

**Refers to Referral Report Item #2
Public Hearing of November 12, 2024**

YELLOW MEMORANDUM

November 8, 2024

TO: Mayor and Council

CC: Paul Mochrie, City Manager
Armin Amrolia, Deputy City Manager
Karen Levitt, Deputy City Manager
Sandra Singh, Deputy City Manager
Katrina Leckovic, City Clerk
Maria Pontikis, Chief Communications Officer, CEC
Teresa Jong, Administration Services Manager, City Manager's Office
Mellisa Morphy, Director of Policy, Mayor's Office
Trevor Ford, Chief of Staff, Mayor's Office
Jeff Greenberg, Assistant Director of Legal Services
Lon LaClaire, General Manager of Engineering Services

FROM: Josh White
General Manager, Planning, Urban Design and Sustainability

SUBJECT: CD-1 (843) Text Amendment: 888 W Broadway (formerly 878-898 West Broadway) – Conditions of Approval in Appendix B

RTS #: [16558](#)

On October 8, 2024, Council referred the above noted rezoning application to Public Hearing. After referral, the applicant requested a covenant that was a condition of the previous rezoning application (which rezoning by-law was enacted by Council on December 6, 2022 under By-law No. 13588), be amended to allow for separate sale of an Air Space Parcel (ASP) that will comprise a portion of the hotel development.

RECOMMENDATION

That the following condition of enactment be included with Part 2: Conditions of By law Enactment (Appendix B, Part 2) of this report:

“Non-stratification Covenant

- 2.3 Provision of a Modification of Covenant CB332253-CB332255 (being a Section 219 Covenant Prohibiting Separate Sale and Stratification) to remove the restriction on separate sale of the development property, while retaining the prohibition on the strata subdivision of the development property.”

Staff have evaluated this amendment and concluded that the change does not affect either the intent of the original Covenant, which was intended to prevent stratification and sale of individual hotel units, and does not affect the calculation of the Commercial Linkage Contribution, which was paid through the previous rezoning application.

Action is required by Council. Staff recommend that Council approve the Recommendation for Public Hearing subject to this yellow memorandum. This memorandum will form part of the November 12, 2024 Public Hearing agenda package and be available for public viewing.



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