



TECHNICAL MEMORANDUM

Ref: RC-RZ

September 12, 2013

**Re: Regent College: Application for change of land use (rezoning) and
OCP amendment**

1. Project Summary

Regent College has made a change of land use (“rezoning”) application to allow for an expansion of College facilities to accommodate an integrated use campus. The rezoning proposal specifically relates to:

- allowing Student and Faculty rental housing on the site;
- allowing a 6 storey extension to the existing facility.

The application has been reviewed by the UEL Administration, with technical planning, civil engineering and traffic review undertaken through the UEL’s retained consultants, AeCom. This memorandum draws heavily on AeCom’s technical review.

The purpose of the application is to provide housing options and additional ancillary services to Regent’s existing student population. Regent College is a private, trans-denominational, graduate-level, theological college with a current student population of nearly 700 (350 full time equivalent).

If successful in the rezoning application, the detail of the proposals would be established through a future development permit application. The illustrative proposals for the expansion (subject to future refinement) include development of a 62-foot tall, 6-storey addition to the existing building comprising: 16,610 square feet of new educational floor space (including a 440-seat auditorium), 11,300 square feet of grade level retail; and 72 non-market rental housing units, for graduate students enrolled on Regent College’s theological programmes and Regent College faculty. 73,190 square feet of new floor area is proposed.

The subject site is currently zoned Institutional and Public Use District within the UEL’s Land Use, Building and Community Administration Bylaw (the Bylaw). This allows for the current institutional use of the site as an outright use, as well as the proposed new retail/commercial floor space as a conditional use. The current zoning also allows for the development of the

additional floor space proposed, as it has been confirmed that the total proposed floor space for the site would be within the density limit 1.45 FSR as set by the existing zoning, provided that parking conditions set out in the current Bylaw are met in the proposal. The application proposes the introduction of student dormitory uses, which are not permitted within the existing zoning. Further, the application proposes that the addition and expansion will reach a height of 6 storeys which is in excess of the maximum height of 4 storeys or 45 feet allowed under the site's current zoning.

2. Planning and Policy

2.1 OCP and Zoning Considerations

The proposed height and mix of land uses proposed within the Regent College application are not permitted within the current zoning for the Regent College site. Neither are they accommodated within any other current zoning category within the UEL's Bylaw. Approval of the application would therefore require establishment of a new zoning designation. If the application is approved, it is proposed that a new institutional zoning category (hereon referred to as Institutional and Public Use District (A) or I-A) be applied to expand the existing uses within the current institutional zone to include the introduction of student housing uses as an outright use, along with provisions for heights up to six-storeys.

The creation of the new zoning designation will need to ensure that the proposal supports other policy goals within the OCP to ensure that it is in conformance with the general intent of the Official Community Plan (OCP). Below is a summary of OCP policies with relevance to the Regent College submission; how they have been addressed as part of the current process; and any issues that require further consideration as part of any future development permit process for the site.

The proposed Regent College expansion is generally consistent with the OCP policy guidance. While the OCP identifies a number of key considerations within the planning and design of the project that need to be taken into account at both the rezoning and development permit stages, the proposal is generally consistent with OCP provisions aimed at rental housing and the optimization of densities within Area D.

However, there is a text amendment required to the OCP. Specifically, some language in the preamble as well as reference made in Section 4.3(d) limits commercial development to 'the Village'. The Village is an area described in the OCP as Block 97, a one-block area bordered by University Boulevard, Western Parkway, Dalhousie and Allison Roads. Block 97 is adjacent to but does not extend to the Regent College site.

Approval of the Regent College application will require revisions to the text to extend the description of 'the Village' to include the Regent College site. This would include a change in the description of the Village area currently provided in Section 2.2. New language is proposed as:

“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 and Allison Roads), and the Regent College site (located on the south side of University Boulevard between Western Parkway and Wesbrook Mall).”

