

8420 Kerr Street and
3104-3130 Southeast Marine Drive

BY-LAW NO. 13421

A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

Zoning District Plan Amendment

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-764 (d) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D of By-law No. 3575.

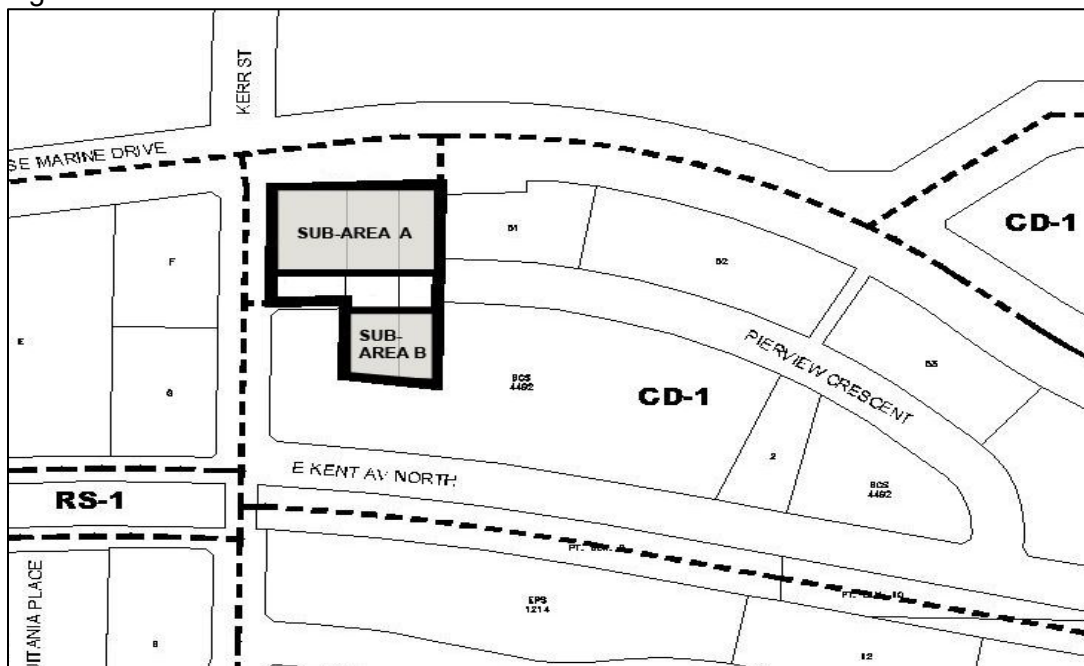
Designation of CD-1 District

2. The description of the area shown within the heavy black outline on Schedule A is hereby designated CD-1 (822).

Sub-areas

3. The CD-1 district is to consist of two sub-areas approximately as illustrated in Figure 1, solely for the purpose of allocating conditions of use, floor area, the calculation of floor area exclusions for amenity areas, and height.

Figure 1:



Uses

4. 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 (822), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Dwelling Uses, limited to Multiple Dwelling;
- (b) Retail Uses, limited to Public Bike Share;
- (c) Accessory Uses customarily ancillary to the uses permitted in this section; and
- (d) Interim Uses, and Accessory Uses customarily ancillary to them, if:
 - (i) 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,
 - (ii) 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 (822),
 - (iii) the Director of Planning or Development Permit Board approves the location of the interim use, and
 - (iv) any development permit for an interim use has a time limit of three years.

Conditions of Use

5.1 In sub-area A, the design and layout of at least 35% of the dwelling units must:

- (a) be suitable for families with children;
- (b) include two or more bedrooms; and
- (c) comply with Council's "High-Density Housing for Families with Children Guidelines".

5.2 In sub-area B, 100% of the floor area must be used for social housing, and the design and layout of at least 50% of the dwelling units must:

- (a) be suitable for families with children;
- (b) include two or more bedrooms; and
- (c) comply with Council's "High-Density Housing for Families with Children Guidelines".

Floor Area and Density

6.1 The floor area for all uses in each sub-area must not exceed the maximum floor area set out in the table below.

Sub-Area	Maximum Floor Area
A	5,910 m ² (63,609 sq. ft.)
B	1,210 m ² (13,029 sq. ft.)
Total	7,120 m ² (76,639 sq. ft.)

6.2 Computation of floor area must include all floors of all buildings, having a minimum ceiling height of 1.2 m, including earthen floors and accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

6.3 Computation of floor area must exclude:

- (a) open residential balconies or sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that:
 - (i) the total floor area of all such exclusions must not exceed 12% of the residential floor area, and
 - (ii) the balconies must not be enclosed for the life of the building;
- (b) patios and roof gardens, provided that 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 located below grade measured from Southeast Marine Drive, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas, recreational facilities and meeting rooms accessory to a residential use, to a maximum total area of 10% of the total permitted residential floor area for sub-area A; and
- (e) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

6.4 The use of floor area excluded under section 6.3 must not include any use other than that which justified the exclusion.

