

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF

MUNICIPAL AFFAIRS

*University Endowment Lands Act
[RSBC 1996] Chapter 469*

Ministerial Order No. M292

I, Anne Kang, Minister of Municipal Affairs, order that pursuant to Sections 12(1) and 12 (2)(a) of the *University Endowment Land Act*:

a) The University Endowment Lands *Land Use, Building and Community Administration* Bylaw be amended as provided in Appendix 1 to this Order.

August 21, 2024

Date



Minister of Municipal Affairs

(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 Lands Act, Section 12

Other: _____

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

INSTRUCTIONS

1. The University Endowment Lands *Land Use, Building and Community Administration Bylaw* (hereafter the *Bylaw*) is amended to remove outdated gendered and binary language.
2. The *Bylaw* is amended to remove imperial measurements (ft/sqft) and replace them with metric measurements (cm, m, and m²).
3. The *Bylaw* is amended to replace the word site with lot, where appropriate.
4. The *Bylaw* is amended to remove SF-1/SF-2 land uses with R-4/R-6.
5. The Table of Contents is amended to reflect the changes to the *Bylaw* set out in this Amendment.
6. Amend Section 2.0 (Definitions) of the *Bylaw* by removing the following definitions:
 - a. Attached;
 - b. Bed and breakfast accommodation;
 - c. Boarding house;
 - d. Family;
 - e. Height of buildings
 - f. Lodging House;
 - g. Open;
 - h. Servant;
 - i. Site Area;
 - j. Site or lot; and
 - k. Site or lot lines;
7. Amend Section 2.0 (Definitions) of the *Bylaw* by changing the following definitions to:
 - a. **Accessory building:** “accessory building” means: a building, the use of which is ancillary to that of the principal building situated upon the same ~~site~~ lot, but does not include an additional dwelling unit but that, ~~OR a building, that the use of which is ancillary to the use being made of the land upon which it stands, and,~~ except for a cabana, does not contain toilet, bath, or shower facilities.
 - b. **Floor space ratio:** “floor space ratio” means the figure obtained when the area of the floors, ~~excluding floor area exemptions,~~ of all the buildings on a ~~site~~ lot, ~~including accessory buildings,~~ is divided by the area of the ~~site~~ lot.
 - c. **Front Yard:** “front yard” means a yard extending across the full width of the ~~site~~ lot from the front line of the ~~site~~ lot to the front wall of the building. In the case of a corner ~~site~~ lot, an irregularly shaped lot, or a

through site lot, the front yard shall be the yard with the largest required setback; if the required setbacks are equal, the front yard shall be that part of the lot lying between **the ultimate front property line and the front of the principal building, extending across the full width of the site** or designated by the Manager.

- d. **Highest Point:** highest point” ~~In a single-family district~~ means:
- i. the highest point of a flat roof, **a roof generally perpendicular to the supporting wall;**
 - ii. the highest point of a mansard roof;
 - iii. the mean height level between a point 2.4 metres eight feet above the top floor and the ridge of a gable, hip, or gambrel roof. A flat portion of a gable, hip or gambrel roof cannot cover more than 10 percent of the roof area viewed directly from above;
 - iv. **the highest point of structure.**
- e. **Irregularly shaped lot:** “irregularly shaped lot” means a lot that is not approximately rectangular or square in shape **or with greater than four (4) lot lines** or a lot that has a larger frontage than depth.
- f. **Multiple dwelling:** “multiple dwelling” means a ~~any~~ **principal** building, divided into ~~two~~ **three (3)** or more dwelling units. ~~which is occupied or intended to be occupied as the home or residence of two or more families living independently of one another.~~
- g. **Single-family dwelling:** “single-family dwelling” means a ~~separate~~ principal building designed, **constructed, and occupied or intended to be occupied as one (1) dwelling unit and can include one (1) or more secondary suites and other accessory uses.** ~~exclusively for one family and containing only one kitchen or food preparation area.~~
- h. **Site coverage:** “site coverage” means the percentage of the site lot covered by buildings and structures, **excluding accessory dwelling units**, based on the projected area of the outside of the outermost walls of all buildings including accessory buildings and covered decks and patios; but excluding steps, eaves not exceeding 0.9 metres ~~36 inches~~, and decks or portions of decks built above ground level not exceeding a height of 0.6 metres ~~2 feet~~ above the higher of natural or finished grade below such deck.
- i. **Structure:** “structure” means **any construction fixed to, supported by, or sunk into land or water; including swimming pools, decks, or platforms greater than 0.6 metres above grade, but excluding fences and walls less than 1.2 metres in height, concrete and asphalt paving, electrical transformers and their supporting pads and enclosing screens.** ~~residence, building, fence, machinery, equipment, ornaments, or other man-made or manufactured items.~~