Given that commercial activity is currently permitted on the Regent College site as a conditional use within the current zoning, expansion of the definition of the Village to include the Regent College site will bring the UEL’s policy and land use into conformance.

Table 1: Relevant OCP Policies

OCP reference	Summary of Policy	How the application addresses the policy
4.2 Sustaining Environmental Quality	Greenspace <ul style="list-style-type: none"> Preserve the greenbelt on Western Parkway between Agronomy Road and NW Marine Drive. 	<ul style="list-style-type: none"> Landscaping for the site and the adjacent public realm will need to be developed with sensitivity to the greenspace on Western Parkway. These issues will be considered in detail at any future development permit stage. The greenspace adjacent to Regent College already has a more urban character, with adjacent street parking; an informal walkway created by significant pedestrian traffic on the grass and a paved walkway to provide access through the Regent College site. The project, if approved, would provide an opportunity to enhance this public space. The current proposal would relocate the Regent College access from Wesbrook Mall, where there are significant safety considerations, to Western Parkway. Any such change would need to be achieved with minimized impact on the Agronomy greenbelt.
	Traffic <ul style="list-style-type: none"> Encourage bicycle use 	<ul style="list-style-type: none"> The application proactively proposes a

	<p>through requiring new multi-family developments to provide a safe, secure and convenient storage area in conjunction with exterior visitor bicycle racks. New commercial developments of significant scale should, in addition to the above requirements, provide change/shower rooms for tenant use.</p>	<p>significant component of bicycle parking: 46 long term bicycle spaces and 96 short term spaces.</p>
4.3 Maintaining Neighbourhood Character	<p>Building Patterns</p> <ul style="list-style-type: none"> ...South of University Boulevard, more flexibility in medium-density patterns can be considered. In the <i>Village</i> mixed-use commercial/residential is encouraged. 	<ul style="list-style-type: none"> The policy supports the density and scale of development proposed by Regent College in its location (areas south of University Boulevard).
	<p>Densification</p> <ul style="list-style-type: none"> The existing higher density mixed-use projects within <i>Area D</i> have been designed to respect a human-scaled streetscape experience. Allow redevelopment in <i>Area D</i> to optimize density levels established in the <i>Current Bylaws</i>. Ensure that a human-scaled streetscape environment be a prerequisite consideration for approval. Identify through further study, bylaw mechanisms that promote the 	<ul style="list-style-type: none"> The policy supports the redevelopment of sites within Area D to ensure that current site densities are met. The existing Regent College development (which provides for a publicly accessible park area adjacent to University Boulevard) currently has a significantly lower density than that allowed within the existing Institutional and Public Use District. The relaxation of the 4 storey height restriction would allow density to be optimized on this site. The policy supports new rental accommodation within the UEL. While the Regent College proposal is for student and faculty rental accommodation, it does qualify as

	provision of rental accommodation for all new or renovated residential developments.	rental housing and so is supported by this provision.
	Commercial Development <ul style="list-style-type: none"> Commercial development in the UEL has been limited to the <i>Village</i> in <i>Area D</i>. Commercial activity should continue to be confined within this block. (Section 2.2 sets out that the <i>Village</i> is a one-block, mixed-use commercial/retail/residential zone on Block 97 of <i>Area D</i>, bordered by University Boulevard, Western Parkway, Dalhousie and Allison Roads.) Any commercial redevelopment plans should be evaluated in conjunction with UBC's commercial expansion plans as a factor. 	<ul style="list-style-type: none"> The policy limits commercial development to the Village. This constraint is in conflict with the existing zoning for the Regent site. Regent is adjacent to the Village, and already has retail uses (cafe and bookstore). Analysis suggests that further modest commercial expansion would strengthen the UEL Village as a commercial hub. An OCP amendment would be needed to include Regent College within the OCP's definition of the UEL Village. The proposals have been reviewed alongside UBC's commercial plans and have been discussed with UBC staff.
4.5 Providing Essential Services	Development Cost-Recovery <ul style="list-style-type: none"> If any proposed real estate development requires or results in off-site servicing upgrades, the costs of these required improvements should be paid by the developer. 	<ul style="list-style-type: none"> This policy would be applied to any off-site costs directly resulting from the project (for example, any adaptation of the public realm such as landscaping, sidewalk). Required public realm upgrades would be defined as part of a future development permit process.

