parking and loading spaces shall be provided and maintained in accordance with the provisions of Schedule 3.

SIGNS

110. Any signs in this District must be in accordance with the provisions of Schedule 4 and should consider the provisions of applicable design guidelines for the University Hill village commercial area.

ALTERATION OF REGULATIONS

111. (1) The Manager may alter the maximum height, floor area and location requirements for accessory buildings and accessory uses except that the altered height shall not, in any event, exceed the maximum prescribed in Section 102 and the floor space shall not exceed 33.33 percent of the gross floor area of the principal use.
- (2) The Manager may exempt an individual business or class of businesses from the use conditions of Sections 98(3) and 99(3) to permit the outdoor display of retail goods, and may include such other conditions as he deems necessary, having regard to the type of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this District including a condition that the exemption shall expire at a specific time.
- (3) The Manager may approve the construction of a canopy, awning or other structure for the purpose of weather protection that extends beyond the private property line into a public right-of-way, provided that he considers applicable design guidelines and further provided that the design of the canopy, awning or other structure and its support devices carry the seal of a Professional Engineer.

I: INSTITUTIONAL AND PUBLIC USE DISTRICT

INTENT

112. The intent of this District is to permit institutional and public authority uses.

OUTRIGHT APPROVAL USES

113. (1) Subject to all other provisions of this Bylaw, the uses listed in Section 113(2) shall be permitted in this District.

(2) Uses

- (a) Accessory Buildings customarily ancillary to any of the uses listed in this Section.
- (b) Accessory Uses customarily ancillary to any of the uses listed in this section, provided that unless permitted as an outright approval use pursuant to Section 113(2) of this Bylaw, the total floor area of all accessory uses is not greater than 25 percent of the gross floor area of the principal use, and all accessory uses are located within the principal building.
- (c) Ambulance Station.
- (d) Child Care Facility.
- (e) Church.
- (f) Club or Lodge (fraternal), provided that no commercial activities are carried on.
- (g) Community Centre.
- (h) Hospital, including a conversion from an existing building but not including a mental or animal hospital.
- (i) Institution of a religious, philanthropic or charitable character.
- (j) Park or playground.
- (k) Parking Area ancillary to a principal use on an adjacent site.

- (l) Public Authority Building or use.
- (m) Public Utility.
- (n) School (public or private).

CONDITIONAL APPROVAL USES

114. (1) Subject to all other provisions of this Bylaw, the Manager may approve any of the uses listed in Section 114(2) including such conditions or additional regulations as he may decide, provided that before making a decision he:
- a) considers the intent of the Bylaw and the recommendations of the *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)*; and
 - b) notifies such adjacent property owners and residents he deems may be affected.
- (2) Conditional Uses
- (a) Accessory Uses to any of the uses listed in this Section.
 - (b) Animal Hospital.
 - (c) Clinic or Office for medical, dental or similar purposes, including associated laboratory facilities, but not including any such use where the principal services rendered are related to drug or alcohol detoxification or rehabilitation.
 - (d) Financial Institution.
 - (e) Hall.
 - (f) Health Club or Spa.
 - (g) Hotel or Motel.
 - (h) Parking Garage.
 - (i) Radio Broadcasting and Receiving Station to facilitate the movement of vehicles on land, water or air.

- (j) Retail Store catering to the needs of neighbourhood residents and the non-resident day-time population of the University.
- (k) Restaurant, but not including a drive-in restaurant.
- (l) Social Service Centre operated by a non-profit society.
- (m) Special Needs Residential Facility.
- (n) School or Academy for the teaching of drama, music, art, dance, meditation, self-defence, self-improvement and similar arts.
- (o) Offices.

(3) Conditions of Use

All commercial uses listed in this section shall be carried out wholly within a completely enclosed building except for the following:

- (a) parking and loading facilities;
- (b) restaurant.

SITE AREA

115. The minimum site area in this district shall be 30,000 square feet.

FRONTAGE

116. Not applicable.

HEIGHT

117. The height of a building shall not exceed four storeys nor 45 feet provided that no portion of the building extends more than 48 feet above the average grade.

FRONT YARD

118. A front yard with a minimum depth of 40 feet shall be provided.

SIDE YARD

119. (1) A side yard with an average width of 15 feet shall be provided on each side of the principal building, but in no case shall the side yard be less than 5 feet.
- (2) In the case of a corner site, the exterior side yard shall not be regulated by section 119(1) above but shall be 20 feet in width.

REAR YARD

120. (1) A rear yard with minimum depth of 30 feet shall be provided, except that where the rear of the site abuts on lane or road, this required minimum depth shall be decreased by the lane or road width between the rear property line of the lane or road up to a maximum reduction of 10 feet.
- (2) Notwithstanding Section 120(1), for through sites abutting Western Parkway and Wesbrook Crescent, the rear of the site shall be the portion abutting Western Parkway, and a rear yard with a minimum depth of 12 feet shall be provided.

ACCESSORY BUILDINGS

121. (1) The use of an accessory building must be ancillary to that of the principal building, but it may not include one or more dwelling units.
- (2) No accessory building shall exceed 12 feet in height measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge of a gable, hip or gambrel roof, provided that no portion of an accessory building may extend more than 15 feet above the average grade.

- (3) All accessory buildings shall be located in the rear yard and in no case shall an accessory building be located less than the width of the required side yard from a flanking street;
- (4) The total floor area, measured to the extreme outer limits of the building, of all accessory buildings shall not be greater than 15 percent of the total area of the site.

FLOOR SPACE RATIO

122. The maximum floor space ratio shall be 1.25 provided, however, this amount may be increased as follows:
- (a) where parking spaces are provided within the outermost walls of a building or underground (but in no case with the floor of the parking area above the highest point of the finished grade around the building), an amount equal to .20 multiplied by the ratio of the number of parking spaces provided which are completely under cover to the total number of required parking spaces may be added, but in no case shall this increase exceed a figure of 0.20.
 - (2) The following shall be included in the computation of floor space ratio:
 - (a) all floors having a minimum ceiling height of 4 feet, including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building;
 - (b) stairways, fire escapes, elevator shafts and other features which the Manager considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

- (3) The following shall be excluded in the computation of floor space ratio:
- (a) uncovered balconies, uncovered sun decks and any other appurtenances which in the opinion of the Manager are similar to the foregoing;
 - (b) covered balconies, covered sun decks, and any other appurtenances which, in the opinion of the Manager, are similar to the foregoing, provided that the total area of these exclusions does not exceed eight percent of the permitted floor area;
 - (c) floors or portions thereof which are located at or below grade and which are used for off-street parking and loading, heating and mechanical equipment, or uses which in the opinion of the Manager are similar to the foregoing, provided that a parking space does not have a length of more than 24 feet for the purpose of exclusion from the floor space ratio computation;
 - (d) floors or portions thereof which are located above grade and which are used for off-street parking provided that:
 - (i) the parking spaces are located in an accessory building or buildings situated in the rear yard; and
 - (ii) a parking space does not have a length of more than 24 feet for the purpose of exclusion from floor space ratio computation.
 - (e) child day care facilities to a maximum floor area of 10 percent of the permitted floor area, provided the Manager is satisfied that there is a need for a day care facility in the immediate neighbourhood;

- (f) areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a half-storey with a ceiling height of less than 4 feet, and to which there is no permanent means of access other than a hatch.

SITE COVERAGE

- 123. Except where the principal use of the site is a parking area, the maximum site coverage for any portion of the site used as parking area shall be 30 percent.

OFF-STREET PARKING AND LOADING SPACES

- 124. Off-street parking and loading spaces shall be provided and maintained in accordance with the provisions of Schedule 3.

SIGNS

- 125. Any signs in this District must conform with the provisions of Schedule 4.

COMPREHENSIVE DISTRICT (CD-1)

UEL BLOCK 97 “THE VILLAGE”

**Amendment to the Land-Use, Building and Community
Administration By-Law for University Hill.**

December 19, 1997

Adopted, January 22, 1998

Signed by Michael Farnworth

Honourable Michael Farnworth
Minister of Municipal Affairs & Housing

COMPREHENSIVE DISTRICT (CD-1)**INTENT**

126. The intent of this district is to provide for a wide range of goods and services, to maintain commercial activities and personal services that require central locations to serve the local neighbourhoods and to provide for dwelling uses designed compatibly with commercial uses. The design guidelines shall be used in conjunction with the by-law and the intent of the guidelines shall be adhered to.

OUTRIGHT APPROVAL USES

127. (1) The shaded area shown on Schedule “1” attached hereto, shall be more particularly described as CD-1, and the only uses permitted within the outlined area, subject to all other provisions of this by-law and to compliance with section 127(3) and all other applicable regulations permitted in this District, and the only uses for which development permits will be issued are:
- (2) Uses:
- a) Bank or Financial Institution.
 - b) Barber/Beauty Parlour.
 - c) Business School or Commercial School.
 - d) Community Village Space.
 - e) Clinic or Office for medical, dental or similar purposes, including associated laboratory facilities, but not including any such use where the principal services rendered are related to drug or alcohol detoxification or rehabilitation.
 - f) Electric Repair Shop.
 - g) Grocery Market.
 - h) Multiple Family Dwellings.
 - i) Office.

- j) Outdoor Plaza and Courtyard.
- k) Parking Area, subject to the provisions of section 137 of these regulations.
- l) Photography Studio or Photograph Gallery.
- m) Residential Amenity Space.
- n) Full-Service Restaurant.
- o) Retail or Service outlets catering to the needs of the local neighbourhood except those specifically identified as Conditional Uses in Section 128(2).
- p) Shoe Repair shop.
- q) Service Outlet for the collection and distribution of laundered or dry-cleaned articles but, not for the treatment, cleaning or processing of such articles.
- r) Tailor Shop.

(3) Conditions of Use

- a) Lot 1, 2, 3, 4, 5, 13 & 14 (Parcel I)
 - i) all ground floor space on Lot 1, 2,3 ,4 ,5, 13 &14 (Parcel I), shall only be occupied by lobby space for access to upper floors or by the uses listed in sub-section (2) above, other than uses specified in sub-paragraphs (e), (h), (i) and (m), or by any uses approved in accordance with Section 128;
 - ii) all second floor space shall only be occupied by the uses listed in sub-section (2) above, other than the uses specified in sub-paragraph (h), or by any uses approved in accordance with Section 128.

b) Block M (Parcel II)

All ground floor space on Block M (*Parcel II*), shall only be occupied by lobby space for access to upper floors or the uses listed in sub-section (2) above, other than the uses specified in sub-paragraph (e), (h), (i) and (m); except for frontage along Dalhousie Road which may also be occupied by uses (e) and (i); or other uses approved in accordance with Section 128.

c) Block N (Parcel III)

All ground floor space on Block N (*Parcel III*), shall only be occupied by the uses listed in sub-section (2) above, or by uses approved in accordance with Section 128.

d) All commercial uses listed in this section shall be carried on wholly within a completely enclosed building except for the following:

- i) loading facilities;
- ii) outdoor restaurant seating;
- iii) display of flowers, plants, fruits and vegetables.

e) All buildings within this District shall:

- i) provide an accessible, properly ventilated, garbage holding area within the building envelope of all new developments of sufficient size to contain garbage produced by the occupants of the building.
- ii) where a building contains more than 4 dwelling units, a recycling area of sufficient size to accommodate recyclable material produced by the occupants of the building, shall be provided within the building envelope.

CONDITIONAL APPROVAL USES

128. (1) Subject to all other provisions of this Bylaw and all the other applicable regulations, the Manager may approve any of the uses listed in Section 128(2), subject to the conditions of Section 128(3) and including such conditions or additional regulations the Manager may decide, provided that before making a decision the Manager:
- a) considers the intent of the By-law, the Design Guidelines, and the recommendations of the *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)*; and
 - b) notifies such adjacent property owners and residents the Manager deems may be affected.
- (2) Conditional Uses:
- a) Appliance Repair Shop.
 - b) Bed and Breakfast Accommodation.
 - c) Bowling Alley, Pool Hall, or similar facility for public use excluding a Video Arcade.
 - d) Child Day Care Facility.
 - e) Collection Agency.
 - f) Convenience Store.
 - g) Craft Manufacturing Shop with retail sales.
 - h) Health Club.
 - i) Hotel.
 - j) Liquor Store.
 - k) Non Full-Service Restaurant (Fast Food, Take-Out).
 - l) Pet Shop.
 - m) Place of Worship.

- n) School (professional, vocational or trade).
- o) School (public or private).
- p) School or Academy for the teaching of drama, music, art, dance, meditation, self-defence, self-improvement and similar arts.
- q) Social Service Centre.
- r) Special Needs Residential Facility.
- s) Temporary Parking Area.
- t) U-Brew.
- u) Any other use which is not specifically listed in this or any other Land-Use District in this bylaw but which the Manager considers comparable in nature to the uses listed for this District, having regard to the intent of this Land-Use District.

(3) Conditions of Use

All conditions of section 127 (3) shall apply.

FLOOR SPACE RATIO

129. (1) a) Lot 1, 2, 3, 4, 5, 13 & 14 (Parcel I) shall have a maximum floor space ratio of 2.5.

b) Block M (*Parcel II*) shall have a maximum floor space ratio of 2.5.

c) Block N (*Parcel III*) shall have a maximum floor space ratio of 2.5.
- (2) The following will be included in the computation of floor space ratio:
 - a) all floors having a minimum ceiling height of 4 feet, including earthen floor, both above and below ground level, to be measured to the outer limits of the glazing or where applicable to the centerline of the building walls;
 - b) stairways, fire escapes, elevator shafts and other features which the Manager considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.
- (3) The following will be excluded in the computation of floor space ratio:
 - a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Manager, are similar to the foregoing;
 - b) open patios and roof gardens, provided that the Manager first approves the design of sunroofs and walls;

- c) where floors are used for off-street parking and loading, bicycle storage, heating mechanical equipment, recycling facilities, garbage holding areas or uses which in the opinion of the Manager are similar to the foregoing, those floors or portions thereof so used, which:
 - i) are at or below the average grade, provided that the maximum exclusion for a parking space shall not exceed 24 feet in length.
- d) community village space, residential amenity space, day care facilities, to a maximum total of 5 percent of the total building floor area;
- e) areas of undeveloped floors which are located:
 - i) above the highest storey or half storey and to which there can be no permanent means of access other than a hatch; or
 - ii) adjacent to a storey with a ceiling height of less than 4 feet.
- f) residential storage space provided that where the space is provided at or above the average grade, the maximum exclusion shall be 40 square feet per dwelling unit.

FRONTAGE

130. (1) The maximum frontage for each ground floor commercial unit shall not exceed 25 feet except:
- a) a grocery market which may be 50 feet or;
 - b) any use approved by the Manager, after consulting with the *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)*.

- (2) Where residential dwellings are located above the first floor of retail or office space, ground floor lobby frontage is limited to 20 feet.

HEIGHT

131. (1) The maximum height on Lot 1, 2, 3, 4, 5, 13 & 14 (*Parcel I*) shall not exceed 4 storeys or 45 feet but, the Manager, after consulting with the *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)*, may permit a maximum height of 4 storeys or 50 feet.
- (2) The maximum height on Block M (*Parcel II*) and Block N (*Parcel III*) shall not exceed 6 storeys or 70 feet.
- (3) The Manager, at his discretion, may permit a greater height than otherwise permitted for the following items if they do not in total, exceed one-third of the width of the building or buildings as measured on any elevation drawings and do not in total, cover more than 10 percent of the roof area on which they are located as viewed from directly above:
 - a) architectural appurtenances such as towers, turrets, cupolas, trellises and roof garden access, provided:
 - i) no additional floor area is created; and
 - ii) no protrusion extends more than 4 feet above the height limitation.
 - b) mechanical appurtenances such as elevator machine rooms;
 - c) chimneys;
 - d) items similar to any of the above.

SETBACKS

132. (1) Street Setbacks

- a) All street front buildings shall be constructed at a setback (Build-to-Line) of 10 feet from the property line and have a frontage height of 3 storeys. Up to 50 percent of this frontage requirement may be further set back to achieve greater articulation in the facade;
- b) The fourth and fifth floors of all street front buildings shall be constructed an average of 18 feet, with no portion closer than 10 feet, from the property line;
- c) The sixth floor of all street front buildings shall be constructed an average of 26 feet with no portion closer than 18 feet from the property line;
- d) Setbacks shall not apply to areas below grade;
- e) Balconies and bay windows may intrude into the required setbacks;
- f) The Manager, after consulting with the *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)* may permit variances to the building setbacks to improve design articulation and building appearance.

(2) Lane Setbacks

- a) Lot 1, 2, 3, 4, 5, 13 & 14 (*Parcel I*) shall have a minimum setback from Lane C of 4 feet;
- b) Block M (*Parcel II*) shall have a minimum setback from Lane C of 4 feet;
- c) Block N (*Parcel III*) shall have a minimum setback from the New Lane of 4 feet;
- d) setbacks shall not apply to areas below grade.

LANES

133. (1) Vehicle access to Lane B to and from University Boulevard shall be closed.
- (2) Lane C shall extend from Western Parkway to Allison Road.
- (3) Lane C shall be a minimum of 20 feet wide and the new lane shall be a minimum of 24 feet wide.

PUBLIC EASEMENT

134. Block N shall have a 20 foot north/south public easement or statutory right of way in favour of the Crown registered as a charge on the land. The easement shall be located adjacent to the western property line, a pedestrian walkway with landscaping on either side shall be required within the easement.

OPEN SPACE REQUIREMENTS

135. (1) Lot 1, 2, 3, 4, 5, 13 & 14 (***Parcel I***) shall have a publicly accessible plaza no less than 1,500 square feet located at the corner of Western Parkway and University Boulevard.
- (2) Block M (***Parcel II***) shall have a publicly accessible plaza no less than 3,000 square feet located mid-block, on Western Parkway, adjacent to the sidewalk; and shall have a mid-block publicly accessible east/west walkway connecting the plaza to the eastern property line.
- (3) Block N (***Parcel III***) shall have a landscaped inner courtyard no less than 4,000 square feet located immediately east of and adjacent to the north/south easement.

SITE COVERAGE

136. (1) Lot 1, 2, 3, 4, 5, 13 & 14 (*Parcel I*) shall have a maximum site coverage of 75%.
- (2) Block M (*Parcel II*) shall have a maximum site coverage of 65%.
- (3) Block N (*Parcel III*) shall have a maximum site coverage of 65%.

PARKING PROVISIONS

Schedule 3: Parking Requirements are not applicable in the Comprehensive District (CD-1)

137. (1) On-Site Parking
- a) Residential - a minimum of 1.1 spaces for every dwelling unit and one additional space for every 2,000 square feet of gross floor area, except that no more than 2.2 spaces for every dwelling unit need be provided;
 - b) Residential Guest Parking - a minimum of 1 space for every 5 dwelling units. Residential guest parking shall be located so that it is safe convenient and easily found and shall not be limited in its use by security gates or fencing;
 - c) Retail - a minimum of 0.50 spaces per 1000 square feet of floor space;

- d) Grocery Store - a minimum of 0.40 spaces per 1000 square feet of floor space;
- e) Office - a minimum of 2.00 spaces per 1000 square feet of floor space;
- f) Restaurant - a minimum of 0.50 spaces per 1000 square feet of floor space.

Where floor area is used as a unit of measurement for the calculation of required parking spaces, it shall include the gross floor area of the building(s) excluding only floor space for community village space and floor space within the basement used to provide parking, including access aisles.

RESIDENTIAL DWELLINGS

- 138. (1) The minimum residential unit sizes shall be:
 - a) One bedroom - 650 square feet;
 - b) Two Bedroom - 850 square feet;
 - c) Three bedroom - 1050 square feet.

SIGNAGE

Schedule 4: Sign Control requirements are not applicable in the Comprehensive District (CD-1)

139. (1) Signs that are not expressly permitted in this bylaw are prohibited.
- (2) Visibility into shops from the street shall be maintained, any solid signage, advertising or blackout panels placed against the inside surfaces of store front glazing are prohibited. Clear glass shall be used for retail store fronts.
- (3) Prohibited Signs
 - a) Billboards;
 - b) Revolving signs;
 - c) Banners, pennants, bunting, flags (other than national, provincial, municipal flags), balloons or other gas-filled inflatable devices;
 - d) Roof signs;
 - e) Changeable copy signs;
 - f) Sandwich boards or any other temporary signs;
 - g) Back-lit signs.
- (4) Permitted Signs
 - a) projecting signs are permitted subject to the following regulations:
 - i) minimum clearance of 8.0 feet above grade;
 - ii) maximum 6 square feet in area;
 - iii) mounted in the middle one-third of the frontage of the premises and not more than 4 feet from the building face.

- b) Signs on Awning Drops are permitted subject to the following regulations:
 - i) maximum awning drop/skirt of 16 inches in depth;
 - ii) painted on vinyl applied lettering or incised lettering with applied backing;
 - iii) no rear lighting installed under awnings; and
 - iv) no signage or graphic material on any sloped, curved or vertical portion of an awning other than on a drop, as described above.

- c) Hanging Signs are permitted subject to the following regulations:
 - i) minimum clearance of 8 feet above grade;
 - ii) maximum area 6 square feet; and
 - iii) mounted in the middle one-third of the frontage of the premises under awnings and canopies.

- d) Window Signs are permitted subject to the following regulations:
 - i) maximum area of 6 square feet;
 - ii) paper, cardboard, plastic or fabrics are not permitted for window sign construction, with the exception of cut-out vinyl surface applied to inside of glazing; and
 - iii) No back-lit signs, displays, or product machines may be visible through store windows.

- e) Building Directories are permitted subject to the following regulations
 - i) maximum area of 6 square feet; and
 - ii) located at the front entrance of building.

(5) Number of Signs

A maximum of two permanent signs are permitted per business frontage.

(6) Materials

Exposed surfaces of signs may be constructed of any material with the exception of plastic, fibreglass, plywood or particle board either painted or unfinished.

(7) Colour

Colour of signage must be coordinated with the building facade with which it is associated.

(8) Lighting

- a) Signs may incorporate front-lighting for their illumination;
- b) Limited use of rear lighting is permitted, provided it is restricted to:
 - i) individually incised plastic or glass letters or symbols mounted in a solid, opaque sign face; and
 - ii) individual halo-lit lettering or symbols mounted on a solid, opaque background;
 - iii) neon signs are permitted as a form of illuminated signage.

(9) Height

- a) Signs must be located no higher than the finished third floor level;
- b) Signs located over pedestrian areas or sidewalks shall have a minimum clearance of 8 feet above grade.

(10) Lettering

- a) The maximum permitted lettering size on any sign is 1 foot;
- b) Symbols are encouraged, depicting the nature of the business occupation.

(11) Comprehensive Sign Plan

- a) A comprehensive sign plan showing the size, type, location, and number of signs for each parcel. The design, placement and colour of the signs shall be coordinated with the architectural elements of the building and take into consideration the intent of the Design Guidelines;
- b) No permanent sign shall be placed on the parcel until a Comprehensive Sign Plan has been submitted and approved by the Manager;
- c) Prior to approving a Comprehensive Sign Plan the Manager shall consider:
 - i) conformance of the proposed signs with the bylaw and design guidelines;
 - ii) the consistency of the plan with signs on adjoining parcels; and
 - iii) the recommendation of the University Endowment Lands *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)*;
- d) When a Comprehensive Sign Plan is approved, all signs placed on a parcel must be in compliance with the Comprehensive Sign Plan for that parcel.

(12) Application for Sign Permit

- a) Before any person places, erects or alters a sign, that person shall make application in writing to the Manager and shall obtain a sign permit.
- b) An application shall be on a form prescribed by the Manager and shall include:
 - i) a statement by the owner confirming that they approve the application and that the proposed sign conforms with the Comprehensive Sign Plan;
 - ii) drawings to scale for each side of the sign, giving all pertinent dimensions as well as the colour scheme, materials, copy and type face, and details of surrounding framework and structural mounting details; and
 - iii) drawings to scale showing the position of the sign painted on or attached to the building or structure together with the location of any existing signs.

I-A: INSTITUTIONAL AND PUBLIC USE DISTRICT (A)

(Added by Ministerial Order M008, January 15, 2014)

INTENT

140. The intent of this District is to permit institutional and public uses and to accommodate specified related residential uses.

OUTRIGHT APPROVAL USES

141. (1) Subject to all other provisions of this Bylaw, the uses listed in Section 141(2) shall be permitted in this District.
- (2) Uses
- (a) Ambulance Station.
 - (b) Child Care Facility.
 - (c) Church.
 - (d) Club or Lodge (fraternal), provided that no commercial activities are carried on.
 - (e) Community Centre.
 - (f) Institution of a religious, philanthropic or charitable character.
 - (g) Park or playground.
 - (h) Parking Area ancillary to a principal use on an adjacent site.
 - (i) Public Authority Building or use.
 - (j) Public Utility.
 - (k) School (public or private).
 - (l) Student Housing in conjunction with any of the uses listed in this section except that no portion of the first storey of a building shall be used for Student Housing purposes except for entrances to the Student Housing portion.

- (m) Accessory Uses customarily ancillary to any of the uses listed in this section. Accessory uses may be located within the principal building or within an accessory building. The total floor area of all accessory uses must not be greater than 25 percent of the gross floor area of the principal building. Accessory uses located within an accessory building are subject to Section 149 of this Bylaw.

CONDITIONAL APPROVAL USES

- 142. (1) Subject to all other provisions of this Bylaw, the Manager may approve any of the uses listed in Section 142(2) including such terms and conditions as the Manager may impose, provided that before making a decision the Manager:
 - (a) considers the intent of the Bylaw and the recommendations of the Advisory Design Panel; and
 - (b) notifies such adjacent property owners and residents the Manager deems may be affected.
- (2) Conditional Uses
 - (a) Clinic or Office for medical, dental or similar purposes, including associated laboratory facilities, but not including any such use where the principal services rendered are related to drug or alcohol detoxification or rehabilitation.
 - (b) Financial Institution.
 - (c) Hall.
 - (d) Health Club or Spa.
 - (e) Hospital, including a conversion from an existing building and including an animal hospital.
 - (f) Hotel or Motel.
 - (g) Parking Garage.

- (h) Retail Store catering to the needs of neighbourhood residents and the non-resident day-time population of the University of British Columbia.
- (i) Restaurant, but not including a drive-in restaurant.
- (j) Social Service Centre operated by a non-profit society.
- (k) Special Needs Residential Facility.
- (l) School or Academy for the teaching of drama, music, art, dance, meditation, self-defence, self-improvement and similar arts.
- (m) Offices.
- (n) Accessory Uses to any of the uses listed in this Section.

(3) Conditions of Use

- (a) All commercial uses listed in this section shall be accommodated within ground floor space.
- (b) All commercial uses listed in this section shall be carried out wholly within a completely enclosed building except for the following:
 - (i) Parking and loading facilities.
 - (ii) Outdoor restaurant seating.
 - (iii) Display of flowers, plants, fruits and vegetables.

SITE AREA

143. The minimum site area in this district shall be 30,000 square feet.

HEIGHT

144. (1) The maximum height shall not exceed six (6) storeys or 70 feet.
- (2) The Manager may approve a greater height than otherwise permitted for the following items if they do not in total exceed one-third of the width of the building as measured on any elevation drawings and do not in total, cover more than 10 percent of the roof area on which they are located:
- (a) architectural appurtenances such as towers, turret, cupolas, trellises and roof garden access, provided:
 - (i) no additional floor area is created; and
 - (ii) no protrusion extends more than 4 feet above the height limitation;
 - (b) mechanical appurtenances such as elevator machine rooms;
 - (c) chimneys; and
 - (d) items similar to any of the above.
- (3) The minimum floor-to-floor height for ground floor commercial units shall be 14 feet.

FRONT YARD

145. A front yard with a minimum depth of 40 feet shall be provided.

SIDE YARD

146. (1) A side yard with an average width of 15 feet shall be provided on each side of the principal building, but in no case shall the side yard be less than 5 feet.
- (2) Where a building exceeds four above ground floors, any additional allowable floors shall be constructed an average of 18 feet from the side yard property lines, with no portion closer than 10 feet.

- (3) Notwithstanding Sections 146 (1) and (2), in the case of a corner site, the exterior side yard shall not be less than 20 feet in width.

REAR YARD

- 147. (1) A rear yard with minimum depth of 30 feet shall be provided, except that where the rear of the site abuts on a lane or road, this required minimum depth shall be decreased by the lane or road width up to a maximum reduction of 10 feet.
- (2) Notwithstanding Section 147(1), for through sites located between Western Parkway and Wesbrook Crescent or Western Parkway and Wesbrook Mall, the rear yard of the site shall be the portion abutting Western Parkway and a rear yard with a minimum depth of 12 feet shall be provided.

SETBACK EXCEPTIONS

- 148. (1) Setbacks shall not apply to areas below grade.
- (2) The Manager, after consulting with the Advisory Design Panel, may permit variances to the building setbacks to improve design articulation and building appearance.

ACCESSORY BUILDINGS

- 149. (1) The use of an accessory building must be ancillary to that of the principal building, but it may not include any dwelling units.

- (2) No accessory building shall exceed 12 feet in height measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge of a gable, hip or gambrel roof, provided that no portion of an accessory building may extend more than 15 feet above the average grade.
- (3) All accessory buildings shall be located in the rear yard and in no case shall an accessory building be located less than the width of the required side yard from a flanking street.
- (4) The total floor area, measured to the extreme outer limits of the building, of all accessory buildings shall not be greater than 15 percent of the total area of the site.

FLOOR SPACE RATIO

- 150. (1) The maximum floor space ratio shall be 1.25 provided, however, this amount may be increased as follows:
 - (a) where parking spaces are provided within the outermost walls of a building or underground (but in no case with the floor of the parking area above the highest point of the finished grade around the building), an amount equal to .20 multiplied by the ratio of the number of parking spaces provided which are completely under cover to the total number of required parking spaces may be added, but in no case shall this increase exceed a figure of 0.20.