8. Amend Section 2.0 (definitions) of the Bylaw adding the following definitions:

- a. **Accessory Dwellings Unit (ADU):** “accessory dwelling unit (ADU)” means a building containing a maximum of two (2) dwelling units, located in the rear yard of the principal building and clearly subordinate to the principal building situated on the same lot.
- b. **Duplex:** means a principal building designed, constructed, and occupied or intended to be occupied as two separate dwelling units, of approximately the same size, structurally adjoined by a common wall and can include secondary suites and other accessory uses.
- c. **Dwelling Unit:** “dwelling unit” means one or more connected habitable rooms containing cooking facilities, eating, living, and sleeping areas and bathroom facilities, and occupied or constructed to be occupied by a person or persons living together as a single household unit.
- d. **Frequent Transit:** “frequent transit” means a bus stop served by at least one bus route in respect of which a bus is scheduled to stop at the bus stop as follows:
 - i. Monday to Friday: A bus must stop at least every 15 minutes, on average, between the hours of 7 a.m. and 7 p.m.; and,
 - ii. Saturday and Sunday: A bus must stop at least every 15 minutes, on average, between the hours of 10 a.m. and 6 p.m.
- e. **Height:** “height” means the vertical distance between the highest point of a building, or structure, excluding antennae, chimneys and similar appurtenances, and the average grade.
- f. **Houseplex:** “houseplex” means a principal building which contains no less than three (3) and no more than six (6) self-contained dwelling units, with at least half of the total dwelling units having direct access to the outside for ingress and egress.
- g. **Impermeable Area:** “impermeable area” means the total area of a lot where stormwater is unable to penetrate directly down into the ground, diverted by buildings, structures, hard surfaces, landscaping elements or similar which impede the entry of water into the soil causing water to run off the surface in greater quantities than in natural conditions prior to development.
- h. **Lot area:** “lot area” means the area of a lot defined by the total exterior boundary of a lot
- i. **Lot:** “lot” means an area of land designated as a separate and distinct parcel on a legally recorded subdivision plan or description filed in the Land Registry Office.
- j. **Lot lines:** “lot lines” means the lines bounding a lot.
- k. **Permeable area:** “permeable area” means the total area of the site covered by pervious surfaces that allow stormwater to infiltrate into the ground. Examples include lawn, landscape, pasture, native vegetation areas, and permeable pavers.
- l. **Principle building:** “principal building” means a building in which takes place the principal use of the lot on which the building is located.

- m. **Secondary suite:** “secondary suite” means a smaller dwelling unit, with separate external access, located within and accessory to a larger single-family dwelling or duplex.
- n. **Transit-Oriented Areas (TOAs):** “transit-oriented areas (TOAs)” means an area as defined in Schedule 13 of this Bylaw.

9. Amend section 6.1 of the *Bylaw* by adding the following at the end of the paragraph:

Except for bylaws in respect of which a public hearing is prohibited or not required under Division 13, Section 464 of the [Local Government Act](#).

10. Amend Section 7.1 (Development Permits) of the *Bylaw* by removing all reference to “dwelling or accessory building” to “single-family dwelling”.

11. Amend Section 7.1 (Development Permits) of the *Bylaw* by removing all references to SF-1 and SF-2 Land Use District to “R-4/R-6 District”

12. Amend section 18 (Plants and Yard) by adding the following after 18.4.12:

18.4.13. Accessory dwelling units located in the rear yard of a principal building, providing the accessory dwelling units adhere to the applicable regulations in Section 27;

18.4.14. Decks in rear yards not more than 0.6 metres above finished grade;

18.4.15. Notwithstanding Subsections 19.4.1 to 19.4.14 above, there shall be a continuous firefighter access along both sides of any residential building from the street to any accessory dwelling units or accessory buildings in the rear yard of a principal building, not less than 1.5 metres in width.

13. Amend section 19 (Grading, Fences and Tennis Courts) by adding the following at the start of the section:

19.1 Average grade shall be calculated for each lot as follows:

- (1) Define the perimeter of the building or structure as the outermost projection of the exterior walls inclusive of basements and upper floor overhangs:
 - (a) Including attached garages and carports; but
 - (b) Excluding decks
- (2) Divide the determined perimeter into wall sections with endpoints defined by:
 - (a) Corners; and

- (b) Significant changes in elevation or slope along a wall including where the ground changes from level to sloping or steps with retaining walls.
- (3) Determine the grade of each wall section by:
- (a) Finding the natural grade and finished grade at each endpoint;
 - (b) Using the lower of these measured at each endpoint for the purpose of grade calculation;
 - (c) Notwithstanding (b) above, along the entire perimeter, one continuous wall section may be calculated using only the natural grade to enhance livability for exposed patios found in (a) above, provided that this wall section is:
 - (i) The lesser length of 5.0 metres or 15 percent of the building structure or perimeter;
 - (ii) Not contiguous to or combined with a window well, and the combined length of this wall section and window wells is less than 50 percent of the building face to which they form a part; and
 - (iii) Clearly defined as part of the permit application, including the natural grade determined for each endpoint.
 - (iv) Adding this grade at each endpoint, dividing by two and multiplying by the length of the wall section
- (4) Determine average grade for the building or structure by:
- (a) Adding the resulting grade of each wall section determined in Section 20.1 (3) for all wall sections that comprise the perimeter; and
 - (b) Dividing the sum of (a) above by the total perimeter

14. Amend by deleting Section 27 of the *Bylaw* and substituting the following in the place thereof:

27 R-4/R-6: RESIDENTIAL INFILL DISTRICT

27.1 INTENT

The intent of the R-4/R-6 District is to permit residential infill development in an existing low density residential area. R-4 permits the development of up to four (4) dwelling units on a lot. R-6 permits the

development of up to six (6) dwelling units on a lot near frequent transit. This District is intended to provide flexibility in the type and form of residential dwelling units.