2.2 New Zoning Language

The Regent College proposal would require the creation of a new Institutional and Public Use District (I-A) to accommodate the proposed height and uses. A draft of the new zone is set out at Appendix A to this document.

In addition, as the current Land Use, Building and Community Administration Bylaw does not currently include a definition for student housing uses, an amendment to provide one would be required. Below is the proposed wording of this definition:

“Student Housing” means rental residential accommodation that is provided by an educational institution to its students or faculty, together with family members, where permitted.

3. Public Notification and Consultation

Regent College has undertaken two open houses within the UEL community as part of its application. The first open house was held June 21st, 2011 prior to submission of the application, to gauge early feedback from the community on the proposal. No issues were raised from the community at this forum.

A second open house was held October 24th, 2012, after the application was submitted, and provided additional opportunity for community feedback on the proposed rezoning. The open house was publicized via signs on site as well as advertisements in the Vancouver Courier, Ubyssy, and the Campus Resident. A direct mailing also occurred highlighting the event for residents/owners/managers of immediately adjacent properties.

Attendance at the open house was limited with the majority in attendance being Regent College students and staff. Responses to the proposal were favourable with no issues being identified.

UEL staff attended both open houses and the UEL’s retained planning advisor also attended the second open house.

The UEL Administration has received only one piece of correspondence in relation to the proposal. This is from representatives of the neighbouring Beta Theta Pi (fraternity) Alumni Association and was received on August 17, 2011. The letter and a subsequent meeting with a representative of the fraternity alumni association have indicated general support for the intent of the development, but highlighted concerns with residential uses at the south-facing side yard and the height proposed. Regent College has responded by redesigning their proposal to orient more of the residential development away from the fraternity site. In addition, the draft Institutional and Public Use (A) zone includes additional setback requirements for storeys above the existing allowable four storeys.

The application was circulated to appropriate external agencies for comment. No significant issues have been raised by notified stakeholders. The list of agencies notified includes:

- UBC;
- Metro Vancouver;
- City of Vancouver Fire Department;
- BC Ministry of Transportation and Infrastructure;
- TransLink.

4. Urban Design

4.1 Land Use

Retail Uses

The Regent College submission includes 11,300 square feet of retail commercial development within the ground floor of the new development. The current zoning for the Regent College site does anticipate retail land uses on this site subject to conditional approval by the UEL Manager. The key consideration for this approval would be the projected impact of new retail development on the health of the existing Village.

In response the applicant has submitted a retail market impact study undertaken by Colliers International Consulting in late 2012. The findings of that study show no impact on the health of existing retailers within the Village, given the increasing spending potential within the surrounding UEL and UBC communities and the modest scale of retail floor space being proposed. A peer review of the study undertaken by the UEL's consultants concurs with this assessment. Further, it is the opinion of the consultant that additional retail offerings within the Village are key to maintaining its vitality and viability as it will need to compete with the strong competition for local retail spending coming from the rapidly developing retail village at Wesbrook Village. Depending on the tenant mix, a modest increase in the scale and scope of retail offerings within the Village area could assist in more effectively capturing retail spending and supporting local retailers within the UEL.

Student Housing Uses

A key aspect of the Regent College submission is the introduction of student and faculty housing uses to the site. The applicant proposes the inclusion of 72 dorm and family-residential units within the expansion to the college facility. Adjacent sites within the Village currently provide for apartment-style residential units, many currently occupied by students attending UBC or other nearby institutions. The applicant indicates that the inclusion of student housing space within the Regent College site would meet significant demand for on-campus housing by its students and support the educational mission of the college. Regent College's focus on graduate students and faculty, as well as students with families, is likely to result in a safe and mature residential community.