- (2) The following shall be included in the computation of floor space ratio:
 - (a) all floors having a minimum ceiling height of 4 feet, including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building;
 - (b) stairways, fire escapes, elevator shafts and other features which the Manager considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.
- (3) The following shall be excluded in the computation of floor space ratio:
 - (a) uncovered balconies, uncovered sundecks and any other appurtenances which in the opinion of the Manager are similar to the foregoing;
 - (b) covered balconies, covered sundecks, and any other appurtenances which, in the opinion of the Manager, are similar to the foregoing, provided that the total area of these exclusions does not exceed eight percent of the permitted floor area;
 - (c) floors or portions thereof which are located at or below grade and which are used for off-street parking and loading, bicycle storage, heating and mechanical equipment, recycling facilities, garbage holding areas, or uses which in the opinion of the Manager are similar to the foregoing, provided that a parking space does not have a length of more than 24 feet for the purpose of exclusion from the floor space ratio computation;
 - (d) floors or portions thereof which are located above grade and which are used for off-street parking provided that:
 - (i) the parking spaces are located in an accessory building or buildings situated in the rear yard; and
 - (ii) a parking space does not have a length of more than 24 feet for the purpose of exclusion from floor space ratio computation;

- (e) child day care facilities to a maximum floor area of 10 percent of the permitted floor area, provided the Manager is satisfied that there is a need for a day care facility in the immediate neighbourhood;
- (f) areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a half-storey with a ceiling height of less than 4 feet, and to which there is no permanent means of access other than a hatch.

SITE COVERAGE

151. Except where the principal use of the site is a parking area, the maximum site coverage for any portion of the site used as parking area shall be 30 percent.

OFF-STREET PARKING AND LOADING SPACES

152. (1) Parking requirements apply as set out below:

USE OF BUILDING	REQUIRED PARKING SPACES	REQUIRED LOADING SPACES
Post-secondary education	a minimum of 0.5 spaces per employee	1 loading bay per 50,000 sq ft of gross floor area.
Student housing	a minimum of 0.4 spaces per unit	
Retail, personal service and restaurants	a minimum of 0.5 spaces for every 1,000 sq feet of gross floor area or fraction thereof.	
Car share incentive reduction	For every space designated as a car share space the number of required parking spaces shall be reduced by 5 spaces up to a maximum of 1 car share per 60 spaces.	N/A

- (2) Schedule 3: Parking Requirements applies to all uses not listed in Section 152 (1).

GARBAGE AND RECYCLING

153. All buildings within this District shall:

- (a) Provide an accessible, properly ventilated, garbage holding area within the building envelope of all new developments of sufficient size to contain garbage produced by the occupants of the building.
- (b) Provide within the building envelope a recycling area of sufficient size to accommodate recycling material produced by the occupants of the building.

SIGNAGE

154. (1) Schedule 4 Sign Control is not applicable in the I-A District.

(2) Number of signs: A maximum of two permanent signs are permitted per business frontage.

(3) The following sign types shall be permitted:

- (a) Projecting signs, where the sign projects not more than 4 feet from the building face.
- (b) Awning signs, where the maximum awning drop/skirt is 16 inches in depth and there is no signage or graphic material on any sloped, curved or vertical portion of an awning other than on the drop.
- (c) Hanging signs.
- (d) Fascia signs.
- (e) Window signs that are not constructed of paper, cardboard, or fabrics.
- (f) Building Directories, where the directory is located at an entrance to the building.

- (g) All other forms of signs are prohibited, including but not limited to billboards, revolving signs, roof signs, banners, balloons or other gas-filled inflatable devices, sandwich boards and other forms of temporary signs.
- (4) Size and placement
 - (a) The maximum permitted sign size, with the exception of awning signs, is 6 square feet per sign.
 - (b) The maximum permitted lettering size on any sign is 1 foot.
 - (c) Signs located over pedestrian areas and sidewalks shall have a minimum clearance of 8 feet above grade.
- (5) Visibility
 - (a) Visibility into shops from the street shall be maintained. Any solid signage, advertising or blackout panels placed against the inside surface of the storefront glazing are prohibited. Clear glass shall be used for retail storefronts.
- (6) Materials, colour and symbols
 - (a) Notwithstanding Section 154 3 (e), exposed surfaces of signs may be constructed of any material with the exception of plywood or particle board.
 - (b) Colour of signage must be coordinated with the building façade with which it is associated.
 - (c) Symbols are encouraged, depicting the nature of the business occupation.
- (7) Lighting
 - (a) Signs may incorporate front-lighting for their illumination.

- (b) Limited use of rear (unenclosed) lighting is permitted, provided it is restricted to:
 - (i) individually incised plastic or glass letters or symbols mounted in a solid, opaque sign face; or
 - (ii) individual halo-lit lettering or symbols mounted on a solid, opaque background;
 - (c) No rear (unenclosed) lighting may be installed under awnings.
 - (d) Enclosed backlit signs are prohibited.
- (8) Application for Sign Permit
- (a) Before any person places, erects or alters a sign, that person shall make an application to the Manager for a sign permit.
 - (b) An application shall be on a form prescribed by the Manager and shall include:
 - (i) a statement by the owner confirming that they approve the application;
 - (ii) drawings to scale for each side of the sign, giving all pertinent dimensions as well as the colour scheme, typeface, and details of surrounding framework and structural mounting; and
 - (iii) drawings to scale showing the position of the sign painted on or attached to the building or structure together with the location of any existing signs.

STORMWATER REQUIREMENTS

155. (1) Sites within this zone shall be limited in the amount of stormwater discharged from the site into the public stormwater system. All new development within the University Endowment Lands must implement on-site stormwater management provisions to limit the conveyance of stormwater to University Endowment Lands owned facilities to the Maximum Stormwater Flow Rate. The UEL Maximum Stormwater Flow Rate is no more than 25 litres per second for each 1.0 hectare of site area during a five-year storm event.
- (2) In the case of redevelopment, renovation or expansion of a previously developed site not currently in conformance with this regulation, the UEL Maximum Stormwater Flow Rate will be applied, however may be applied only to the portion of the site to be redeveloped, subject to the discretion of the Manager.
- (3) Prior to the issuance of a development permit, a stormwater flow model must be submitted to the Manager to verify that projected stormwater flows are in compliance with this regulation. This model must be prepared by a qualified engineer based on the proposed development permit drawings. The installation of flow monitoring devices is required to confirm the performance of on-site stormwater management systems.

OPEN SPACE REQUIREMENTS

156. The site shall provide a publicly accessible courtyard of no less than 2,500 square feet on the southern portion of the site, and shall have a mid-block publicly accessible east/west walkway connecting the courtyard to the property lines at Wesbrook Mall and Western Parkway.

**SCHEDULE 1: PURSUANT TO
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW**

LAND USE DESIGNATIONS

Including Block F

Amended by:

- ***Ministerial Order M008, January 15, 2014***
- ***Bill 12 – 2008, Musqueam Reconciliation, Settlement and Benefits Agreement Implementation Act, March 31, 2008***

Note: Subsection (3) of *Bill 12 – 2008, Musqueam Reconciliation, Settlement and Benefits Agreement Implementation Act, March 31, 2008* states that:

“Subsection (2) does not operate and must not be interpreted to prevent the enactment or variation of a bylaw under the authority of the *University Endowment Land Act* after the effective date, including, without limitation, a bylaw or variation of a bylaw that applies to Block F.”

Revised July 9, 1999

**Jenny W.C. Kwan
Minister, Municipal Affairs**

Land Use Designations

Schedule 1



**SCHEDULE 2: PURSUANT TO
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW**

FEES AND CHARGES

Revised July 9, 1999

**Jenny W.C. Kwan
Minister, Municipal Affairs**

**SCHEDULE 2: SCHEDULE OF FEES AND CHARGES FOR UNIVERSITY HILL
AND THE UNIVERSITY ENDOWMENT LANDS**

1. Payment

All fees and charges payable shall be paid by certified cheque or money order to the Manager at the time of application (cheques should be made payable to: The University Endowment Lands).

2. Application fee for a change of Land Use District (rezoning) or an
amendment to the University Endowment Lands Official Community Plan
(Amended by Ministerial Order M205, August 12, 2013)

- | | | |
|-----|---|------------|
| (a) | Fee for Application for Change of Land Use District or Official Community Plan Amendment | \$1,500.00 |
| (b) | Fee for Application for Change of Land Use District combined with Official Community Plan Amendment | \$2,500.00 |
| (c) | In addition to the fees in Section 2(a) and (b) above, the following charges will be applied to applications for Change of Land Use District or Official Community Plan Amendments, to recover the costs to the University Endowment Lands of any review, analysis, inspection, processing, and reporting related to the application: | |
| i) | Consultant fees incurred by the University Endowment Lands will be charged to the applicant where: | |
| | A. in the opinion of the Manager, it is prudent to retain a qualified professional for the purpose of responding to application information submitted to the University Endowment Lands; and | |
| | B. in the opinion of the Manager, an application requires evaluation by a qualified professional. | |
| ii) | Legal fees incurred by the University Endowment Lands will be charged to the applicant where, in the opinion of the Manager, it is determined that legal advice is necessary in order to process an application including the drafting or review of legal documents. | |

3. Development Permit Application Fee

Fee for Development Permit Application - minor	\$100.00
(greater than \$50,000) - major	\$750.00
Fee to extend a Development Permit	\$250.00

4. Building Permit Fees and Deposits

The fee or fees hereinafter specified shall be payable to the Administration with respect to the issuance of a PERMIT as follows:

(a) for the CONSTRUCTION and BUILDING, or any part thereof;

When the estimated cost of the work does not exceed \$2,000.		\$ 50.00
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For each \$1,000 or part thereof, by which the estimated cost of the work exceeds the sum of \$2,000 but does not exceed \$50,000, additional fee	@	\$ 9.00
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For each \$1,000 or part thereof, by which the estimated cost of the work exceeds the sum of \$50,000, but does not exceed \$100,000, additional fee	@	\$ 6.50
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For each \$1,000 or part thereof, by which the estimated cost of the work exceeds the sum of \$100,000 but does not exceed \$500,000, additional fee	@	\$ 5.50
--	---	---------

For each \$1,000 or part thereof, by which the estimated cost of the work exceeds the sum of \$500,000, additional fee	@	\$ 4.75
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(b) A damage deposit is required prior to the issuance of a building permit where the value of the work permitted exceeds \$20,000;

i) For Building Permits for a single family dwelling the damage deposit amount shall be:	\$2,500.00
--	------------

ii) For Building Permits for all other buildings, the damage deposit amount shall be \$30 for each lineal foot of street frontage of the parcel to which the permit relates to a maximum of \$6,500.00 and a minimum of \$2,500.00.	
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- | | | |
|-----|--|----------|
| (c) | For a PERMIT for temporary occupancy of a street or the air space immediately above a street | |
| | For every 100 square feet/day | \$ 1.50 |
| (d) | For an amendment to a Building Permit. | \$150.00 |
| (e) | Fee to extend a Building Permit | \$250.00 |

5. Demolition and Removal Permit Fee

The fee for a Demolition Permit or Removal Permit is based on the estimated cost of demolishing or removing the building, and follows the fee schedule for Building Permits.

6. Plumbing Fees

- | | | |
|-----|--|----------|
| (a) | For the Installation of: | |
| | One, two or three fixtures | \$ 88.00 |
| | Each additional fixture | \$ 25.00 |
| | Each "Y" for future connection
will be considered as one fixture | |
| | Fire Sprinklers- first head | \$ 50.00 |
| | - each additional fixture | \$0.82 |
| (b) | Alteration of plumbing: (no fixture involved) | |
| | For each 35 feet of drainage piping (internal)
or portion thereof | \$ 35.00 |
| | Lawn sprinkler systems including the inspection
of vacuum breaker or check valve assembly | \$ 75.00 |
| (c) | Sewer and Drainage Piping Inspection Fee: | |
| | For each inspection of a drainage tile system | \$ 75.00 |
| | For each inspection of a building (house) sewer
or part thereof | \$ 75.00 |

7. Miscellaneous

- | | | |
|----|--|-----------|
| a) | For a special search of building records to determine whether a building complies with this Bylaw for a single family residence | \$ 75.00 |
| b) | For all special search of building records for all other buildings | \$ 150.00 |
| c) | For a request to renumber (change the address) a building | \$ 250.00 |
| d) | For the request to film | \$ 200.00 |
| e) | Request to convert an existing rental property to a strata or co-cooperative, \$200.00 plus \$50.00 for each unit proposed for conversion. | |

8. Gas Permit shall be in accordance with the regulations referred to in the Gas Safety Act of the Province of British Columbia.

9. Electrical Permit Fees shall be in accordance with the "B.C. Regulations Governing Permits and Fees"

10. Water Connection Fees

(a) Service Pipe or Connection Fees

Service Pipe Size:

20 mm (3/4 inch)	\$1,500.00
25 mm (1 inch)	\$1,600.00
40 mm (1 1/2 inch)	\$1,675.00
50 mm (2 inch)	\$1,780.00
100 mm (4 inch)	\$6,325.00
150 mm (6 inch)	\$7,245.00
200 mm (8 inch)	\$7,850.00
300 mm (12 inch)	\$12,650.00

(b) Installation of Water Meters on U.E.L. property

Size of Standard Meter:

17 mm (5/8 inch)	\$1,300.00
20 mm (3/4 inch)	\$1,300.00
25 mm (1 inch)	\$1,350.00
40 mm (1 1/2 inch)	\$1,450.00
50 mm (2 inch)	\$1,525.00
80 mm (3 inch)	at cost
100 mm (4 inch)	at cost
150 mm (6 inch)	at cost
200 mm (8 inch)	at cost
250 mm (10 inch)	at cost

11. Building Sewer Connection Fees

- | | | |
|-----|---|------------|
| (a) | One family dwelling sewer extension - 4" only | \$3,850.00 |
| | others charged at current rates under (b) | |

(b)	Building sewer extensions <u>other</u> than one or two family dwellings:	
	4-inch diameter	\$4,150.00
	6-inch diameter	\$5,150.00
	8-inch diameter	\$6,200.00
	10-inch diameter	\$7,225.00
	12-inch diameter	\$7,775.00
	15-inch diameter	\$8,700.00
(c)	New hub or wye on single sewer	\$ 650.00

12. Dog Licences

(a)	Male Dog	\$ 30.00
(b)	Female Dog	\$ 30.00
(c)	Spayed Female and Neutered Male (upon presentation of a veterinary surgeon's certificate)	\$ 15.00
(d)	Penalty for late licences (additional fee)	\$ 5.00

13. Penalty for Violation of Bylaw

For each 10 days or part thereof during which a bylaw is violated the penalty shall be not less than	\$ 50.00 (plus costs)
and not more than	\$ 750.00 (plus costs)

14. Business Licence Fees

The annual fee for a business license for the carrying on of a commercial or industrial undertaking of any kind or nature or the providing of professional, personal or other services for the purpose of gain or profit is:

Fee to transfer a business licence is \$75

Any Business, Trade, Profession or other occupation not specified herein	\$75 per annum
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Business Licence Fees

Apartment Buildings/Multiple Dwellings	\$38 per annum per dwelling unit
Auto Parking (not for residential purposes)	\$75 per annum
Automotive Repair Shop/ Gasoline Service Station	\$95 per annum
Barber Shop	\$139 per annum
Beauty Parlour	\$139 per annum
Club or Fraternal Lodge	\$245 per annum
Day Care Facility	\$90 per annum
Dining Lounge	\$175 per annum
Hotel/Motel	\$40 per annum, plus \$38 per annum per dwelling unit \$29 per annum per housekeeping unit \$17 per annum per sleeping unit
Laundromat or Dry Cleaning Establishment	\$90 per annum
Lounge	\$210 per annum
Personal Care Home/Special Needs Residential Facility	\$15 per annum per bed

Business Licence Fees

Recreational Facility	\$96 per annum
Restaurant	\$337 per annum
Retail Dealer (unless otherwise listed) listed)	\$86 per annum
Retail Dealer Food	\$139 per annum
Rooming, Boarding or Lodging House	\$15 per annum per sleeping unit
Schools, Private	\$136 per annum
Schools, Business or Trade	\$136 per annum

SCHEDULE 3:

**PURSUANT TO
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW**

PARKING REQUIREMENTS

Revised July 9, 1999

**Jenny W.C. Kwan
Minister, Municipal Affairs**

SCHEDULE 3: PARKING REQUIREMENTS

This Schedule contains the number of spaces for the off-street parking and loading of motor vehicles required in University Hill and the UEL. If a use is not listed, the number of spaces shall be calculated on the basis of a similar use that is listed or as otherwise determined by the Manager.

Where gross floor area is used to calculate the number of required spaces, it shall be calculated in the same manner as for the floor space ratio.

Where the calculation of total required spaces results in a fractional number, the nearest whole number above shall be taken.

The Manager may relax requirements for the provision of off-site and loading spaces if the applicant can demonstrate that provision has been made for the joint use of loading facilities on another property or in another building.

For the purposes of this Schedule, the minimum sizes of off-street parking and loading spaces are as follows:

1. Off-Street Parking

All off-street parking spaces shall be a minimum of 18 feet in length and 8 feet in width and shall have a minimum vertical clearance of 7 feet, except that:

- a) where any space abuts any portion of a fence or structure and additional width is required to facilitate the opening of vehicle doors, the minimum width shall be 9 feet; and

- b) any minimum dimensions may be decreased at the discretion of the Manager to accommodate vehicles intended to be parked.
- c) No parking area shall be located within a required front yard within a residential district in Area A or Area C.
- d) the maximum allowable ramp slope in the first 20 feet from the property line is 10%. Maximum slope after the first 20 feet from the property line is 12.5%. On extreme hardship sites slopes up to 15% may be acceptable providing that areas exposed to the weather must be heated.
- e) Adequate provision shall be made for ingress or egress by vehicles to all parking spaces by means of unobstructed maneuvering aisles. Maneuvering aisles of not less than the following widths shall be provided:

Parking angles	width of
<u>In degrees</u>	<u>aisle</u>
90	25 feet
	22 feet (underground or in a building)
60	16.5 feet (one-way traffic)
45 or less	11.5 feet (one-way traffic)

- f) Parking spaces for persons with disabilities shall be provided in accordance with the current edition of the B.C. Building Code.

2. Loading

All off-street loading spaces shall be a minimum of 28 feet in length, 10 feet in width, and 11 feet 6 inches in height, except that any minimum dimensions may be decreased by up to a maximum of 1 foot at the discretion of the Manager, provided such dimensions remain adequate to accommodate the largest vehicles intended to occupy the space while loading.

3. On-street Parking

- 3.1 All street parking shall be regulated by this schedule. Parking areas and regulations are shown on the attached map which forms part of this schedule.
- 3.2 Areas of the University Endowment Lands may be identified and posted with signs indicating that parking is prohibited unless a permit is displayed. Vehicles which display a valid permit (in the form of a decal or visitor pass) authorizing parking in that area, may park on streets within the area, provided all other parking restrictions are otherwise complied with.
- 3.3 Each multi-family residence shall be allocated one residential decal, to a maximum of 3 decals per multi-family residence, for each vehicle registered to that address and owned by a person who is in a full time resident of that address.
- 3.4 A multi-family residence constructed after 1970 shall not be eligible for a resident decal under Section 3.3.
- 3.5 Each single family residence, fronting on a street posted as indicated in Section 3.2, shall be allocated one resident decal for each vehicle registered to the resident's address and one visitor pass.
- 3.6 The Manager may determine the form of passes, signs and decals, may make regulations as to the period for which the permits shall be valid, how they shall be displayed and issued, and such other miscellaneous regulations as may be required, and may issue other permits which to him appear appropriate.

- 3.7 No holder of a resident decal or visitor pass shall sell, assign or otherwise transfer his interest in the decal or pass.
- 3.8 Vehicles parked in contravention of this schedule may be impounded at the owner's risk and expense.
- 3.9 The Manager may establish areas of metered parking near or adjacent to the Commercial District.
- 3.10 No person shall park a boat, trailer, motor home or vehicles with a GVW in excess of 10,000 lbs. (4,550 kg) on any street or lane within the University Endowment Lands between the hours of 10:00 p.m. and 6:00 a.m. the following day.

<u>USE OF BUILDING</u>	<u>REQUIRED PARKING SPACES</u>	<u>REQUIRED LOADING SPACE</u>
<u>RESIDENTIAL</u>		
Single-family	<u>Site area less than 6400 sq.ft.</u> minimum of 1 space and maximum of 3 spaces.	none
	<u>Site area of 6400 sq.ft. or more</u> minimum of 1 space and maximum of 1 space for every 1600 sq.ft. of site area.	none
Multiple Dwellings		
Apartments& condominiums	1.6 space for every dwelling unit of which .25 spaces per unit shall be provided for visitor parking.	none
Townhouses wherein each unit has direct access to the ground by either stairs or at grade	1.75 for each dwelling unit, of which a minimum of .25 spaces per unit shall be provided for visitor parking.	
Lodging House	1 space for every sleeping room.	none
<u>INSTITUTIONAL</u>		
Special Needs Residential	1 space for every 350 sq.ft. of floor area used for sleeping units exclusive of bathrooms.	1/30,000 sq. ft. of gross floor area.
Hospitals & Institutions of a Religious, Philanthropic or Charitable Character	1 space for every 1,000 sq.ft. of gross floor area	1/30,000 sq. ft. of gross floor area.

Churches	1 space for every 100 sq. ft. of floor area used for assembly purposes, except that where two or more separate areas of assembly exist within a site and are not used concurrently, the Manager may require parking for only the largest of these areas.	1/30,000 sq. ft. of gross floor area.
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Schools	elementary: 2 spaces for every 3 employees. secondary: 1.25 spaces per employee unless parking requirements diminish playground area (upon application to the Manager)	1/30,000 sq. ft. of gross floor area.
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CULTURAL AND RECREATIONAL

Community Centre	1 space for every 200 sq. ft. of floor area used for assembly purposes.	1/30,000 sq. ft. of gross floor area.
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COMMERCIAL

Offices	1 space for every 1,000 sq. ft. of gross floor area. or fraction thereof.	1/30,000 sq. ft. of gross floor area
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Retail, Personal Service and Restaurants	None	1/30,000 sq. ft. of gross floor area
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Neighbourhood Grocery Store	None	None
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Hotels and Motels	1 space for every two sleeping units.	1/30,000 sq. ft. of gross floor area.
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MIXED USE

All combinations of uses individual uses	As required for of gross floor area or fraction thereof.	1/30,000 sq. ft.
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SCHEDULE 4:

**PURSUANT TO
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BY-LAW**

SIGN CONTROL

SCHEDULE 4: SIGN CONTROL

1. In a residential district, no billboards, placards, advertising, or signs of any kind shall be erected or displayed on the premises or any part thereof, or in any window or door except as permitted for signs appertaining to uses permitted in a residential district other than as provided in Clause 7 of this Schedule.
2. In a residential district, no window or other display in respect to the uses permitted in the district shall be made nor any sign, lighted or unlighted, shown other than fixed to the building and not exceeding one square foot in area. Any such sign so permitted shall bear only the name and the profession or vocation of the owner of the sign.
3. In a residential district, it shall be unlawful to utilize any portion of the exterior of the building or other structure for the purpose of advertising; or to erect or maintain any billboard or sign other than as provided in Clause 7 of this Schedule or a bulletin board, not exceeding 12 square feet in area, in connection with a church, school, public library, or community hall, providing such bulletin board shall comply with the yard restrictions of these regulations as if the said sign were a building.
4. In a commercial or institutional district, no sign, bulletin board or billboard shall be erected, other than a sign relating to the name of the owner and the type and the character of the business conducted within the building, which sign shall be attached to the building and which does not exceed 30 square feet in area.
5. In a commercial or institutional district, the Manager may approve the placement of a sign such that it extends beyond the property line providing the sign and all supporting devices are no lower than 8 feet above grade and further providing the structural design of the sign and its support system carry the seal of a Professional Engineer and conforms with applicable design guidelines.

6. In a commercial or institutional district, signs must not be positioned or placed in such a way so as to substantially block pedestrian's views of signs belonging to other establishments.
7. In a residential, commercial or institutional district, up to two sign-boards, not exceeding 6 square feet each in area, appertaining to the sale or rent of property shall be permitted to be placed upon the property provided that the sign-boards are maintained in good repair and that the sign-boards are not also used for the posting of placards, advertising or other signs that are not related to the sale or rent of the property.

**SCHEDULE 5: PURSUANT TO
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW**

BUILDING LINES

Revised July 9, 1999

**Jenny W.C. Kwan
Minister, Municipal Affairs**

AREA A

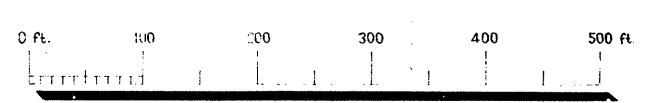


UNIVERSITY ENDOWMENT LANDS

PLAN OF AREA A

SHOWING LOCATION OF BUILDING LINES AS PROVIDED IN THE UNIVERSITY ENDOWMENT LANDS LAND USE, BUILDING AND COMMUNITY ADMINISTRATION BYLAW

DATE: JUNE / 1992



NOTE: THIS IS NOT AN OFFICIAL PLAN.

LEGEND.

BUILDING LINES SHOWN THUS.	---
CURB	---
SIDEWALKS	---
EASEMENTS	---

UNIVERSITY ENDOWMENT LANDS	
DRAWING No. UEL101	SCALE 1" = 100'-0"
REVISIONS	DESIGNED
	CHECKED
	TRACED

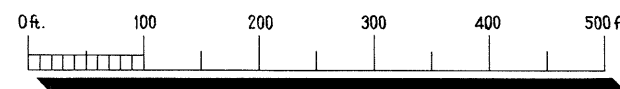
AREA B

UNIVERSITY ENDOWMENT LANDS

PLAN
OF AREA B

SHOWING LOCATION OF BUILDING
LINES AS PROVIDED IN THE
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW

DATE: JUNE / 1992

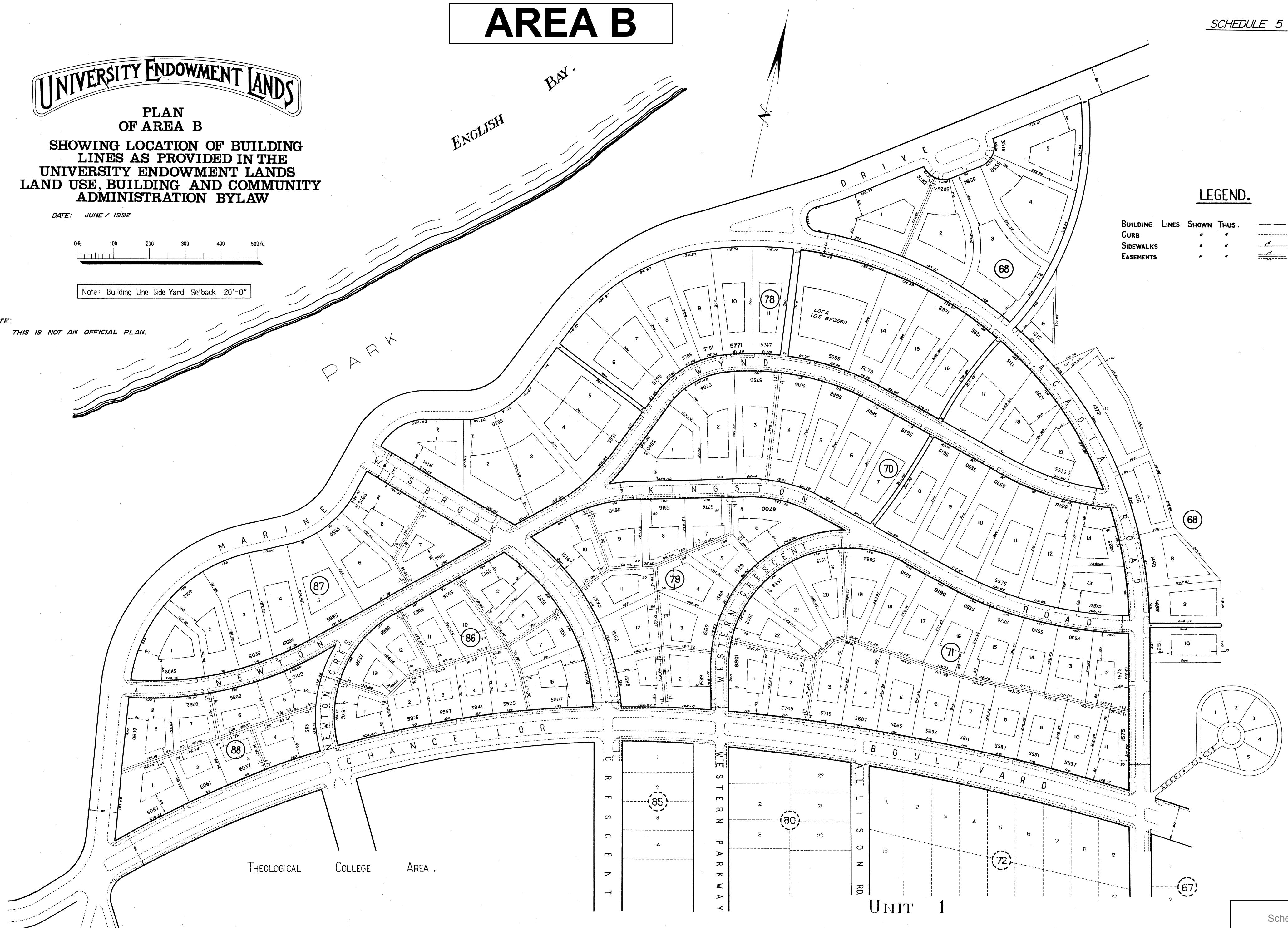


Note: Building Line Side Yard Setback 20'-0"

NOTE:
THIS IS NOT AN OFFICIAL PLAN.