27.2 OUTRIGHT APPROVAL USES

Subject to all other provisions of this Bylaw, the uses listed in Section 27.2.1 shall be permitted in this District.

27.2.1 Uses

- (a) Accessory dwelling unit
- (b) Duplex
- (c) Houseplex
- (d) Multiple dwelling
- (e) Purpose-built rental
- (f) Secondary suite
- (g) Single-family dwelling
- (h) Accessory buildings, ancillary to principal buildings containing dwelling units.

27.3 ALLOWABLE BUILDING ENVELOPE

27.3.1 (a) Subject to the provisions of Sections 27.3.4 and 27.3.5, and unless a Development Permit is

obtained, the allowable building envelope for a single-family dwelling shall be defined as:

Subject to Section 27.3.2, the three dimensional surface formed by the exact shape, location and elevation of the dwelling unit and accessory buildings that existed on the site as of the date this bylaw is enacted plus an additional 3 feet measured horizontally from each applicable point on the exterior walls, porches, sundecks, and stairways of the dwelling unit and accessory buildings, and an additional 1 foot measured vertically from each applicable point on the roof, porch, sundeck and stairway. The measurements shall be the perpendicular distance from the applicable surface.

(b) unless a Development Permit is obtained, any renovation or changes to the existing single-family dwelling must be fully contained within the allowable building envelope and must fully comply with all applicable Bylaws.

(c) notwithstanding 27.3.1 (b) an accessory building less than 100 square feet in floor area does not require a Development Permit providing it fully complies with all other applicable Bylaws.

27.3.2 (a) For the purpose of defining the allowable building envelope for Section 27.3.1, each owner of a single-family dwelling in this District may provide a drawing prepared and stamped by a British Columbia Land Surveyor or a Professional Engineer or a Registered Architect, showing the location, elevation and shape of the dwelling and all accessory buildings that existed on the site as of July 1, 1989.

(b) For properties for which no drawing is provided for the purposes of Section 27.3.2 (a) the

drawings and plans on file in the Manager's office for existing structures shall be presumed to be correct and shall be used for the purpose of defining the allowable building envelope for Section 27.3.2 (a)

27.3.3 (a) An application may be made to the Manager for a Development Permit to construct a single-family dwelling that is outside the allowable building envelope defined in Section 27.3.1, or for which a building envelope cannot be defined using Section 27.3.1.

(b) The Manager shall accept written statements of objection to the application from any person, whether or not they received written notice, up to 30 days from the date of notification pursuant to Section 7(11). The statements of objection shall clearly state the reasons for the objection.

(c) If the Manager receives no written statements pursuant to Section 27.3.3 (b), they shall issue a Development Permit.

(d) If the Manager receives any written statements pursuant to 27.3.3 (b), the Manager shall notify the applicant.

(e) If requested by the applicant, the Manager shall convene a meeting to which he will invite the applicant, the applicant's designer and any persons who submitted a written statement of objection pursuant to Section 27.3.3 (b).

The purpose of this meeting will be to review the proposed development and to identify and, if

possible, resolve any concerns regarding size, style, architectural compatibility, light penetration, reduction of privacy. Any invited person who does not attend this meeting or who is not represented at this meeting by a duly authorized representative, shall be conclusively deemed to have no objections for the purposes of Section 27.3.3 (d), even if such person(s) subsequently files a statement(s) of objection pursuant to Section 27.3.3 (d).

(d) If, as a result of a meeting convened pursuant to Section 27.3.3 (c), the applicant decides to modify the proposal, a new application must be submitted. The application shall be made in the manner prescribed by the Manager but it need not be accompanied by the fee prescribed in the [Fees Bylaw](#).

(e) If, following the meeting, the applicant decides to proceed with the application without any modification, they must advise the Manager of his intention and the Manager will notify, in writing, the people who attended, or were represented at, the meeting. Within 10 days of the date of this notice, any notified person may give the Manager a written statement indicating that they object to the issuance of a permit and describing the reasons for the objection. If no written statements of objection are received by the Manager, they shall issue a Development Permit.

(f) If the applicant does not request a meeting pursuant to Section 27.3.3 (c), or if any written statements of objection are received by the Manager pursuant to Section 27.3.3 (e), the Manager shall refer the matter to the **Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)**. The **Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)** shall, within 30 days of the date the matter was referred to it, recommend either that the application be approved or rejected and shall explicitly state its

reasons in writing.

(g) After receiving the recommendations of the **Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)**, and giving due consideration to:

(i) the recommendations of the **Advisory Design Panel (Amended by MO 2008005, effective February 1, 2008)**;

(ii) information provided by interested parties regarding the potential impacts of the proposed development on other properties, in terms of size, style, architectural compatibility, view, sunlight penetration, privacy, or property value, and

(iii) the intent of the Bylaw and applicable design guidelines for University Hill single detached dwellings.

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

27.3.4 Notwithstanding Section 27.3.3, no Development Permit or Building Permit shall be issued for any building that does not comply with the provisions of Sections 27.4 through 27.14.

