

20.4 High Rise Apartment and Olympic Oval (ZMU4) – Oval Village (City Centre)

20.4.1 Purpose

The **zone** provides for high-**density** riverfront mixed-**use** residential and **commercial uses**.

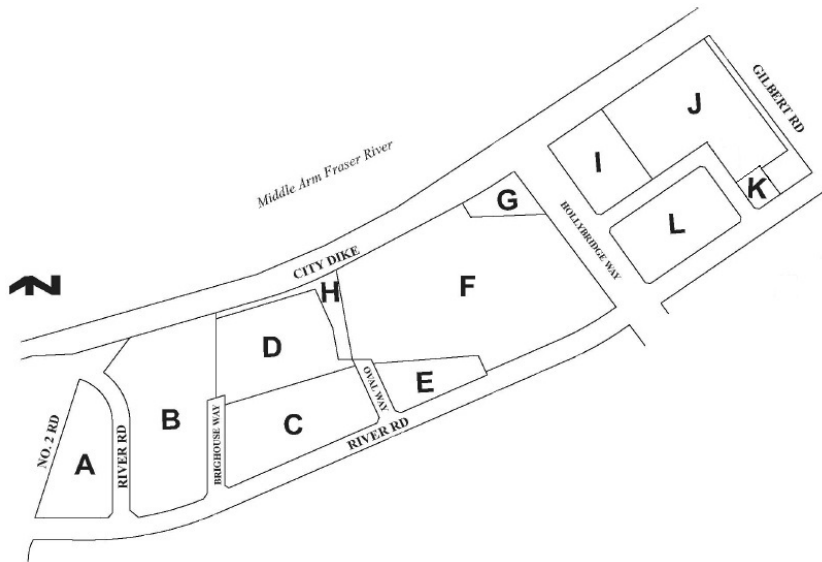
20.4.2 Permitted Uses [Bylaw 8702, Oct 24/11]

- **amenity space, community** [Bylaw 9487, Jul 25/16]
- **animal grooming**
- **broadcast studio**
- **child care**
- **congregate housing**
- **education**
- **education, commercial**
- **education, university**
- **emergency service**
- **entertainment, spectator**
- **exhibition & convention facilities**
- **government service**
- **health service, minor**
- **hotel**
- **housing, apartment**
- **housing, town**
- **library and exhibit**
- **live/work dwelling**
- **manufacturing, custom indoor**
- **neighbourhood public house**
- **office**
- **park**
- **private club**
- **recreation, indoor**
- **recreation, outdoor**
- **restaurant**
- **retail, convenience**
- **retail, general**
- **retail, second hand**
- **service, business support**
- **service, financial**
- **service, household repair**
- **service, personal**
- **stadium**
- **studio**
- **utility, minor**
- **veterinary service**

20.4.3 Secondary Uses [Bylaw 8702, Oct 24/11]

- **boarding and lodging**
- **community care facility, minor**
- **home business**
- **home-based business**
- **parking, non-accessory**
- **religious assembly**
- **residential security/operator unit**

Diagram 1 [Bylaw 9487, Jul 25/16]



20.4.4 Permitted Density [Bylaw 8702, Oct 24/11]

1. The maximum **floor area ratio** (FAR) for the total combined area of “A”, “B”, “C”, “D”, “E”, “F”, “G”, “H”, “I”, “J”, “K”, and “L” as identified in Diagram 1, Section 20.4.2, shall be 2.0, together with an additional 1.0 **floor area ratio** provided that it is not used to accommodate residential uses. [Bylaw 9487, Jul 25/16]
2. Notwithstanding Section 20.4.4.1, the maximum **floor area ratio** (FAR) for the area identified in Diagram 1, Section 20.4.2, shall be:
 - a) for the total combined area of “A”, “B”, “C”, and “D”, regardless of subdivision: 3.0;
 - b) for area “G”: 0.8;
 - c) for the total combined area of “E”, “F”, and “H”, regardless of subdivision: 3.0; and
 - d) for the total combined area of “I”, “J”, “K”, and “L”, regardless of subdivision: 1.2. [Bylaw 9487, Jul 25/16]
3. Notwithstanding Sections 20.4.4.2d, the reference to “1.2” is increased to a higher **density** of “2.9” provided that: [Bylaw 9487, Jul 25/16]
 - a) for the area identified as “I”, “J”, “K”, and “L” in Diagram 1, Section 20.4.2, prior to first occupancy of the **building**, the **owner**: [Bylaw 9487, Jul 25/16]
 - i) provides a **community amenity** contribution of \$1 million to the **City** for the Oval Village waterfront; [Bylaw 9487, Jul 25/16]
 - ii) pays or secures to the satisfaction of the **City** a monetary contribution of \$6,791,769 to the **City’s** capital Affordable Housing Reserve Fund established pursuant to *Reserve Fund Establishment Bylaw No. 7812*; [Bylaw 9487, Jul 25/16]
 - iii) grants to the **City**, via a statutory **right-of-way** or as otherwise determined to the satisfaction of the **City**, rights of public use over a suitably landscaped area of the **site**, at least 6,076.2 m² in size, for park and related purposes (but excluding sidewalk widening) within the areas identified as “I” and “J” in Diagram 1, Section 20.4.2, including: [Bylaw 9487, Jul 25/16]