LEGEND.

BUILDING LINES SHOWN THUS. ———
CURB " " ———
SIDEWALKS " " ———
EASEMENTS " " ———



UNIT 1

UNIVERSITY ENDOWMENT LANDS

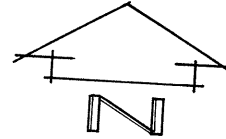
AREA C

1 of 2

SCHEDULE 5

PLAN OF AREA C

SHOWING LOCATION OF BUILDING
LINES AS PROVIDED IN THE
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW



NOTE:

THIS IS NOT AN OFFICIAL PLAN.

DATE: JUNE / 1992

Setbacks:

- Front — 30 ft.
- Rear — As Shown
- Sides — 10% Of Lot Width
Or As Shown

SIXTH AVENUE

DRUMMOND DRIVE

DRUMMOND DRIVE

SEVENTH AVENUE

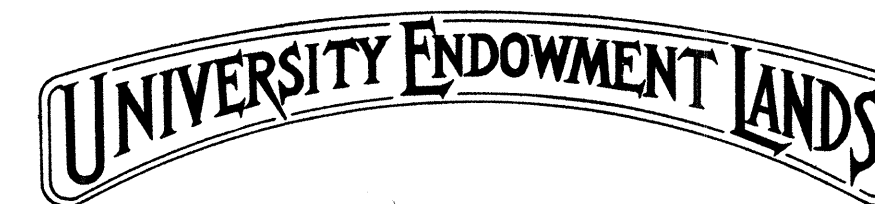
CHANCELLOR BLVD

BLANCA ST.

AREA C

2 of 2

SCHEDULE 5

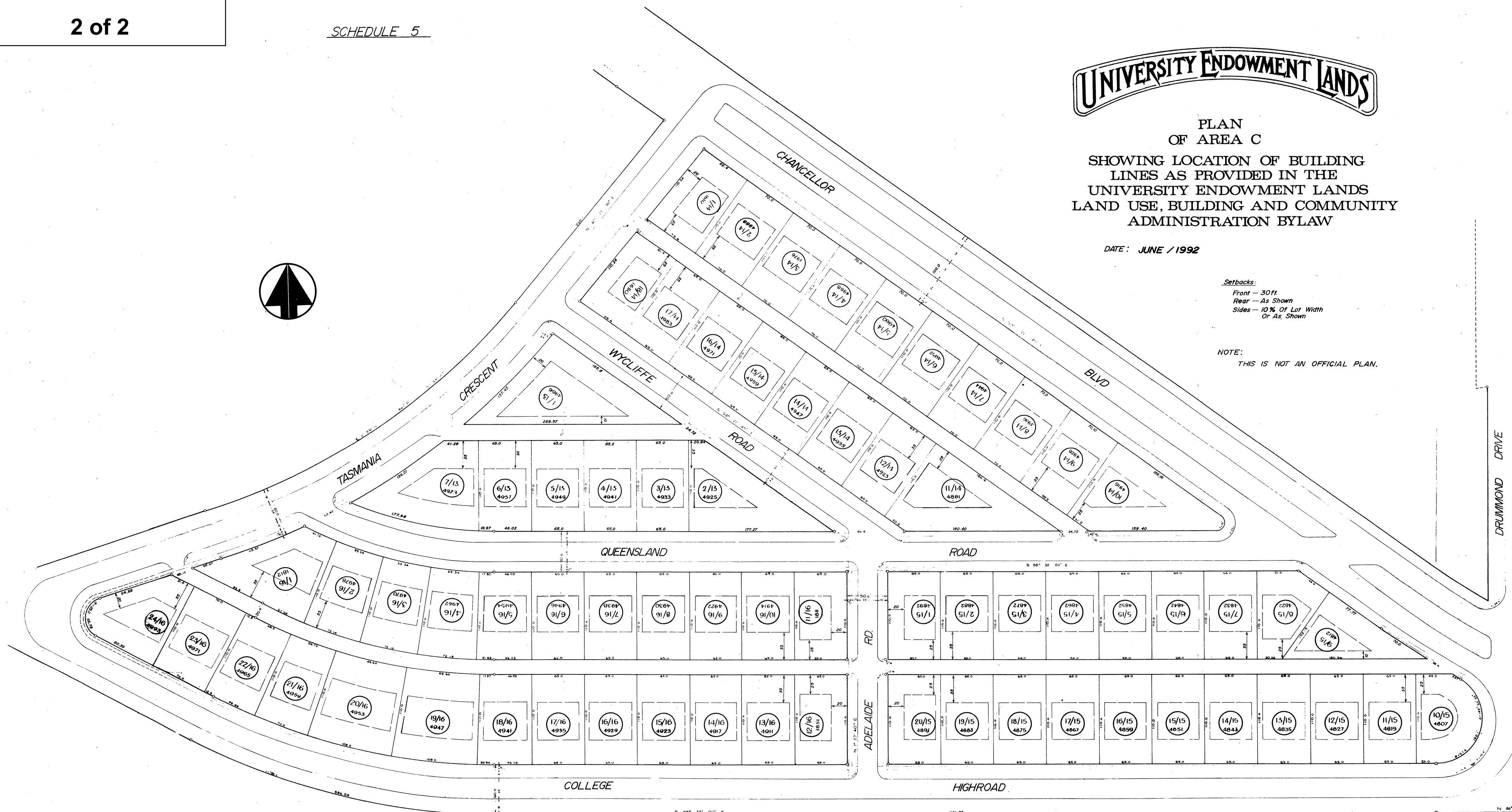
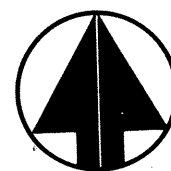


PLAN
OF AREA C
SHOWING LOCATION OF BUILDING
LINES AS PROVIDED IN THE
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW

DATE: JUNE / 1992

Setbacks:
Front — 30 ft
Rear — As Shown
Sides — 10% Of Lot Width
Or As Shown

NOTE:
THIS IS NOT AN OFFICIAL PLAN.



**SCHEDULE 6: PURSUANT TO
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW**

NOISE CONTROL BYLAW

Revised July 9, 1999

**Jenny W.C. Kwan
Minister, Municipal Affairs**

SCHEDULE 6:

UNIVERSITY ENDOWMENT LAND NOISE CONTROL

Unreasonable noise

1. No person shall, within the boundaries of the University Endowment Land, make or cause any noise or sound on a public or private place which disturbs unreasonably, or is likely to disturb unreasonably, the quiet, peace, rest, enjoyment, comfort or convenience of persons in the neighbourhood or vicinity.

Specific prohibitions

2. Without limiting the generality of Section 1 of this Schedule, no person shall, within the boundaries of the University Endowment Land,
 - (a) shout, use a megaphone or make a din or other disturbing noise in, at or on streets, parks or other public places,
 - (b) play any radio, phonograph, television receiving set, musical instrument or sound amplification device whether in or upon private premises or any public place in a volume so loud that it disturbs unreasonably, or is likely to disturb unreasonably, the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public,
 - (c) keep or harbour any animal or bird which, by making frequent or loud noise, disturbs unreasonably, or is likely to disturb unreasonably, the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public, and

- (d) operate any automobile, truck, motorcycle, bus or other vehicle which, by reason of disrepair, lack of sufficient muffler or any other cause, creates noise or sound that disturbs unreasonably, or is likely to disturb unreasonably, the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public.

Exception for Noise from Certain Activities

- 3. Sections 2 and 3 of this Schedule do not apply to prohibit making or causing a sound or noise that is incidental to any of the following:
 - (a) operating an emergency vehicle as defined in the Motor Vehicle Act;
 - (b) giving a necessary danger or warning signal by sounding a horn or other signalling device on a vehicle;
 - (c) the use, in a reasonable manner, of any apparatus or mechanism for the amplification of music or the human voice in a public place in connection with any public meeting, public celebration or other public gathering.
 - (d) the use of church bells for church purposes;
 - (e) the construction, repair, excavation or demolition of a building or street between 7:30 a.m. and 7:00 p.m. Monday to Friday, excluding statutory holidays;
 - (f) the construction, repair, excavation or demolition of a building or street between 9:00 a.m. and 4:00 p.m. on Saturdays.
 - (g) where they cannot reasonably be delayed until normal working hours, emergency repairs to buildings and streets.

**SCHEDULE 7: PURSUANT TO
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW**

FIRE SAFETY

SCHEDULE 7:

FIRE SAFETY

1. The Municipal Fire Department is hereby established and will be known as the University Endowment Lands Fire Department.

2. In the Regulation, unless the context otherwise requires,

Apparatus - means any vehicle provided with machinery, devices, equipment or materials for firefighting as well as vehicles used to transport firefighters or supplies.

Manager - means the Manager of the University Endowment Lands.

Equipment - means any tools, contrivances, devices or materials used by the Fire Department to combat an incident or other emergency.

Fire Chief - means the member appointed by the Manager, as head of the Fire Department, and shall be deemed to be a Municipal Public Officer as defined in the Municipal Act.

Fire Protection - means all aspects of fire safety including but not limited to fire prevention, fire fighting or suppression, pre-fire planning, fire investigation, public education and information, training or other staff development and advising.

Incident - means a fire or a situation where a fire or explosion is imminent.

Member - means any person or officer that is duly appointed by the Fire Department and shall be deemed to be a Municipal Public Officer as defined in the Municipal Act.

3. The Fire Chief shall be appointed by the Manager of the University Endowment Lands.
4. Other officers and members as the Fire Chief deems necessary and approved by the Manager may be appointed by the Fire Chief.
5. The Fire Chief may recommend other officers of the Fire Department to act as Fire Chief on his behalf.
6. All those persons whose names appear on Schedule "A" attached hereto are hereby appointed members of the University Endowment Lands Fire Department.

7. The limits of the jurisdiction of the Fire Chief and the officers and members of the Fire Department will extend to the area and boundaries of the University Endowment Lands and University of British Columbia, and no part of the fire apparatus shall be used beyond the limits of the municipality without:
 - (a) the express authorization of a written contract or agreement providing for the supply of fire fighting services outside the municipal boundaries, or
 - (b) the approval of the Fire Chief.
8. The Fire Chief has complete responsibility and authority over the Fire Department subject to the direction and control of the Manager to which he shall be responsible, and in particular he shall be required to carry out all fire protection activities and such other activities as the Manager directs including but not limited to:
 - (a) rescue,
 - (b) other incidents,
 - (c) pre-fire planning,
 - (d) disaster planning,
 - (e) preventive patrols,
 - (f) emergency medical response.
9. The Fire Chief, subject to approval by the Manager, shall establish rules, regulations, policies and committees necessary for the proper organization and administration of the Fire Department including but not limited to:
 - (a) use, care and protection of Fire Department property,
 - (b) the conduct and discipline of officers and members of the Fire Department, and
 - (c) efficient operations of the Fire Department.
10. The Fire Chief, or in his absence, the senior ranking member present, shall have control, direction and management of all Fire Department apparatus, equipment or manpower assigned to an incident and, where a member is in charge, he shall continue to act until relieved by a senior officer.
11. The Fire Chief shall take responsibility for all fire protection matters including the enforcement of the Fire Services Act and regulations thereunder and shall assume the responsibilities of the Local Assistant to the Fire Commissioner. The Manager may appoint other Fire Department Officers as Local Assistant to the Fire Commissioner.
12. Officers and members of the Fire Department shall carry out the duties and responsibilities assigned to the Fire Department by the Manager and the Fire Chief shall report to the Manager on the operations of the Fire Department or on any other matter in the manner designated by the Manager.

13. The Fire Chief or any member of the Fire Department authorized by the Manager, may at any reasonable time, enters any premise for the purpose of fire prevention inspections.
14. The Fire Chief, or any other member in charge, at a fire is empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings, structures or things.
15. The Fire Chief, or any other member in charge, at an incident is empowered to enter premises or property where the incident occurred and to cause any member, apparatus or equipment if the Fire Department to enter, as he deems necessary, in order to combat, control or deal with the incident.
16. The Fire Chief or the member in charge, at an incident is empowered to enter, pass through or over buildings or property adjacent to an incident and to cause members of the Fire Department and the apparatus and equipment of the Fire Department to enter or pass through or over buildings or property, where he deems it necessary to gain access to the incident or to protect any person or property.
17. The Fire Chief, or the member in charge, at an incident may at this discretion establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by him.
18. No person shall enter the boundaries or limits of an area prescribed in accordance with Section 17 unless he has been authorized to enter by the Fire Department or member in charge.
19. The Fire Chief or the member in charge, at an incident may request peace officers to enforce restrictions on persons entering within the boundaries or limits outlined in Section 17.
20. The Fire Chief may obtain assistance from other officials of the University Endowment Lands and University of British Columbia as he deems necessary in order to discharge his duties and responsibilities under these regulations.
21. No person at an incident shall impede, obstruct or hinder a member of the Fire Department or other person assisting or acting under the direction of the Fire Chief or the member in charge.
22. No person shall damage or destroy Fire Department apparatus or equipment.
23. No person at an incident shall drive a vehicle over any equipment without permission of the Fire Chief or the member in charge.

24. No person shall falsely represent themselves as a Fire Department member.
25. No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any fire incident, fire hydrant, cistern or body of water designated for firefighting purposes.
26. The Fire Chief or the member in charge of an incident may request persons who are not members to assist in removing furniture, goods and merchandise from any building on fire or in danger thereof and in guarding and securing same and in demolishing a building or structure at or near the fire or other incident.
27. The Fire Chief or the member in charge of an incident is empowered to commandeer privately owned equipment which he considers necessary to deal with an incident. Remuneration rates shall be based on their market value.
28. Every person who violates any of the provisions of this regulation, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this regulation, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this regulation, or who does any act or thing or omits any act or thing thus violating any of the provisions of this regulation, shall be deemed to have committed an offence, and upon a summary conviction is liable to imprisonment for a term of not more than 6 months or to a fine of not more than \$2,500 or both fine and imprisonment.

**SCHEDULE 8: PURSUANT TO
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW**

BUILDING AND PLUMBING INSPECTIONS

SCHEDULE 8:

BUILDING AND PLUMBING INSPECTIONS

At each of the following stages of construction, the owner or his authorized representative shall request the Manager to conduct an inspection. A minimum of 24 hours notice must be given when an inspection is requested.

(1) **Building**

- (a) After the forms for footings and foundations are complete, but prior to concrete placing.
- (b) After removal of formwork from a concrete foundation and installation of perimeter drain tile and damp proofing but prior to backfilling against the foundation.
- (c) When framing and sheathing of buildings are complete, including fire stops, bracing, chimneys, duct work, rough plumbing, gas venting and rough wiring, but before any insulation or interior or exterior finish is applied to the structural frame.
- (d) When insulation is complete but prior to the installation of interior wall and ceiling finishes.
- (e) After the building or portion thereof is complete and ready for occupancy, but before occupancy takes place of the whole or portion of the building.
- (f) Other inspections as deemed necessary upon notification in writing.

(2) **Plumbing**

- (g) All below ground and below slab piping and ducting, before placing on concrete or backfill.
- (h) When roughed-in plumbing is in place, before insulating and covering with interior wall and ceiling finishes.
- (i) All sumps and sewer connections.
- (j) All water connections, including cross connections into irrigation lines, boiler feeds, etc.
- (k) When work is complete and all fixtures are in operation but before occupancy.

**SCHEDULE 9: PURSUANT TO
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW**

**POOL DESIGN AND INSTALLATION
REQUIREMENTS**

SCHEDULE 9:

POOL DESIGN AND INSTALLATION REQUIREMENTS

I. BUILDING REQUIREMENTS

General requirements for private swimming pools, spas, hot tubs, whirl pools, hydromassage bathtubs.

A. Swimming Pools

1. A building permit is required for any swimming pool having a water surface area exceeding 14m² (150 sq.ft.) and a depth of more than 450mm (18 inches).
2. All plans and specifications for in-ground swimming pools shall be prepared by a qualified Professional Engineer or Architect and shall bear the lawful seal of the designer (see note at the bottom of item 3).
3. Application for a building permit shall be accompanied by site plans showing:
 - (a) location of the principal and accessory buildings on the property;
 - (b) size and location of the swimming pool;
 - (c) location, construction, and height of fencing;
 - (d) size and location of filter and heater equipment or accessory building housing the equipment;
 - (e) location of swimming pool water supply; and
 - (f) location of the backwash or waste water disposal point;
 - (g) location of electrical service to buildings or equipment.

Note: With the exception of above-ground swimming pools, all site plans are to bear the lawful seal of a qualified Professional Engineer or Architect confirming the suitability of the siting and soil conditions for the proposed pool.

4. A letter of supervision of construction and a certificate of completed supervision are to be submitted by the designer except in the case of prefabricated pool systems assembled at the site as in the case of steel panel, vinyl-lined pools.

5. (1) A swimming pool shall be enclosed within a non-climbable fence having a minimum height of 1.2 meters, and having no openings greater than 100 mm at their least dimension.
- (2) Access through a fence enclosing a swimming pool shall be through a self closing gate designed so as to cause the gate to return to a latched position when not in use, and secured by a spring latch which is located on the swimming pool side.
6. A municipal inspection of the pool formwork is required before the concrete is placed. A final inspection is required after the swimming pool, accessory building, and fencing are completed.

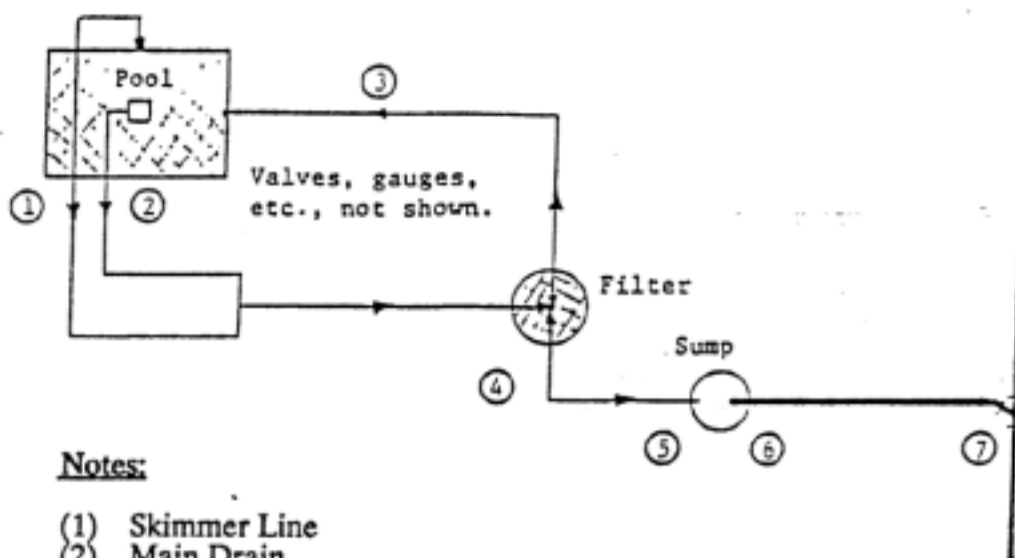
B. Spas, Hot Tubs, Whirlpools and Hydromassage Bathtubs

1. The installation and operation of such equipment may induce unanticipated vertical and horizontal forces upon its supports. Unless it is to be placed directly upon independent concrete foundations, duplicated copies of sealed drawings, prepared by a qualified structural engineer or architect showing the supporting structure are to be submitted in application for a building permit prior to the commencement of any work.
2. A letter of supervision of construction and a certificate of completed supervision, submitted by the designer, are also required in such cases.
3. Installations in exterior yard areas may constitute a hazard to young children and others and shall be enclosed by a protective barrier or fence as provided for in the requirements for swimming pools.

C. Ponds or Reflecting Pools

1. Ponds or Reflecting Pools having a depth of more than 450 mm (18 inches) shall be enclosed by a protective barrier or fence as provided for in the requirements for swimming pools.

POOL PIPING SCHEMATIC - N.T.S.



Notes:

- (1) Skimmer Line
- (2) Main Drain
- (3) Inlet Line
- (4) Backwash (Drain) Line
- (5) Air Gap Connection
- (6) Sanitary Sump Outlet Pipe
- (7) Connection to Building Drain or Sewer

II. **PLUMBING REQUIREMENTS**

General requirements for private swimming pools, spas, hot tubs, whirlpools, hydromassage bathtubs.

A. **Plumbing**

1. Pools, spas, or tubs having potable water supply and/or waste pipe shall be installed under permit and shall be in accordance with the current B.C. Plumbing Code.
2. All swimming pool drain lines shall discharge to a 24 inch diameter sump that is properly connected to a combined or sanitary sewer.
3. The water in a swimming pool shall be separated:
 - a. from any potable water supply by an approved backflow preventer to ensure that the water in the pool system does not flow back into the potable water supply;
 - b. by air gaps from the sewer or drainage system into which it drains; and
 - c. from a wading pool or therapeutic pool recirculation system;
 - d. drainage piping shall be laid at least 450 mm (18 inches) underground and potable water piping at least 600 mm (24 inches) underground;
 - e. inspection and approval by a municipal plumbing inspector is required before potable water or waste water pipes may be concealed.

III. **GAS REQUIREMENTS**

General requirements for private swimming pools, spas, hot tubs, whirlpools
hydromassage bathtubs.

- A. Gas fitting work shall be installed under permit and shall be in accordance with the B.C. Gas Act.

IV. **ELECTRICAL REQUIREMENTS**

General requirements for private swimming pools, spas, hot tubs, whirlpools
hydromassage bathtubs.

- 1. Electrical work shall be installed under permit, in accordance with the Canadian Electrical Code.
- 2. An electrical inspection and approval is required before any electrical work may be concealed.

SCHEDULE 10: **PURSUANT TO
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW**

CROSS CONNECTION CONTROL

SCHEDULE 10:

CROSS CONNECTION CONTROL

The purpose of this ordinance is to protect the water supply of the University Endowment Lands from contamination or pollution from potential cross connections; and assure that approved backflow devices are tested annually and upon installation.

The installation or maintenance of any cross connection which would endanger the water supply of the University Endowment Lands is prohibited. Any such cross connection now existing or hereafter installed is hereby declared unlawful and shall be abated immediately.

The control or elimination of cross connections shall be in accordance with the B.C. Plumbing Code. The policies and criteria for determining appropriate levels of protection shall be in accordance with the Accepted Procedure and Practice in Cross Connection Control Manual - Pacific Northwest Section - American Water Works Association, Fourth Edition or any superseding edition.

Water service to any premises shall be contingent upon the customer providing cross connection control in a manner approved by the University Endowment Lands. Backflow devices required to be installed shall be a model approved by the City of Vancouver Water Works Engineer.

Authorized employees of the University Endowment Lands with proper identification shall have free access at reasonable hours of the day, to all parts of a premise or within buildings to which water is supplied. Water service may be refused or terminated to any premise for failure to allow necessary inspections.

SCHEDULE 11: **PURSUANT TO
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW**

APPLICATIONS PROCEDURES
*(Amended by Ministerial Order M096,
Development Approval Information Area, April 9, 2013)*

SCHEDULE 11: APPLICATIONS PROCEDURES

This Schedule prescribes the information to be provided and the application forms to be used by applicants for:

- Development Permits
- Building Permits
- Plumbing and Oil Installation Permits
- Changes of Land Use District
- Ministerial Appeals

1.0 DEVELOPMENT PERMIT APPLICATIONS

1.1 Application

The applicant shall provide three copies of the application and the application shall include:

- (1) for all except items (c), (d) and (j) in Section 10(1), a fact sheet, sealed by a Registered Architect, or a B.C. Land Surveyor, containing all information required by the Manager.
- (2) preliminary design drawings, sealed by a Registered Architect, or a B.C. Land Surveyor, showing the siting, elevation and form of any proposed structures compared with any existing structures. The scale of any drawings shall be not less than one-eighth inch equals 1 foot.
- (3) payment of the non-refundable Development Permit Application fee specified in Schedule 2.

- (4) A comprehensive landscape plan detailing all planting, fencing and landscape elements.
- (5) A model of the proposed development at a scale of not less than one-eighth inch equals one foot.
- (6) The Application shall include such other information as the Manager deems necessary to ensure the size, architecture and scope of the project will be clearly evident to the neighbours.
- (7) Where the scope of the project is minor in nature the above requirements may be waived.

1.2 Sign(s)

Upon being notified that the application has been accepted, the applicant shall erect on the site a notification sign(s) along any road(s) fronting the site (not including lanes).

2.0 BUILDING PERMIT APPLICATIONS

2.1 The applicant shall provide three copies of the application and the application shall include:

- (1) a fact sheet containing the information required by the Manager. When the application is for buildings and structures or portions thereof not covered by Part 9 of the current edition of the B.C Building Code, the Fact Sheet must carry the seal of a Registered Architect or a Professional Engineer.
- (2) the plans, specifications and calculations listed in British Columbia Building Code.
- (3) payment of the non-refundable Building Permit Application Fee specified in Schedule 2.

3.0 PLUMBING AND OIL INSTALLATION PERMIT APPLICATIONS:

3.1 The applicant shall provide three copies of the application and the application shall include:

- (1) a fact sheet, containing the information required by the Manager.
- (2) the following plans as appropriate:
 - (a) the plumbing drawings and related documents listed in the British Columbia Plumbing Code.
 - (b) oil-burning equipment installation plans showing the make and the model of the burner, capacity, gauge, and location of storage tank.
- (3) payment of the applicable non-refundable fees specified in Schedule 2.

4.0 APPLICATION FOR CHANGE OF LAND USE DISTRICT

4.1 Application Requirements

(Amended by MO M096, effective April 9, 2013)

The applicant shall provide three copies of the following information for all change of land use district applications. All units should be in both imperial and metric.

- (1) Completed application form and fee, as specified in Schedule 2.
- (2) Letter of authorization to act on the property owner's behalf/ in respect of the application, if applicable.
- (3) Information requirements:
 - a) Development statement brief. A written summary of:
 - i. the present and intended uses and density of the site;
 - ii. rationale for the proposal;
 - iii. evaluation of the potential community and neighbourhood impacts and benefits;
 - iv. summary of feedback received from relevant agencies; and
 - v. how the proposal meets the intent of broader community goals or evolving community aspirations, including as set out in the Official Community Plan.
 - b) Site Plans - All site plans should include a north arrow, all property lines, surrounding properties, dimensions and closest streets on a" sides.

- c) Context Map - The applicant must submit an area map, context plan, elevation plans, description drawings and/or a model sufficient to illustrate the relationship of the proposal to surrounding developments and streets, including any relevant environmental conditions such as planned tree retention areas or other enhancement proposals.
 - d) Models and/or display boards may be required at the request of the Manager.
- (4) Project Data and Statistics - Information about the project should be included at the request of the Manager. This may include, but is not limited to, the following data and statistics:
- a) Lot or site area
 - b) Site coverage
 - c) Floor Space Ratio detailing exemptions where applicable
 - d) Floor space by land use
 - e) Project unit count
 - f) Building height in storeys and dimensions
 - g) All yards
 - h) Useable open space calculations, including private open space and common open space areas, but excluding surface parking areas
 - i) Proposed park land
 - j) Proposed road and/or street works and intersection improvements and any relevant emergency access provisions
 - k) Identification of all watercourses and riparian areas and required setback areas
 - l) Servicing plans, such as stormwater, water and sewer, and other servicing requirements, such as fire hydrants and street lighting
 - m) Geotechnical analysis

- n) Completed site profile, pursuant to the *Contaminated Sites Regulation* under the *Environmental Management Act*
- o) Building schemes
- p) Landscape plan
- q) Floor plans
- r) Typical cross sections of all buildings
- s) Phasing plan

A land use amendment application shall not be deemed complete until all information required under this schedule has been provided to the Manager and is prepared by a qualified professional acceptable to the Manager.

4.2 Application Review Procedure

Before deciding to approve or reject the application, the Minister:

- (1) will refer the application to the *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)* and the *Community Advisory Council (Amended by MO 2008005, effective February 1, 2008)* for comments, and
- (2) may conduct a public meeting for the purpose of allowing residents to comment on the proposed change.

5.0 APPLICATION FOR APPEAL TO MINISTER

5.1 The applicant shall provide three copies of the application and the application shall include:

- (1) the name, address and telephone number of the appellant.
- (2) the street address of the property or properties involved in the appeal.
- (3) a concise written statement describing the grounds for the appeal and any pertinent facts.
- (4) a statement of the action requested of the Minister.

**SCHEDULE 12: PURSUANT TO
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW**

STANDARDS OF MAINTENANCE

SCHEDULE 12:

STANDARDS OF MAINTENANCE

Application

1. The provisions of this schedule apply to all property and all buildings within the University Endowment Lands, and unless otherwise specified, the owner of said property and/or buildings shall be responsible for carrying out the work or having the work carried out in accordance with the requirements of this schedule.

Maintenance of Land

2. All property shall be kept clean and free from rubbish or debris, objects and materials, except for materials for immediate use in the construction, alteration or repair of a building on the land.
3. All land shall:
 - (a) be kept in a neat and tidy condition.
 - (b) lawns and gardens are to be kept clear of weeds.
 - (c) lawns are to be mowed on a regular basis so as to keep grass height from exceeding 10 cm (4 inches).
4. No vehicle, trailer, boat or mechanical equipment which is in a wrecked or dismantled condition shall be parked, stored or left on any land.

Fences

5. Fences and enclosures shall be kept:
 - (a) in good repair.

- (b) weather resistant.
 - (c) free from accident hazards, and
 - (d) free from posters, signs, notices, advertising material, words, pictures or drawings, or other defacement.
- 6. Nothing contained in Section 5 shall be deemed to prevent the lawful use of signs, notices or advertising material for the normal purpose of any lawful business conducted at the property.

