

SUMMARY AND RECOMMENDATION

B. CD-1 REZONING: 1640-1650 Alberni Street

Summary: To rezone 1640-1650 Alberni Street from RM-5C (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 43-storey residential building with 198 strata titled and 66 secured market rental units, of which 20% are to be below market. A height of 117.3 metres (385 feet) and a floor space ratio (FSR) of 14.97 are proposed.

Applicant: IBI Group

Referral: This relates to the report titled "CD-1 Rezoning: 1640-1650 Alberni Street", dated November 2, 2021, ("Report"), referred to Public Hearing at the Council Meeting of November 16, 2021.

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 the application by IBI Group, on behalf of 1650 Alberni Residential Ltd. and 1650 Alberni Commercial Ltd., the registered owners of the lands located at:
- 1640-1650 Alberni Street [*PID 011-520-973; The East ½ of Lot 24 Block 55 District Lot 185 Plan 92*];
 - 1640-1650 Alberni Street [*PID 012-357-570; The West ½ of Lot 26 Block 55 District Lot 185 Plan 92*]; and
 - 1640-1650 Alberni Street [*PID 012-357-545; Lot 25 Block 55 District Lot 185 Plan 92*]

from RM-5C (Residential) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 2.20 to 14.97, and the building height from 58.0 m (190 ft.) to 117.3 m (385 ft.) to permit the development of a 43-storey residential building containing 198 strata-titled residential units and 66 secured market rental units of which 20% are to be below market, generally as presented in the Report, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A of the Report, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by IBI Group received June 26, 2020, 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 Report.

- B. THAT subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Report, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.
- C. THAT Recommendations A and B 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.

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