



City of Vancouver *Zoning and Development By-law*

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CD-1 (454)

Olympic Village

By-law No. 9454

(Being a By-law to Amend By-law 3575, being the Zoning and Development By-law)

Effective April 17, 2007

(Amended up to and including By-law No.10325, dated July 26, 2011)

1 *[Section 1 is not reprinted here. It contains a standard clause amending Schedule D (Zoning District Plan) to reflect this rezoning to CD-1.]*

2 Definitions

In this By-law:

‘ “affordable housing” means dwelling units designed to be affordable to persons who make up a core need household where such persons pay more than 30% of their combined gross annual income to rent an adequate and suitable rental unit, including utilities, to meet the basic housing needs of the household at an average market rent.’

3 Uses

3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (454).

3.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (454) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses;
- (b) Dwelling Uses, limited to Multiple Dwelling, Seniors Supportive or Assisted Housing and Dwelling Units, in conjunction with any use listed in this section 3.2; [9530; 07 09 18]
- (c) Institutional Uses, limited to Child Day Care Facility, Church, Public Authority Use, School – Elementary or Secondary, Social Service Centre, Community Care Facility and Group Residence; [9674; 08 06 24]
- (d) Live-Work Use;
- (e) Office Uses;
- (f) Parking Uses;
- (g) Retail Uses, but not including Gasoline Station - Full Serve, Gasoline Station - Split Island, and Vehicle Dealer;
- (h) Service Uses, limited to Animal Clinic, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Bed and Breakfast Accommodation, Catering Establishment, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Laboratory, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Repair Shop – Class B, Restaurant, School – Arts or Self-Improvement, and School - Business; [10325; 11 07 26]
- (i) Accessory Uses customarily ancillary to the uses listed in this section 3.2; and
- (j) Interim Uses not listed in this section 3.2, and accessory uses customarily ancillary to them, if:
 - (i) the Director of Planning or Development Permit Board considers that the interim use will be compatible with and not adversely affect adjacent development that either exists or that this By-law allows,
 - (ii) the Director of Planning or Development Permit Board is satisfied that the interim use is easily removable and is of low intensity or low in capital investment,
 - (iii) the Director of Planning or Development Permit Board is satisfied that there is no risk to the public from contaminated soils either on or adjacent to CD-1 (454), and
 - (iv) any development permit for an interim use has a time limit of three years.

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 9454 or provides an explanatory note.