Fire Escapes, Stairs, Balconies and Porches

- 7. Fire escapes, stairways, balconies or porches and landings in, on or appurtenant to a building shall be maintained:
 - (a) in a safe and clean condition.
 - (b) in good repair, and
 - (c) free from
 - (i) rust,
 - (ii) holes,
 - (iii) cracks,
 - (iv) excessive wear and warping, and
 - (v) hazardous obstructions.

Enforcement

- 8. The Manager, may issue an order to the owner of a building or property directing that the building or property be brought into compliance with a provision of this schedule and set a time limit for such order.
- 9. Where remedial action is not taken within the specified time limit the owner commits an offence against this schedule.

**SCHEDULE 13: PURSUANT TO
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW**

SCHEDULE TO RESTRICT SMOKING

SCHEDULE 13:

A SCHEDULE RESTRICTING SMOKING

WHEREAS it has been determined that second-hand tobacco smoke (exhaled smoke and the smoke from idling cigarettes, cigars, and pipes) is a health hazard or nuisance for many inhabitants of University Hill, and

WHEREAS, it is desirable for the health, safety, comfort and enjoyment of the inhabitants of University Hill to prohibit or regulate smoking, or both, in University Hill as in this bylaw more particularly set out.

Therefore, the Minister of Municipal Affairs, Recreation and Culture, upon the recommendation of the *Community Advisory Council (Amended by MO 2008005, effective February 1, 2008)* and *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)* of University Hill, enacts as follows:

Definitions:

1. In this Bylaw,
 - (a) "Employer" means any person who employs the services of an individual person;
 - (b) "Employee" means any person who is employed for consideration for direct or indirect monetary wages and profit;
 - (c) "Community Care Facility" means a Community Care Facility under the Community Care Facility Act for diagnosis, treatment and care of patients;
 - (d) "Place of Assembly" means an enclosed building or structure to which people are admitted for events of interest to the public including sporting, entertainment, educational and cultural events;

- (e) "Proprietor" means the person who ultimately controls, governs or directs the activity carried on within the kinds of premises referred to in this bylaw and includes the person actually in charge thereof;
- (f) "Reception Area" means the public space used by an office or establishment for the receiving or greeting of customers, clients or their persons dealing with such office or establishment, or any waiting area for the use of the public, clients, or customers;
- (g) "Restaurant" means any enclosed public place where meals are made available to be consumed on the premises and includes dining lounges, cafeterias, lunch counters, and canteens, but excludes any premises primarily intended for the consumption of alcoholic beverages;
- (h) "Retail Shop" means any place or premises where goods are displayed or offered for sale by retail, but does not include a restaurant or a place where the only trade or business carried on therein is the custom blending of tobaccos or the sale of tobaccos, pipes, cigars or smokers' sundries.
- (i) "Service Line" means an indoor line of two (2) or more persons awaiting service of any kind, regardless of whether or not such service involves the exchange of money, including but not limited to, sales, provision of information or advice and transfers of money or goods, and includes a service counter where such transaction take place;
- (j) "Second Hand Smoke" means:
 - (i) exhaled smoke.
 - (ii) smoke from idling cigarette, cigar or pipe or any other tobacco using device.
- (k) "Shopping Mall Concourse" means any enclosed area to which retail shops having entrances or exits but does not include parts of structures otherwise defined in this bylaw;

- (l) "Smoke or Smoking" includes the carrying of a lighted cigarette, cigar, or pipe or any other smoking equipment;
- (m) "Workplace" means any enclosed area of a structure or a portion thereof in which people work as an employee and which includes employee eating and lounge areas, but does not include parts of structures otherwise defined in this bylaw.

Retail Shops:

- 2. No person shall smoke in any retail shop except in accordance with Section 25.
- 3. The proprietor of every retail shop shall ensure that a sufficient number of signs as prescribed in Section 25 are prominently and conspicuously displayed so as to be clearly visible from all parts of each area to which Section 2 applies.

Shopping Mall concourses:

- 4. No person shall smoke in any shopping mall concourse.
- 5. The proprietor of a shopping mall to which Section 4 applies shall ensure that a sufficient number of signs as prescribed in Section 25 are prominently and conspicuously posted so as to be clearly visible from all parts of each area to which Section 4 applies.

Service Counters and Service Lines:

6. No person shall smoke in any service line or at any service counter on any premises.
7. The proprietor of any premise referred to in Section 6 thereof, shall ensure that a sufficient number of signs as prescribed by Section 25 are prominently displayed so as to be clearly visible from all parts of each floor to which Section 6 applies.

Reception Areas:

8. No person shall smoke in any reception area in any building establishment or office.
9. The proprietor of any building or establishment or office having a reception area as referred to in Section 8 hereof, shall ensure that a sufficient number of signs as prescribed by Section 25 are prominently and conspicuously posted in all areas.

Elevators, Escalators and Stairways:

10. No person shall smoke in an elevator or on an escalator or stairway in any building or part thereof.
11. The proprietor of any premises having elevators, escalators or stairways as referred to in Section 10 hereof, shall ensure that a sufficient number of signs prescribed by Section 25 are prominently and conspicuously posted in all areas regulated by Section 10 hereof.

Places of Public Assembly:

12. No person shall smoke in any enclosed indoor area being used as a place of public assembly, except as allowed in Section 13.

13. The proprietor of a place of public assembly may designate an enclosed portion of the place of public assembly as a smoking area.

Designated smoking areas may not occupy more than 30% of total floor space.

14. The proprietor of a place of public assembly to which Section 12 applies shall ensure that a sufficient number of signs as prescribed by Section 25 are prominently and conspicuously posted so as to be clearly visible from all areas to which Section 12 applies.

Community Care Facilities:

15. No person shall smoke in a health care facility, except as allowed by Section 16.
16. Enclosed areas may be designated as smoking rooms by the person responsible for the operation of the health care facility, if and only if,
 - a) the room is not required for any function other than a lounge or for eating;
 - b) equal or better lounge or eating facilities exist in the health care facility for non-smokers.
17. The persons responsible for the health care facility shall ensure that signs as prescribed by Section 25 or are prominently and conspicuously displayed so as to be clearly visible from all parts of each area to which Section 15 applies.

Restaurants:

18. No person shall smoke in a restaurant, except that a person may smoke in a smoking area, which area shall not occupy more than 50% of the seating area, and provided that if a smoking area is designated, patrons of the restaurant shall be given the option of being seated in a smoking or non-smoking area.

19. Every restaurant shall display prominently a sign which is clearly visible from the outside of the restaurant indicating whether the restaurant provides a smoking area.
20. Signs, as described in Section 25, will be conspicuously placed so as to be clearly visible on tables or on walls in an area where smoking is prohibited.
21. Where smoking is permitted in a part of a restaurant the proprietor shall place signs as prescribed in Section 26 on tables or on walls.

Workplace:

22. Any non-smoking employee in a workplace in University Hill may object to his/her employer about smoke in his/her workplace. The employer shall attempt to separate physically the smoking employees from the non-smoking employees. An employer is not, however, required by this bylaw to make any structural changes to accommodate the preferences of smoking employees.
23. If an accommodation which is satisfactory to all affected non-smoking employees can not be reached in any given workplace, the preference of non-smoking employees shall prevail and the employer shall prohibit smoking in that workplace. Where the employer permits smoking in a workplace, the area in which smoking is permitted shall be clearly marked with signs as prescribed by Section 25.
24. Where smokers are accommodated in a workplace, the employer may accommodate the smoking employees by providing them with an enclosed room that shall be designated for smoking, if and only if,
 - i) the room is not required for any function other than a lounge or for eating;
 - ii) equal or better lounge or eating facilities exist in the workplace for non-smokers.

25. Signs

Whereby any section of this bylaw, a sign is to be in accordance with this section, such sign shall be either graphic or lettered.

(A) Signs: Lettered

- (1) For the purpose of this section the letter height means the actual height of the letter regardless of whether it is a capital or lower case letter.
- (2) Signs in accordance with this section shall:
 - (a) carry the text "No Smoking", in capital or lower case letter, or a combination thereof;
 - (b) consist of two (2) contrasting colours, or if the lettering is to be applied directly to a surface or to be mounted on a clear panel, the lettering shall contrast to the background colour;
 - (c) the size of lettering shall not be less than the following height based upon the maximum viewing distance in direct line of sight for:
 - (i) ten (10) feet or less - letter height of one inch (1);
 - (ii) twenty (20) feet or less - letter height of two inches (2);
 - (iii) forty (40) feet or less - letter height of three inches (3);
 - (iv) eighty (80) feet or less - letter height of four inches (4);
 - (v) one hundred and sixty (160) feet or less - letter height of six inches (6);
 - (vi) two hundred and forty (240) feet or less - letter height of eight inches (8);

- (d) include in the text at the bottom of each sign "University Hill bylaw maximum penalty \$500" in letters not less than 1/4 of the height of all other letters on the sign.

(B) Signs: Graphic Symbols

- (1) One of the following graphic symbols may be used to indicate "no smoking areas". Each symbol shall include the text "University Hill Bylaw, Maximum Penalty \$500" in letters and figures at least 5 percentum of the diameter of the circle of the symbol and there may be added appropriate symbols such as directional arrows. Any such symbol shall be on a white background with the circle and the interdictory stroke in red, with a cigarette, letters and figures in black, provided such symbol complies with the other provisions of this section.
- (2) With respect to size of the graphic symbol, the diameter of the circle in the symbol referred to in Subsection 1 hereof shall be not less than the number of inches prescribed below, based upon the maximum viewing distance in direct line of sight, as follows:
 - (a) ten (10) feet or less - four (4) inches;
 - (b) twenty (20) feet or less - six (6) inches;
 - (c) forty (40) feet or less - twelve (12) inches;
 - (d) eighty (80) feet or less - twelve (12) inches;
 - (e) one hundred and sixty (160) feet or less twenty-four (24) inches.

- (3) Notwithstanding that the symbol in subsection (1) is a cigarette, it shall include a lighted cigarette, cigar, pipe or any other lighted smoking equipment.

26. Signs

Signs indicating smoking is permitted will be of the same dimensions as non-smoking signs, and shall be on a white background with a green circle surrounding a cigarette.

27. Penalty

Any person who contravenes any provision of this bylaw is guilty of an offence and on summary conviction is liable to a fine of not more than \$500, exclusive of costs.

**SCHEDULE 14: PURSUANT TO
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW**

**SCHEDULE TO PROVIDE FOR THE
CONTROL OF ANIMALS**

SCHEDULE 14:

A SCHEDULE TO PROVIDE FOR THE CONTROL OF ANIMALS

Definitions

1. In this Schedule,

"OCCUPIER", in respect of real property, means having an interest to the extent of being qualified to maintain an action for trespass;

"OWNER", in respect of a dog, includes possessor or harbourer;

"POUNDKEEPER", means the British Columbia Society for the Prevention of Cruelty to Animals, and includes an employee or other agent of the Society;

"RUN AT LARGE", means being elsewhere than on the premises of a person owning or having the custody, care, or control of any dog, and not being on a leash and under the immediate charge and control of a responsible and competent person.

"STREET", includes a highway, road, roadway, public sidewalk or walkway, boulevard, lane or alley.

"VICIOUS DOG", means:

- (a) a dog that has without provocation bitten or attacked a person or domestic animal either on public or private property;
- (b) a dog that has in a menacing or terrorizing manner approached any person in an apparent attitude of attack upon a street or other public place;

- (c) a dog owned or harboured primarily or in part for the purpose of dog fighting, or a dog trained for dog fighting; or
- (d) a dog with a known propensity, tendency or disposition to attack without provocation other domestic animals or humans.

Control and Licensing

- 2. Every person who is the owner of a dog over the age of 3 months is required to procure an annual licence for his dog. These licence fees are due and payable on January 1 of each year or, when a person becomes the owner of a dog over the age of 3 months. After January 1, the fees are due and payable during the month the person becomes the owner of such dog. If a licence fee owing is not paid within 30 days of the date it becomes due and payable, a penalty is added. The fees and penalty are shown in Schedule 2.
- 3. Every licence issued under this Bylaw shall be accompanied by a tag.
- 4. Every dog owner shall provide his dog with collar to which he shall affix the tag and the owner shall ensure that the collar and tag are worn by his dog at all times when the dog is not on the premises of the owner.
- 5. Tags and licences issued under this Bylaw are not transferrable from one dog to another and no dog owner shall be entitled to a refund on any paid up dog licence fee.
- 6. No person shall keep or harbour more than two (2) dogs over the age of four months on any one premise owned or occupied by him. PROVIDED, however, that person who at the date of adoption of this Bylaw holds a valid and subsisting licences, for three dogs may, subject to payment of the annual licence fee, keep each of the dogs so licensed without offending against this Bylaw for as long as the dog remains alive, but such person shall become subject to the limitation set out herein on the number of dogs permitted to be kept or harboured on

any one premise within the University Endowment Lands upon applying for a licence for a dog other than one for which he had obtained a valid licence.

7. Dogs are not allowed to run at large in the University Endowment Lands. Any dog running at large may be impounded. The impounding fees and conditions of retention are those set forth in the appendix to this schedule.
8. No owner shall permit:
 - (a) a dog to defecate in or upon:
 - (i) a street, public beach, park, public school ground, boulevard or any other public place; or
 - (ii) private property other than property owned or occupied by the dog owner.
 - (b) subsection (a) does not apply to a blind person accompanied by a guide dog.
 - (c) notwithstanding section 8(a) (ii) an owner does not commit an offence if the owner or person having charge of the dog immediately removes the excrement from the private property.
9. No person who has removed animal excrement shall deposit the same on any public or any private property other than that owned or occupied by him.
10. No person shall keep or harbour within the University Endowment Lands any vicious or habitually noisy dog.
11. Every occupier of premises where any dog is kept or found and every person wheresoever encountered, having at that time the apparent custody of a dog, shall forthwith, upon demand made by the Poundkeeper or peace officer, truthfully and fully supply the following information:

- (a) the name of such person;
- (b) the number of dogs owned or kept by him, their breed, sex and general description;
- (c) the place where such dogs are kept; and
- (d) whether the dogs are currently licensed.

Miscellaneous

- 12. No horses, cattle, swine, goats, sheep or fowl shall be kept or be permitted to be kept on any lot, or in any building therein, within the University Endowment Lands.
- 13. The breeding of domestic animals or pets for commercial purposes shall not be permitted within the University Endowment Lands.

Penalty

- 14. A person who contravenes this Schedule by doing an act that it forbids, or by omitting to do an act that it requires to be done, commits an offence and is liable, upon summary conviction, to a fine of not less than \$50.00, exclusive of costs.

**SCHEDULE 15: PURSUANT TO
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW**

SPRINKLING REGULATIONS

Adopted July 9, 1999

**Jenny W.C. Kwan
Minister, Municipal Affairs**

SCHEDULE 15:

SPRINKLING REGULATIONS

1. Definitions

In this schedule,

- (a) “GVWD” means Greater Vancouver Water District;
- (b) “Newspaper” means a publication or local periodical that:
 - (i) contains items of news and advertising, and
 - (ii) is distributed at least weekly in the University Endowment Lands (UEL);
- (c) “Sprinkle or sprinkling” means the application or distribution of water on lawns or boulevards by sprinkling or spraying but does not include the method known as “drip irrigation”;
- (d) “UEL” means the University Endowment Lands;
- (e) “Water” means water supplied by the province;
- (f) “WSRP” means the Water Shortage Response Plan prepared by the GVWD, a copy of which is available for viewing at the office of the Commissioner of GVWD at 4330 Kingsway, Burnaby, British Columbia, V5H 4G8, or at the office of the UEL at 5495 Chancellor Boulevard, Vancouver, B.C., V6T 1E2.

2. Prohibition

- 2.1 Between the last Saturday of May and September 30 in each year no person shall sprinkle or allow sprinkling except in compliance with the provisions of this bylaw.

3. Sprinkling Restrictions

- 3.1 If the Commissioner of the GVWD advises the manager in writing that in accordance with the WSRP a reduction in water use is necessary requiring Stage II restrictions under the WSRP, no person shall sprinkle or allow sprinkling except at premises:
 - (a) with even numbered civic addresses on Wednesdays and Saturdays between the hours of 4:00 a.m. and 9:00 a.m. and between the hours of 7:00 p.m. and 10:00 p.m.; and
 - (b) with odd numbered civic address on Thursdays and Sundays between the hours of 4:00 a.m. and 9:00 a.m. and between the hours of 7:00 p.m. and 10:00 p.m.

- 3.2 If the Commissioner of the GVWD advises the Manager in writing that in accordance with the WSRP a reduction in water use is necessary requiring Stage III restrictions under the WSRP, no person shall:
- (a) sprinkle or allow sprinkling except at premises:
 - (i) with even numbered civic addresses on Wednesdays between the hours of 4:00 a.m. and 9:00 a.m. and between the hours of 7:00 p.m. and 10:00 p.m.; and
 - (ii) with odd numbered civic addresses on Thursdays between the hours of 4:00 a.m. and 9:00 a.m. and between the hours of 7:00 p.m. and 10:00 p.m.
 - (b) utilize a hose to wash down or hose sidewalks or driveways or other outdoor surfaces at any time;
 - (c) wash motor vehicles with a hose unless the hose is equipped with a shut off device that is spring loaded and operates by using hand pressure.
- 3.3 If the Commissioner of the GVWD advises the Manager in writing that in accordance with the WSRP a reduction in water use is necessary requiring Stage IV restrictions under the WSRP, no person shall:
- (a) sprinkle or allow sprinkling at any time;
 - (b) utilize a hose to wash down or hose sidewalks or driveways or other outdoor surfaces at any time;
 - (c) at any time water or spray any trees, shrubs, flowers or vegetables (except for large gardens forming part of apartment, townhouses or other multi-dwelling premises and commercial buildings where hand watering is impractical) or wash motor vehicles with a hose unless such spraying, watering or washing is done by way of a hand held container or hose equipped with a shut of device that is spring loaded and operates by using hand pressure.
- 3.4 The provisions of Sections 3.1 to 3.3 inclusive do not apply to a person who has a valid and subsisting permit issued under section 5.1 or to the class of water users exempted in Section 6.1, and the provisions of paragraphs 3.2(b) and 3.3(b) do not apply to outdoor areas which may be required by law to be cleaned so as to comply with health or safety standards.

4. Notice

- 4.1 Sufficient notice of the restrictions set out in Section 3 of this bylaw or in any change or revocation thereof shall be deemed to have been given by an announcement made on behalf of the province through a radio or television station broadcasting in the area of the UEL or by one publication in a newspaper not less than 72 hours prior to the commencement, change or revocation of the restrictions.

5. Permits

- 5.1 A person who has installed a new lawn, either by placing sod or turf or by seeding, or who has installed new landscaping of a substantial part of the outdoor portion of a premise may apply to the Manager for a permit which will entitle the permittee to sprinkle at any time during the currency of the permit.
- 5.2 The Manager shall issue a permit to an applicant pursuant to Section 5.1.
- 5.3 A permit issued under Section 5.1 shall be valid for a period of 30 days after the date of its issue and shall be conspicuously displayed at the premises for which it was issued.
- 5.4 After the expiration of a permit issued under Section 5.1 a person may apply for and may obtain subsequent permits under Section 5.1.

6. Exemptions

- 6.1 The provisions of Sections 3.1 to 3.3 inclusive shall not apply to the following class of water users which rely upon the steady supply and use of water:
- (a) nurseries;
 - (b) golf courses and pitch-and-putt courses.

**SCHEDULE 16: PURSUANT TO
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW**

**STRATA TITLE AND
COOPERATIVE CONVERSION**

Adopted July 9, 1999

**Jenny W.C. Kwan
Minister, Municipal Affairs**

SCHEDULE 16:

STRATA TITLE AND COOPERATIVE CONVERSION GUIDELINES

A. Application

This Schedule outlines factors which the Manager will take into consideration in reviewing an Application for converting a previously occupied building to strata title or cooperative ownership.

Under *Section 11* of the *University Endowment Land Act* the Minister has appointed the Manager of the University Endowment Lands as the approving authority under *Section 9* of the *Condominium Act* or *Section 61(7)(a)* of the *Real Estate Act* for the conversion of previously occupied buildings into strata or cooperative units.

B. Statutory Provisions

With respect to strata title conversions the *Condominium Act* requires that the Manager shall consider in making its decision:

- (a) the priority of rental accommodation over privately owned housing in the area;
- (b) the proposals of the owner/developer for the relocation of persons occupying the building;
- (c) the life expectancy of the building; and
- (d) projected major increases in maintenance costs due to the condition of the building.

The Manager may also consider any other matters that, in its opinion, are relevant.

C. Guidelines

1. For the Manager to give favourable consideration to an Application for converting a previously occupied building to strata title or cooperative ownership:
 - (a) at least two-thirds (2/3) of the households occupying the building must have given their written consent to the conversion; on a form provided by the Manager; and
 - (b) the interests of all tenants must have been adequately respected in the conversion process.

2. The Manager may refuse an Application, where in the Manager's opinion, there appears to be an intent to circumvent these guidelines, or the interests of the rental tenants were not adequately respected in the change of occupancy.
3. The Manager may refer the Application to the *Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)* for their recommendation where the Manager desires a broader range of community input.
4. The Manager may approve an Application, refuse it, or refuse to approve it until conditions imposed by the Manager are met.
5. Conditions imposed by the Manager must be fulfilled within one year from the date of the approval in principal. Thereafter a new Application shall be required to be submitted to the Manager.
6. The Manager's decision on any Application is final and where an application is refused, no similar Application will be considered until one year from the date of the Manager's refusal.

D. Application Procedure

1. An application for approval of a strata conversion shall be made to:
Manager
University Endowment Lands
5495 Chancellor Boulevard
Vancouver, B.C. V6T 1E2
2. An application shall be accompanied by the following:
 - (a) site plans of the proposed strata plan for the building showing the various strata lots, common property, limited common property and onsite parking.
 - (b) a report from a professional engineer or architect registered in British Columbia addressed to the Manager advising as to:
 - (i) the work required to be done to the building so that it would substantially comply with the Building Code of British Columbia, as amended from time to time, and with any other Bylaws that apply to the building and;
 - (ii) the approximate life expectancy of the building following completion of the work referred to in paragraph 2(b)(i).

- (c) a letter setting forth the name and mailing address for each person occupying a suite within the building, together with the proposals by the owner developer for the relocation of persons who may be affected by the proposed conversion.
 - (d) a notarized declaration stating:
 - (i) that each person occupying the building has been given written notice of the intent to convert the building into strata lots under the ***Condominium Act*** or cooperative units under the ***Real Estate Act*** together with the date of notice;
 - (ii) the number of units occupied on the date of the notice;
 - (iii) that the notice has been posted in conspicuous places in the building, advising of the intent to convert the building into strata lots under the ***Condominium Act*** or cooperative units under the ***Real Estate Act***; and
 - (iv) that each person occupying a unit in the building has been provided with prospective sales prices, example management fees and a copy of the declaration of the building quality outlined in (b).
 - (e) a fee for processing the application equal to the sum of Two Hundred (\$200.00) dollars plus Fifty (\$50.00) for each dwelling unit proposed for conversion.
3. Upon receipt of an Application, the Manager shall:
- (a) refer it to the Building Inspector and Fire Prevention Office and in so doing shall request their advice in connections with the building with respect to:
 - (i) zoning;
 - (ii) safety, fire hazard and sanitary conditions;
 - (iii) off street parking and loading provisions;
 - (iv) minimum dwelling unit and room sizes; and
 - (v) such other matters as they deem pertinent.
4. (a) After reviewing the Application and other relevant information the Manager may:
- (i) refer the Application to ***Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)*** for their comments and recommendation;

(ii) convene a meeting of those affected providing:

- a notice of such meeting has been posted in a conspicuous place in the lobby of the building;
- at least 14 days notice of such meeting is given by registered mail to the occupants of the suites shown on the list referred to in paragraph 2 (c);
- the ***Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)*** has been notified and requested to attend the meeting.

(b) The Manager shall not approve an Application unless the applicant has provided satisfactory evidence that:

- (i) each tenant within the building will be given a right of first refusal to purchase the suite in which he/she resides;
- (ii) the tenants within the building who do not purchase the suites in which they reside shall be given a right of first refusal to purchase those suites within the building which are not purchased pursuant to the rights of first refusal referred to in paragraph 4(b)(i);
- (iii) each tenant within the building who does not purchase a suite pursuant to 4(b)(i) or 4(b)(ii) shall be entitled to remain in his/her suite for up to six months after the strata plan for the building has been registered in the Land Title Office, at the same rent as the tenant was being charged at the time the application was made.

5. (a) In making a decision on the application, the Manager shall consider:

- (i) the priority of rental accommodation over privately owned housing in the area;
- (ii) the proposals of the owner developer for the relocation of persons occupying the building;
- (iii) the life expectancy of the building; and
- (iv) projected major increases in maintenance costs due to the condition of the building;

and may consider such other matters that, in the Manager's opinion, are relevant.

- (b) The Manager may refuse to approve the Application or refuse to approve the Application until terms and conditions imposed by him are met and the Managers decision shall be final.
 - (c) The Manager may approve the application subject to:
 - (i) the building renovated so that it substantially complies with the British Columbia Building Code, as amended from time to time;
 - (ii) the building being insubstantial compliance with any other Bylaws that apply to it;
 - (iii) the renovations contemplated in paragraph 5(c)(i) being completed to the satisfaction of the Manager; and
 - (iv) such other matters as deemed relevant.
 - (d) Once the conditions to the approval referred to in paragraph 5(c) have been fulfilled to the satisfaction of the Manager, the Manager shall issue a certificate in respect to the approved conversion application in accordance with the ***Condominium Act or the Real Estate Act***.
6. The Manager, upon the recommendation of the ***Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)*** may waive any of the foregoing guidelines if the Manager is of the view that they are not applicable to a particular strata title or cooperative conversion Application.

APPENDIX 1: **PURSUANT TO
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW**

**DESIGN GUIDELINES FOR THE
UNIVERSITY HILL VILLAGE
COMMERCIAL AREA**

PREPARED BY: HOTSON BAKKER ARCHITECTS

DESIGN GUIDELINES FOR UNIVERSITY HILL COMMERCIAL AREAS

1.0 INTENT

The intent of this Schedule is twofold:

- i) to identify the design features that will contribute positively to the development of the commercial area of University Hill Village.
- ii) to delineate these design features into guidelines that will provide direction for those who develop (developers, builders, design professionals) and those who review development proposals (the Manager, neighbouring residents).

In preparing these guidelines it has been assumed that the overall character of commercial development in University Hill should convey a "village" ambience. This assumption has led to a range of guidelines that deals with the design of buildings, streets, parking and open areas since it is the combination of all of these elements that creates the ultimate physical environment.

2.0 HOW THE GUIDELINES WORK

The guidelines are divided into two sections:

- i) Those for buildings on individual land holdings.
- ii) Those for street level including streets, lanes, parking and open areas.

The structure for each guideline is comprised of:

- i) A title.
- ii) A statement of intent that describes the purpose, or rationale, behind the guideline.
- iii) The guideline, or prescriptive, statement.
- iv) An illustration, or diagram, that conveys the visual idea behind the guideline.

Guidelines are meant to provide direction, not necessarily solutions, to design problems. Each guideline is open to interpretation and there may be several different ways that a design can be developed, yet still meet the intent of the guideline.

3.0 GUIDELINES FOR BUILDINGS

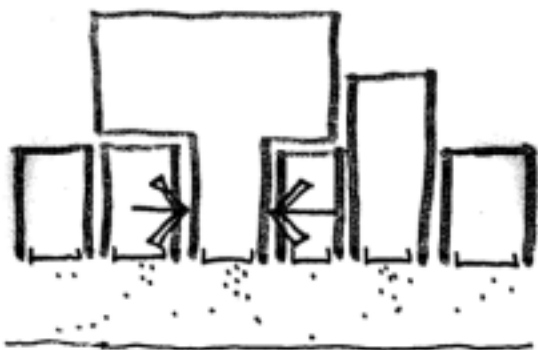
3.1 Variety of Convenience Uses



The commercial areas that we most enjoy for day-to-day shopping are those where a variety of products is available for purchase in a comfortable and convenient environment. The careful combination of products and environment will stimulate repeat visits by people of all ages.

ENCOURAGE A MIX OF CONVENIENCE SHOPPING USES AND ACTIVITIES, OFFERING PRODUCTS TO ALL AGE GROUPS.

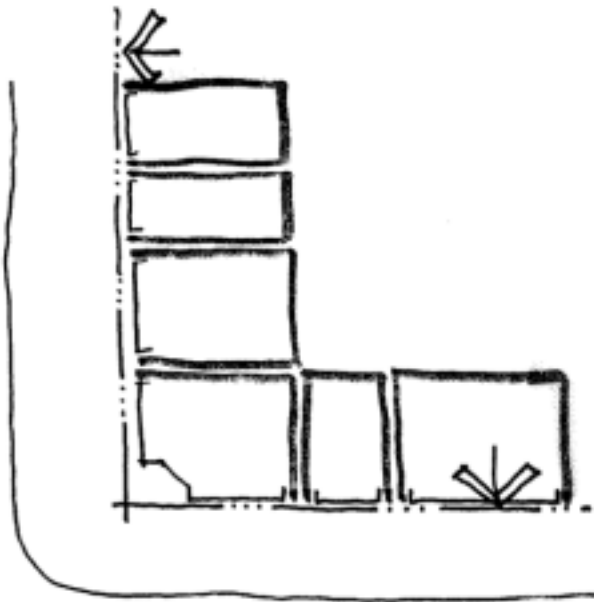
3.2 Small Scale Continuity



A diversity in our environment is created by many small users. The scale of shopfronts in a commercial district either adds to or takes away from this feeling of diversity.

ENSURE THAT STOREFRONTS HAVE NARROW FRONTAGES IN A CONTINUOUS PATTERN ALONG STREETS. LARGE SINGLE USERS SHOULD BE ENCOURAGED TO MAINTAIN A NARROW SHOPFRONT AND WIDEN OUT TO THE REAR OF THE STORE.