- for “I”: an area of at least 1,751.1 m²; and^[Bylaw 9487, Jul 25/16]
 - for “J”: an area of at least 4,325.1 m²; and^[Bylaw 9487, Jul 25/16]
- iv) enters into legal agreement(s) with the **City**, registered against the title to the **lot** and secured via Letter(s) of Credit, at the sole cost of the **owner** and in an amount to be determined to the satisfaction of the **City**, for **child care**; and^[Bylaw 9487, Jul 25/16]
- b) prior to first occupancy of the **building** within the area identified as “J” and “K” in Diagram 1, Section 20.4.2, the **owner**, within the area identified as “K” in Diagram 1, Section 20.4.2:^[Bylaw 9487, Jul 25/16]
- i) provides a **child care** facility, the **habitable space** of which shall be at least 464.5 m², excluding **floor area** not intended for the exclusive use of the **child care** and **floor area** not included in the calculation of **floor area ratio**; and^[Bylaw 9487, Jul 25/16]
 - ii) transfers the **child care** facility and not less than 1,485.0 m² of land to the **City** as fee simple for **child care** or **community amenity space** purposes.^[Bylaw 9487, Jul 25/16]
4. Notwithstanding Sections 20.4.4.1, 20.4.4.2, and 20.4.4.3, for the area identified as “A”, “B”, “C”, “D”, “E”, “F”, “G”, “H”, “I”, “J”, and “L” in Diagram 1, Section 20.4.2:^[Bylaw 9487, Jul 25/16]
- a) the maximum total combined **floor area**, regardless of subdivision, shall not exceed 454,013.2 m², of which the **floor area** of residential **uses** shall not exceed 292,929.6 m² and the **floor area** of other **uses** shall not exceed 161,083.6 m²; and^[Bylaw 9487, Jul 25/16]
 - b) the maximum **floor area** for the areas indicated as “A”, “B”, “C”, “D”, “E”, “F”, “G”, “H”, “I”, “J”, and “L” shall not exceed:^[Bylaw 9487, Jul 25/16]
 - i) for “A”, “C”, and “D”: 116,572.1 m², total combined **floor area** regardless of subdivision, for residential **uses** and nil for other **uses**;^[Bylaw 9487, Jul 25/16]
 - ii) for “B”: 65,480.0 m² for residential **uses** and nil for other **uses**;^[Bylaw 9487, Jul 25/16]
 - iii) for “E”, “F”, and “H”: , total combined **floor area** regardless of subdivision, nil for residential **uses** and 155,456.0 m² for other **uses**;^[Bylaw 9487, Jul 25/16]
 - iv) for “G”: nil for residential **uses** and 2,365.7 m² for other **uses**;^[Bylaw 9487, Jul 25/16]
 - v) for “I”: 27,650.0 m² for residential **uses** and nil for other **uses**; and^[Bylaw 9487, Jul 25/16]
 - vi) for “J” and “L”: total combined **floor area** regardless of subdivision, 83,227.5 m² for residential **uses** and 3,261.9 m² for other **uses** (provided that all non-residential **uses** are located on “L”).^[Bylaw 9487, Jul 25/16]
5. Notwithstanding Sections 20.4.4.1, 20.4.4.2, and 20.4.4.4, an additional 0.1 **floor area ratio** shall be permitted, provided that it is entirely **used** to accommodate **amenity space**.
6. For the purposes of this **zone**, **floor area ratio** (FAR) shall be deemed to exclude portions of a **building** used for **child care** or **community amenity space** purposes within the area identified as “K” in Diagram 1, Section 20.4.2.^[Bylaw 9487, Jul 25/16]

20.4.5 Permitted Lot Coverage

1. For the area identified as “A”, “B”, “C” and “D” in Diagram 1, Section 20.4.2, the maximum **lot coverage** shall be 40% for **buildings**. A minimum of 40% of the **lot** shall be covered by a

combination of trees, shrubs, native and ornamental plants or other landscape material specified in a Development Permit approved by the **City**.

