

**APPENDIX 1 TO THE MINISTER'S ORDER  
AMENDMENT TO THE UNIVERSITY ENDOWMENT LANDS  
LAND USE, BUILDING AND COMMUNITY ADMINISTRATION BYLAW**

**INSTRUCTION**

1. The Table of Contents is amended to reflect the changes to the Bylaw set out in this Amendment.
2. **Amend Section 2 of the Bylaw by adding the following Section 2.1:**

**“2.1 CD-4 Comprehensive District Zone Definitions**

For the purpose of the CD-4 Comprehensive District Zone, the following words and phrases shall have the following meanings:

- (a) **“CD-4 Lands”** means the area identified as Lot 1 on the Survey Plan EPP138663, a copy of which is included in Appendix 5 Building Siting, Form and Character Comprehensive District 4 Zoning Lot.
- (b) **“Housing Agreement”** means a housing agreement entered into by the owner of the CD-4 Lands and His Majesty the King in the Right of the Province of British Columbia, pursuant to Section 12(2) of the *University Endowment Land Act*, RSBC 1996, c 469 relating to the provision of affordable dwelling units on the CD-4 Lands.

3. **Amend Section 7.1 of the Bylaw by adding a new Subsection (p) as follows:**

“(p) erect, demolish or replace a building in the Comprehensive District (CD-4)”

4. **Amend Section 26.1 of the Bylaw by adding a new Subsection (i) as follows:**

“(i) CD-4: Comprehensive District.”

5. **Amend the Bylaw by adding a new Section 38 as follows:**

**“38.0 CD-4 Comprehensive District**

**38.1 Application.** This CD-4 Comprehensive District regulates and applies to the CD-4 Lands.

**38.2 Green Building Performance.** All applications for development permits and building permits for the CD-4 Lands must include a summary of how each and every building will achieve the minimum requirements of the BC Energy Step Code that is applicable to the University Endowment Lands at the time of application.

**38.3 Floor Area and Density.**

- (1) For the purposes of subdivision, the CD-4 Lands shall have a minimum lot area of 2,856 square metres, prior to any dedications. For the purpose of Section 38.3(1) and (2), ‘dedications’ shall refer to any land dedicated pursuant to the *Land Title Act* and any land designated for public access or use pursuant to a registered statutory right of way.

- (2) The floor space ratio of the CD-4 Lands shall be 4.0, and computation of the floor space ratio will be based on the lot area of the CD-4 Lands, prior to any dedications.
- (3) Computation of floor area:
- (a) will include all floors having a minimum ceiling height of 1.2 metres above ground level, including earthen floor, measured to the extreme outer limits of the building;
  - (b) will exclude:
    - (i) open residential balconies or sundecks, and any appurtenances thereto which, in the opinion of the Manager, are similar to the foregoing, except that the total area of all such exclusions must not exceed 12% of the maximum permitted residential floor area;
    - (ii) covered entrances not exceeding 25 square metres in area;
    - (iii) uncovered patios, roof gardens and decks;
    - (iv) covered patios not exceeding 15 square metres in area;
    - (v) commercial canopies not exceeding a projection of 3.0 from the building face;
    - (vi) pergolas and trellises;
    - (vii) residential lobbies, common areas and amenity areas, provided that the total area of such exclusions must not exceed 550 square metres;
    - (viii) heating, cooling and mechanical equipment, elevator shafts, elevator lobbies, elevator machine rooms, electrical rooms, recycling facilities, garbage holding areas, loading areas, or uses which in the opinion of the Manager are similar to the foregoing, provided that the finished floor of those areas or portions thereof so used;
    - (ix) floor area for each adaptable dwelling unit provided, according to the following: (A) 1.9 square metres per one-bedroom adaptable dwelling unit provided, and (B) 2.8 square metres per two-plus bedroom adaptable dwelling unit provided;
    - (x) underground parking structures, including, without limitation, floor area used for the purpose of off-street loading, bicycle storage, and storage areas; and
    - (xi) areas of undeveloped storeys which are located (A) above the highest storey or half storey, including roof top heating, cooling,

mechanical, electrical rooms; or (B) adjacent to a storey with a ceiling height of less than 1.2 metres.

- (4) One (1) principal building is permitted on the CD-4 Lands.
- (5) Balconies may not be enclosed.