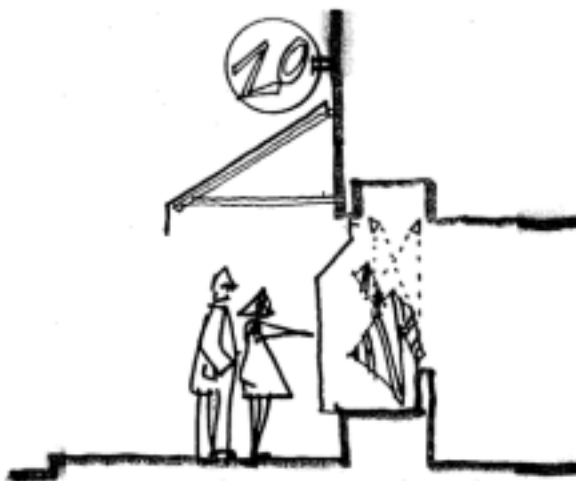
3.3 Property Line as "Build To" Line



The most successful streets are those in which there is a feeling of proximity between the pedestrian and the shopfront. Areas where shops are set back a long distance or separated from the street by parking areas detract from the ability to see and touch the products being offered in the retail outlets.

BUILDINGS AND THEIR STOREFRONTS SHOULD BE BUILT TO THE PROPERTY LINE TO CREATE A STRONG DEFINITION OF BUILT FORM ALONG THE STREET AND TO GUARANTEE THE PROXIMITY OF SHOPPING TO THE PASSER-BY.

3.4 Pedestrian Interest at Street Level

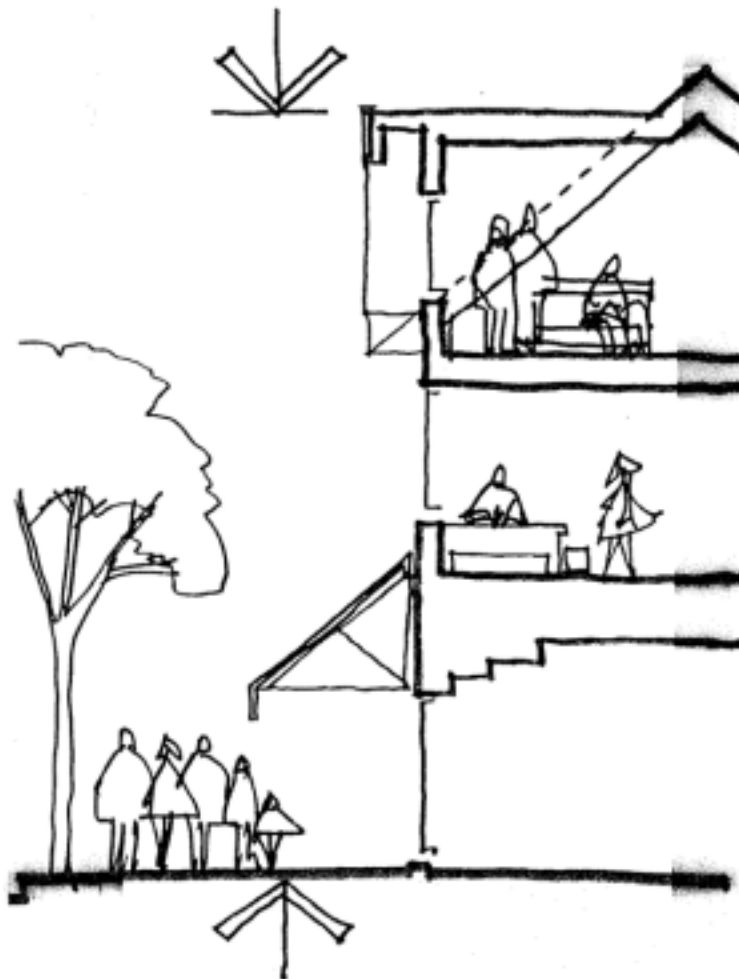


The design of storefronts and the products that are being displayed within do a great deal to encourage the passer-by to browse and ultimately purchase goods or services.

PEDESTRIAN INTEREST SHOULD BE ENCOURAGED AT THE STOREFRONT THROUGH MAXIMISATION OF GLASS AREAS, UTILISATION OF CLEAR GLASS, PROFESSIONAL WINDOW DISPLAYS AND THE USE OF INCANDESCENT DISPLAY LIGHTING.

3.5 Building Wall Enclosure

The most successful urban streets are those where there is a strong definition created by the buildings that front the properties along the street. In University Hill a three storey limit is placed on commercial buildings. This scale of development is user friendly yet sufficient to provide a desirable degree of street definition. Moreover, by having more levels of activity within buildings adjacent to the street a higher degree of surveillance and visual interaction occurs in the street space.



ENCOURAGE THE DEVELOPMENT OF A THREE STOREY BUILDING WALL AT THE PROPERTY LINE. THE UPPERMOST FLOOR MAY BE CONTAINED WITHIN ROOF FORMS THROUGH THE USE OF GABLES AND DORMER CONSTRUCTION.

3.6 Outdoor Marketing

The vitality of a street is enhanced when products are offered for sale on the sidewalk. This adds to the richness and diversity of the pedestrian experience and creates a changing pattern on the street.



ENCOURAGE THE "SPILLING OUT" OF MERCHANDISING INTO SIDEWALK AREAS. ENSURE THAT SUCH MERCHANDISING IS WELL DISPLAYED, LOCATED TO ALLOW CONTINUOUS PEDESTRIAN USAGE OF THE SIDEWALK AND MOVABLE FOR EASY DISMANTLING.

3.7 Village-Like Building Forms

Portions of the existing commercial development in the University Hill Area possess a building character that is reminiscent of early village forms. This character contributes positively to the surrounding neighbourhood and represents an appropriate form for future commercial development.

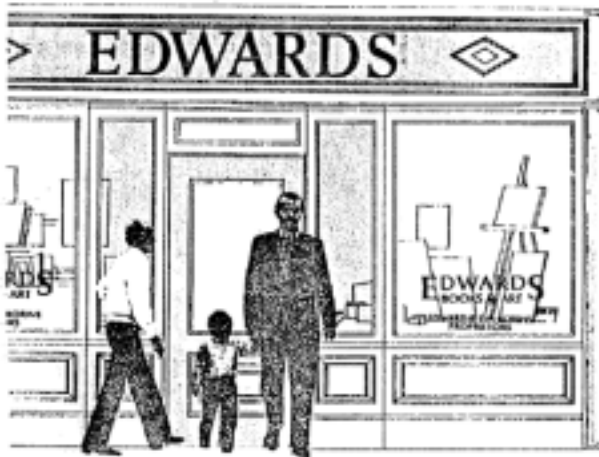


ENCOURAGE THE DEVELOPMENT OF BUILT FORM THAT IS COMPOSED OF VISUALLY SEPARATE YET INTERCONNECTED PIECES, REMINISCENT OF VILLAGE FORMS. THE USE OF SLOPED ROOFS WITH GABLE AND DORMER FORMS IS PREFERABLE TO FLAT ROOFS.

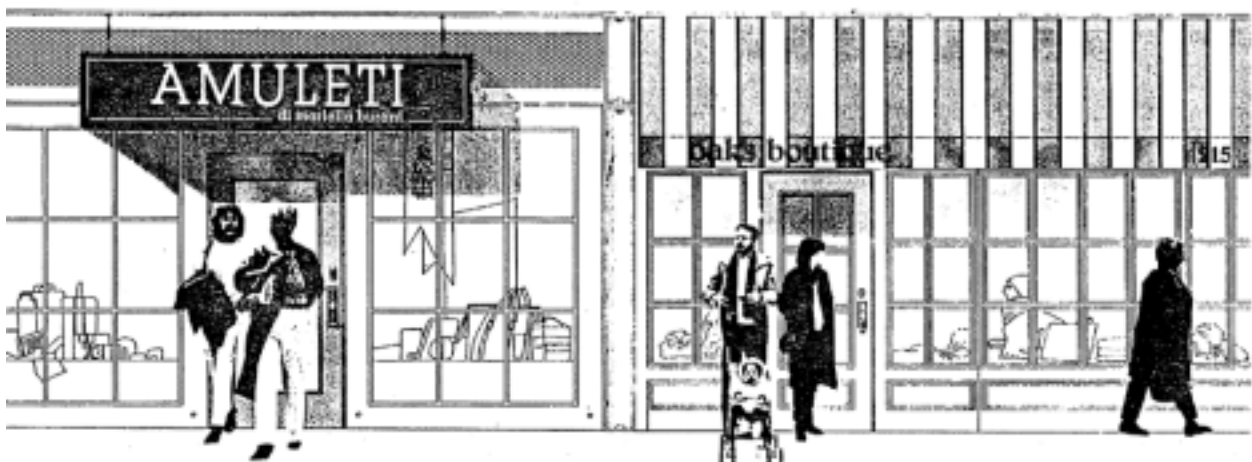
3.8 Traditional Storefronts

Consistent with the desire to create village-like developments the design of individual storefronts can be a major contributor to this character. The traditional storefront consists of:

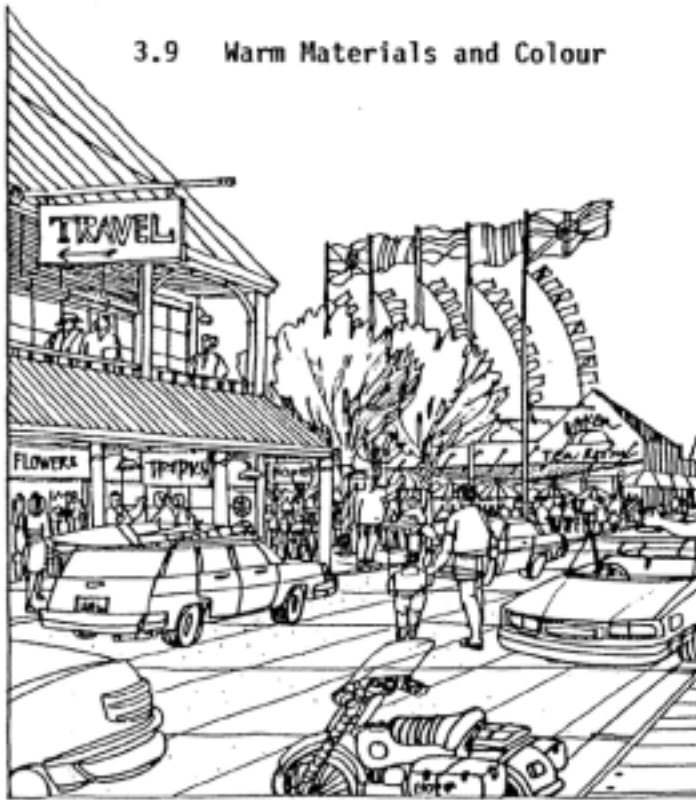
- i) a single or paired entry door, normally recessed into the storefront;
- ii) storefront base;
- iii) clear glazed storefront, wood or metal sash; and
- iv) upper storefront element usually consisting of smaller scaled elements in the detail in its construction.



ENCOURAGE THE USE OF TRADITIONAL
STOREFRONTS IN COMMERCIAL DEVELOPMENT.



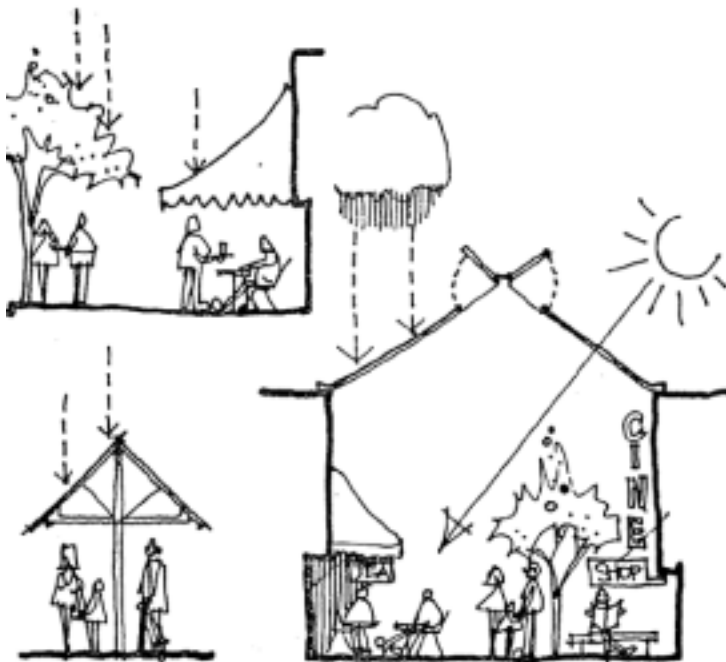
3.9 Warm Materials and Colour



Interesting and diverse environments are enhanced through the use of a variety of materials and colour. With the use of a higher degree of detailing like window trims, barge boards, fascias and varying wall treatments a higher degree of complexity can be achieved in the architecture at a relatively small cost. By adding a variety of colour to the elements of the building skin a richness and depth can be achieved.

ENCOURAGE THE USE OF A HIGH DEGREE OF DETAILING AND COLOUR IN THE DESIGN OF BUILDING FACADES AND CANOPIES.

3.10 Rain Protection for Pedestrians

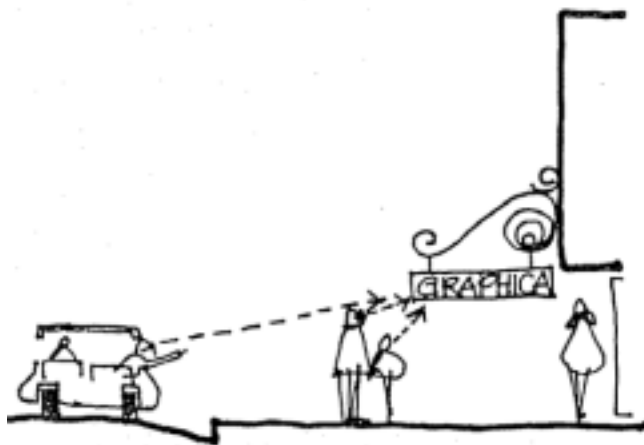


Continuous rain protection is a must in areas where pedestrian activity is encouraged. There are various forms that this protection can take, the most common being the fabric and steel frame canopy, glazed canopy or recessed storefronts to achieve a covered colonnade.

CONTINUOUS RAIN PROTECTION IS MANDATORY IN COMMERCIAL DEVELOPMENTS. WHERE CANOPIES ARE EMPLOYED THEY SHOULD BE SLOPED AND ANGULAR IN THEIR FORM, CONSISTENT WITH THE DESIRE FOR SLOPED ROOFS, RATHER THAN THE HALF BARREL VAULT WHICH IS A MORE CONTEMPORARY FORM.

3.11 Projecting Signage

Most commercial developments today encourage the use of fascia signs placed above storefronts. Typically these signs are aluminum boxes with back lit plastic copy, sized to be readable by passing traffic. The objectives of this commercial district with its local, convenience orientation should be towards the development of signage that is of a pedestrian scale and character. To this end, projecting signs that are readable from up and down the street are a more sympathetic form.



ENCOURAGE THE USE OF PROJECTING SIGNAGE, POSITIONED ON THE STOREFRONT SO AS TO BE NO LOWER THAN 8' ABOVE GRADE AND EASILY VIEWED BY THE PEDESTRIAN USING THE SIDEWALK. BACK LIT ALUMINUM SIGN BOXES ARE DISCOURAGED. SIGNS THAT USE SYMBOLS TO REPRESENT THE STORES PRODUCT ARE ENCOURAGED. INCANDESCENT FRONT LIGHTING IS ENCOURAGED TO HIGHLIGHT THE GRAPHIC COPY OF THE SIGN.

4.0 GUIDELINES FOR STREET LEVEL

4.1 Street Definition and Continuity

Streets are not only defined by the buildings that enclose them. Through the use of continuous tree planting and boulevard landscaping (grass, plants or paving) a continuity and definition is achieved. This tends to zone the street space into the area for the roadway and the areas for pedestrian usage. Such landscaping programmes can be financed in a variety of ways subject to the degree of participation by public and private sectors.

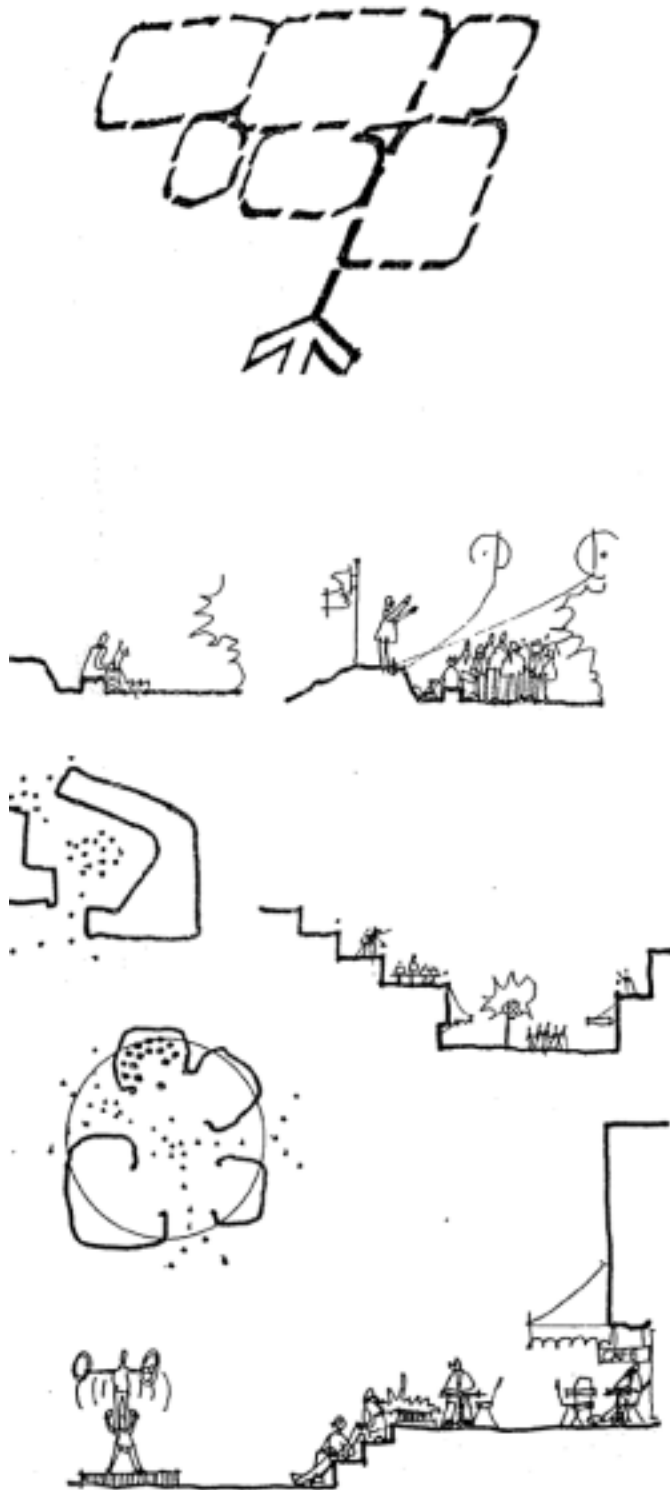
ESTABLISH A PROGRAMME OF REGULARLY-SPACED TREE PLANTING AND CONTINUOUS BOULEVARD LANDSCAPING (WHERE APPLICABLE) ON COMMERCIAL FRONTAGES IN THE UNIVERSITY HILL AREA. ENSURE THAT TREES ARE SENSITIVELY LOCATED SO AS TO



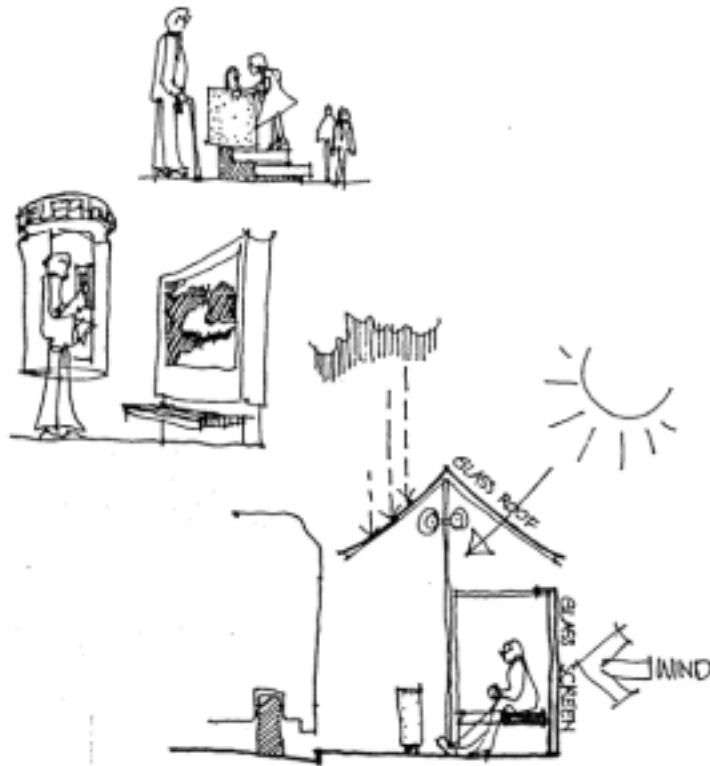
4.2 Pedestrian Domain

The opportunity exists to use not only sidewalks but alleyways, corner shortcuts, courtyards and laneways as part of a total pedestrian system for the commercial areas. The resulting network is largely determined by the footprint of buildings that are developed on individual lots. It is consistent with the desire to create a village-like character to use the built form to create the alleyways and courtyards that will offer as much amenity to the pedestrian as the developments themselves.

ENCOURAGE THE DEVELOPMENT OF OFF-STREET PATHWAYS, COURTYARDS AND LANEWAYS TO CREATE A PEDESTRIAN NETWORK OFFERING A VARIETY OF WALKWAYS AND OPEN SPACES FOR PEOPLE USING THE AREA.



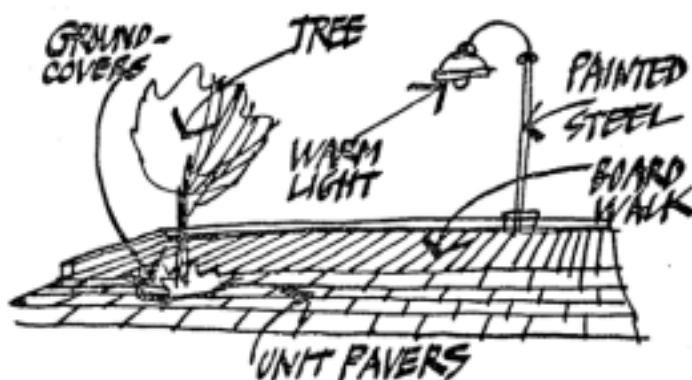
4.3 Grouping Public Amenities



There are a number of elements within the public domain that will encourage public activity. For example, mailboxes, newspaper vending boxes and benches work well together in creating a pause area along a sidewalk. The addition of a telephone and a bicycle rack further enhances the number of activities that may take place at this location.

ENCOURAGE THE GROUPING OF PUBLIC AMENITIES IN THE OPEN SPACE SYSTEM TO CREATE NODES OF ACTIVITY AS MEETING PLACES IN THE NEIGHBOURHOOD.

4.4 User Friendly Surfaces



The design of the open space environment must take into account the use of materials that contribute to the public use of a place and yet are manageable in terms of ongoing maintenance and operating costs. For example, a carefully designed planter box may afford a place to sit without having to support the capital and maintenance costs of an expensive bench.

ENCOURAGE THE USE OF DURABLE, YET COMFORTABLE, MATERIALS AND SURFACES IN THE DESIGN OF THE PUBLIC DOMAIN.

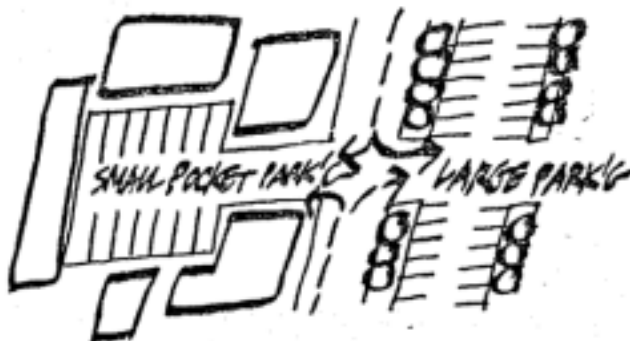
4.5 Barrier Free Movement



It is essential that all elements at street level be designed to allow for the continuous movement of those who are disabled by sight or mobility; or, simply for the convenience of baby buggies and bicycles.

CREATE A BARRIER FREE ENVIRONMENT THROUGH THE USE OF CURB CUTS, ROLL CURBS, LEVEL THRESHOLDS INTO STOREFRONTS AND CURBLESS LOADING AND PARKING AREAS.

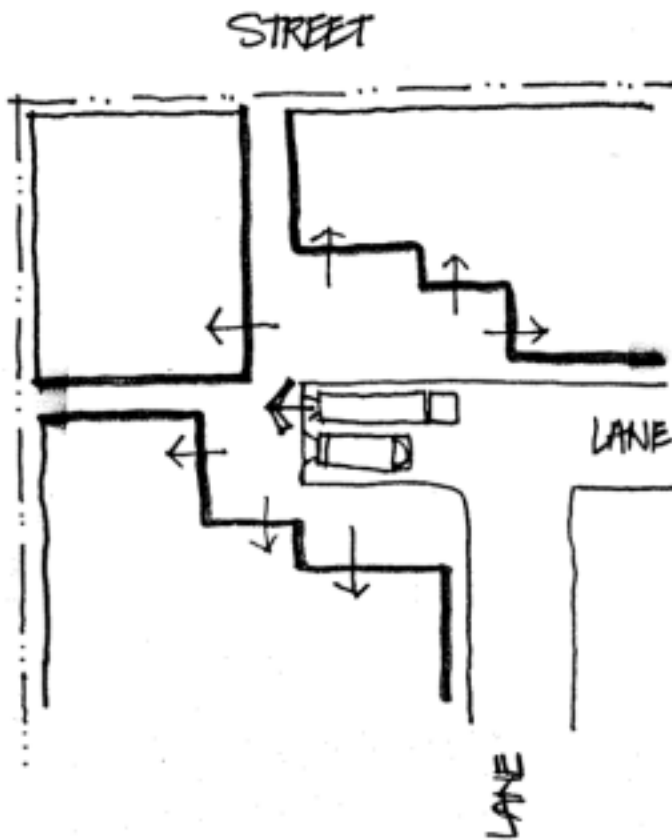
4.6 Pocket Parking Lots



Sufficient parking close to a person's destination is critical for the success of a local shopping precinct. However, large parking lots dominate a shopping environment to the point at which a village character can be destroyed. By grouping parking into a series of smaller lots adjacent to shops parking can be convenient yet disbursed and controlled in scale.

ENCOURAGE THE DEVELOPMENT OF GROUP PARKING IN SMALL "POCKET" LOTS THROUGHOUT THE COMMERCIAL AREA RATHER THAN NECESSARILY REQUIRING ALL INDIVIDUAL DEVELOPMENTS TO INCLUDE PARKING ON SITE.

4.7 Communal Loading Areas



In a small neighbourhood shopping area the provision of individual loading bays can be onerous and can detract from the back lot character of a development. Within the commercial precincts of University Hill it should be possible to create communal loading zones where a number of individual projects can be serviced from one location. For example, areas may be set aside in the lanes for two or three loading bays to service adjacent projects.

ENCOURAGE THE DEVELOPMENT OF COMMUNAL LOADING AREAS TO MINIMISE THE IMPACT OF TRUCK SERVICING AND YET PROVIDE CONVENIENT ACCESS TO INDIVIDUAL PROPERTIES.

**APPENDIX 2: PURSUANT TO
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW**

**DESIGN GUIDELINES FOR
UNIVERSITY HILL
SINGLE DETACHED DWELLINGS**

PREPARED TO: E. BRYCE ROSTICH ARCHITECT

APPENDIX 2:

DESIGN GUIDELINES FOR UNIVERSITY HILL SINGLE DETACHED DWELLINGS

PREAMBLE

These design guidelines, meant to be used in concert with SF-1 and SF-2 zoning regulations and schedules, are to assist applicants in the design of houses, as well as to assist the Manager in evaluating proposals. The guidelines are intended to encourage design that responds to the concerns and desires of University Hill residents. By following the intent of these guidelines, an applicant increases the likelihood of neighbourhood acceptance of a development proposal.

The guidelines are grouped under four headings, all of which must be taken into consideration when deciding on a particular design.

DESIGN

There is no attempt to dictate a particular style or type of design for University Hill. The applicant is asked to consider neighbours when deciding on style, materials and colours as an indication of what is commonly accepted. It is also suggested that the applicant take into consideration the environment of the West Coast. Our moderate winters and periods of numerous gray days and rain, as well as glorious stretches of strong sunshine have led to the development of styles and selection of colours and materials which stand up best under these conditions and make the most of the climate we have.

VIEWS

The retention of existing views, particularly those to the north, is extremely important. Because of the value placed on these views, any screening or obliteration of existing views would be met with strong opposition.

Views from windows in prime rooms - those from living rooms, dining rooms, family rooms and kitchens - take precedence over views from windows in secondary rooms - bedrooms, bathrooms, utility rooms, etc. - although every attempt should be made to allow for both.

In determining what would have an impact on views, all structures and appurtenances will be considered to have an effect. Note that these can include chimneys, dormers, antennae and handrails (whether clear glass, pickets or solid).

Residents should consider also the effect that future growth of trees and other vegetation will have on views when planning their landscaping.

