

**Purpose:** This policy guides “Change of Land Use District” (rezoning) applications within the University Endowment Land’s (UEL) designated Transit Oriented Areas (TOA), including those within the Area D Neighbourhood Plan area. The policy applies until such time as the UEL’s [Official Community Plan](#) (OCP) and the [UEL Land Use, Building and Community Administration Bylaw](#) (LUB) are amended to reflect changes to the provincial Housing Statutes, or until this policy has been repealed by the UEL Manager. Note that rezoning applications are a decision of the Minister of Housing and Municipal Affairs. Applications must comply with, and respond to, adopted bylaws, plans, and policies.

**Background:** In December of 2023, the Province of BC amended the Local Government Act (LGA) and Community Charter (CC) through Bill 47 - ‘Housing statutes’ (Transit Oriented Areas) [Amendment Act](#). The Amendments established transit supportive densities on lots in proximity to transit stations. The Minister of Housing and Municipal Affairs designated the University of British Columbia (UBC) bus exchange a TOA, as it applies to the UEL, in alignment with the new legislation. The UEL’s TOA contains two (2) different regulatory zones: TOA 1 with a Floor Space Ratio (FSR) of 4.0 and maximum height of 12 storeys (up to 44 metres), and TOA 2 with an FSR of 3.0 and maximum height of 8 storeys (up to 30 metres).



## Application:

### 1. RELATIONSHIP TO THE EXISTING AREA D NEIGHBOURHOOD PLAN

Where a lot is subject to the Area D Neighbourhood Plan and is within the TOA designated area:

- 1.1. The greater of the allowable height and density permissions will apply.
- 1.2. Density bonuses for community amenities or other benefits, as identified in the Plan, are applicable when TOA heights and densities are surpassed.
- 1.3. All policies within the Plan (except for residential parking requirements and height and density under bonusing requirements) will still apply.

### 2. POLICIES

#### 2.1. Height and Density

Heights and density for TOA 1 and TOA 2 are determined by the TOA regulations within the LUB; however additional density may be considered.

#### 2.2. Housing

- 2.2.1. Multi-Family projects in the TOA 1 or TOA 2 area will be required to meet affordability requirements as set out in **Section 5.2** of the Area D Plan and **Section 4.3(c) iv** of the [Official Community Plan](#) (OCP) including but not limited to:
  - (a) Require developments seeking rezoning to provide at least 30% of total residential floor area set aside for affordable housing. This includes two components:
    - a. a minimum 20% of floor area for low-income housing, and
    - b. a minimum of 10% floor area for moderate-income housing.
- 2.2.2. 100% social housing projects and 100% non-profit, government or non-government agency owned senior housing or community care facilities may be considered on heights and densities exceeding those in TOA 1 and TOA 2 designated areas.
- 2.2.3. Tenant protection will apply to all TOA 1 and TOA 2 area as required by **Section 5.2** of the Area D Plan and **Schedule 19: Rental Protection** contained within the LUB.
- 2.2.4. As part of rezoning application, the applicant will need to demonstrate how the proposal meets the goals of the UEL's current [Housing Needs Report](#) (including [interim reports](#)). A comparison is required to identify housing needs and the units proposed, including specific unit types, tenure, and affordability options.

## 2.3. Recommended Minimum Dwelling Unit Size

2.3.1. Proposals should consider the following minimum dwelling unit floor areas below:

		NET UNIT AREA*
Unit Type	# of Bedrooms	Square Metres
Townhouse	2	90 m <sup>2</sup>
	3	111 m <sup>2</sup>
	4	125 m <sup>2</sup>
Apartment	Studio	33 m <sup>2</sup>
	1	49 m <sup>2</sup>
	2	67 m <sup>2</sup>
	3	86 m <sup>2</sup>
	4	112 m <sup>2</sup>

*\*Net Unit Area is the dwelling area calculated from the centre line of party walls, corridor walls and the outside face of the sheathing on exterior walls, and includes in-suite storage*

## 2.4. Reconciliation

Rezoning applications may be considered for residential and 100% commercial projects that support local First Nations and urban Indigenous peoples to advance the Province's UN Declaration on the Rights of Indigenous Peoples (UNDRIP) commitments and Reconciliation goals.