27.3.5 If a Development Permit is issued pursuant to Section 27.3.3, for the purposes of Section 27.3.1, the allowable building envelope shall be defined as the three dimensional surface formed by the

dwelling and accessory buildings approved in the Development Permit, plus an additional 3 feet measured horizontally from each applicable point on the exterior walls, porches, sundecks, and stairways of the single-family dwelling, and an additional 1 foot measured vertically from each applicable point on the roof, porch, sundeck and stairway. The measurements shall be the perpendicular distance from the applicable surface.

27.4 NUMBER OF PERMITTED PRINCIPAL BUILDINGS AND DWELLING UNITS

- (1) A maximum of one (1) principal building is permitted per lot, except where otherwise permitted in this Bylaw.
- (2) Accessory dwelling units, secondary suites, and dwelling units in multiple dwellings and houseplexes shall be purpose-built rentals.
- (3) The following number of dwelling units are permitted per lot:
 - (a) a maximum of four (4) dwelling units
 - (b) a maximum of six (6) dwelling units for lots wholly or partially within 400 metres of frequent transit.
 - (c) more than six (6) dwelling units are permitted on lots located within a transit oriented area (TOA) as shown in Schedule 13.
 - (d) Notwithstanding Subsection 27.3 (3) (a) and (b):
 - i. A maximum of two (2) secondary suites per lot are permitted
 - ii. A maximum of two (2) accessory dwelling units are permitted in the rear yard of a principal building, contained within a maximum of two (2) buildings, separated by a fire wall.

(4) The minimum size of a dwelling unit shall be:

- (a) 40 square metres for a studio;
- (b) 50 square metres for a one (1) bedroom;
- (c) 70 square metres for a two (2) bedroom; and
- (d) 85 square metres for a three (3) bedroom.

(e) The first accessory dwelling unit or secondary suite permitted for any property shall be two (2) bedrooms or greater.

(5) The maximum floor space for an accessory dwelling unit shall be:

- (a) 150 square metres in Areas A and C; and
- (b) 200 square metres in Area B.

27.5 HEIGHT

- (1) The height of a single-family dwelling or duplex in all Areas shall not exceed two (2) storeys or 7.6 metres.
- (2) The height of a multiple dwelling in Area A and C shall not exceed two (2) storeys or 7.6 metres.
 - (a) Notwithstanding Subsection 27.4 (2), a multiple dwelling on a lot located within a TOA area, shown in Schedule 13, shall have the maximum height provided in Schedule 13.
- (3) The height of a multiple dwelling in Area B shall not exceed two and a half (2.5) storeys or 9.5 metres.
- (4) The height of an accessory dwelling unit shall:
 - (a) Not exceed one and a half (1.5) storeys in Areas A and C, to a maximum of 5.8 metres where the roof pitch is less than 7:12, and to a maximum of 6.7 metres where the roof pitch is greater than 7:12, measured from average grade to the mean height level between the eaves

and ridge of a gable, hip, or gambrel roof.

(b) Not exceed one (1) story in Area B, to a maximum of 3.6 metres in height measured from average grade to the highest point of a flat roof, which is a roof with a maximum slope of 2 percent.

27.6 SETBACKS

27.6.1 All single-family dwellings shall comply with the building envelopes as defined in Schedule 5.

27.6.2 Notwithstanding the setback requirements outlined in this section, in the case of an irregularly shaped lot, the Manager may vary the setback requirements.

27.6.3 The required separation distance between buildings on a lot shall be:

- (0) 12.0 metres between the principal building and the accessory dwelling unit(s) or accessory building(s) in Areas A and B, measured from building face to building face;
- (1) 8.0 metres between the principal building and the accessory dwelling unit(s) or accessory building(s) in Area C, measured from building face to building face.
- (2) 1.5 metres between accessory dwelling unit(s) and accessory building(s).

27.6.4 The main entrance of an accessory dwelling unit shall not be located more than 45 metres from the street curb adjacent to the lot.

27.6.5 Projections into the required setbacks or outside the building envelope defined in Schedule 5, are permitted as follows:

- (1) Covered porches shall be permitted to project into the front yard setback a maximum of 1.5 metres, provided that:
 - (a) Such projection is limited to 30 percent the width of the building;
 - (b) The porch shall be open or protected by guard rails the height of which shall not exceed the minimum specified in the B.C. Building Code;

- (c) The porch is located at the basement or first storey; and
 - (d) The roof height does not exceed 3.6 metres measured from the porch floor.
- (2) Bay windows in Area A and Area C may intrude into the front and rear yard setback, provided that:
- (a) The width of the window is less than 75 percent of the width of the room;
 - (b) The window may project a maximum of 0.3 metres; and
 - (c) The window does not extend continuously for two (2) storeys.
- (3) On a corner site, a building may project into the required exterior side yard setback, provided that:
- (a) The extension is located no closer to the front of the building than the lesser of 9.0 metres or the required front yard setback;
 - (b) The extension may project a maximum of one third (1/3) of the required depth of the side yard setback;
 - (c) The portion extending into the exterior side yard is limited to one storey;
 - (d) The extension does not extend into the required rear yard setback; and
 - (e) The exterior side yard is not reduced to less than 6.0 metres.

27.6.6 FRONT YARD

- (4) A front yard shall have a depth of not less than:
- (a) 5.0 metres for buildings in Area C; and
 - (b) 12.0 metres for buildings in Areas A and B.