PRIVACY

New development should ensure that the privacy of adjacent neighbours is not unduly compromised.

Windows looking directly into neighbouring windows are to be avoided.

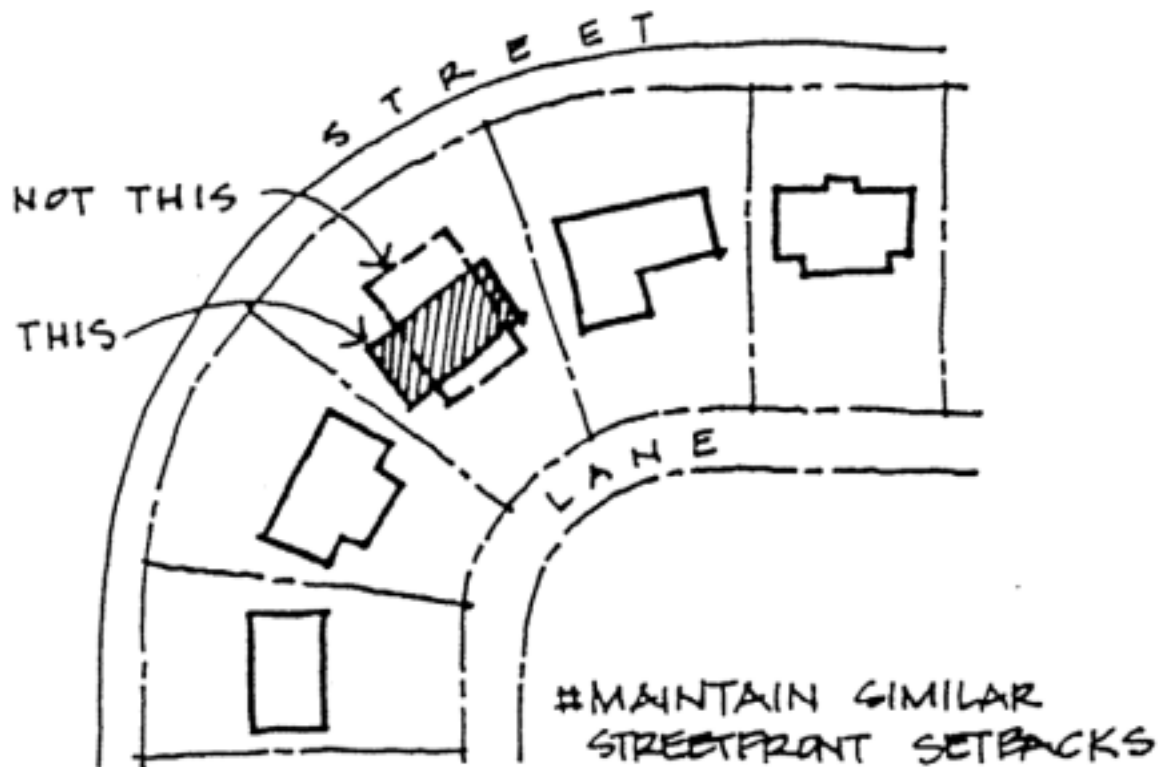
Windows should not have their principal orientation to neighbouring yards, or should be effectively screened.

Sundecks and balconies should be situated so that they are not directly overlooking neighbouring windows or activity areas in neighbouring yards, or should be effectively screened.

Portions of fences, hedges and wooden screens incorporated into the architecture of the house are acceptable as effective ways to lessen privacy conflicts.

STREETSCAPE

Where setbacks of neighbouring houses along the street are, on average, greater than those called for in the zoning regulations, new developments should respond to these greater setbacks.



Many streets are treed, and new development should continue established tree lines.

Some streets have fences and hedges along front property lines and other streets are open with large expanses of grass. New development should respond to adjacent conditions in establishing landscaping and fencing.

**APPENDIX 3: PURSUANT TO
UNIVERSITY ENDOWMENT LANDS
LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW**

**DESIGN GUIDELINES FOR THE
UNIVERSITY HILL
MULTI-FAMILY DEVELOPMENTS**

PREPARED BY: E. BRYCE ROSTICH ARCHITECTS

APPENDIX 3: DESIGN GUIDELINES FOR UNIVERSITY HILL MULTI-FAMILY DEVELOPMENTS

PREAMBLE

The multi-family residential area has seen very little recent building. Any new development will have a significant impact on the existing neighbourhood. It is important that new development be particularly sensitive to the impact on adjacent neighbours.

These design guidelines, meant to be used in concert with MF-1 and MF-2 zoning regulations and schedules are to be used in assisting the applicant in the design of new developments, as well as assisting the Manager in evaluating proposals.

CHARACTER

At present there is not a single, identifiable character in this district, although there are examples of buildings which appear to be in keeping with a common conception of what development in this area may comprise.

The applicant is directed, when contemplating the design of a project, to respond to a "campus/collegiate" character in the loosest sense of definition. The area is a direct adjunct to the University itself and those qualities of built form that differentiate the University district from any other district will be strongly encouraged. In planning a development the applicant should keep in mind the characteristics common to universities:

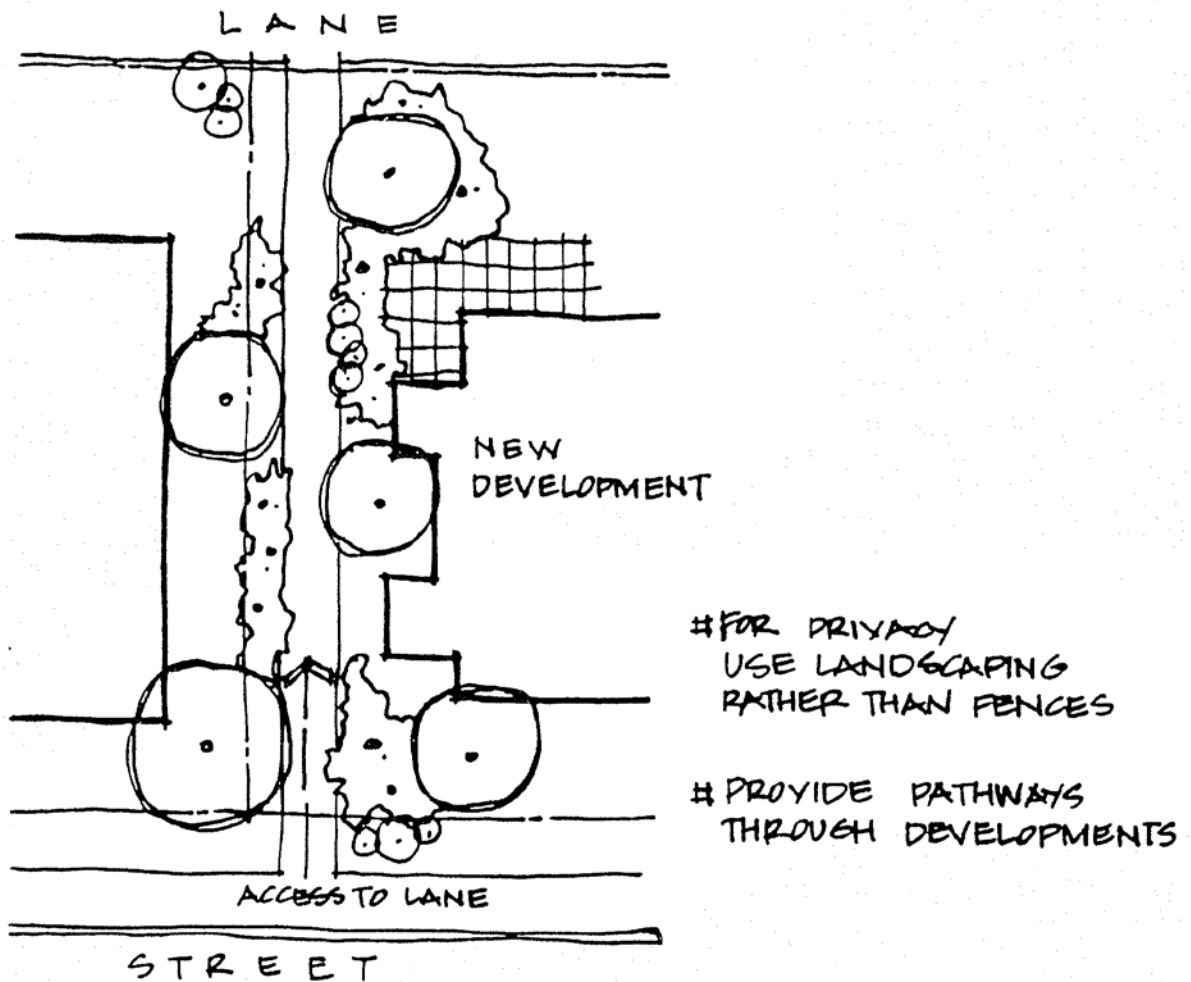
- the lack of perceived boundaries (fences, gates) between buildings;
- courtyards and collonades to offer delight and to protect passersby from rain;
- the permanence of finish materials;
- strong, proud building forms.

All of the categories listed in these design guidelines should be thought of in this context.

SITE PLANNING

Consolidation of properties and large scale developments are generally discouraged in favour of developments on existing lots so that the impact on, and change in the neighbourhood is softened.

Retain openness in site planning as much as possible. Avoid fences and plan instead to use landscaping - hedges, trees and shrubs - to define pathways and edges.

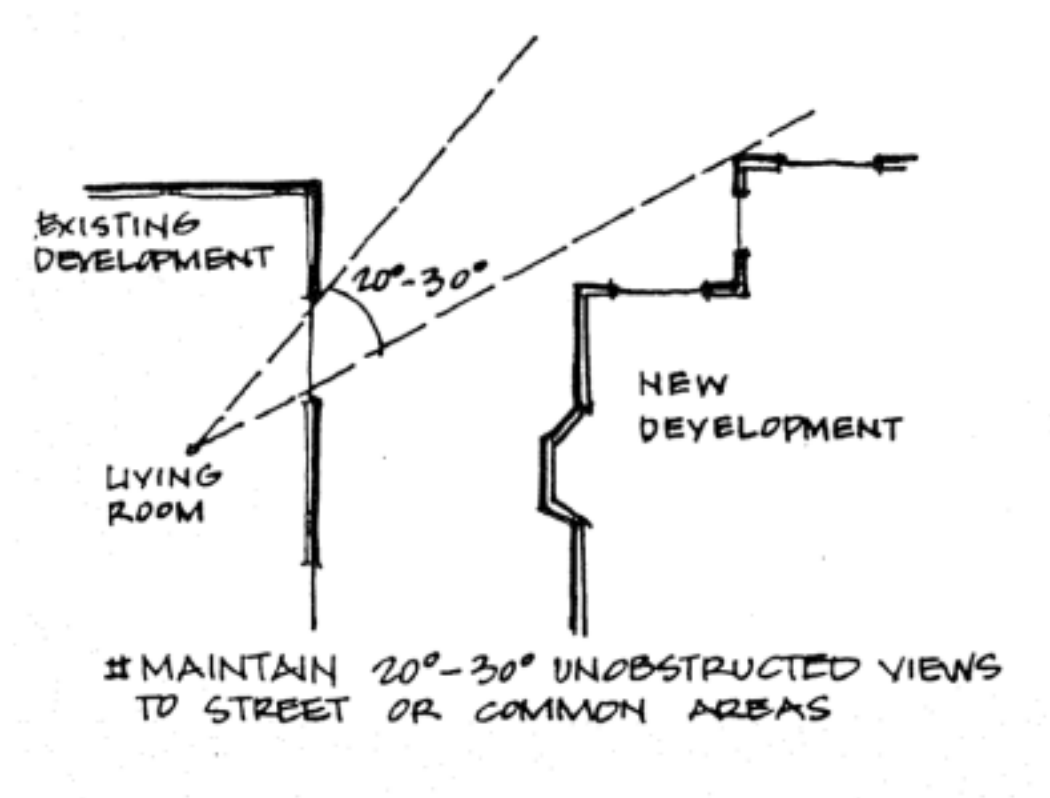


Encourage strolling and access between buildings with sufficient setbacks, grassed areas and paths.

Fences should be minimized and, when used, should be in small sections to provide privacy and screening.

If units have a principal orientation to a lane, adequate setback should be made.

Allow sufficient opportunity for neighbours to retain their views out. If a neighbouring building has principal windows facing the side property line, locate the new development further back from the property line or step the building back so that the neighbour's view to the street and access to sunlight is maintained. A 20 to 30 degree unobstructed view is acceptable.



PRIVACY

Especially in a transition period from the existing low scale development to larger projects, attention to impact on the privacy of neighbours is critical.

Principal windows in rooms should face the street or lane, rather than a side neighbour, or be sufficiently set back from the property line or otherwise screened so that the neighbour's privacy is not unduly impinged upon.

When entrances to new developments are at the side, the entrances should be designed so that they do not unduly introduce public traffic past a neighbour who had previously enjoyed privacy.

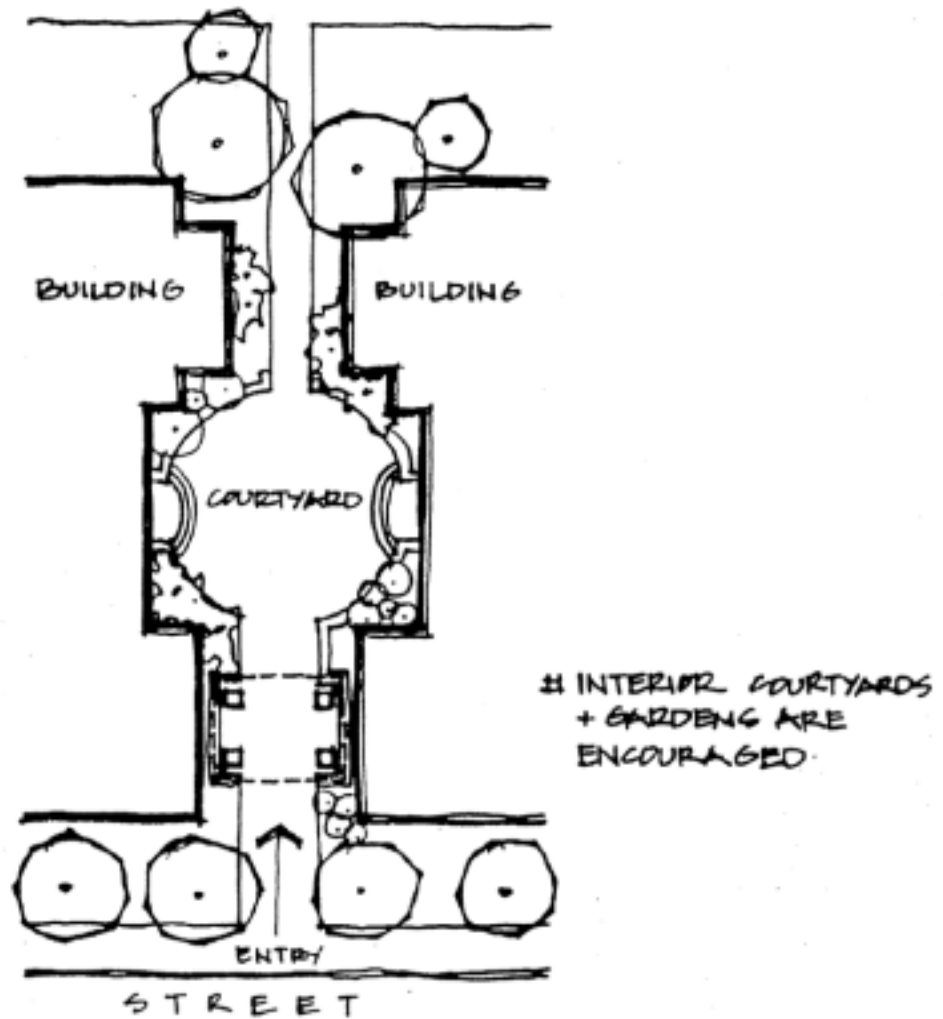
All suites should have (or have access to) private outdoor activity areas.

Decks, patios and other outdoor activity areas should be located so that they are not directly overlooking a neighbour's window or outdoor activity area. This is equally applicable within a development as to adjacent properties.

ENTRANCES

Main entrances to new buildings should be easily identifiable.

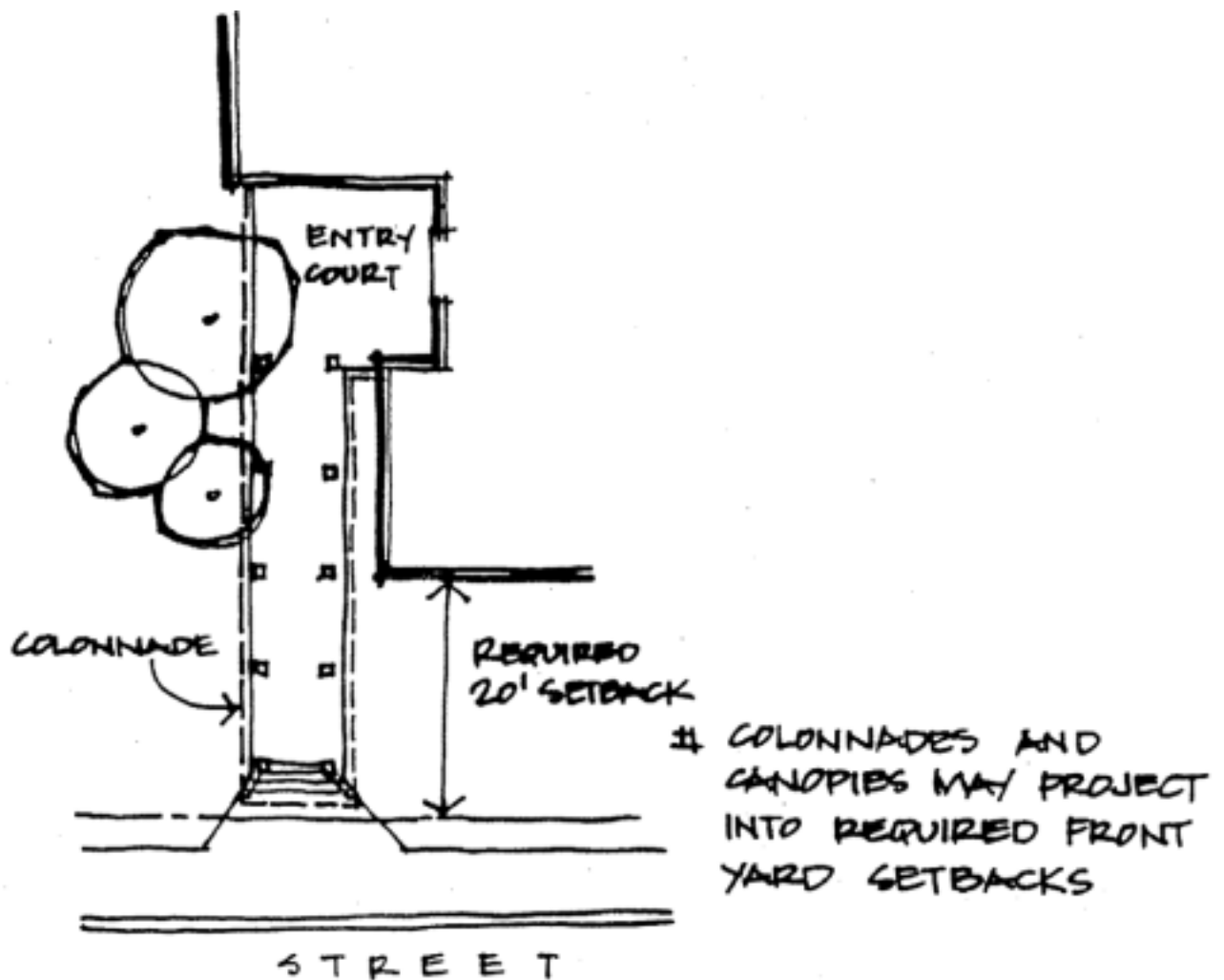
The use of recessed or courtyard entries and entries under the protection of colonnades or other structures, in keeping with a collegiate character, are strongly encouraged.



Avoid privacy conflicts between entrances and adjacent suites.

Entrances should generally step up from the street rather than step down.

Colonnades, porticos, canopies and similar structures should lead out to the street and direct people to the main entrance.



While no material is proscribed, those exterior materials most appropriate for new developments are stone, brick and good quality stucco. The use of stained cedar is discouraged.

Ensure that the quality of construction materials and detailing is such that over the long term the image and livability of a project is maintained.

LANDSCAPING

Retain existing, good tree specimens wherever possible.

Applicants for new developments are strongly encouraged to plant regularly spaced, medium and larger sized trees along the street at property lines, to add to the quality of the neighbourhood and to minimize the impact on smaller sized existing developments.

Avoid enclosing yards with fences. Maintain open, grassed yards wherever possible.

Considering the level of pedestrian use that lanes have and the overlook of apartments onto lanes, attention should be paid to a high level of lane landscaping.

Ramps down to underground parking garages should be set back from side property lines and should be landscaped and screened to minimize the impact on neighbouring properties.

Screen garbage containers with walls and roofs.

Comprehensive District (CD-1) U.E.L. Block 97 “The Village”

Concept and Design Guidelines

10 November 1997

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Introduction

"The Village" is a mixed use development located on Block 97 of the University Endowment Lands. This is the site that historically has accommodated the goods and services required by the community, including both local residents and students at the University of British Columbia.

The purpose of this document is to describe the design intentions for "The Village". **Part One: Concept Plan** contains drawings which demonstrate these intentions. This is not intended to be a finite design scheme for the parcels on Block 97. The intention is to describe one potential solution derived from the zoning that has been prepared for the site.

Part Two: Design Guidelines further describes, in both written and graphic form, the design aspirations for the development. The purpose of these guidelines is two-fold:

- To identify the design features that will contribute positively to the development of this commercial and residential core of the University Endowment Lands; and,
- To provide design direction to those who develop (developers, builders and design professionals) and to those who review development proposals (the Manager and neighbourhood interests).

The overriding theme of the concept plan and design guidelines is directed towards the creation of a character for Block 97 that conveys an active "village" ambiance. This theme has led to guidelines that deal with three aspects of the built environment:

- Guidelines for uses and activities appropriate for this area;
- Guidelines for the design of buildings; and,
- Guidelines for the design of streets, sidewalks and open spaces comprising the ground plane.

It is the combination of both good site planning and good individual design of all built elements that will ultimately create the physical environment envisaged for this "focus" in the University Endowment Lands.

Throughout this document, both linear and area dimensions are referenced. All measurements should be confirmed by legal survey to ensure their accuracy.

Part One: Concept Plan

1.1 Design Intent

The intent of the concept design for Block 97 is to create an interesting mix of activities at the heart of the University Endowment Lands. Working with a Citizen's Committee struck for this project various workshops, meetings and open houses led to a set of principles that should be adhered to in the planning and ultimate development of this block:

- A mixed-use development with places to live, work, shop and enjoy leisure time
- An increase in the commercial opportunities of the area, including a potential grocery market
- Improvements to Jim Everett Park
- Publicly accessible open space in the form of a plaza or courtyard for community enjoyment
- An indoor, community village space
- Improvements to the streetscape
- Increased on-street parking and traffic calming
- Development of high quality buildings
- An approval process with by-law and design guidelines to control the form and quality of development

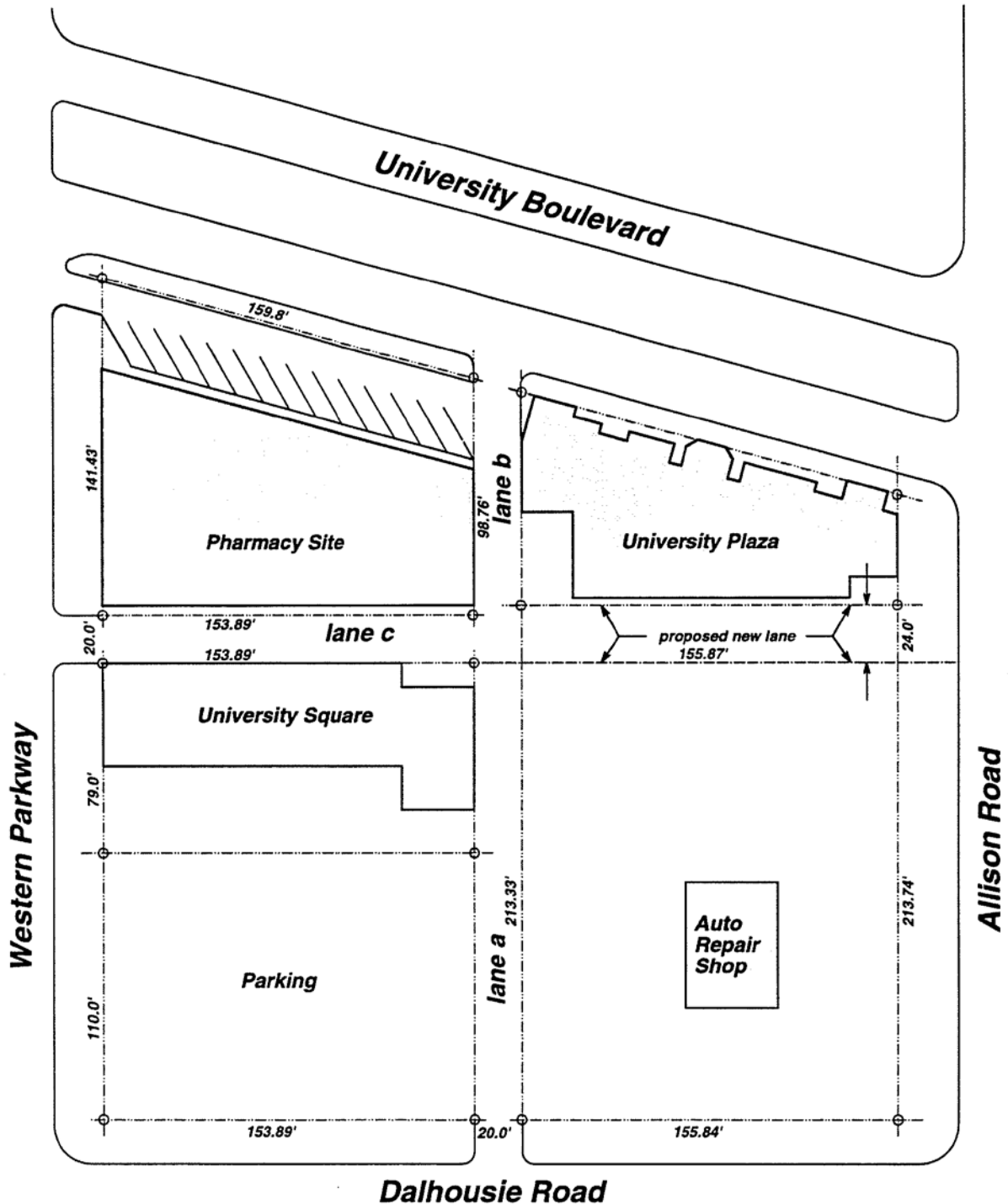
The design concept that evolved from these principles and objectives results in a building programme that is marketable and will produce the focus for the community desired by area residents. The plan includes the following primary components:

- A mix of retail, restaurant, office, residential and community amenity use
- Varying heights up to six storeys
- Underground parking for employees, residents and guests
- On-street parking for the visiting public
- An active streetscape with narrow retail frontages, rain protection, generous tree planting and comfortable street furnishings
- Two plazas on Western Parkway offering publicly accessible open space
- An on-site pedestrian network linking Block 97 with adjacent parts of the neighbourhood
- A continuous east/west lane for truck access and servicing
- Improvements to Jim Everett Park for the benefit of the broader community
- An aesthetic direction for the architecture that "fits" into the neighbourhood context

1.2 Illustrations

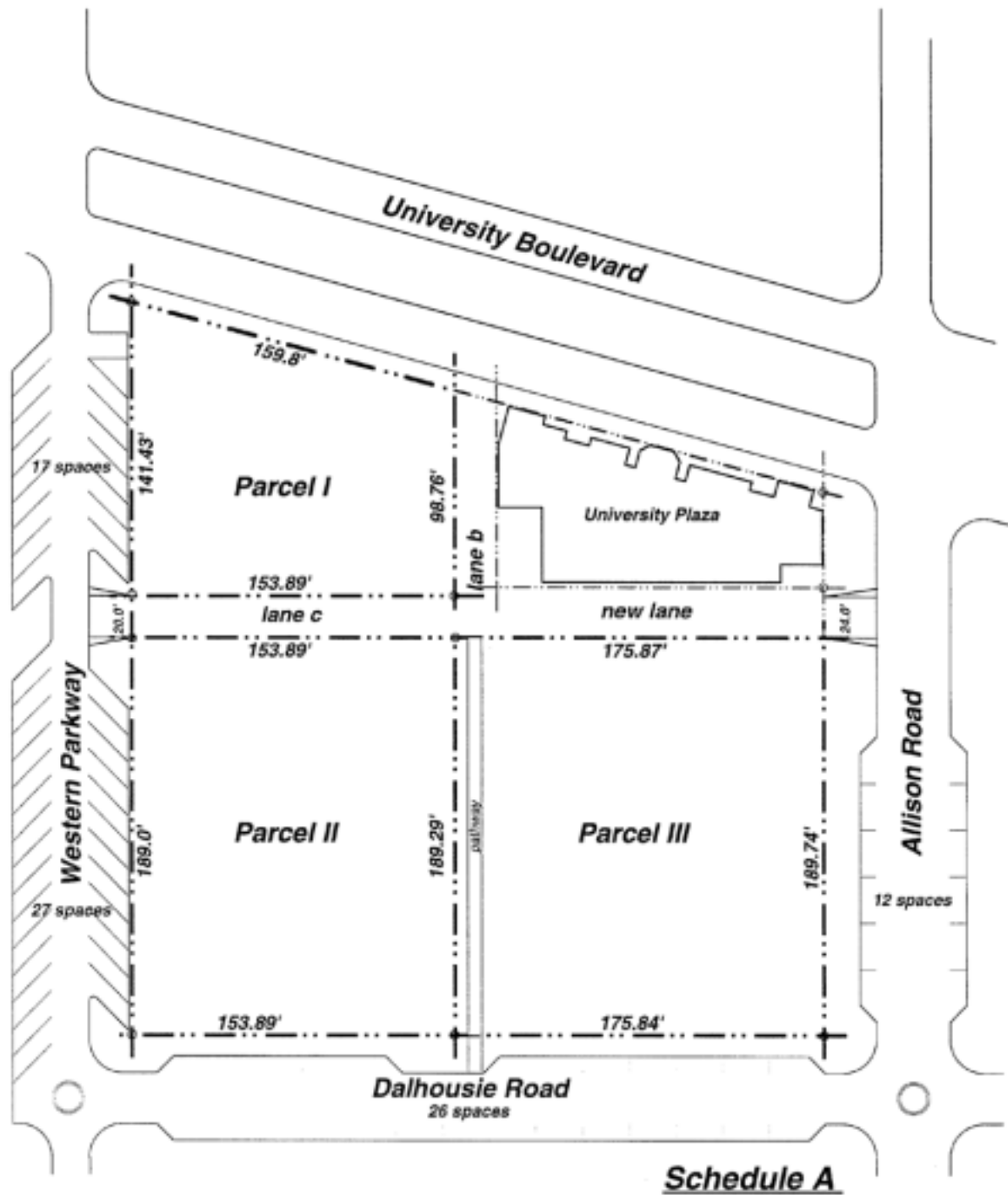
The following drawings illustrate the conceptual direction set for Block 97 as represented by the Comprehensive District (CD-1) zoning by-law and design guidelines prepared for this site.