As such, given the intended user group as well as the surrounding uses, the UEL's consultants advise that the inclusion of student housing uses on the Regent College site is not anticipated to create substantial land use conflicts going forward.

4.2 Density

The proposed density of the expansion is consistent with the requirements of the existing zoning for the site.

4.3 Building Height

A review of the form of development, massing, and site design approach was undertaken for the proposal. The height as proposed is not currently allowable under the zoning bylaw. However, the proposed building height is consistent with the heights of surrounding developments within the Village as well as within the adjacent UBC Campus.

Existing buildings immediately to the east (across Western Parkway) of the Regent College site reach heights of 70 feet. A development to the southeast reaches a height of 130 feet, and development within the UBC hospital site immediately to the west (across Wesbrook Mall) reaches heights of 80 feet.

4.4 Setbacks

The proposed Regent College expansion conforms to the existing setbacks laid out in the current zoning for the site. However, given that the proposed expansion will exceed the height currently permitted, setbacks laid out in the existing zoning may not be adequate. The intent of increased upper floor setbacks is to provide sun infiltration, limit side yard overlook, and support a pedestrian-friendly public realm.

Requirements for the CD-1 zone for the Village area were examined as a precedent to determine the appropriate scale for the stepping back of upper floors on the Regent College site. As an example, the fifth floor setback in the Village requires an average of 18 ft with no portion of the building closer than 10 ft from the property line.

A review of Regent College's current setbacks has determined that the front, rear and exterior side yard setbacks are considerable and do not require amendments. Recognizing concerns from the adjacent neighbour to the south, the upper floor setback requirements on the interior side yard would be increased from the current 15ft average to 18ft average setbacks on the fifth and sixth floors.

4.4 Sustainability

The applicant has made known their intention to pursue a design that is equivalent to a LEED Gold level of green building certification.

The details of the building design in regards to green building and sustainable construction would be addressed in a subsequent development permit application process.

4.5 Public Benefits

The applicant has proposed the creation of a publicly accessible courtyard combined with a mid-block access and egress point that will allow for pedestrian access through the site connecting Westbrook Mall and Western Parkway.

The UEL Administration strongly supports this aspect of the proposal, and considers this access through the site to be a significant public benefit. As such, this east west access through the site is included as an explicit provision in the proposed Institutional A zoning. The potential for a covenant or other legal form of protection for this access is being considered.

All costs related to the improvement of the adjacent greenspace and public realm that are necessitated by any future Regent College development would need to be met by Regent College.

5. Traffic and Transportation

5.1 Vehicle Traffic

Regent College and their consultant MMM Group undertook an assessment of current and projected future vehicle traffic volumes with an aim to assess the impacts of the Regent College expansion on the surrounding transportation network.

The projections indicated that when completed, the Regent College expansion is expected to generate up to 38 trips (28 inbound and 10 outbound) in the morning peak hour and up to 46 trips (21 inbound and 25 outbound) in the afternoon peak.

Based on these additional volumes, all intersections can be expected to continue to operate within acceptable levels, with the exception of Western Parkway/University Boulevard intersection during the PM peak due to the volume of pedestrians moving along University Boulevard at this time of day. It is important to note that there are currently congestion issues at this intersection that will only be slightly exacerbated by the proposed development (based on the analysis provided). This level of service issue does not represent a significant safety issue and is not directly connected to the proposal. The UEL's retained consultants have advised that the UEL address this issue separately from the Regent College application.

5.2 Access

The current application anticipates parking access to the site from Western Parkway, due to safety issues with the existing access location on Wesbrook Mall. The existing intersection on Wesbrook Mall cannot safely accommodate vehicle movements generated by UBC Hospital, Regent College and Beta Theta Pi Fraternity House.