27.6.7 SIDE YARD

- (1) A side yard shall have a width of not less than:

- (a) 5.0 metres for principal buildings and 1.5 metres for accessory dwelling units in Areas A and B; and
- (b) 1.5 metres for principal buildings and accessory dwelling units in Area C.

27.6.8 REAR YARD

- (5) A rear yard shall have a depth of not less than:
 - (a) 12.0 metres for principal buildings in Areas A and B;
 - (b) 8.0 metres for principal buildings in Area C; and
 - (c) 1.5 metres for accessory dwelling units.

27.7 BUILDING DEPTH

- (1) The distance between the external face of the front wall and the external face of the rear wall of a principal building shall not exceed 23.0 metres.
- (2) Where a habitable room, other than a living room, is located adjacent to a side or rear property line, the entire face of the habitable room shall be located a minimum 5.0 metres from the side or rear property line or, in the case of windows facing habitable room windows in an adjacent accessory dwelling unit, there shall be a minimum 5.0 metre separation between the entire habitable room face and a privacy fence or blank wall between them.

27.8 OUTDOOR AMENITY SPACE

- (1) Each dwelling unit on a lot shall be provided with a minimum of 10 square metres of outdoor common amenity space provided for on the same lot.

27.9 ACCESSORY DWELLING UNITS

- (1) Where a one and a half (1.5) storey accessory dwelling unit has a roof pitch of 3:12 or more, the upper floor may be up to 60 percent of the lower floor area. Where the roof pitch is less than 3:12, the upper floor may be up to 50 percent of the lower floor area.
- (2) Where the accessory dwelling unit roof pitch is 7:12 or more, the face of any dormer walls must be inset a minimum of 0.6 metres from the eaves. Where the roof pitch is less than 7:12, all upper floor walls must be inset a minimum of 0.6 metres.
- (3) For a pair of one and a half (1.5) storey accessory dwelling units sharing a party wall in a building, stairs to the upper floor shall be located along the party wall. For a pair of accessory dwelling units stacked on top of one another in a building, up to 35 percent of one exterior wall may be flush with the lower floor to accommodate stairs.
- (4) Basements shall be permitted in accessory dwelling units provided the area of the basement does not project beyond the extents of the floor above.

27.10 SECONDARY SUITES

- (1) Secondary suite entrances shall be limited to 40 percent of the face of the wall on which the entrance is located on the principal building.

27.11 ACCESSORY BUILDINGS

- (1) The use of an accessory building must be ancillary to that of the principal building, but it may not include one or more dwelling units.
- (2) Accessory building(s) may be in the rear yard and in one of the side yards providing the accessory building(s) are not less than:
 - (a) 1.5 metres from any side lot-line;

- (b) 1.2 metres from a rear lot-line where there is a rear lane abutting the rear lot-line;
 - (c) 1.5 metres from a rear lot-line where there is no rear lane.
- (3) The total floor area, measured to the extreme outer limits of the building, of all accessory buildings shall not be greater than the larger of 20 percent of the required rear yard or 46 square metres.
- (4) Not more than 50 percent of the width of the rear yard may be occupied by accessory buildings.
- (5) Accessory buildings or portions thereof located in a required side yard shall not have floor areas exceeding a total of 28 square metres.
- (6) No accessory building shall exceed 3.6 metres 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 4.6 metres above the average grade.
- (7) In the case of an irregularly shaped lot, the Manager may vary the accessory building requirements.

27.12 FLOOR SPACE RATIO

(1)The floor space ratio shall not exceed the lesser of the requirements outlined in Table 1 below:

| | |
|---|---|
| Area A | |
| 0.27 of the lot area or 390 square metres | |
| Area B | |
| Lots with an area less than 1,830 square | 0.27 of the lot area or 460 square metres |

| | |
|---|---|
| metres | |
| Lots with an area between 1,830 square metres and 3,250 square metres | 0.25 of the lot area or 650 square metres |
| Lots with an area greater than 3,250 square metres | 0.20 of the lot area or 836 square metres |
| Area C | |
| 0.35 of the lot area or 246 square metres | |

- (2) Notwithstanding Section 27.11 (1), lots located within a TOA, as shown in Schedule 13, shall have the permitted floor space ratio as provided in Schedule 13.
- (3) The following shall be included in the computation of floor space ratio:
- (a) all floors having a minimum ceiling height of 1.2 metres, measured to the extreme outer limits of the building.
 - (b) stairways, fire escapes, elevator shafts, and other features which the Manager considers similar, to be measured by their gross cross - sectional areas included in the measurements for each floor at which they are located.

- (c) where the distance from a floor to the floor above or where there is no floor above to the top of the roof joists exceeds 3.6 metres, an amount equal to the area of the floor below the excess height.
 - (d) portions of basement that project beyond the extents of the floor above.
- (4) The following shall be excluded in the computation of floor space ratio:
- (a) open balconies, open sun decks, and any other appurtenances which, in the opinion of the Manager are like the foregoing;
 - (b) covered balconies, covered sun decks, and any other appurtenances which, in the opinion of the Manager, are like the foregoing, provided that the total area of these exclusions does not exceed 8 percent of the permitted floor area;
 - (c) where floors are used for off-street parking and loading or uses which, in the opinion of the Manager are like the foregoing, those floors or portions thereof not exceeding 53 square metres so used which:
 - (i) are in an accessory building and any portions of a principal building which comply with the accessory building regulations, or
 - (ii) are within a portion of the principal building which does not otherwise comply with the accessory building regulations, up to a maximum of 56 square metres.
 - (d) areas of undeveloped floors located above the highest storey or half - storey, or adjacent to a half-storey with a ceiling height of less than 1.2 metres, and to which there is no permanent means of access other than a hatch.