Current parcels

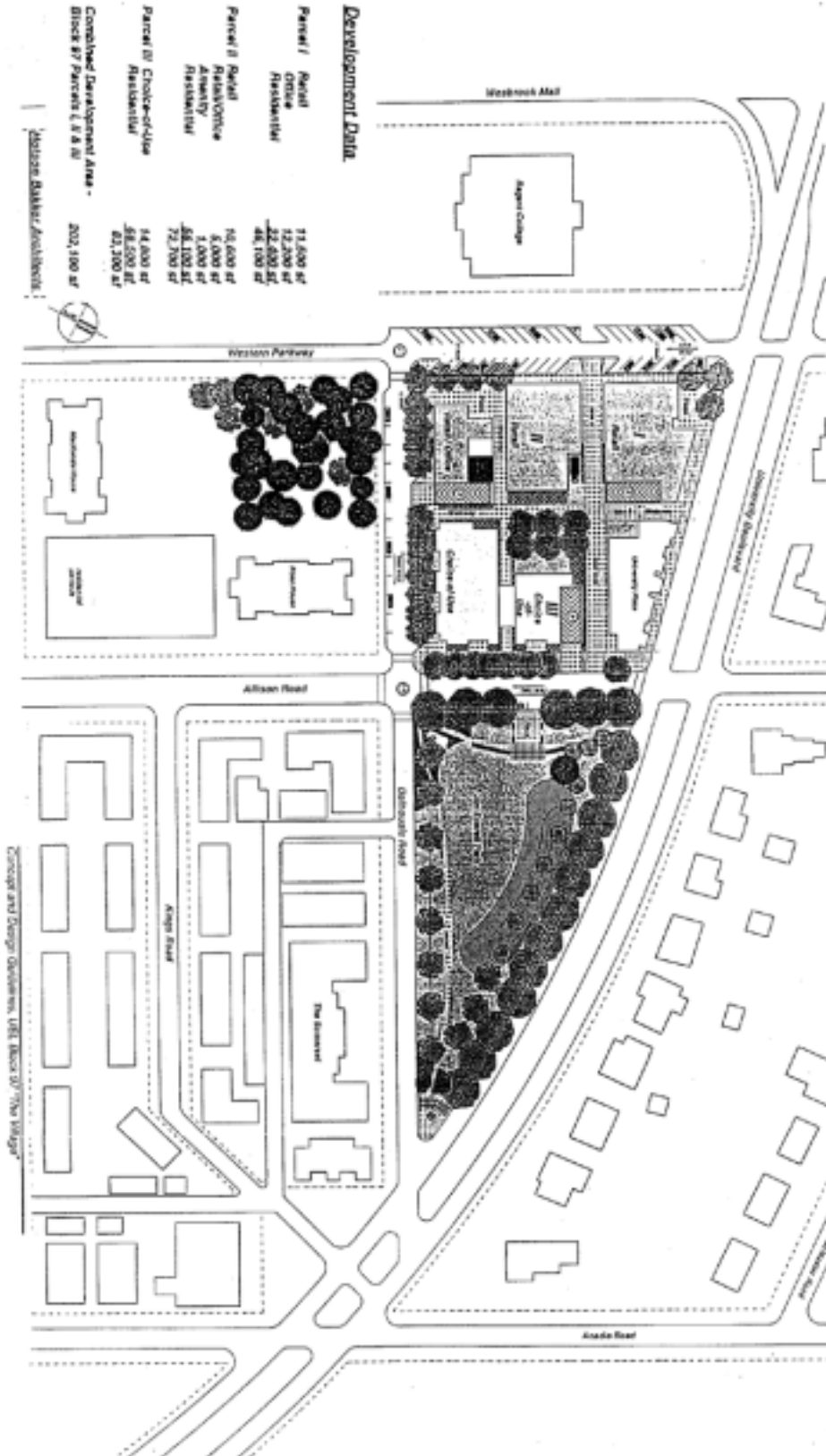


U.E.L. Block 97 "The Village"

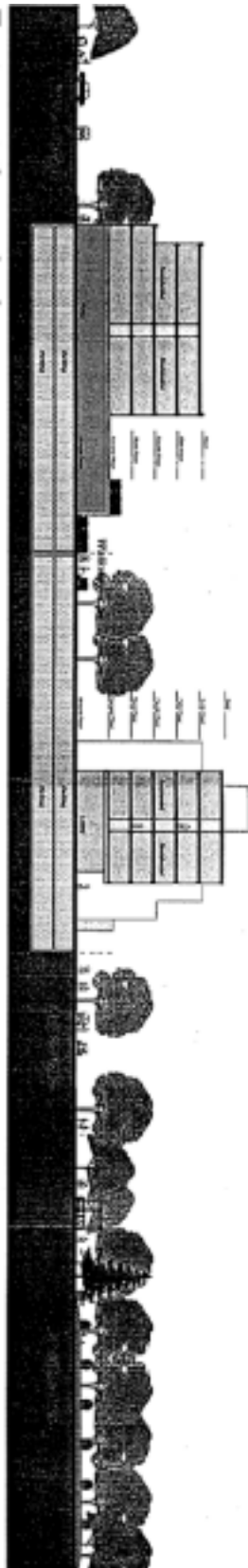
(dimensions and site areas for Parcels I, II and III
to be confirmed by legal survey)



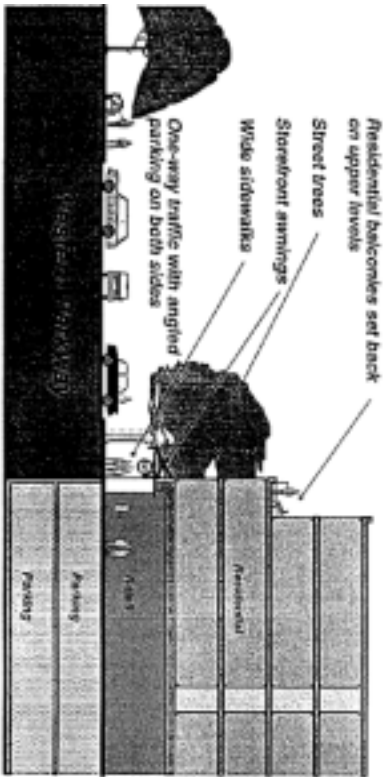
Concept plan



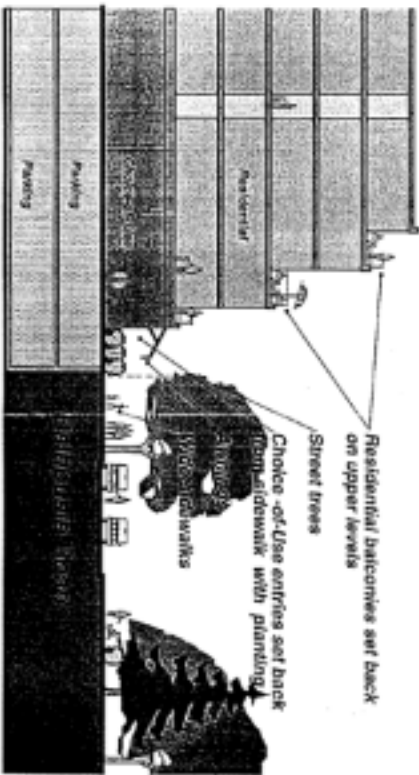
Concept sections



East-west through site



Western Parkway streetscape



Dalhousie Road streetscape

Concept and Design Guidelines, UEL Block 97 "The Village"

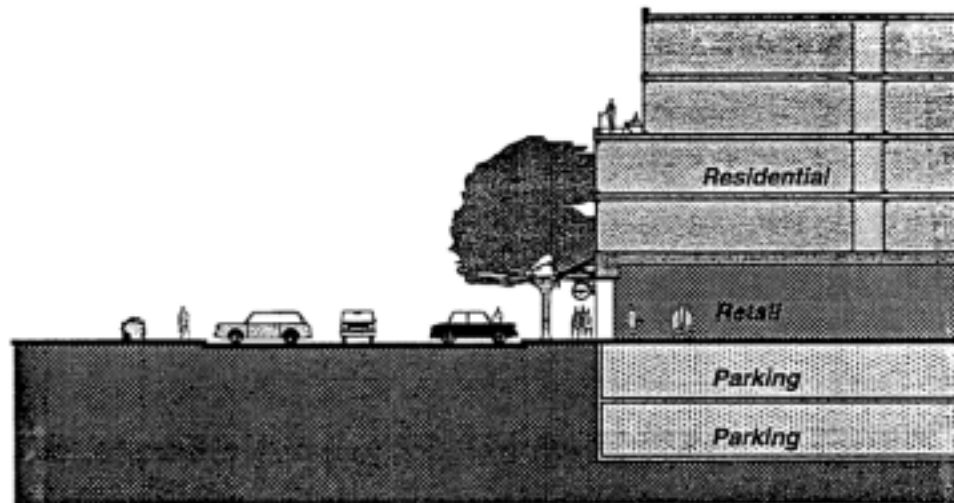
6

Part Two: Design Guidelines

2.1 Guidelines for Use and Activity

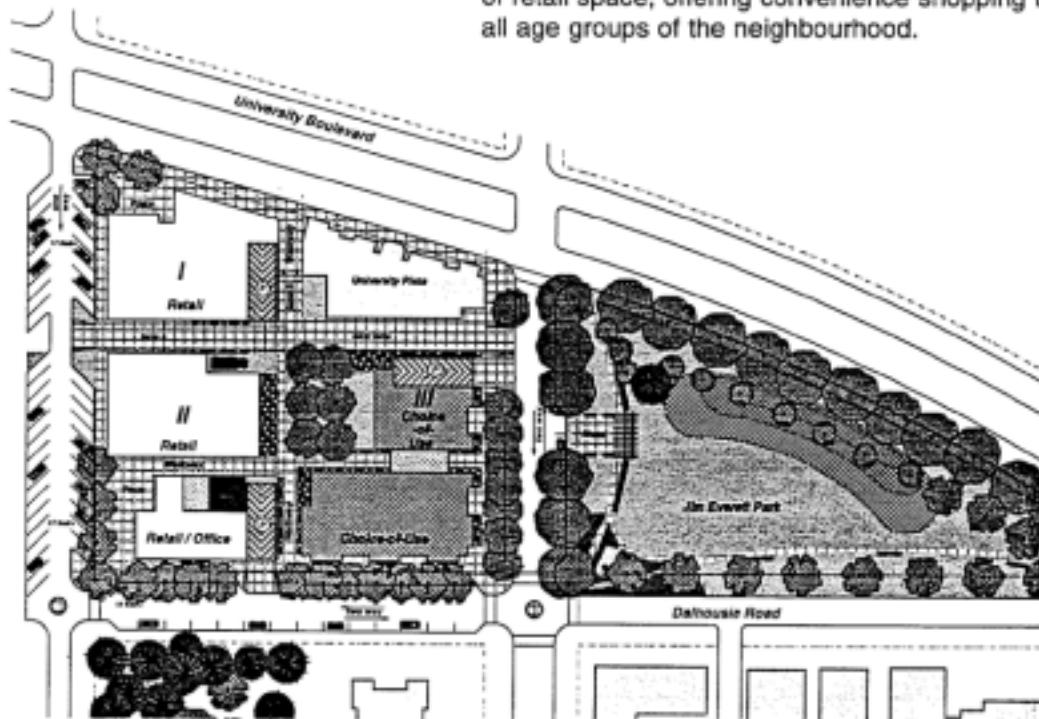
.1 A Mixed-use Environment

A vertical mix of uses is to be provided within the development parcels of Block 97 including underground parking, retail, restaurant, office, residential and community village space. These uses are to be distributed throughout the block, but are not all required in each parcel of development



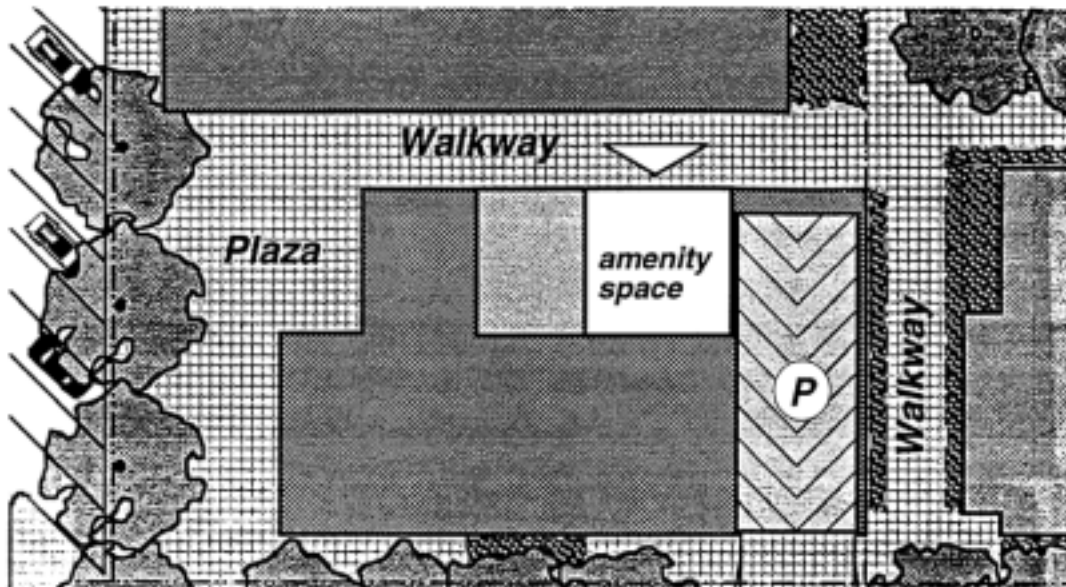
.2 Convenience Retail Shops

The ground floor must include a maximum amount of retail space, offering convenience shopping to all age groups of the neighbourhood.



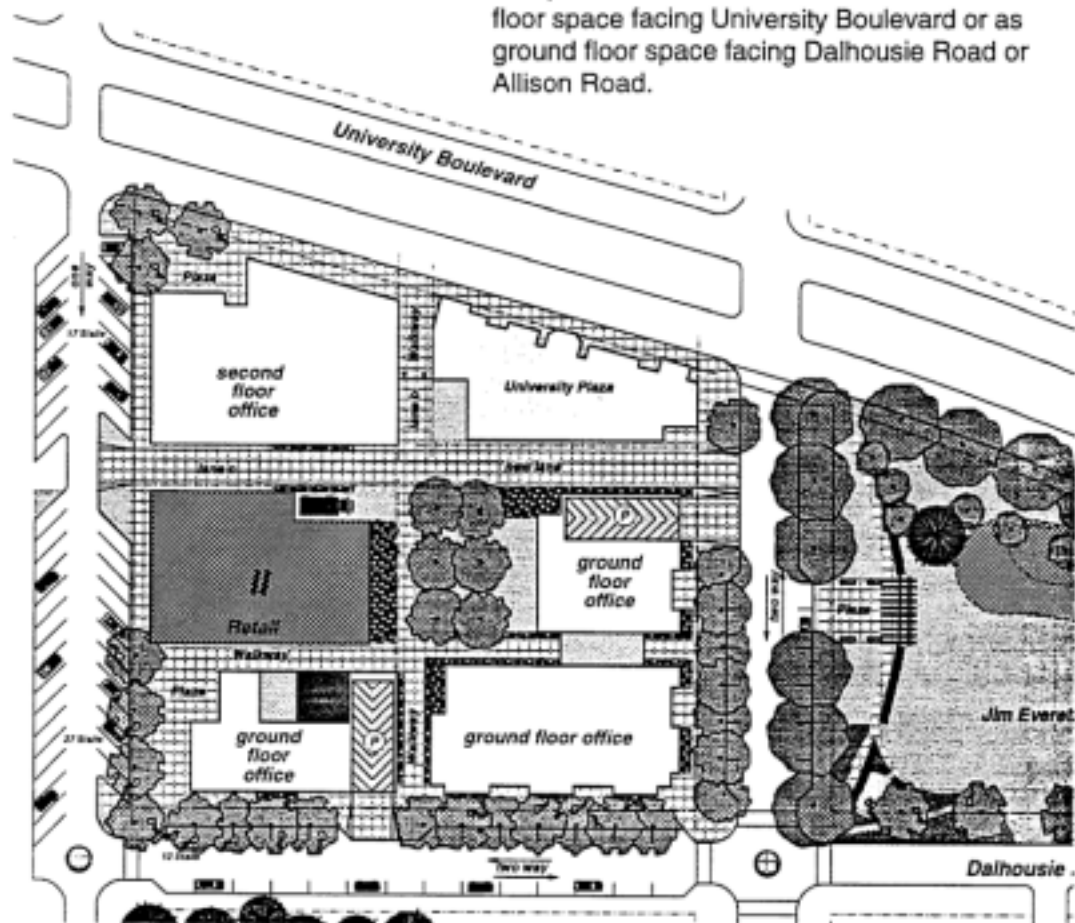
.3 A Community Village Space

Provide within Block 97 at least one ground level space for use by the community as a multi-purpose room, at a minimum size of 1,000 square feet. Locate this use area adjacent to an exterior terrace, plaza or garden.



.4 Local Office Space

Space should be provided for small businesses wishing to operate offices within the community. The preferred location for this use is a second floor space facing University Boulevard or as ground floor space facing Dalhousie Road or Allison Road.



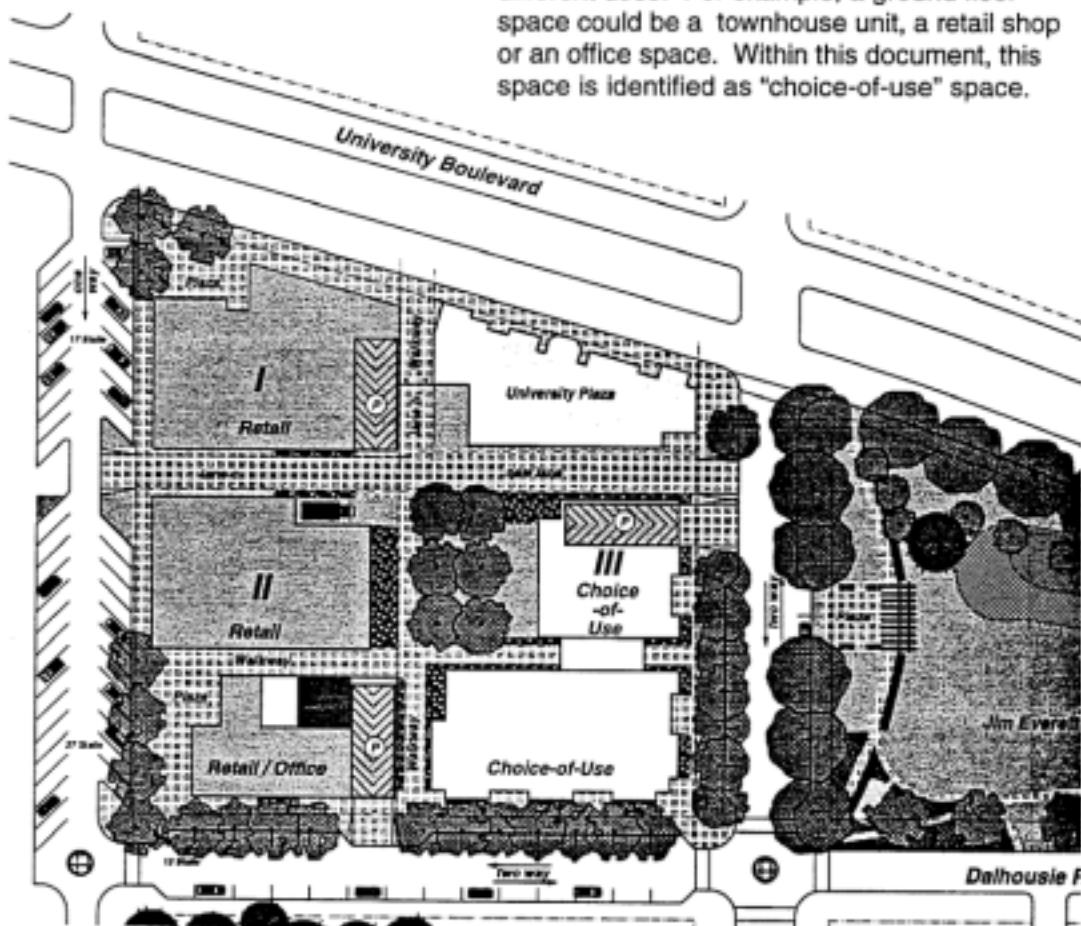
.5 Places to Live

Residential is to be included in the development of Block 97 as the principal land use, with a range of unit types and sizes.



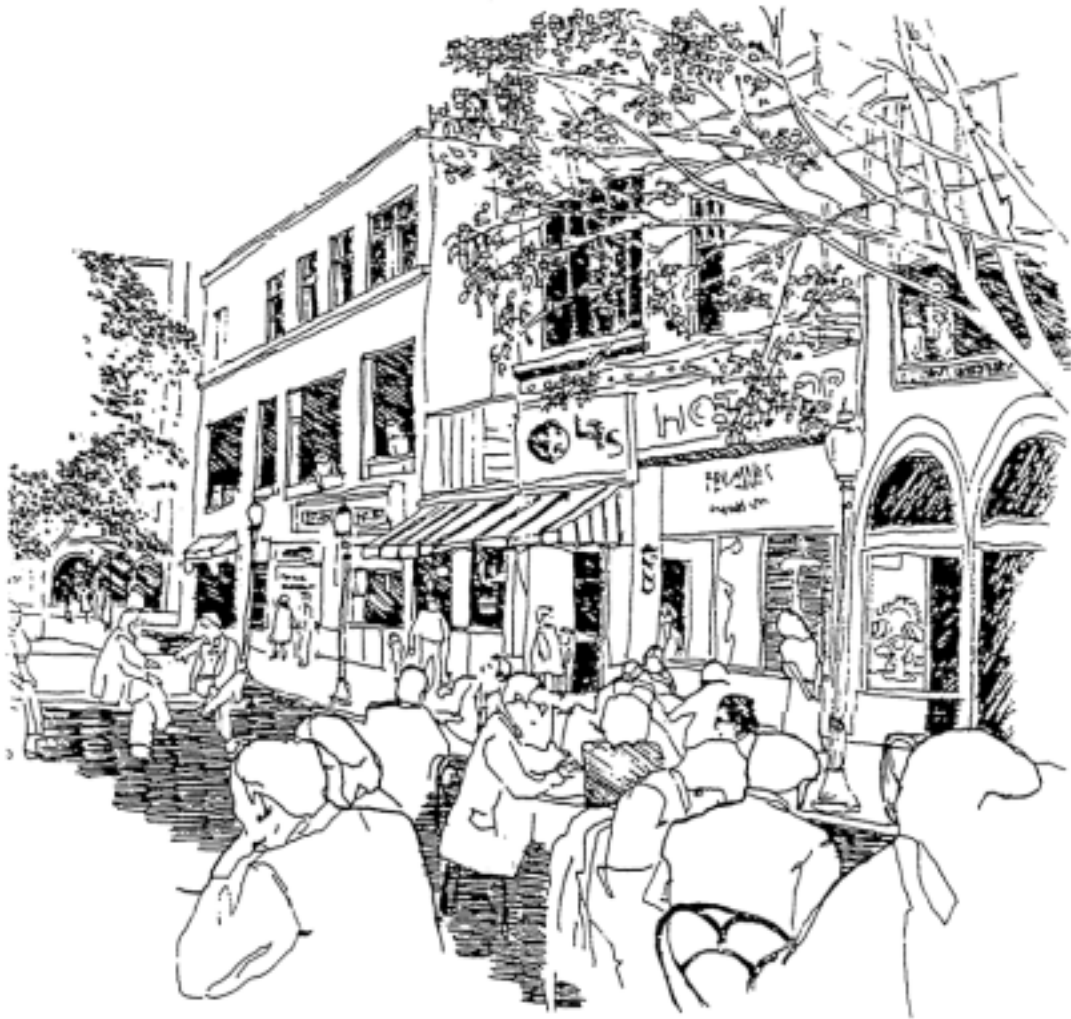
.6 Ability to Change

Space should be designed, particularly at the ground floor level, in a manner that allows different uses. For example, a ground floor space could be a townhouse unit, a retail shop or an office space. Within this document, this space is identified as "choice-of-use" space.



.7 Seasonal Uses

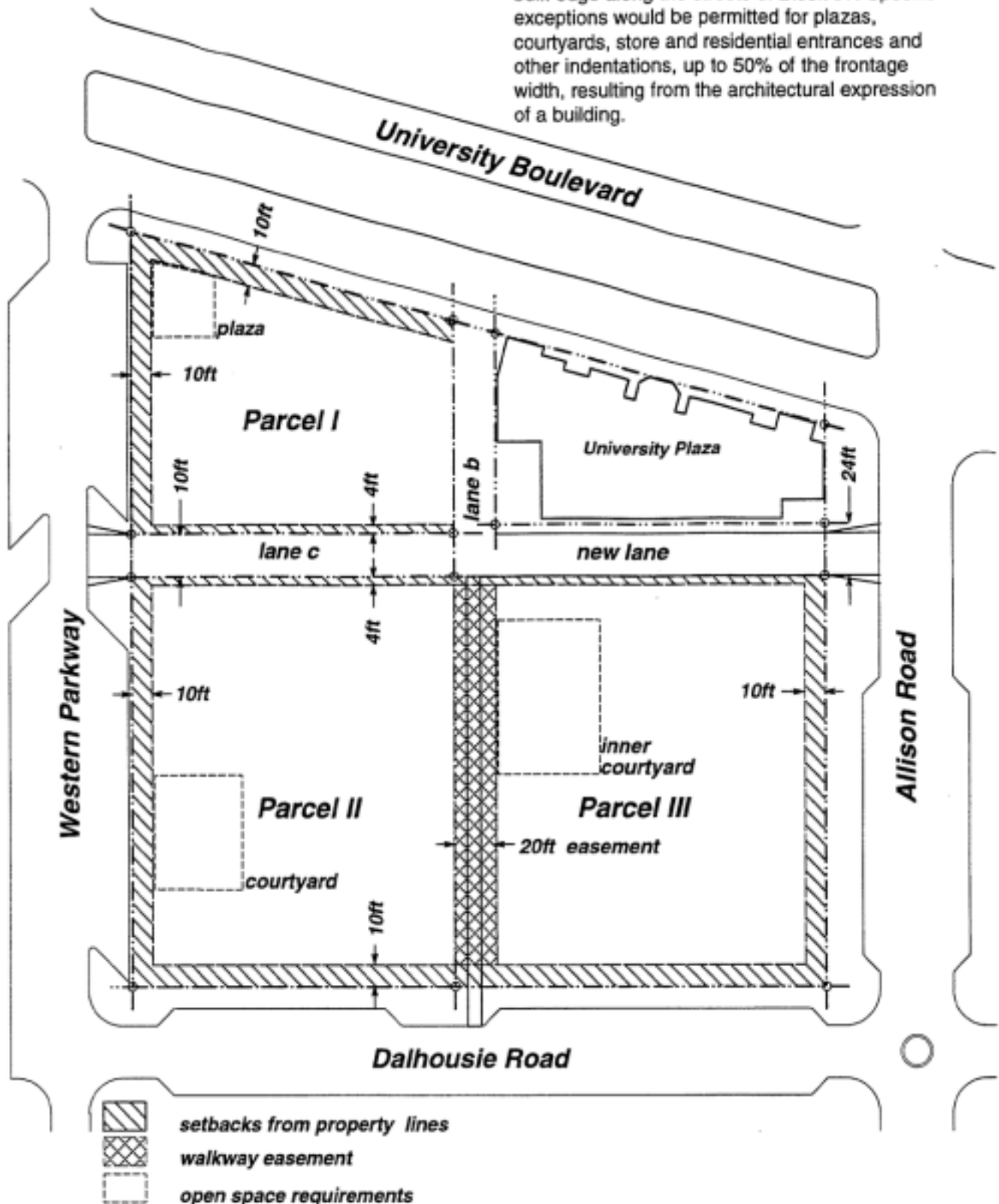
The spaces at sidewalk level should be animated to the greatest extent possible. Plazas, courtyards and sidewalks should be used for outdoor display, sales and public seating for outdoor eating.