## 2.5. Commercial

2.5.1. Commercial uses are encouraged at grade.

2.5.2. Approved commercial uses will be at the discretion of the Minister at the time of rezoning.

## 2.6. Landscape Requirements

2.6.1. Proposals will adhere to **Section 5.3** of the Area D Plan.

2.6.2. Notwithstanding the Area D Plan, applicants should maximize tree retention, and design to accommodate new trees. Large specimen replacement trees should be included to support a healthy urban forest canopy that reduces urban heat island effects, improves biodiversity, and the local micro-climate. Depending on site-specific conditions, applications may need to accommodate wider boulevard dedications to ensure adequate soil volume or planting space to achieve canopy cover goals.

2.6.3. Underground structures should be avoided within building setbacks to protect existing trees where possible. The setback areas may be used for green rainwater infrastructure strategies, soil retention and planting space.

## 2.7. Childcare, Institutional and Cultural Facilities

2.7.1. Proposals will adhere to **Section 5.4** of the Area D Plan.

Notwithstanding the Plan, applications should minimize the loss of institutional, childcare and cultural uses in TOAs. Significant development proposals will be assessed on a case-by-case basis for childcare feasibility and secured childcare spaces.

## 2.8. Adverse Impacts on Adjacent Development

Proposals within TOA 1 and TOA 2 areas will be required to provide a block study that demonstrates the proposed development does not prevent adjacent sites from achieving the minimum TOA development standards. The study should also consider site-specific conditions (including tree retention, sidewalk/boulevard dedications, building setbacks, traffic and pedestrian movement).

## 2.9. Infrastructure

- 2.9.1. Proposals will adhere to **Section 5.7** of the Area D Plan.
- 2.9.2. All projects must comply with the UEL's [Works and Service Bylaw](#) and enter into a Works & Services Agreement at the Development Permit phase.
- 2.9.3. Upgrades to the UEL utility systems are required to support future population and employment growth and will be confirmed and/or negotiated concurrently through the rezoning process.
- 2.9.4. Development Cost Charges will apply to all proposals.
- 2.9.5. Regional upgrades will be identified at the time of the rezoning application in coordination between the UEL, Metro Vancouver and other local agencies.

## 2.10. Parking Requirements

- 2.10.1. Proposals within TOA 1 and TOA 2 are exempt from residential off-street parking requirements however must still address the non-residential parking requirements defined within **Schedule 3** of the LUB. When off-street residential parking is part of a proposal, sections **5.5.23-28** of the Area D Plan will apply.
- 2.10.2. Accessible parking is required for TOA 1 and TOA 2 proposals. The following number of accessible parking spaces must be provided:
  - (a) For residential uses in buildings that contain at least seven (7) dwelling units, a minimum of 1.0 spaces plus an additional 0.034 spaces for each additional dwelling unit; and
  - (b) For non-residential uses in buildings that contain at least 500 m<sup>2</sup> of gross floor area, a minimum of 1.0 spaces plus an additional 0.4 spaces for each 1,000 m<sup>2</sup> of gross floor area
- 2.10.3. New projects within TOA 1 and TOA 2 areas will not be eligible for resident on-street parking permits per Section 3.3 and 3.4 of Schedule 3 of the LUB.

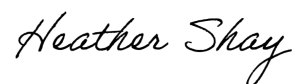
## 2.11. Public Realm Improvements

- 2.11.1. Proposals for TOA 1 and TOA 2 lots within Area D will comply with the Area D Plan (**Sections 5.1.16-21**) and UEL's **Public Realm Framework**.
- 2.11.2. For Proposals within TOA 1 and TOA 2 areas but outside of Area D, the objectives and principles of the Area D Plan (**Sections 5.1.16-21**) and the UEL's Public Realm Framework will apply.



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