- (e) Basements, cellars, and other spaces below floor surfaces located less than 1.5 metres above average grade.

27.13 SITE COVERAGE

(1) The maximum permitted site coverage shall be as outlined in Table 2 below:

| TABLE 2 | | | | |
|---------|------------------------------------|-----------------------------------|-----------------------------------|----------------------------------|
| | Four (4) dwelling units or greater | Less than four (4) dwelling units | Two (2) dwelling units or greater | Less than two (2) dwelling units |
| Area A | 35 percent | 30 percent | n/a | n/a |
| Area B | 35 percent | 30 percent | n/a | n/a |
| Area C | n/a | n/a | 50 percent | 40 percent |

(2) Notwithstanding Subsection 27.12 (1), an additional 20 percent of the lot area can be impermeable area.

27.14 OFF-STREET PARKING AND SIGNS

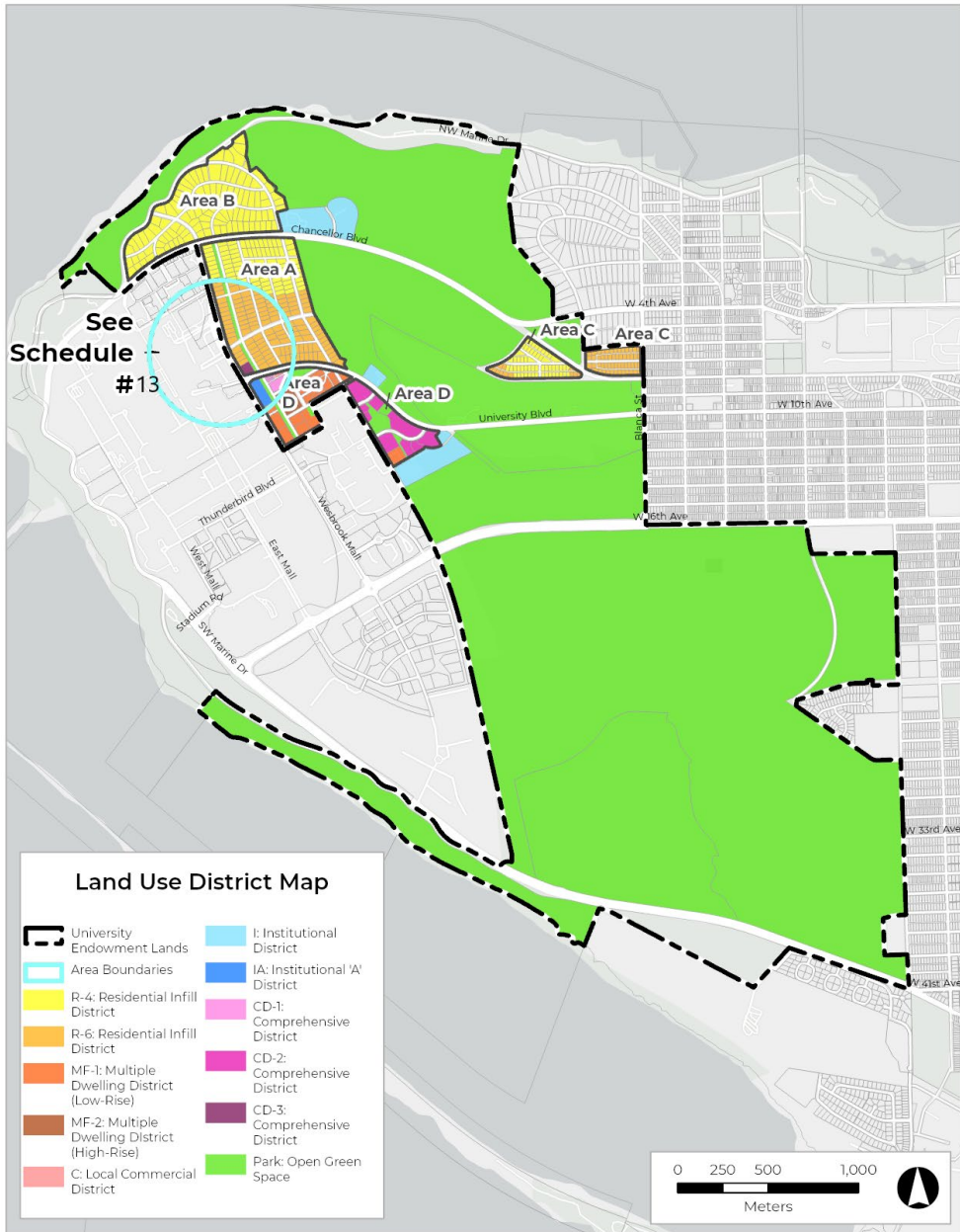
- (1) Off-street parking shall be provided and maintained in accordance with the provisions of Schedule 3.
- (2) Any signs in this District must conform with the provisions of Schedule 4.