2. For the area identified as “E”, “F”, and “L” in Diagram 1, Section 20.4.2, the maximum lot coverage shall be 90% for buildings. *[Bylaw 9487, Jul 25/16]*
3. For the area identified as “G” in Diagram 1, Section 20.4.2, the maximum **lot coverage** shall be 30% for **buildings**.
4. For the area identified as “H” in Diagram 1, Section 20.4.2, no **lot coverage** shall be permitted for **buildings** located above the finished **grade**. *[Bylaw 8686, Oct 24/11]*
5. For the area identified as “I”, and “K” in Diagram 1, Section 20.4.2, the maximum **lot coverage** shall be 45% for **buildings**. A minimum of 40% of the **lot** shall be covered by a combination of trees, shrubs, native and ornamental plants or other landscape material specified in a Development Permit approved by the **City**. *[Bylaw 9487, Jul 25/16]*
6. For the area identified as “J” in Diagram 1, Section 20.4.2, the maximum **lot coverage** shall be 37% (which for the purposes of this bylaw for area “J” only shall mean the percentage of the total horizontal **lot area** that is covered by **buildings** and all enclosed and/or supported **structures**, including landscaped roofs over **parking spaces** where such roofs are situated above **finished site grade**, but excluding **eaves, balconies**, unroofed patios and raised decks, and landscaped roofs over **parking spaces** where such landscaped roofs are situated at or below **finished site grade**). A minimum of 40% of the **lot** shall be covered by a combination of trees, shrubs, native and ornamental plants or other landscape material specified in a Development Permit approved by the **City**. *[Bylaw 9487, Jul 25/16]*

20.4.6 Yards & Setbacks

1. a) Public **road setback** shall be: *[Bylaw 8702, Oct 24/11]*
 - i) 10.0 m from No. 2 Road; *[Bylaw 8702, Oct 24/11]*
 - ii) 3.0 m from River Road; *[Bylaw 8702, Oct 24/11]*
 - iii) 3.0 m from Hollybridge Way; *[Bylaw 8702, Oct 24/11]*
 - iv) 3.0 m from all other **roads** east of Hollybridge Way; and *[Bylaw 8702, Oct 24/11]*
 - v) 5.0 m from all other **roads** west of Hollybridge Way. *[Bylaw 8702, Oct 24/11]*
- b) Gateways, pergolas and similar landscape **structures** that do not form part of the **principal building** and are less than 3.0 m in **height** may be located within the public **road setback**.
- c) **Awnings**, canopies and similar shading/weather protection devices, architectural **appurtenances** cantilevered from the **building** and signage integral to those features may project 2.0 m beyond the required **road setback**.
- d) Parking **structures** located entirely below the finished **grade** may project into the public **road setback**. Such underground encroachments must not result in a finished **grade** inconsistent with **abutting lots** and the **structure** must be screened by a combination of trees, shrubs, native and ornamental plants or other landscape material specified in a Development Permit approved by the **City**.