While the location of the parking access on Western Parkway may slightly exacerbate congestion at the Western Parkway/University Boulevard intersection, traffic analysis undertaken by consultants acting for the UEL and the applicant concur that this location offers significant safety benefits over the Wesbrook Mall access (as currently designed).

5.3 Pedestrian Movement

Currently, significant volumes of pedestrians cross at the location of the existing vehicle access to Regent College on Wesbrook Mall, with eastbound pedestrians often proceeding through the Regent College site, across Western Parkway and to the existing UEL Village. While these pedestrian movements are not primarily related to Regent College, the College's consultants did undertake analysis as to the need for a pedestrian crossing warrant for Western Parkway connecting the College with Dalhousie Road.

The findings of the analysis did confirm the volume of pedestrians crossing mid-block at this location, however did not indicate a need for a pedestrian crossing at this location based on standard procedures. That said, consultants have recommended that more analysis of pedestrian facilities at this location should be undertaken as part of the public realm discussion with the applicant at such time as a development permit is pursued.

5.4 Parking and Loading Requirements

Given current utilization of Regent's staff parking, car ownership among the user group of the new residential units, and Regent's ability to manage parking provision, there is evidence to support a lower parking standard for the Regent site and set a standard for new development of this type. The UEL parking schedule was adopted in 1999 and given the time and changes in parking standards since then, it is considered appropriate to review the requirements of the schedule as part of this application.

Based on discussions with the applicant a revised parking standard is proposed for the development. This new standard would see the provision of:

- **Post-secondary education:** 0.5 spaces per employee
- **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 share¹ incentive reduction:** A maximum 5-space reduction per car share provided, up to a maximum of 1 car share per 60 spaces.
- **Off-street loading:** 1 space per 50,000 square feet of floor space.

Based on the proposal and calculations using these figures, 73 parking stall would be provided within the development. The UEL would not extend resident parking passes to Regent staff or residents. Any surplus parking demand would (as now) need to be accommodated within nearby paid parking facilities through third-party agreement.

6. Infrastructure and Servicing

The UEL's retained civil engineering consultant has provided the following analysis of the infrastructure and servicing implications of the development.

6.1 Water System Capacity

Water System Capacity

The proposed new development is expected to have a water demand of 44.13 L/s (or 700 gpm), of which 30 L/s is fire flow. When this additional demand is added to the system the residual pressure is satisfactory at 49.1 psi. The hydrant at Dalhousie and Western Parkway was able to supply the 150 L/s fire flow during maximum daily demand.

The only note of concern is the hydrant on Wesbrook Mall just west of the existing Regent College building, which does not provide enough pressure for the 150L/s fire flow, even before the Regent College demand is added. This water main has been identified for renewal as part of the UEL's 10-Year Capital Plan. If the Regent College development goes ahead, adequate fire flow would need to be established as part of the construction phase, either as a result of the UEL undertaking the water main replacement identified; or – if Regent College wishes to proceed with the project before the UEL undertakes this work - as a result of measures put in place by Regent College.

There are currently two water mains on Western Parkway (Ø150 mm on the west side and Ø400mm on the east side). The applicant is proposing disconnection of the existing Ø150mm

¹ Car Share - means a service for users in support of community transit and environmental goals. It is a membership based service offering members access to a dispersed network of shared vehicles 24 hours, 7 days a week. It is primarily designed for shorter time and shorter distance trips providing a public service to enhance mobility options.

connection currently serving the College and the provision of a new Ø200mm connection installed to serve the entire premises. This new connection will be connected to the existing Ø400mm water main along Western Parkway.

6.2 Sanitary System Capacity

Within the existing sanitary model for the UEL, the flow capacity of the sanitary system from the entire Regent College site is equivalent to a residential population of 317 people. Given that the projected population is to be much less than 317 people, the UEL's consultants do not anticipate that the development of the Regent College site as planned will pose problems to the UEL's sanitary system.