#### **38.4 Building Height.**

- (1) Subject to Subsections (2) and (3), the principal building on the CD-4 Lands shall not be higher than a geodetic datum of 149.74 metres, being approximately 58 metres from the highest point of the curb elevation on any road adjacent to the CD-4 Lands, provided that the top of the elevator overrun may be built to a geodetic datum of 154.79 metres.
- (2) The Manager may permit a greater height than otherwise permitted for the following items if they do not in total exceed one-half of the width of the building or buildings as measured on any elevation drawings:
  - (a) architectural appurtenances such as turrets and cupolas, provided that no additional floor area is created and no protrusion extends more than 1.2 metres above the height limitation;
  - (b) mechanical appurtenances such as elevator machine rooms, rooms containing heating, cooling and electrical equipment;
  - (c) access and infrastructure required to maintain green roofs, urban agriculture or roof-mounted energy technologies including solar panels and other such renewable energy devices, provided that the Manager considers their siting and sizing in relation to views, overlook, shadowing and noise impacts;
  - (d) venting skylights, opening clerestory windows designed to reduce energy consumption or improve natural light and ventilation; and
  - (e) items similar to any of the above.
- (3) The Manager may, for any building higher than 30 metres, permit a decorative roof, which may include items referred to in Subsection (2) to exceed the maximum height otherwise specified in the Bylaw, provided that:
  - (a) the Manager is satisfied that the roof enhances the overall appearance of the building and appropriately integrates mechanical appurtenances;
  - (b) the roof does not add to the floor area otherwise permitted; and
  - (c) the Manager refers the matter to the Advisory Design Panel for comment.

#### **38.5 Dwelling Units**

- (1) No dwelling unit shall have a floor area less than 25 square metres.
- (2) No portion of a building located below the 2<sup>nd</sup> storey shall be designed or occupied as a dwelling unit.
- (3) A minimum of 10% of the total number of residential dwelling units in the CD-4 Comprehensive District shall be used for affordable rental housing for moderate-income households, comprising of those dwelling units designated as 'Affordable Rental Units (Moderate)' pursuant to a Housing Agreement.
- (4) A minimum of 20% of the total number of residential dwelling units in the CD-4 Comprehensive District shall be used for affordable rental housing for low-income households pursuant to the terms of a Housing Agreement, comprising of:
  - (a) a minimum of 8% of the total number of residential dwelling units in the CD-4 Comprehensive District designated as 'Affordable Rental Units (Low)' pursuant to a Housing Agreement; and
  - (b) a minimum of 12% of the total number of residential dwelling units in the CD-4 Comprehensive District designated as 'Affordable Rental Units (Graduate)' pursuant a Housing Agreement.

### **38.6 Site Coverage**

- (1) The maximum site coverage shall be 56% (1,598 square metres) of the site area of the CD-4 Lands.
- (2) For the purposes of this CD-4 Comprehensive District, the following shall be excluded from site coverage:
  - (a) open balconies;
  - (b) covered entrances not exceeding 23 square metres in area;
  - (c) commercial canopies not exceeding a projection of 2.4 metres from the building face;
  - (d) covered patios not exceeding 14 square metres in area;
  - (e) pergolas and trellises; and
  - (f) underground parking structures.

### **38.7 Minimum Siting Requirements**

- (1) No part of any building or structure shall project beyond the building lines shown on Schedule 5 of the University Endowment Lands *Land Use, Building and Community Administration Bylaw*, excepting covered entrances to multiple

dwelling buildings, which may project into the required setbacks at the discretion of the Manager.

### **38.8 Setbacks**

- (1) On the northern frontage, the building face will setback at least 4 metres from the property line and any retail canopy will be setback at least 2.20 metres from the property line.
- (2) On the eastern frontage, the building face will setback at least 2.75 metres from the property line.
- (3) On the southern frontage, the building face will setback at least 9.85 metres from the property line.
- (4) On the western frontage, the building face will setback at least 5.65 metres from the property line and any retail canopy will be setback at least 3.85 metres from the property line.
- (5) Setbacks shall not apply to areas below grade.
- (6) The Manager, after consulting with the Advisory Design Panel, may permit variances to the building setbacks to improve design articulation and building appearance.

**38.9 Adaptable Dwelling Units.** At least 25% of the dwelling units in the building on the CD-4 Lands shall be adaptable dwelling units.

**38.10 Commercial Uses.** A minimum of 900 square meters of ground floor area on the CD-4 Lands shall be for commercial uses.

**38.11 Siting, Form and Character.** The siting, form and character of the mixed-use residential-commercial buildings constructed on the CD-4 Lands will align substantively with the Building Siting, Form and Character Drawings for CD-4: Comprehensive District in Appendix 5.

### **38.12 Outright Approved Uses.**

Subject to all other provisions of this Bylaw, the uses listed in this Section 38.12 shall be permitted in this CD-4: Comprehensive District, provided that any residential floor space constructed on the CD-4 Lands will only be used for multiple dwelling and residential amenity space and for related accessory buildings or accessory uses:

- (1) Artist gallery
- (2) Child day care facility
- (3) Restaurant
- (4) Grocery market

- (5) Liquor store
- (6) Multiple dwelling, provided that the tenure and rental rates of any residential dwelling units reserved for affordable rental housing pursuant to Section 38.5(3) and (4) are secured consistent with and secured by a Housing Agreement
- (7) Office
- (8) Farmers market
- (9) Food truck
- (10) Outdoor plaza and courtyard
- (11) Park and playground
- (12) Parking area
- (13) Personal service
- (14) Public authority building or use
- (15) Public utility
- (16) Residential amenity space
- (17) Retail
- (18) School or academy
- (19) Institution of a religious, philanthropic, cultural or charitable character
- (20) Accessory buildings customarily ancillary to any of the uses listed in this Section
- (21) Accessory uses customarily ancillary to any of the uses listed in this Section.