- e) Notwithstanding Section 20.4.6.1.a.ii, in the area identified as “L” in Diagram 1, Section 20.4.2, the reference to “3.0 m” is increased to “20.0 m” for the following **uses** when the **use** is located on the ground floor of the **building**: ^[Bylaw 9487, Jul 25/16]
- i) **boarding and lodging**; ^[Bylaw 8702, Oct 24/11]
 - ii) **child care**; ^[Bylaw 8702, Oct 24/11]
 - iii) **community care facility, minor**; ^[Bylaw 8702, Oct 24/11]
 - iv) **congregate housing**; ^[Bylaw 8702, Oct 24/11]
 - v) **home business**; ^[Bylaw 8702, Oct 24/11]
 - vi) **home-based business**; ^[Bylaw 8702, Oct 24/11]
 - vii) **housing, apartment**; and ^[Bylaw 8702, Oct 24/11]
 - viii) **housing, town**. ^[Bylaw 8702, Oct 24/11]
- f) For the purposes of Section 20.4.6.1.a.iii: ^[Bylaw 8702, Oct 24/11]
- i) **road setback** from Hollybridge Way shall mean the area between the nearest wall of a **building** and the applicable **lot line** or the boundary of a **right-of-way** secured by the **City** for public **open space** purposes **adjacent** to the applicable **lot line**, whichever **setback** is greater; and ^[Bylaw 8702, Oct 24/11]
 - ii) the reference to “3.0 m” may be reduced to “0 m” if a proper interface is provided between the **building** and the **adjacent** public **open space** or public **road**, as specified in a Development Permit approved by the **City**. ^[Bylaw 8702, Oct 24/11]
- 2.
- a) The minimum **side yard** and **rear yard** for the area identified as “A”, “B”, “C”, “D”, “F”, “G”, “I”, “J”, “K”, and “L” in Diagram 1, Section 20.4.2 is 3.0 m. ^[Bylaw 9487, Jul 25/16]
 - b) Gateways, pergolas and similar landscape **structures** that do not form part of the **principal building** and are less than 3.0 m in **height** may be located within the **side yard** or **rear yard**. ^[Bylaw 9487, Jul 25/16]
 - c) Parking **structures** located entirely below the finished **grade** may project beyond the **side yard** and **rear yard setback**. These underground encroachments must not result in a finished **grade** inconsistent with **abutting lots** and the **structure** must be screened by a combination of trees, shrubs, native and ornamental plants or other landscape material specified in a Development Permit approved by the **City**.
 - d) For the purposes of Section 20.4.6.2.a, the **side yard** and **rear yard setback** shall mean the area between the nearest wall of a **building** and the applicable **lot line** or the boundary of a **right-of-way** secured by the **City** for public **open space** purposes **adjacent** to the applicable **lot line**, whichever **setback** is greater. ^[Bylaw 8702, Oct 24/11]
- 3.
- a) The minimum **side yard** and **rear yard** for the area identified as “E” in Diagram 1, Section 20.4.2 is 3.0 m.
 - b) Along the north **lot line** the **setback** line shall be determined by connecting the point measured 3.0 m southward along the east **lot line** beginning at the north east intersection of the north and east **lot lines** with the point measured 15.0 m southward along the west **lot line** beginning at the north west intersection of the north and west **lot lines**.
 - c) A portion of the **first storey** of a **building** less than 5.0 m in **building height** may be located within the **side yard** or **rear yard**, but shall be no closer to a **lot line** than 3.0 m.

20.4.7 Permitted Heights

1. The maximum **height** for **buildings** and **accessory structures** in the area identified as “A”, “B”, “C” and “D” in Diagram 1, Section 20.4.2, is 47.0 m geodetic, except that within 20.0 m of the **lot line** which **abuts** a **lot** owned by the **City** for dyke purposes the maximum **building height** shall be 18.0 m.
2. The maximum **height** for **buildings** and **accessory structures** in the area identified as “E” in Diagram 1, Section 20.4.2 is 47.0 m geodetic.
3. The maximum **height** for **buildings** and **accessory structures** in the area identified as “F” in Diagram 1, Section 20.4.2 is 35.0 m geodetic.
4. The maximum **height** for **buildings** and **accessory structures** in the area identified as “G”, “H” and “K” in Diagram 1, Section 20.4.2 is 18.0 m geodetic. [Bylaw 8686, Oct 24/11]
5. The maximum **height** for **accessory buildings** is 12.0 m.
6. The maximum **height** for **buildings** and **accessory structures** in the area identified as “I”, “J”, and “L” in Diagram 1, Section 20.4.2 is: [Bylaw 9487, Jul 25/16]
 - a) 47.0 m geodetic for portions of the **building** that are set back a minimum of 50.0 m from a **lot line** that **abuts** a **lot** owned by the **City** for dyke purposes; [Bylaw 8702, Oct 24/11]
 - b) 25.0 m geodetic for portions of the **building** that are set back less than 50.0 m from a **lot line** that **abuts** a **lot** owned by the **City** for dyke purposes; and [Bylaw 8702, Oct 24/11]
 - c) Notwithstanding Section 20.4.7.6.b, the reference to “25.0 m geodetic” is increased to a greater **building height** of “47.0 m geodetic” if, as specified in a Development Permit approved by the **City**: [Bylaw 9487, Jul 25/16]
 - i) a proper interface is provided between portions of the **building** greater than 25.0 m geodetic in **height** and **adjacent** development; and [Bylaw 8702, Oct 24/11]
 - ii) shading of any **lot** or **right-of-way** controlled by the **City** for dyke or public **open space** purposes is minimized. [Bylaw 8702, Oct 24/11]