The sanitary sewer along Western Parkway has a diameter of 250mm and a slope of 0.6%. The capacity of this sewer is 47.6 L/s, and the projected peak flow with the development at Regent College is 18 L/s. With this rate of flow, there are no capacity issues within the sanitary sewer system. As well, projected flow rates are also within limits set by Metro Vancouver.

6.2 Stormwater

Given the UEL's existing capacity issues within its storm water system, UEL management has requested and the applicant has agreed to meet certain storm water management requirements for its site.

This requirement is that new development within the UEL must include provisions to limit conveyance of storm water from private sites to UEL-owned facilities. The rate of conveyance for any site within the UEL will be limited to no more than 25 litres per second for each 1.0 hectare of site area during a five-year storm event.

Given that the Regent College site is an expansion on a previously developed site that is not currently in conformance with this new policy, maximum storm water flow rates will be required for new development on the site.

The UEL will also require the installation of flow monitoring devices to confirm the performance of on-site storm water management systems. Flow monitoring should be maintained and reported to the UEL for a minimum of two years, including one year after the monitoring has proved that the system operates according to design criteria.

Appendix 1: Draft Zoning Bylaw I-A: Institutional and Public Use District (A)

Note: this draft Bylaw text is under development and remains subject to change during the subsequent steps in the UEL's rezoning process. If the proposed rezoning is approved, the final Bylaw text would be advertised as per section 12(5) of the University Endowment Land Act.

INTENT

140. The intent of this District is to permit institutional and public authority 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) 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 141(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) Institution of a religious, philanthropic or charitable character.
- (i) Park or playground.
- (j) Parking Area ancillary to a principal use on an adjacent site.
- (k) Public Authority Building or use.

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

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 conditions or additional regulations the Manager may decide, 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 he deems may be affected.

(2) Conditional Uses

- (a) Accessory Uses to any of the uses listed in this Section.
- (b) 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.
- (c) Financial Institution.
- (d) Hall.
- (e) Health Club or Spa.
- (f) Hospital, including a conversion from an existing building and including an animal hospital.
- (g) Hotel or Motel.

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

(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 as viewed directly above:

- (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;
- (d) items similar to any of the above.

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 146 (1) and (2), in the case of a corner site, the exterior side yard shall be 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 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 147(1), for through sites located between Western Parkway and Wesbrook Crescent or Western Parkway and Wesbrook Mall, 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.

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 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

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 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, 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	1/50,000 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 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) 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.

(3) 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 backlit signs, displays or product machines may be visible through the 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 the building.

(4) Prohibited Signs

- i. Billboards.
- ii. Revolving signs.
- iii. Banners, pennants, bunting, flags (other than national, provincial, municipal flags), balloons or other gas-filled inflatable devices.
- iv. Roof signs.
- v. Changeable copy signs.
- vi. Sandwich boards or any other temporary signs.
- vii. Backlit signs.

(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 façade 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 of 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;

- (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;
 - ii. the consistency of the plan with signs on adjoining parcels; and
 - iii. the recommendation of the University Endowment Lands Advisory Design Panel;
- (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 an 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 confirms 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, copy and typeface, 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.

ISSUANCE OF A DEVELOPMENT PERMIT

155. (1) Prior to the issuance of a Development Permit within this District, conditions related to the following may be imposed:

- (a) Stormwater management
- (b) Green building requirements
- (c) Public realm

(2) An application for a Development Permit must be made to the manager that demonstrates conformance with conditions listed in (1).

OPEN SPACE REQUIREMENTS

156. The site shall provide a publicly accessible internal courtyard 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.

Note: this draft Bylaw text is under development and remains subject to change during the subsequent steps in the UEL's rezoning process. If the proposed rezoning is approved, the final Bylaw text would be advertised as per section 12(5) of the University Endowment Land Act.