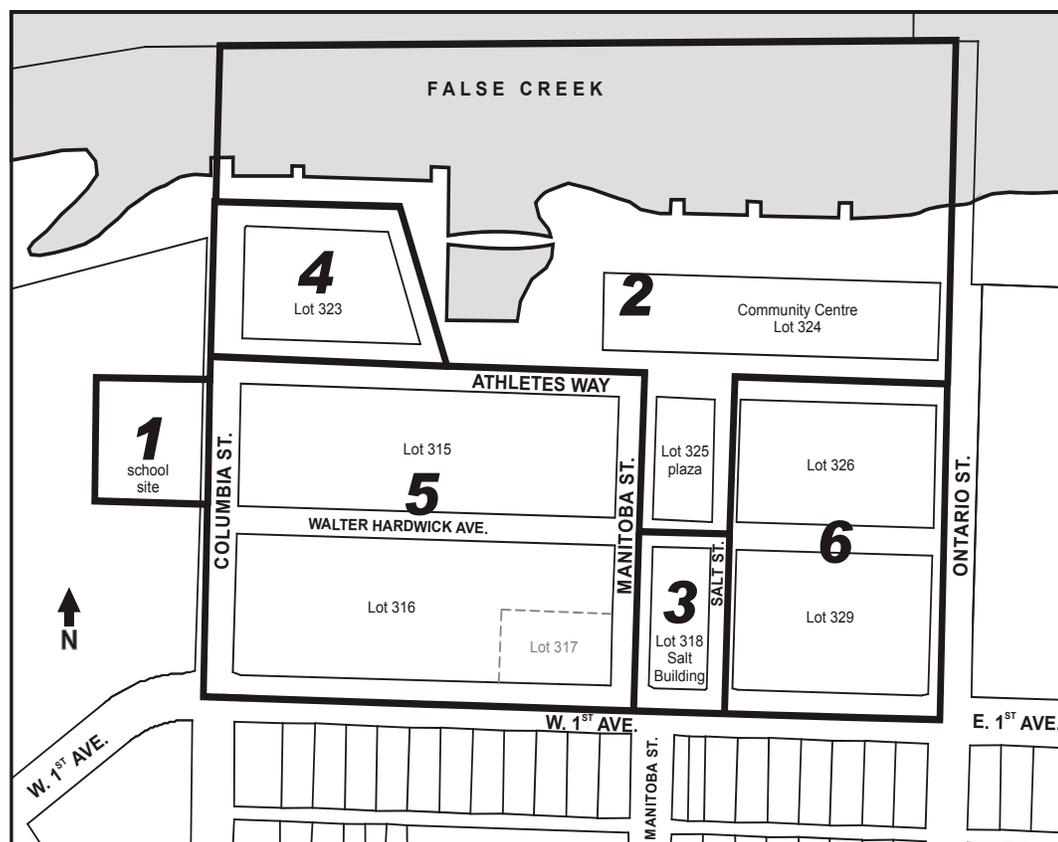
4 Conditions of use

- 4.1 Dwelling units are in an “intermediate zone” as defined in the Noise Control By-law, and, as a result, are subject to the noise levels permitted in industrial and downtown districts.
- 4.2 The design and lay-out of at least 35% of dwelling units, 50% of affordable housing units, and 25% of dwelling units that are not affordable housing units must:
- (a) be suitable for family housing;
 - (b) include two or more bedrooms; and
 - (c) comply with Council’s “High Density Housing for Families with Children Guidelines”.
- 4.3 All uses except dwelling uses must have direct access to grade.
- 4.4 Any development permit issued for live-work uses must stipulate as permitted uses:
- (a) dwelling units;
 - (b) general office, health care office, barber shop or beauty salon, photofinishing or photography studio, or artist studio – class A; and
 - (c) dwelling unit combined with any uses set out in subsection (b).

5 Sub-areas

- 5.1 The site is to consist of sub-areas 1, 2, 3, 4, 5, and 6 illustrated in Diagram 1.

Diagram 1



[9530; 07 09 18]

5.2 The only uses permissible in sub-area 1 are school – elementary or secondary, child day care facility, and park or playground.

5.3 Dwelling uses and live-work use are not permissible in sub-area 1, sub-area 2, or sub-area 3.

6 Density

6.1 The floor area for dwelling uses and live-work use combined must not exceed 114 655 m². [9530; 07 09 18]

6.2 The floor area for retail uses, service uses, and office uses combined must not exceed 10 212 m². [9530; 07 09 18]

6.3 In sub-area 2, the floor area for retail uses, service uses, and office uses combined must not exceed 1 300 m².

6.4 In sub-area 3, the floor area for retail uses, service uses, and office uses combined must not exceed 2 462 m².

6.5 In sub-areas 4, 5, and 6, the floor area for retail uses, service uses, and office uses combined must not exceed 6 450 m². [9530; 07 09 18]

6.6 Computation of floor space ratio must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground, measured to the extreme outer limits of the building;
- (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
- (c) in the case of dwelling uses and live-work use, if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 4.3 m, an additional amount equal to the area of the floor area below the excess height except for additional amounts that represent undeveloped floor areas beneath roof elements which the Director of Planning considers to be for decorative purposes and to which there is no means of access other than a hatch, residential lobbies, and mechanical penthouses.

6.7 Computation of floor space ratio must exclude:

- (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the residential floor area being provided;
- (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit, there is to be no exclusion for any of the residential storage space above base surface for that unit;
- (f) amenity areas including day care facilities, recreation facilities, and meeting rooms except that the total area excluded must not exceed 7 000 m²; and

- (g) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 203 mm thickness.

6.8 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) enclosed residential balconies if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure, except that:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
 - (ii) enclosure of the excluded balcony floor area must not exceed 50%;
- (b) windows recessed into the building face to a depth of no more than 160 mm, except that the Director of Planning or Development Permit Board may allow a greater depth in cases where it improves building character;
- (c) unenclosed outdoor areas at grade level underneath building overhangs, if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs;
- (d) despite section 6.6(c), open to below spaces or double height volumes on the second storey units if the location of the first floor is within 2 m of grade to a maximum of 15% of the floor area of the first floor of that unit for residential and live-work units;
- (e) structures such as elevator enclosures, stairwells, pergolas, trellises, and tool sheds which support the use of intensive green roofs and urban agriculture;
- (f) cultural, recreational, and institutional uses secured to the city's satisfaction for public use and benefit;
- (g) floor space devoted to passive design elements such as larger ventilation shafts, corridors, or other elements providing ventilation and light within buildings, and solar appurtenances on buildings that help mitigate solar gain, subject to urban design acceptable to the Director of Planning within the approved form of development. [9465; 07 04 17]

6.9 The use of floor space excluded under section 6.7 or 6.8 must not include any purpose other than that which justified the exclusion.

7 Building height

7.1 In sub-area 1, the building height, measured above base surface, and to the top of the roof slab above the uppermost habitable floor excluding parapet wall must not exceed 13.5 m.

7.2 In sub-area 2, the building height, measured above base surface, and to the top of the roof slab above the uppermost habitable floor excluding parapet wall must not exceed 17.6 m. [9530; 07 09 18]

7.3 In sub-area 4, the building height, measured above base surface, and to the top of the roof slab above the uppermost habitable floor excluding parapet wall must not exceed 40.5 m. [9622; 08 04 01]

7.4 In sub-area 3, sub-area 5, and sub-area 6, the building height, measured above base surface, and to the top of the roof slab above the uppermost habitable floor excluding parapet wall must not exceed 40.5 m.

7.5 Despite section 7.1, 7.2, 7.3, and 7.4, maximum building height does not include elevator enclosures and stairwells or garden structures such as pergolas, trellises, and tool sheds which support the use of intensive green roofs or urban agriculture, as provided by section 10.11 of the Zoning and Development By-law.