27.15 ALTERATION OF REGULATIONS

- (1) The Manager may alter the height, yard, and building depth provisions of this District where, due to conditions unique to the site, the existing building or to the proposed development, literal enforcement would result in unnecessary hardship, provided that:
 - (a) the Manager first considers applicable design guidelines for University Endowment Lands residential infill dwellings;
 - (b) the Manager notifies adjacent property owners and residents they deem may be affected;
 - (c) in no case shall the height be increased to more than 10.6 metres; and
 - (d) the Manager considers the existing building depth.

15. Amend the *Bylaw* by deleting Section 28 in its entirety.

16. Amend the *Bylaw* by deleting the figure 1 of Schedule 1 and substituting the following in place thereof:



17. amended Schedule 3 of the *Bylaw* by deleting the third paragraph in its entirety and replacing it with the following:

Where the calculation of total required spaces results in a fractional number, the total shall be rounded up to the nearest whole number.

18. Amend Schedule 3 of the *Bylaw* by adding the following after the fourth paragraph:

Those areas identified in Schedule 13 (TOA areas) are not subject to the residential parking requirements as set out in section 6 of this schedule. The Manager may, however, impose additional parking requirements for bicycle parking as well as parking for persons with disabilities.

19. Amend Schedule 3, subsection 6 of the *Bylaw* by deleting Residential Single Family in its entirety and replacing it with the following:

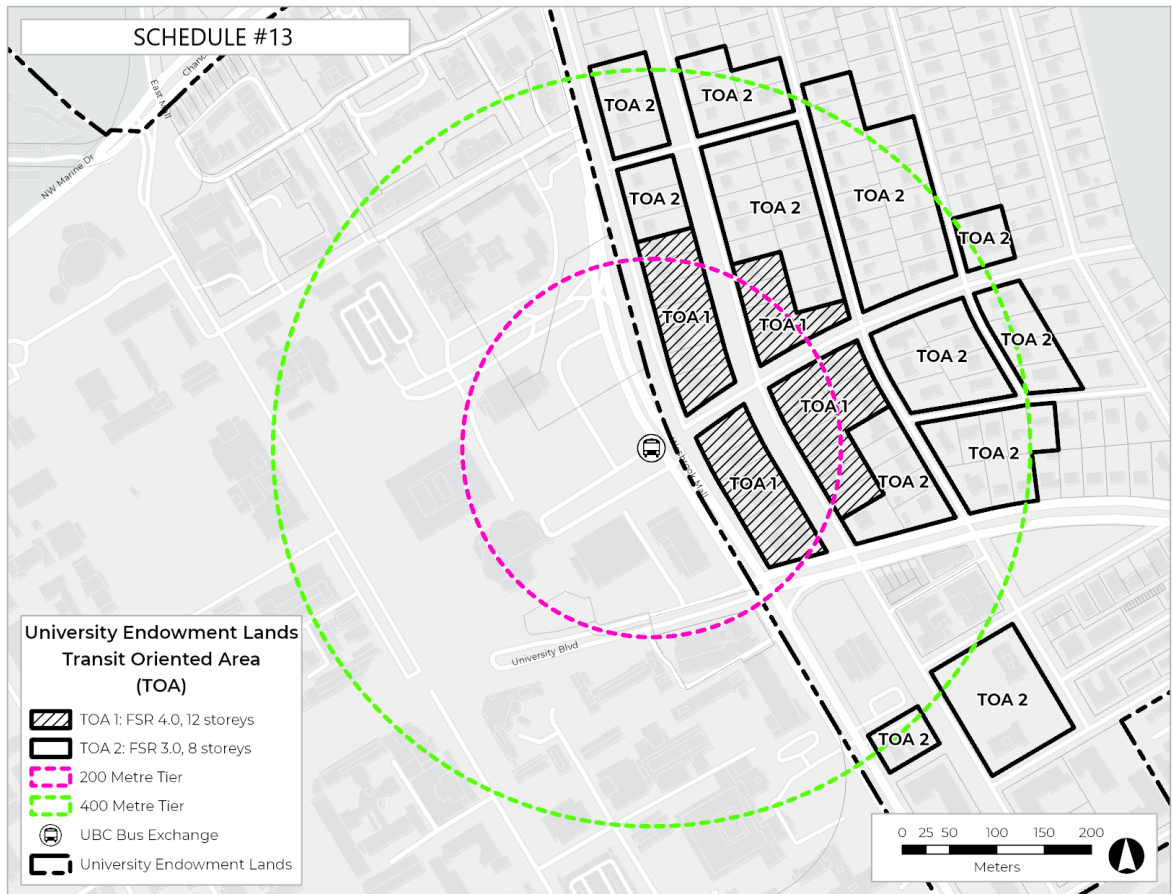
| R-4/R-6: RESIDENTIAL INFILL DISTRICT | | | |
|---|--------------------------------------|------|------|
| Single-Family (with or without a secondary suite) | Maximum 2 spaces | None | None |
| R-4 lot (with 3 or more ADUs) | Maximum 1 space per dwelling unit | None | None |
| R-6 lot (with 3 or more ADUs) | Maximum 0.5 spaces per dwelling unit | None | None |