20.4.8 Subdivision Provisions/Minimum Lot Size

1. There are no minimum **lot width** or **lot depth** requirements.
2. The minimum **lot area** is:
 - a) 10,000.0 m² for the area identified as “A” in Diagram 1, Section 20.4.2;
 - b) 21,000.0 m² for the area identified as “B” in Diagram 1, Section 20.4.2;
 - c) 14,000.0 m² for the area identified as “C” in Diagram 1, Section 20.4.2; [Bylaw 8686, Oct 24/11]
 - d) 13,500.0 m² for the area identified as “D” in Diagram 1, Section 20.4.2; [Bylaw 8686, Oct 24/11]
 - e) 5,000.0 m² for the area identified as “E” in Diagram 1, Section 20.4.2;
 - f) 4,000.0 m² for the area identified as “F” in Diagram 1, Section 20.4.2;
 - g) 2,900.0 m² for the area identified as “G” in Diagram 1, Section 20.4.2;
 - h) 7,800.0 m² for the area identified as “I” in Diagram 1, Section 20.4.2; [Bylaw 8702, Oct 24/11]

- i) 18,000.0 m² for the area identified as “J” in Diagram 1, Section 20.4.2; ^[Bylaw 9487, Jul 25/16]
- j) 1,485.0 m² for the area identified as “K” in Diagram 1, Section 20.4.2; and ^[Bylaw 9487, Jul 25/16]
- k) 10,000.0 m² for the area identified as “L” in Diagram 1, Section 20.4.2. ^[Bylaw 9487, Jul 25/16]
- l) ^[Bylaw 9487, Jul 25/16]

20.4.9 Landscaping & Screening

1. **Landscaping and screening** shall be provided in accordance with the provisions of Section 6.0.

20.4.10 On-Site Parking and Loading ^[Bylaw 8702, Oct 24/11]

1. On-site **vehicle** and bicycle parking and loading shall be provided according to the standards set out in Section 7.0, except that in the area identified as “A”, “B”, “C”, and “D” in Diagram 1, Section 20.4.2 the number of on-site **parking spaces** required for **apartment housing** and **town housing** shall be:
 - a) 1.28 spaces per **dwelling unit** for residents; and
 - b) 0.17 spaces per **dwelling unit** for visitors.
2. Notwithstanding Section 20.4.10.1:
 - a) for all permitted **uses** in the area identified as “G” in Diagram 1, Section 20.4.2, the number of **parking spaces** shall be 66, all of which shall be located on the area identified as “L” in Diagram 1, Section 20.4.2;
 - b) despite Section 20.4.10.2.a, the reference to “66” **parking spaces** shall be reduced by up to 10% where the **owner** implements transportation demand management measures, which may include, but may not be limited to, the use of car co-operatives, transit passes, private shuttles, carpools, or enhanced end-of-trip cycling facilities, as specified in a Development Permit approved by the **City**; and
 - c) residential visitor parking required for the area identified as “I” and “J” in Diagram 1, Section 20.4.2 may be located on the area identified as “L” in Diagram 1, Section 20.4.2 and shared with the commercial parking provided on area “L”, including those **parking spaces** located on area “L” as per Section 20.4.10.2.a, provided that: ^[Bylaw 9487, Jul 25/16]
 - i) the combined total number of residential visitor **parking spaces** provided on area “I”, “J”, and “L” conforms with this Bylaw;
 - ii) each commercial **parking space** on area “L” is shared with a maximum of one residential visitor **parking spaces**;
 - iii) a minimum of 12 residential visitor **parking spaces** are provided on area “I” and a minimum of 36 residential visitor **parking spaces** are provided on area “J”. ^[Bylaw 9487, Jul 25/16]
 - iv) ^[Bylaw 9487, Jul 25/16]

20.4.11 Other Regulations ^[Bylaw 8702, Oct 24/11]

1. ^[Bylaw 9487, Jul 25/16]
2. ^[Bylaw 9487, Jul 25/16]

3. The following **uses** are permitted only within the areas identified as “G” in Diagram 1, Section 20.4.2:
 - a) **child care**;
 - b) **neighbourhood public house**;
 - c) **recreation, indoor**;
 - d) **restaurant**;
 - e) **retail, convenience**; and
 - f) **retail, general**.
4. *[Bylaw 9487, Jul 25/16]*
5. The following **uses** are permitted within the area identified as “K” in Diagram 1, Section 20.4.2:
 - a) **amenity space, community**; and *[Bylaw 9487, Jul 25/16]*
 - b) **child care**. *[Bylaw 9487, Jul 25/16]*
6. *[Bylaw 9487, Jul 25/16]*
7. **Neighbourhood public house** is not permitted within the area identified as “F”, “H”, and “L” in Diagram 1, Section 20.4.2.
8. In addition to the regulations listed above, the General Development Regulations in Section 4.0 and the Specific Use Regulations of Section 5.0 apply.