8 Horizontal angle of daylight

- 8.1** Each habitable room must have at least one window on an exterior wall of a building.
- 8.2** The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 8.3** Measurement of the plane or planes referred to in section 8.2 must be horizontally from the centre of the bottom of each window.
- 8.4** If:
- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
 - (b) the minimum distance of unobstructed view is not less than 3.7 m;

the Director of Planning or Development Permit Board may reduce the horizontal angle of daylight requirement.

- 8.5** An obstruction referred to in section 8.2 means:
- (a) any part of the same building including permitted projections; or
 - (b) the largest building permitted under the zoning on any site adjoining CD-1 (454).
- 8.6** A habitable room referred to in section 8.1 does not include:
- (a) a bathroom; or
 - (b) a kitchen whose floor area is the lesser of:
 - (i) less than 10% of the total floor area of the dwelling unit, or
 - (ii) less than 9.3 m².

9 Parking, loading, and bicycle spaces

Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law.

10 Acoustics

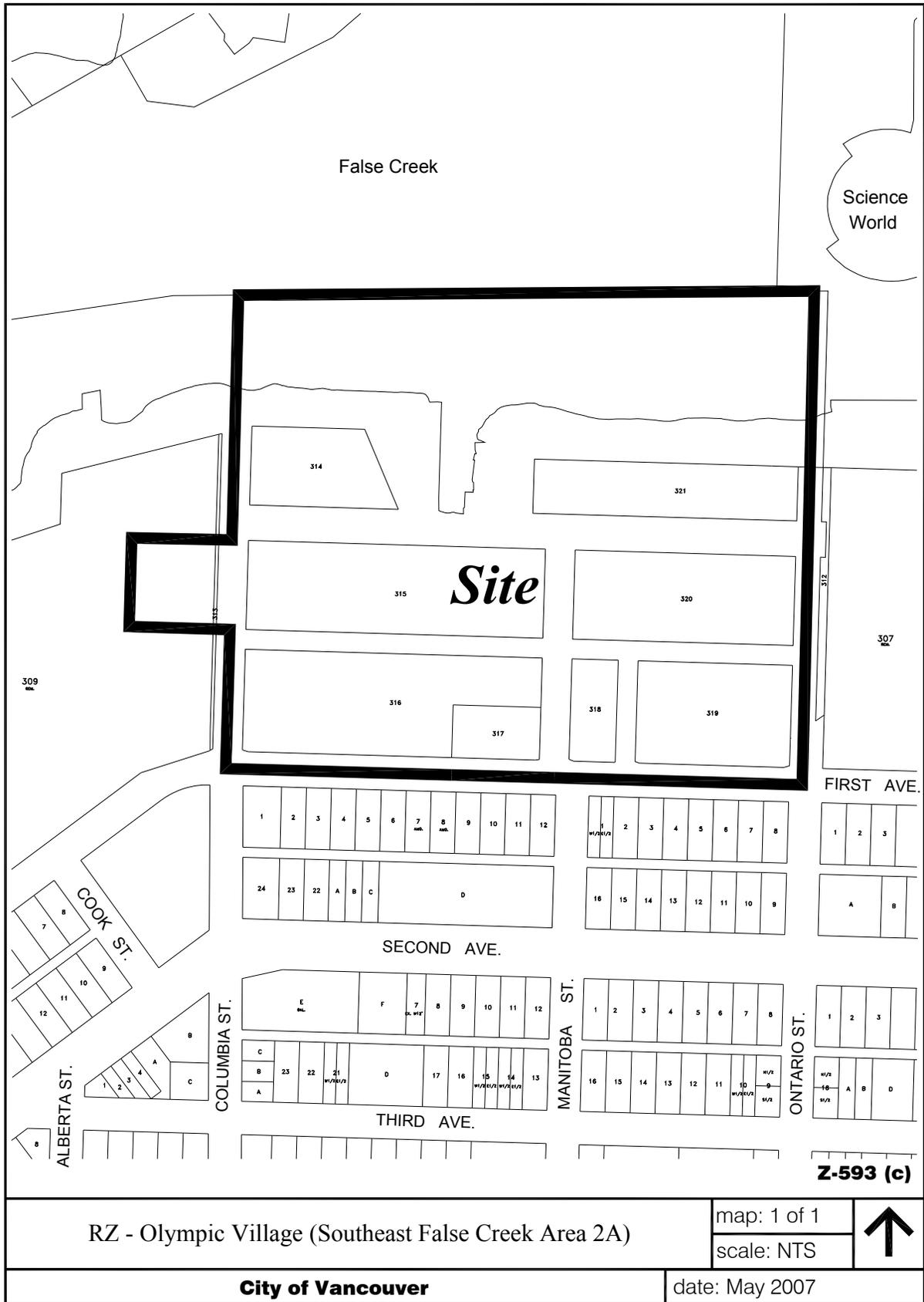
All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of the dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

11 Severability

A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

- 12** *[Section 12 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signature to pass the by-law and certify the by-law number and date of enactment.]*



[9530; 07 09 18]