

**Refers to Referral Report Item #4  
Public Hearing of May 17, 2022**

## **MEMORANDUM**

May 12, 2022

**TO:** Mayor and Council

**CC:** Paul Mochrie, City Manager  
Karen Levitt, Deputy City Manager  
Armin Amrolia, Deputy City Manager  
Katrina Leckovic, City Clerk  
Lynda Graves, Administration Services Manager, City Manager's Office  
Maria Pontikis, Director, Civic Engagement and Communications  
Anita Zaenker, Chief of Staff, Mayor's Office  
Neil Monckton, Chief of Staff, Mayor's Office  
Alvin Singh, Communications Director, Mayor's Office  
Jeff Greenberg, Assistant Director of Legal Services  
Yardley McNeill, Assistant Director, Rezoning Centre, Planning, Urban Design and Sustainability

**FROM:** Theresa O'Donnell  
General Manager, Planning, Urban Design and Sustainability

**SUBJECT:** CD-1 Rezoning: 1668-1684 Alberni Street – Amendment to draft CD-1 Bylaw and addition of new condition for Public Art

**RTS #:** 14914

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On April 12, 2022 Council referred the above-mentioned rezoning application to a Public Hearing. After referral, staff determined that a correction is required to the draft CD-1 By-law in Appendix A related to the exclusion of floor area for amenity areas. Changes to the draft CD-1 By-law have been made to clarify the permissible area exclusions and to align the CD-1 By-law with the standard wording for residential amenity area exclusions. This memo will form part of the May 17, 2022 Public Hearing agenda package and be available for public viewing.

### **RECOMMENDATION**

That section 5.5 of the draft CD-1 By-law in Appendix A for 1668-1684 Alberni Street be amended as follows:

- (a) strike out section 5.5:

~~5.5 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board, unenclosed outdoor areas at grade underneath tower building overhangs, except that they must remain unenclosed for the life of the building.~~

(b) substitute with:

- 5.5 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:
- a) unenclosed outdoor areas at grade underneath tower building overhangs, except that they must remain unenclosed for the life of the building;
  - b) **residential amenity areas, except that the exclusion must not exceed 10% of the permitted floor area of the residential floor area.**

Staff conclude that the change in the residential amenity area exclusions does not alter the proposed form of development shown in Appendix D of the referral report. This memo will form part of the May 17, 2022 Public Hearing agenda package and be available for public viewing.

**Council action is required to amend the proposed draft CD-1 By-law at Public Hearing.**

Additionally, this memorandum recommends an additional condition of enactment for public art which was inadvertently missed in the Referral Report dated March 29, 2022, titled “CD-1 Rezoning: 1668-1684 Alberni Street”.

### **RECOMMENDATION**

THAT the following additional condition of enactment be included with Part 2: Conditions of By-law Enactment of Appendix B:

#### **“Public Art**

- 2.11 Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City’s Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager (a checklist will be provided).

Note to Applicant: Please contact Karen.Henry@vancouver.ca, Public Art Planner, 604.673.8282, to discuss your application.”

**This additional recommendation requires approval of Council to ensure the agreement for the provision of public art is secured.**



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