Building Height

7. The building height, measured from base surface to the top of the roof parapet, must not exceed the maximum heights set out in the table below.

Sub-Area	Maximum Building Heights
A	24.9 m (81.7 ft.)
B	14 m (45.9 ft.)

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

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 (822).

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) 10% or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 m².

Acoustics

9. A development permit application for dwelling uses must include an acoustical report prepared by a registered professional acoustic engineer demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be 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

Zoning and Development By-law

10. Sections 2 through 14 of the Zoning and Development By-law apply to this CD-1 (822).

Severability

11. 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.

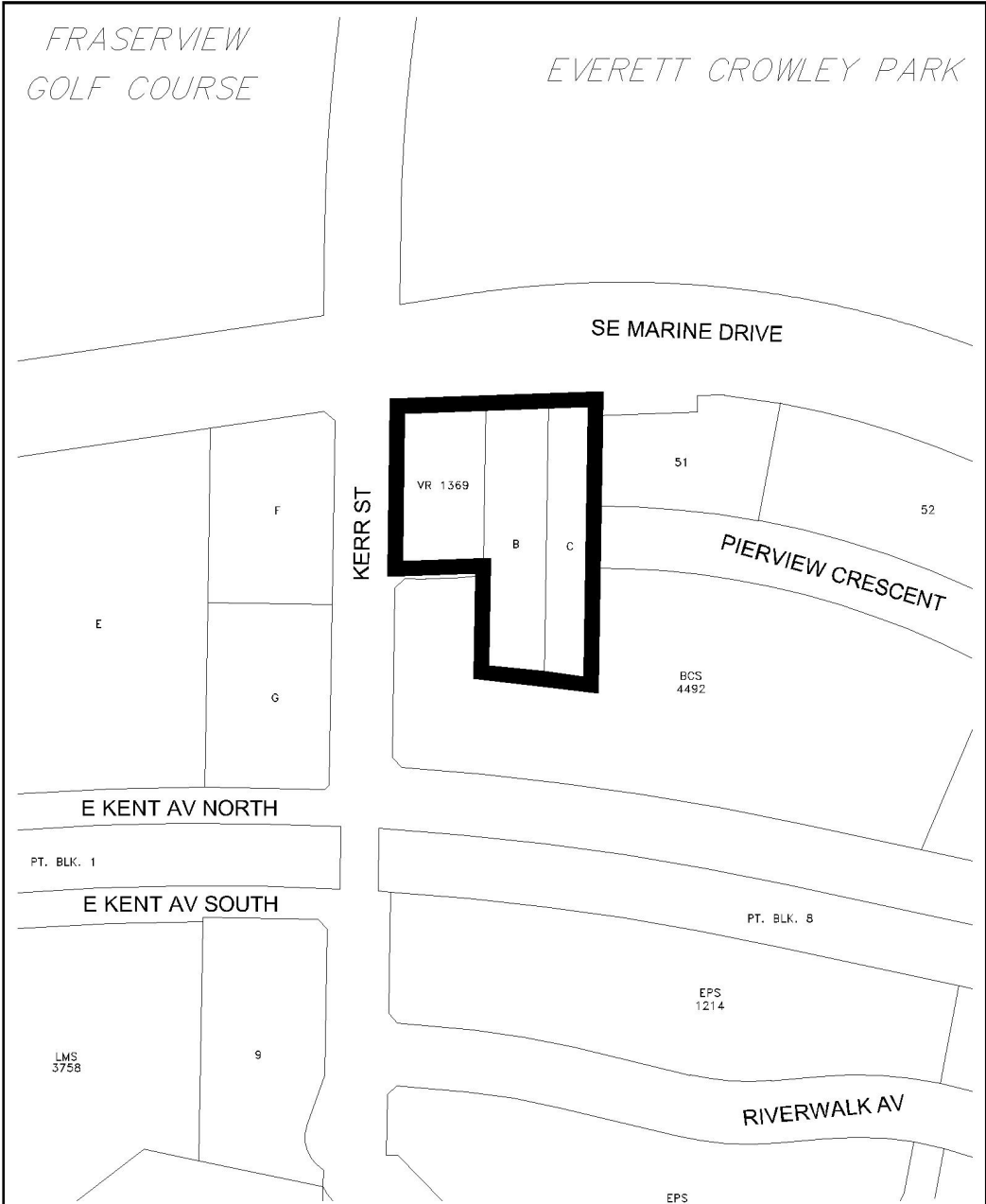
Force and effect

12. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 5th day of July, 2022


Signed _____ “Kennedy Stewart”
Mayor

Signed _____ “Katrina Leckovic”
City Clerk



The properties outlined in black () are rezoned:
 From **M-1B** to **CD-1**

Z-764 (d)

RZ - 8420 Kerr Street & 3104-3130 Southeast Marine Drive		
scale: NTS		
City of Vancouver		date: 2020-01-07