

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE MINISTER OF
COMMUNITY, SPORT AND CULTURAL DEVELOPMENT

University Endowment Lands Act

Ministerial Order No. **M 008**

I, Coralee Oakes, Minister of Community, Sport and Cultural Development, order that the University Endowment Lands *Land Use, Building and Community Administration Bylaw* as confirmed and validated by section 4 of the *University Endowment Land Amendment Act*, S.B.C. 1989, c. 41, and the Official Community Plan, adopted October 14, 2005, be amended as follows:

Land Use, Building and Community Administration Bylaw

1. TABLE OF CONTENTS

The Table of Contents is deleted and replaced with the following:

Introduction
Definitions
Appeal
Non-Conforming Use
Penalty
Community Administration
Development Permits
Building Permits
Plumbing, Electrical, Gas and Oil Permit
Swimming Pools
Authority to withhold, cancel or suspend a Permit
Records of Permits
Building, Plumbing, Electrical, Gas and Oil Regulations and Inspections
Fire Regulations and Inspections
Requirement for Professional Designer
Survey Certificate
Stop Work Order
Driveways
Planting and Yards
Grading, Fences and Tennis Courts
Sewers
Water services

Home occupations
Business Licence
Other restrictions
Land Use Districts
SF-1: Single Family Dwelling District
SF-2: Single Family Dwelling District
MF-1: Multiple Dwelling District
MF-2: Multiple Dwelling District
C: Commercial District
I: Institutional and Public Use District
CD-1: Comprehensive District
I-A: Institutional and Public Use District A

Schedules

1. Land Use Designations
2. Fees and Charges
3. Parking Requirements
4. Sign Control
5. Building Lines
6. Noise Control
7. Fire Safety
8. Building and Plumbing Inspections
9. Pool Design and Installation Requirements
10. Cross Connection Control
11. Application Procedures
12. Standards of Maintenance
13. Schedule Restricting Smoking
14. Schedule to Provide for the Control of Animals
15. Sprinkling Regulations
16. Strata Title & Cooperative Conversion

2. DEFINITIONS

The following definition of “Student Housing” is added to section 4:

“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.

3. DEVELOPMENT PERMITS

Section 10 (1) is amended by deleting subsection (n) and replacing it with the following:

“(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).”

4. LAND USE DISTRICTS

- 1) Section 45 (1) is amended by adding the following subsection (g) immediately following subsection (f):

“(g) I-A: Institutional and Public Use District (A).”

- 2) The following land use district be added immediately following section 139(12)(b)(iii):

I-A: Institutional and Public Use District (A)

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.

5. LAND USE MAP

Schedule 1: University Endowment Lands Point Grey B.C. map is deleted and replaced with the *University Endowment Lands Land Use Plan* attached as schedule A.

Official Community Plan

The last paragraph in section 2.2 of the Official Community Plan is deleted in its entirety and replaced with the following:

“The Village is the UEL’s centre for commercial activity located in Area D. This area includes Block 97 (bordered by University Boulevard, Western Parkway, Dalhousie Road and Allison Road), and the Regent College site (located on the south side of University Boulevard between Western Parkway and Wesbrook Mall).”

January 15, 2014
Date

Conalee Oakes
Minister of Community, Sport and Cultural Development

(This part is for administrative purposes only and is not part of the Order)

Authority under which Order is made:

Act and Section: University Endowment Land Act, R.S.B.C. 1996, c. 469, s. 12.

Other (Specify): _____

Schedule A – UEL Land Use Map