2.2 Guidelines for Buildings

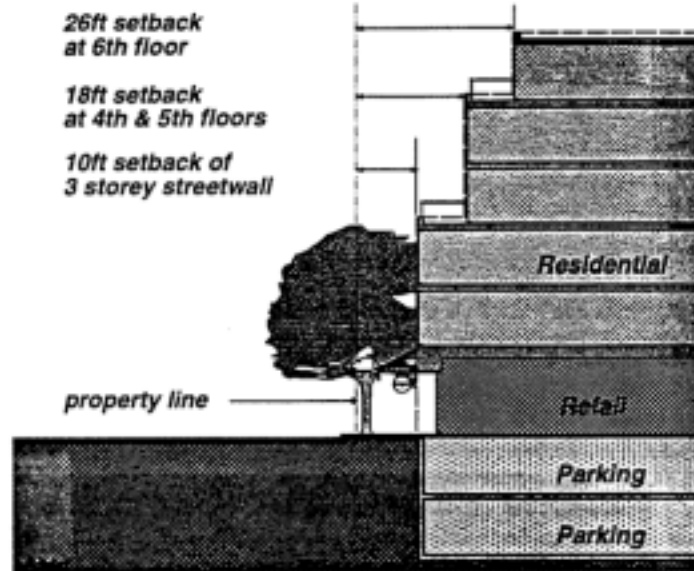
2.1 Buildings Define Streets

Buildings are to be developed at a build-to line of 10 feet from the property line to strongly define a built edge along the streets of Block 97. Specific exceptions would be permitted for plazas, courtyards, store and residential entrances and other indentations, up to 50% of the frontage width, resulting from the architectural expression of a building.



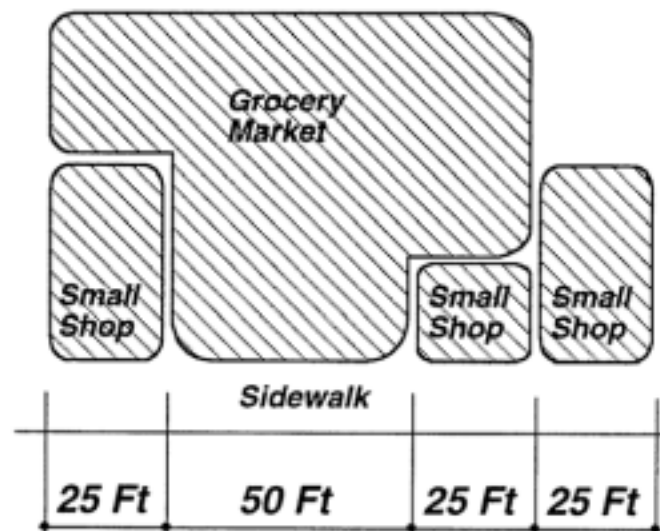
.2 A Three Storey Base

A three storey scale should be established on the facing streets of Block 97. The fourth and fifth floors should be further set back an average of 8 feet. A sixth floor is to be set back a further 8 feet average to reduce its impact on the street.



.3 Community Grocery Market

A grocery market is strongly encouraged as part of the development of Parcel II on Block 97. In order to not disrupt the desired diversity of the street, the grocery market should be flanked with smaller tenants facing the street to reduce the impact of its frontage. This particular use would be permitted a maximum street frontage of 50 feet in width, while other shop fronts are limited to 25 feet in width.



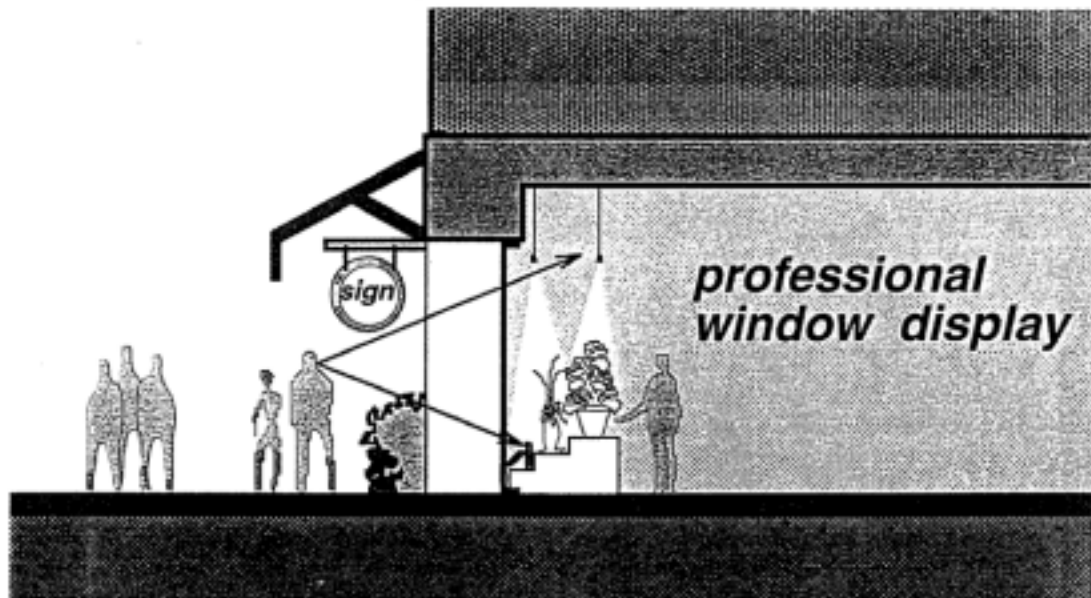
. 4 Individual Storefront Design

Rather than "project" storefronts, tenants should provide individual storefront design and construction as part of their tenant improvements. Through this approach, individuality is expressed through a variety of materials, colours and storefront signage.



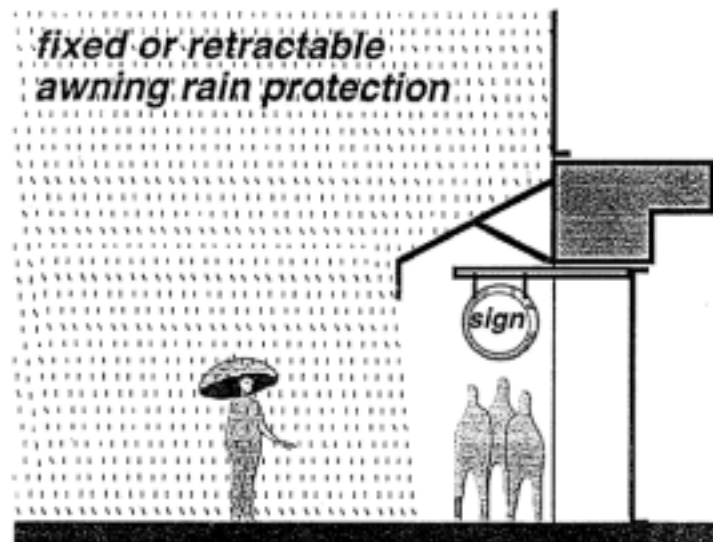
. 5 Visibility at Street Level

Storefronts should be designed with maximum glass areas for viewing into shops. Professional window displays and warm display lighting increase pedestrian interest at street level. Visibility into shops must be maintained by avoiding any solid signage, advertising or blackout panels placed against the inside surfaces of glass storefronts. Clear glass must be used for retail storefronts.



.6 Continuous Rain Protection

Continuous rain protection must be provided along all commercial frontages. Individually designed awnings and canopies are preferred for each storefront rather than a "project standard" awning or canopy. Retractable, coloured fabric awnings are the preferred type.



.7 Underground Parking

All parking required for commercial employees, residential owners and guests must be situated on-site and underground. Ramps should be hidden within the profile of the building with garage doors at their street end. Public parking for the retail stores is to be provided on-street with short-term control.



.8 Neighbourhood Fit

The local architecture surrounding Block 97 is characterised by clean lines; simple building forms; large-scale, punched windows; and, white colour. The materials and colours utilised in future building design should be compatible with the built form prevalent in the surrounding neighbourhood.

New construction on Block 97 must reflect these design motifs through the use of the following:

- .1 white stucco, brick or concrete wall finishes;
- .2 depth in the façade design through projecting and recessed building forms;
- .3 rebate windows, set back in deep recesses, rather than "nail-on" type;
- .4 Window treatments in keeping with the style of building with real, not applied, glazing mullions;
- .5 planted balconies and roof terraces; and,
- .6 high pedestrian interest at the ground floor as defined in previous guidelines.

High quality construction is required for Block 97 and the use of non-combustible construction is recommended.

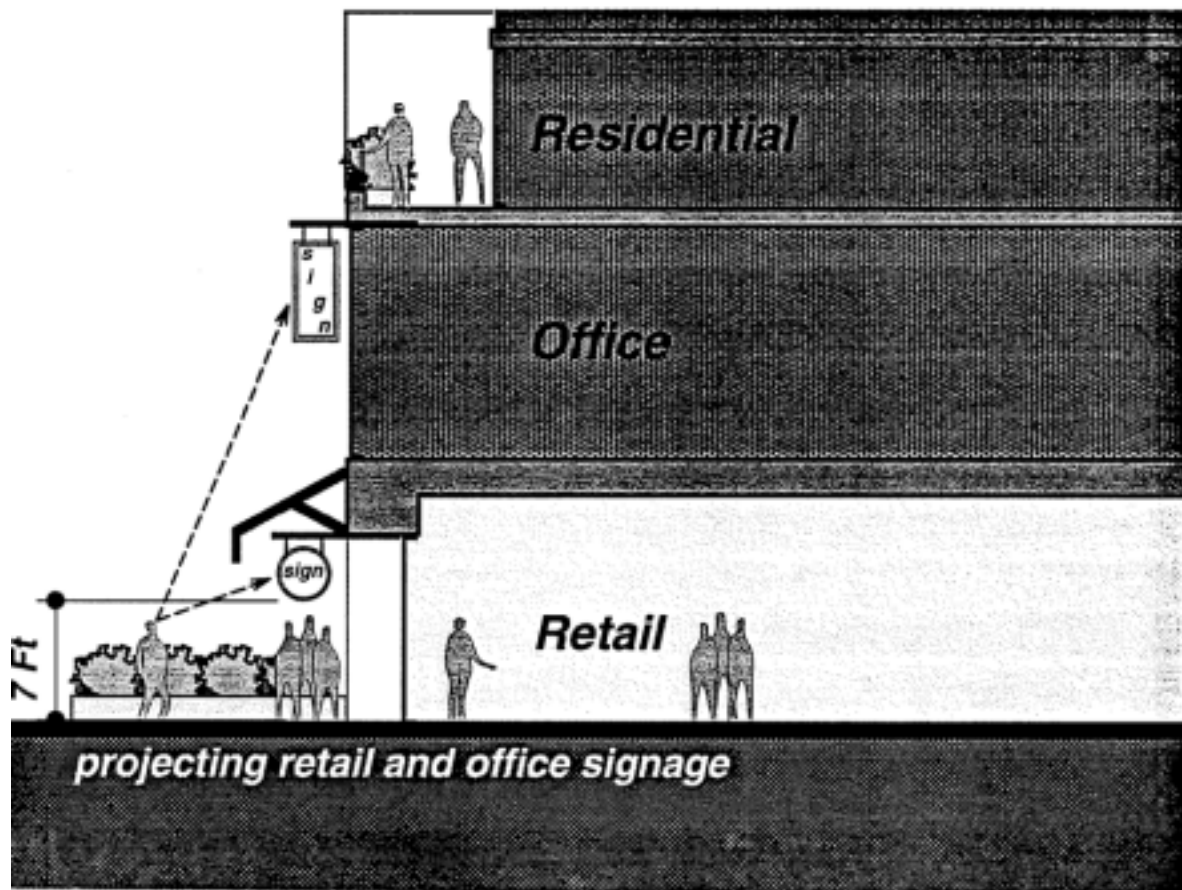
.9 A Positive Roofscape

Roofs on the development of Block 97 should project a positive image to the neighbourhood either through the use of sloped forms or flat roofs that are landscaped for outdoor use by residents.



.10 Quality Signage

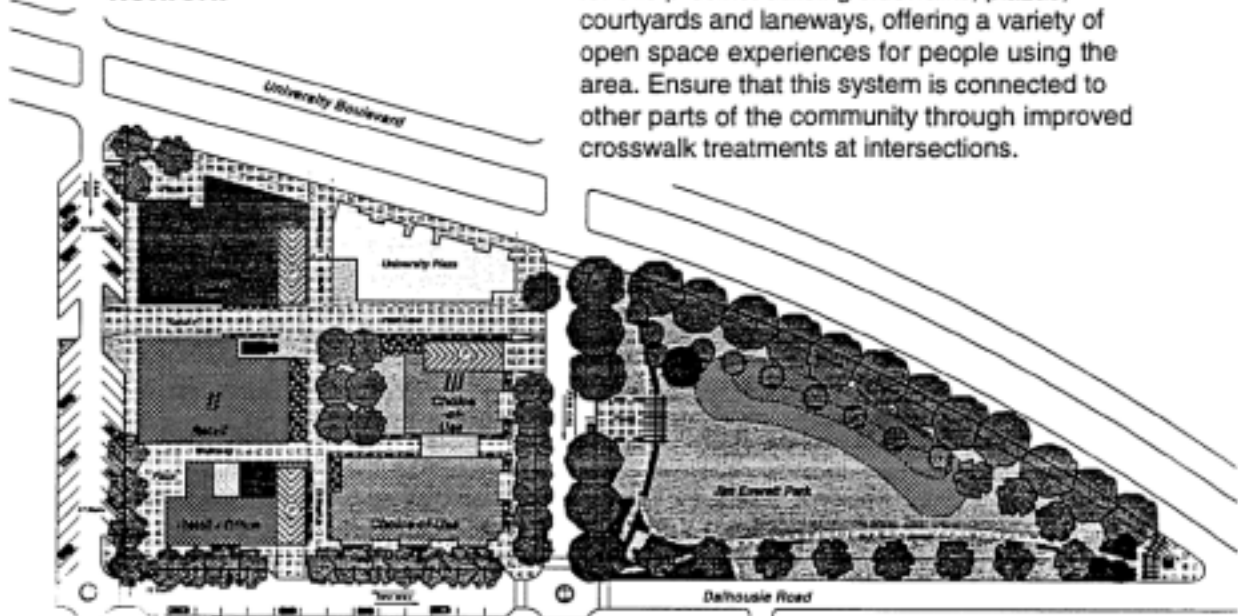
Signs must be the projecting type, at right angles to storefronts. These signs are to be placed a minimum of 7 feet above grade measured to the underside of the sign. They should be easily viewable from both directions by pedestrians and motorists. Signage illumination should be by front mounted, warm lamp sources projected onto the sign face. Signage forms that are not acceptable for Block 97 include fluorescent back-lit aluminium sign boxes and awnings with large signs painted on them.



2.3 Guidelines for the Ground Plane

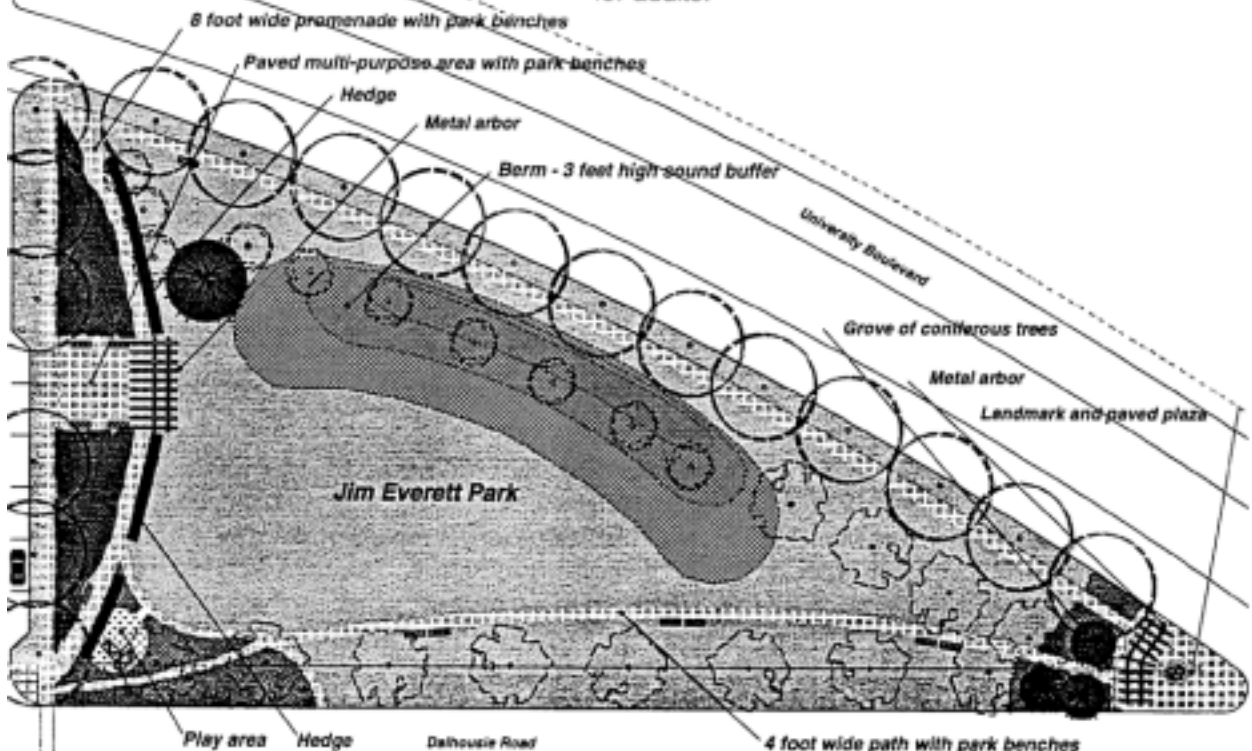
.1 An Integrated Pedestrian Network

A pedestrian network has been established for this precinct utilising sidewalks, plazas, courtyards and laneways, offering a variety of open space experiences for people using the area. Ensure that this system is connected to other parts of the community through improved crosswalk treatments at intersections.



.2 Park Improvements

Jim Everett Park is to be upgraded and connected to Block 97 through special crosswalk treatments at Allison Road. The new landscape design for the park should take into account the needs of the adjacent community with activity areas for children and passive areas for adults.



.3 Convenience Parking for Shoppers

Provide on-street surface parking for shoppers, conveniently located at sidewalk level, to supplement that provided in underground structures.



.4 Vehicle/Pedestrian Mix

The lane system of Block 97 should be designed in a manner that encourages a mix of vehicles and people. This approach will extend the pedestrian network of the block while creating an interesting urban streetscape.



.5 Sunny Courtyards

A plaza space has been identified for the corner of University Boulevard and Western Parkway as part of the redevelopment of Parcel I, the pharmacy site. Provide a second south and west facing courtyard on Parcel II of Block 97, surrounded by retail use to animate its edges.

The following landscape criteria shall apply to these spaces.

North Plaza:

- urban gateway to Block 97
- neighbourhood information kiosk
- trees and lighting at similar scale to University Boulevard
- Holland pavers and concrete banding
- fixed seating

South Plaza:

- small, intimate scale
- flowering tree canopy for shade animated by restaurant/cafe use
- ensure ability of adjacent retail uses to spill into space
- brick and concrete paving
- movable seating



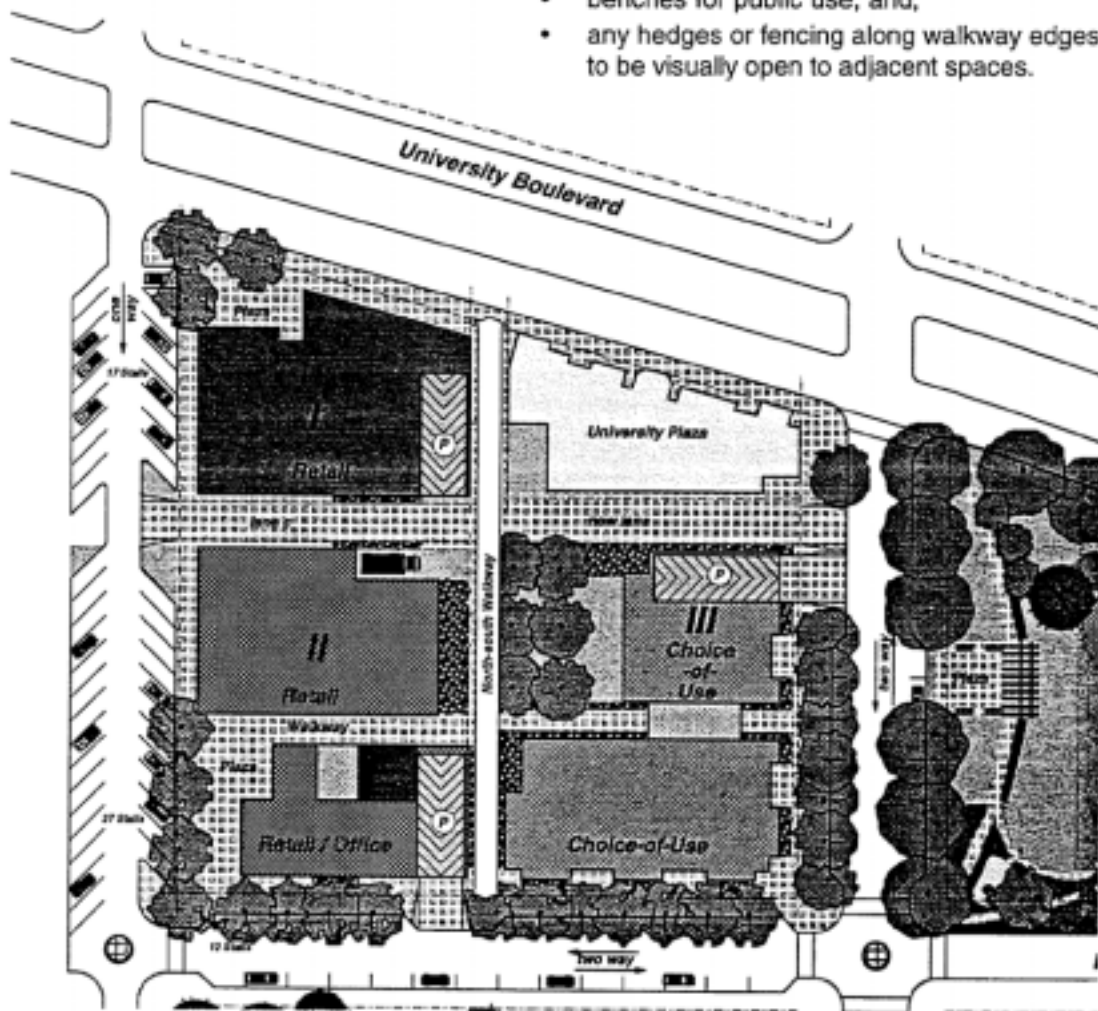
. 6 North-south Walkway

Provide a new, minimum 6 foot wide walkway, within a 20 foot wide easement, from Dalhousie Road north to University Boulevard, along the alignment of the former north-south lane as a mid-block pedestrian route. Close the northerly half of Lane B to vehicular traffic and develop this area as pedestrian space.

The following landscape criteria apply to these spaces.

North-south Walkway:

- pedestrian scale with doors and windows facing onto the lane from both residential and commercial uses;
- lighting for safety and pedestrian scale
- brick and concrete paving to designate pedestrian use;
- small scale flowering trees and low flowering shrubs in landscaping beds along the edges of the walkway;
- benches for public use; and,
- any hedges or fencing along walkway edges to be visually open to adjacent spaces.



.7 Sidewalk Treatments

Develop a strategy for the design of sidewalks, laneways and other pathways that makes use of durable materials, adequate lighting and comfortable furnishings for pedestrians.

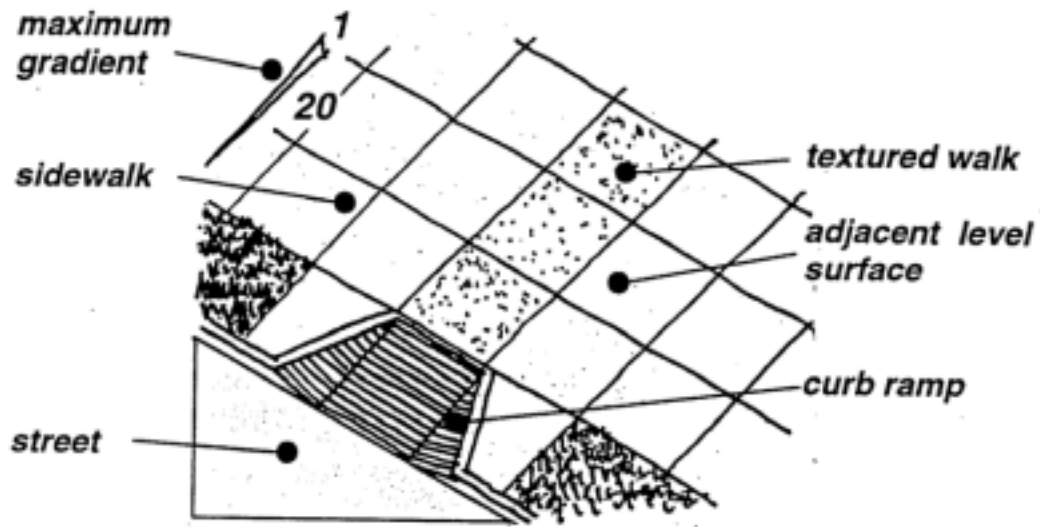
The following landscape specification applies to these areas of Block 97:

Street tree:	London Plane on University Boulevard Red Maple on other streets Flowering trees on inside spaces (In all cases the minimum diameter of new trees shall be 3" calliper)
Paving:	Holland paver on University Boulevard and street crosswalks Brick paver on other sidewalks, open spaces and laneways
Bench:	Warick Teak
Bike rack:	Cora
Trash receptacle:	Francis Andrew
Lamp standard:	Lumec Coach Lamp
Bollard:	painted steel



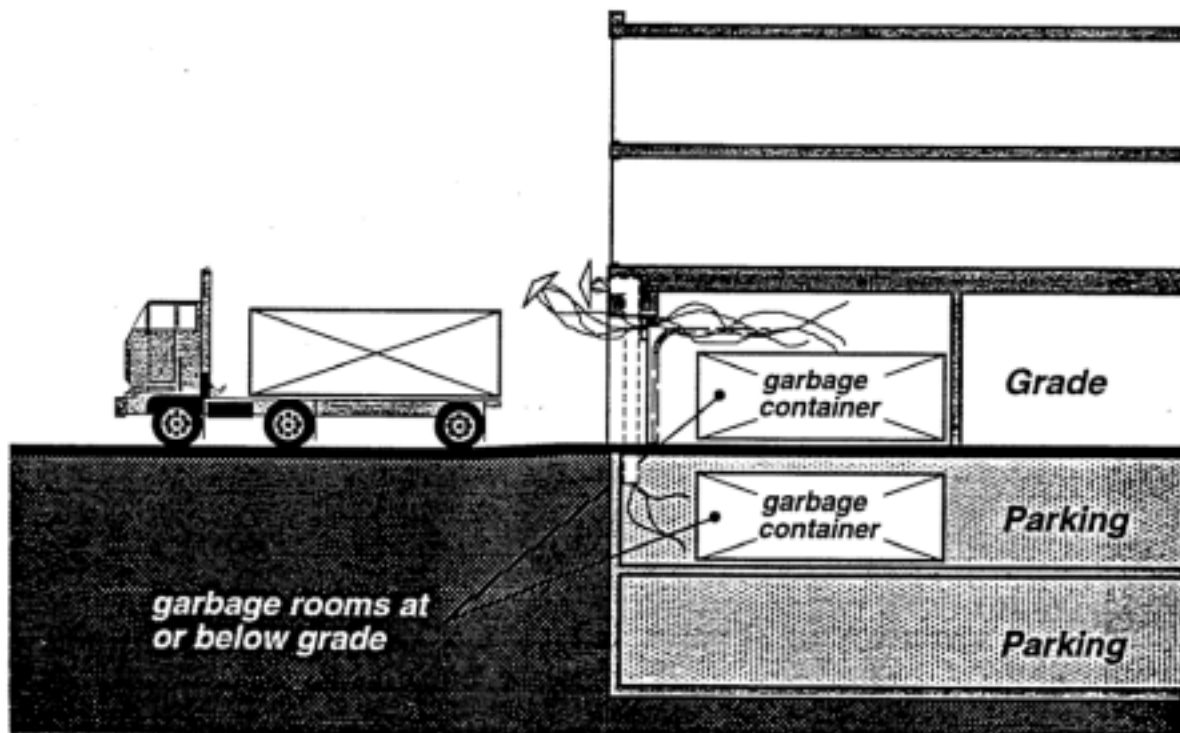
.8 **Barrier-free Movement**

Conventional curbs should be utilised for traffic and parking control along streets but "let-down" curbs at crosswalks and at laneways will ensure that all movement on Block 97 is barrier-free.



.9 **Concealed Garbage Holding**

Garbage holding areas must be provided within the building envelope of all new developments to avoid the negative impact that garbage storage can have on public areas. These areas are to be properly ventilated, enclosed behind operable doors and equipped for full sanitary management.



.10 Residential Setback

Where residential units are located on ground level facing streets setback zone has been defined. This space is to be developed with either an architectural treatment, like a front porch; a landscape treatment, like a front yard, courtyard or terrace; or, a combination of the two. Where possible, the ground floor residential units should be elevated approximately 2 feet above sidewalk level to facilitate a greater level of privacy for the residents. Where hedging is provided on the property line at residential frontages, it should be limited to 7 feet in height. Where a solid wall is located on the property line it should be limited to 5 feet in height. Wooden residential fencing is not permitted.

