

CD-1 (276)

1041 Southwest Marine Drive

By-law No. 6876

Being a By-law to Amend Zoning and Development By-law No. 3575

Effective September 10, 1991

Amended up to and including:

By-law No. 11021, dated July 22, 2014

By-law No. 13444, dated July 20, 2022

Consolidated for Convenience Only

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to this CD-1 By-law or provides an explanatory note.

Zoning District Plan Amendment

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.]*

Uses

- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (276). [11021; 14 07 22]
- 2.2 Subject to approval by Council 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 (276) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
 - (a) Dwelling Units in conjunction with any use listed in this section;
 - (b) Service Uses;
 - (c) Retail Uses; [13444; 2022 07 20]
 - (d) Office Uses; and
 - (e) Accessory Uses customarily ancillary to the uses permitted in this section. [13444; 2022 07 20]

Density

- 3.1 The floor area for all uses must not exceed 12,728 m². [8169; 00 03 14] [11021; 14 07 22]
- 3.2 Computation of floor area must include:
 - (a) all floors, including earthen floors, measured to the extreme outer limits of the building; and
 - (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. [11021; 14 07 22]
- 3.3 Computation of floor area must exclude:
 - (a) open residential balconies, sundecks, porches 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 such exclusions must not exceed 8% of residential floor area;
 - (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) areas of undeveloped floors which are located:
 - (i) above the highest storey or half-storey, and to which there is no permanent means of access other than a hatch, or
 - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
- (e) all residential storage space at, 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) floors located at or below finished grade with a ceiling height of less than 1.2 m; and
- (g) amenity areas, including recreational facilities and meeting rooms, except that the excluded area must not exceed 10% of the total floor space ratio.
[11021; 14 07 22]

3.4 The use of floor area excluded under section 3.3 must not include any purpose other than that which justified the exclusion. [11021; 14 07 22]

Height

4. Building height must not exceed 22.7 m. [11021; 14 07 22]

Horizontal Angle of Daylight

5.1 Each habitable room must have at least one window on an exterior wall of a building.
[11021; 14 07 22]

5.2 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. [11021; 14 07 22]

5.3 Measurement of the plane or planes referred to in section 5.2 must be horizontally from the centre of the bottom of each window. [11021; 14 07 22]

5.4 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 the unobstructed view is not less than 3.7 m,

the Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement.
[11021; 14 07 22]

5.5 An obstruction referred to in section 5.2 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 (276).
[11021; 14 07 22]

5.6 A habitable room referred to in section 5.1 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.

[11021; 14 07 22]

Acoustics

6. 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 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

[11021; 14 07 22]

Force and effect

7. *[Section 7 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signatures to pass the by-law and certify the by-law number and date of enactment.]*



[11021; 14 07 22]

Public Hearing – May 17, 1990 – Item 3

Summary – To rezone 1041 Southwest Marine Drive from I-1 (Industrial) District and C-2 (Commercial) District to CD-1 (Comprehensive Development) District.

By-law enacted on September 10, 1991 – [By-law No. 6876](#)

Public Hearing – October 30, 2012 – Item 2 – [Agenda](#)

Summary – To amend the existing CD-1 (Comprehensive Development) District (276) for the Coast Hotel at 1041 Southwest Marine Drive. The proposal is to expand the current CD-1 District by rezoning an adjacent MC-1 (Light Industrial) District site to add it to the CD-1 District, to permit construction of a six-storey addition including a redeveloped pub, conference space, and 76 dwelling units. The proposal also includes the option to add 54 hotel rooms in the place of 32 dwelling units within the same floor space. A maximum floor space ratio (FSR) of 2.3 and a maximum height of 74.5 feet (22.7 metres) are proposed.

By-law enacted on July 22, 2014 – [By-law No. 11021](#)

Public Hearing – July 12, 2022 – Item 1 – [Agenda](#)

Summary – To make miscellaneous amendments to: CD-1 (816) at 110 West 4th Avenue, CD-1 (642) at 2133 Nanton Avenue (formerly 4255 Arbutus Street), CD-1 (473) at East Fraser Lands Non-High Street, and CD-1 (276) at 1041 Southwest Marine Drive; to improve clarity, update references, correct inadvertent errors or omissions, and/or improve the administration of the by laws.

By-law enacted on July 20, 2022 – [By-law No. 13444](#)