**38.13 Conditional Approval Uses.** Subject to all other provisions of this Bylaw and all the other applicable regulations, the Manager may approve any of the uses listed below, subject to such conditions or additional regulations the Manager may decide, provided that before making a decision the Manager considers the intent of the Bylaw, the Form and Character Guidelines in Appendix 5, the recommendations of the Advisory Design Panel, and has notified such adjacent property owners and residents that the Manager deems may be affected:

- (1) Animal hospital or daycare
- (2) Home occupation
- (3) Laundromat
- (4) School (professional, vocational, or trade)

- (5) Social service centre
- (6) Special needs residential facility

### **38.14 Parking and Loading Requirements**

- (1) In the CD-4 Comprehensive Zone, the following requirements shall apply to off-street parking spaces:

#### Minimum vehicle parking requirement:

- 1.1 parking spaces per dwelling unit other than the dwelling units designated as 'Affordable Rental Units (Graduate)', 'Affordable Rental Units (Low)' and 'Affordable Rental Units (Moderate)' pursuant to a Housing Agreement;
- No parking spaces required for the dwelling units designated as 'Affordable Rental Units (Graduate)' pursuant to a Housing Agreement
- 0.5 parking spaces per dwelling unit designated as 'Affordable Rental Units (Low)' and 'Affordable Rental Units (Moderate)' pursuant to a Housing Agreement;
- no parking spaces will be required for commercial uses; and
- 30 parking stalls for use by Regent College, which will be in addition to any visitor parking stalls required for the building on the CD-4 Lands.

#### Size of Parking Spaces

- The number of off-street parking spaces for small cars on the CD-4 Lands shall not exceed 25% of the total parking spaces required for all uses combined. All off-street parking spaces for small cars shall: (i) be a minimum of 4.6 metres in length; (ii) be a minimum of 2.3 metres in width, except that where one side of any space abuts any portion of a fence or structure in a manner that impedes the swing of the door of a parked vehicle, the minimum width shall be 2.6 metres or where both sides abut any portion of a fence or structure in a manner that impedes the swing of the door of a parked vehicle, the minimum width shall be 2.7 metres; and (iii) have a minimum vertical clearance of 2.0 metres, except that parking spaces may be designed to allow equipment to be affixed over vehicle hoods and in such case, the minimum vertical clearance will be 1.5 meters.

#### Electric Vehicle Parking and Charging Stations

- All off-street residential parking spaces will be designed with an AC Level 2 charging station at 240 V or higher.

- Two (2) on-street parking spaces along Western Parkway will be provided with a DC charging station for electric vehicles.

Car-share incentive reduction

- For every space designated as a car share space the minimum number of required parking spaces shall be reduced by 1 parking space, with the intent that every single parking space designated as a car share space shall be considered to be 2 parking spaces for the purpose of satisfying minimum parking requirements.

- (2) In the CD-4 Comprehensive Zone, the following requirements shall apply to loading spaces:

Minimum loading spaces requirement:

- The minimum number of loading spaces required for all commercial uses shall be one loading space per 500 square metres of floor area on the CD-4 Lands.
- One loading space on the CD-4 Lands may be an open-surface loading space located on Western Parkway.

**38.15 Bicycle Parking Requirements** In the CD-4 Comprehensive Zone, the following requirements shall apply to bicycle parking:

Minimum Required Bicycle Parking Spaces

- 1.5 Class A spaces per residential dwelling unit PLUS a minimum of 6 Class B spaces
- 1.5 Bicycle Parking Class A space per 500 square metres of commercial floor area, plus a minimum of 6 Bicycle Parking Class B spaces for commercial uses

**38.16 Sign Control**

- (1) Schedule 4 is not applicable in the CD-4: Comprehensive District.