20. Amend the *Bylaw* by deleting Schedule 13 and substituting the following in place thereof:

SCHEDULE 13: PURSUANT TO UNIVERSITY ENDOWMENT

**LANDS LAND USE, BUILDING AND COMMUNITY
ADMINISTRATION BYLAW**

**SCHEDULE TO PROVIDE FOR A
TRANSIT ORIENTED AREA
SCHEDULE TO RESTRICT SMOKING
(REPEALED BY MINISTERIAL ORDER M112,
EFFECTIVE APRIL 14, 2022)**



21. Amend Appendix 2 of the Bylaw by making the following changes:

APPENDIX 2: DESIGN GUIDELINES FOR UNIVERSITY HILL

RESIDENTIAL INFILL-SINGLE-DETACHED DWELLINGS

PREAMBLE

These design guidelines, meant to be used in concert with the ~~R4/R6 SF-1~~ and ~~SF-2~~ zoning regulations and schedules, are to assist applicants in the design of houses, as well as to assist the Manager in evaluating proposals. The guidelines are intended to encourage design that responds to the concerns and desires of University Endowment Lands Hill residents and the need for more affordable homes by increasing the number of available dwelling units and the diversity of forms including secondary suites and accessory dwelling units. By following the intent of these guidelines, an applicant increases the likelihood of neighbourhood acceptance of a development proposal.

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

DESIGN

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

VIEWS

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

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

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

pickets or solid).

Residents should consider also the effect that future growth of trees and other vegetation will have on views when planning their landscaping. **View retention underlies the requirement that accessory dwelling units in Area B be single storey and that those accessory dwelling units shall not include chimneys.**

PRIVACY

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

Windows looking directly into neighbouring windows are to be avoided.

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

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

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

conflicts.

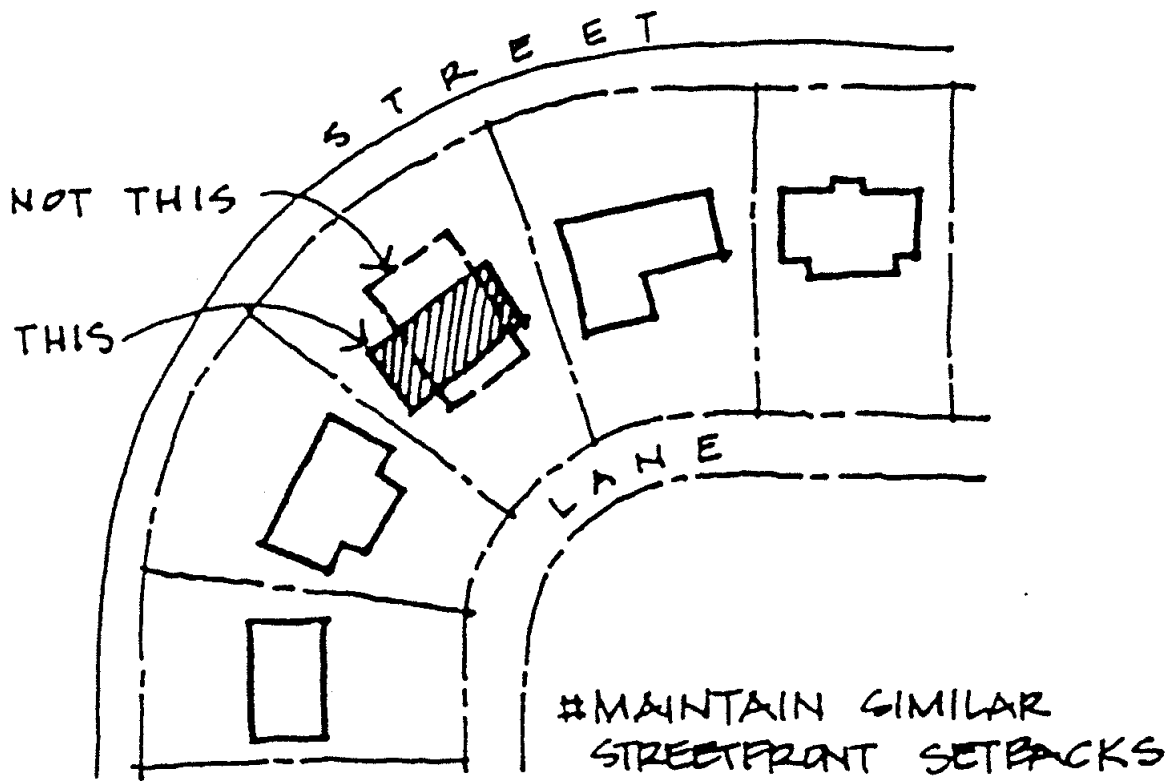
Where four and up to six dwelling units are developed on a single lot, there may be challenges bothin within the property and with adjacent properties.

Within a property, separation spaces have been mandated between homes. Landscape such as hedges should be added to further improve the privacy of these homes. Where possible, windows should not face nearby windows in separate units.

Between properties, landscaping should be added to new development to improve privacy. Living, dining and bedroom windows should not overlook neighbouring properties unless side yards are 5 metres or more. Window placement should avoid new windows facing existing neighbours' windows. Bathroom windows should have obscure glazing.

STREETSCAPE

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



Street setbacks in R-4/R-6 district shall balance between respecting existing street setbacks and accommodating more development, especially in rear yard areas. Many streets are treed, and new development should continue established tree lines.

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