

From: ["Mochrie, Paul" <Paul.Mochrie@vancouver.ca>](mailto:Paul.Mochrie@vancouver.ca)

To: ["Direct to Mayor and Council - DL"](#)

Date: 2/28/2022 5:41:14 PM

Subject: [A By-law to enact a Housing Agreement for 1303 Kingsway & 3728 Clark Drive - notification of change to remove the DCL waiver](#)

Attachments: [Memo to Mayor & Council - A By-law to enact a Housing Agreement for 1303 Kingsway & 3728 Clark Drive.pdf](#)

Dear Mayor and Council,

Please see the attached memo from Theresa O'Donnell to inform Council prior to enactment of the Housing Agreement By-law that the applicant at 1303 Kingsway has sought to remove the DCL waiver prior to Development Permit issuance stage.

A Housing Agreement By-law securing the project as "secured market rental" will be before Council for adoption on March 1st 2022.

Should you have any questions, please contact Theresa O'Donnell (Theresa.O'Donnell@vancouver.ca)

Best,
Paul

Paul Mochrie (he/him)
City Manager
City of Vancouver
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The City of Vancouver acknowledges that it is situated on the unceded traditional territories of the x^wməθk^wəyəm (Musqueam), Sḵwəxwú7mesh (Squamish), and səlilwətaʔ (Tsleil-Waututh) Nations.

MEMORANDUM

February 28, 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
Yardley McNeil, Assistant Director, Rezoning Centre
Dan Garrison, Assistant Director, Housing Policy and Regulation
Jeff Greenberg, Assistant Director of Legal Services
Templar Tsang-Trinaistich, Issues Manager, Planning Urban Design and Sustainability

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

SUBJECT: A By-law to enact a Housing Agreement for 1303 Kingsway & 3728 Clark Drive
– notification of change to remove the DCL waiver

RTS # 13036

The purpose of this Memo is to notify Council, prior to enactment of the Housing Agreement By-law, that the applicant at 1303 Kingsway and 3728 Clark Drive have informed staff of their intention to no longer take the DCL Waiver at Development Permit application stage. The new Housing Agreement By-law, which replaces the previous Housing Agreement by-law that secured the waiver, is scheduled to go to Council for enactment on March 1st, 2022.

This change will not have any implications on other development charges, such as CACs. At this stage no action is required by Council.

Overview of DCL Waiver Process

The DCL Waiver is optional. Projects that create new rental supply, where 100% of the residential development is rental in tenure are eligible to seek a DCL waiver for the rental portion of the development. The Vancouver DCL By-law permits DCLs to be waived for 'for-profit affordable rental housing' where the tenure is secured through a Housing Agreement.

To qualify for a DCL waiver a project must meet the definition of 'for-profit affordable rental housing' as defined in Section 3.1(B) of the DCL By-law, which requires projects to meet maximum average unit size and starting rent criteria by unit type.

If a project meets the maximum average unit size and rent criteria, and there are no other implications on other development charges, such as CACs, the applicant is eligible to take the waiver and no Council decision is required.

Rezoning Application at 1535-1557 Grant Street

The rezoning application at 1303 Kingsway & 3728 Clark Drive was approved in principle at the Public Hearing on April 2nd, 2019. At the time of rezoning application, the applicant opted to take the DCL waiver, resulting in an estimated savings of \$1,052,134 at that time. Real Estate staff reviewed the rezoning application development pro forma and concluded that the rezoning would not be subject to a CAC. At this time, the project was subject to CAC review, which meant that the applicant was required to decide during the rezoning process whether the project would be taking the DCL waiver.

A Housing Agreement, securing the project as "for-profit affordable rental housing" and securing the DCL Waiver, was approved by Council on February 11th, 2020.

A Development Permit application for the project was submitted on September 16th 2020. A "prior-to permit issuance" letter securing the DCL Waiver rents for this project was issued on January 11th 2021. This project is now in the final stages of its Development Permit, and they are now asking to remove the DCL waiver and pay the full DCL fee.

Real Estate staff have reviewed the applicant's decision to remove the DCL Waiver at Development Permit application stage, and confirm that removing the waiver does not have any implications on CACs, or other development charges.

The applicant's decision to remove the DCL waiver at Development Permit application stage reflects the preference of the applicant. Staff confirm that this does not create any material difference to Council's decision regarding the rezoning application.

No action is required by Council.

Thank you for your consideration. If you have questions or concerns, please do not hesitate to reach out to Dan Garrison at dan.garrison@vancouver.ca



Theresa O'Donnell
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