- (2) Types

The following sign types and no others shall be permitted on the CD-4 Lands:

- (a) Projecting or hanging signs, where the sign is typically supported from an awning or canopy;
- (b) Awning signs, with painted on vinyl lettering or incised lettering with applied backing where the maximum awning drop/skirt is 40 cm in depth;



- (c) Fascia or wall-mounted signs, where the sign is mounted on the frontage of the premises, to which the sign applies;
- (d) Window signs that are not constructed of paper, cardboard, or fabrics, with the exception of cut out vinyl surface applied to the inside glazing;
- (e) Building directories, where the directory is located at the front entrance of a building;
- (f) Wayfinding and banner signs, the primary purpose of which is to provide direction and orientation to the public rather than advertisement for a particular premises;
- (g) Real estate signs, the purpose of which is to advertise properties for sale or lease, that do not exceed 1 square metre in size;
- (h) Residential building signs; the primary purpose of which is to provide building identification;
- (i) Temporary on-site development or construction signs, the primary purpose of which is to market a development project which is located on the CD-4 Lands, the design, size and duration of which will be at the discretion of the Manager; and
- (j) All other forms of signs are prohibited, including but not limited to billboards, revolving signs, roof signs, balloons or other gas-filled inflatable devices, changeable copy signs, back-lit signs, and other forms of temporary signs.

(3) Number of Signs

- (a) The maximum number of permanent signs permitted per business frontage, with the exception of projecting or hanging signs, shall not exceed 2, except in the case of any commercial tenants that occupy a minimum of 929 square metres of gross floor space, in which case the maximum number of permanent signs, with the exception of projecting or hanging signs, shall not exceed 3 per business frontage.
- (b) For clarity, where a premises has more than one frontage, each frontage may have the maximum number of signs permitted.
- (c) The maximum number of projecting or hanging signs permitted per business frontage shall not exceed 1, except for Anchor Tenants where one additional perpendicular blade sign may be permitted per entrance.
- (d) The maximum number of residential building signs permitted per residential building shall be 1.

(4) Size and Placement

- (a) The maximum permitted sign size, not including awning signs, is 2.0 square metres per sign except in the case of an anchor tenant, in which case the maximum permitted sign size is 3.0 square metres;
- (b) The maximum permitted lettering size on any sign is 45 cm, except in the case of an anchor tenant, in which case the maximum permitted lettering size on any sign is 60 cm;
- (c) Projecting or hanging signs shall not project more than 1.2 metres from the building face and be mounted in the middle one-third of the frontage of the premises;
- (d) Residential building signs shall have a maximum sign size of 0.9 square metres.
- (e) Signs attached to a building shall be located no higher than the finished third storey level, except for residential building signs which shall be located no higher than the finished first storey level;
- (f) Signs located over pedestrian areas or sidewalks shall have a minimum clearance of 2.4 metres above finished grade.

(5) Visibility

- (a) Visibility into shops from the street shall be maintained;
- (b) Any solid signage, advertising or blackout panels placed against the inside surfaces of storefront glazing are prohibited;
- (c) Clear glass should be used for retail storefronts.

(6) Materials, Colour, and Symbols

- (a) Exposed surfaces of signs may be constructed of any material with the exception of fiberglass, plywood or particle board either painted or unfinished;
- (b) Colour of signage must be coordinated with the building façade with which it is associated;
- (c) No back-lit signs, advertising displays, or product machines that would limit visibility into any commercial use may obscure any windows;
- (d) 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) Comprehensive Sign Plan

- (a) For the purpose of the CD-4 Comprehensive District, “**Comprehensive Sign Plan**” means a comprehensive sign plan showing the size, type, location and number of signs for the CD-4 Lands, pursuant to which the design, placement and colour of the signs shall be coordinated with the architectural elements of the building on the CD-4 Lands and which shall take into consideration the intent of the Design Guidelines the CD-4 Lands;
- (b) No permanent sign shall be placed on a lot 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, CD-4: Comprehensive District and the Design Guidelines for the CD-4 Lands;
  - (ii) The consistency of the plan with signs on adjoining lots; and
  - (iii) The recommendation of the University Endowment Lands Advisory Design Panel.
- (d) When a Comprehensive Sign Plan is approved, all signs placed on the CD-4 Lands must be in compliance with the Comprehensive Sign Plan.

(9) 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; 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.

6. **Amend the Bylaw by adding the following to the end of Schedule 3:**

“Sections 5 [Electric Vehicle Parking and Charging Stations and 6 [Table of Required Parking Spaces] shall not apply to the CD-4: Comprehensive District. Unless otherwise expressly provided for, Schedule 3 of the Bylaw is applicable in the CD-4: Comprehensive District. To the extent of any conflict or inconsistency between the requirements of Section 38.14 and this Schedule 3, the provisions of Section 38.14 shall, in respect of the CD-4 Comprehensive Zone, take precedence and prevail.”

7. **Amend the Bylaw by adding a new Appendix 5 “Building Siting, Form and Character Drawings for CD-4: Comprehensive District”.**

8. **Amend the Bylaw by the following to the end of Appendix 1.**

“To the extent of any conflict or inconsistency between this Appendix 1 or the provisions of Section 38 or Appendix 5, the provisions of Section 38 and Appendix 5 shall, in respect of the CD-4 Comprehensive Zone, take precedence and prevail.”