

## SUMMARY AND RECOMMENDATION

**5. REZONING: 8420 Kerr Street and 3104-3130 Southeast Marine Drive**

**Summary:** To rezone 8420 Kerr Street and 3104-3130 Southeast Marine Drive from M-1B (Industrial) District to CD-1 (Comprehensive Development) District, to permit the development of a seven-storey residential building containing 83 market strata units on the northern portion of the site and to transfer the southern portion of the site to the City for social housing purposes, to be developed by the City in the future with townhouses. A maximum building height of 24.9 metres (81.7 feet) and a floor space ratio (FSR) of 1.28 are proposed on the northern portion of the site.

**Applicant:** Gracorp Capital Advisors Ltd.

**Referral:** This item was referred to Public Hearing at the Council Meeting of December 10, 2019.

**Recommended Approval:** By the General Manager of Planning, Urban Design and Sustainability, subject to the following conditions as proposed for adoption by resolution of Council:

A. THAT Council approve in principle the application by Gracorp Capital Advisors Ltd. on behalf of 1096351 B.C. Ltd., the registered owner, to rezone:

- 8420 Kerr Street and 3104 Southeast Marine Drive [*Strata Lots 1, 2 and 3, Districts Lot 330 and 331, Strata Plan VR. 1369, PIDs: 006-539-131,006-539-157 and 006-539-181, respectively*];
- 3122 Southeast Marine Drive [*PID: 010-745-378; Lot B (Reference Plan 2950) of Lot 3, Block A of Block 8, District Lot 330, Plan 7062*]; and
- 3130 Southeast Marine Drive [*PID: 010-351-591; Lot C of Lot 3, Block A of Block 8, District Lot 330, Plan 7818*];

all from M-1B (Industrial) District to CD-1 (Comprehensive Development) District, to:

- increase the building height from 12.2 m (40 ft.) to 24.9 m (81.7 ft.) to permit the development of a seven-storey residential building containing 83 market strata units on the northern portion of the site; and
- provide a dirt site (the southern portion of the site) to the City for social housing purposes, to be developed by the City in the future with townhouses at a maximum height of 14 m (45.9 ft.),

generally as presented in Appendix A of the Referral Report dated May 28, 2019, entitled "CD-1 Rezoning: 8420 Kerr Street and 3104-3130 Southeast Marine Drive";

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by DYS Architecture and received on June 26, 2018, provided the

Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the Referral Report.

B. THAT A be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

**[RZ – 8420 Kerr Street and 3104-3130 Southeast Marine Drive]**