

From: ["Mochrie, Paul" <Paul.Mochrie@vancouver.ca>](mailto:Paul.Mochrie@vancouver.ca)
To: ["Direct to Mayor and Council - DL"](#)
Date: 11/27/2023 5:24:46 PM
Subject: Memo to Mayor & Council - A By-law to enact a Housing Agreement for 1247 Kingsway – Notification of change to remove the DCL waiver
Attachments: Memo to Mayor & Council - Memo - A By-law to enact a Housing Agreement for 1247 Kingsway – Notification of change to remove the DCL waiver.pdf

Dear Mayor and Council,

Please find attached a memo from Planning, Urban Design and Sustainability notifying council of a change to the DCL requirement for 1247 Kingsway. No action is required at this time.

Best,
Paul

Paul Mochrie (he/him)
City Manager
City of Vancouver
paul.mochrie@vancouver.ca



The City of Vancouver acknowledges that it is situated on the unceded traditional territories of the xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish), and səliłwətał (Tsleil-Waututh) Nations.

MEMORANDUM

November 27, 2023

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, Interim Chief of Staff, Mayor's Office
Yardley McNeil, Director, Rezoning Centre
Dan Garrison, Director, Housing Policy and Regulation
Jeff Greenberg, Assistant Director of Legal Services
Templar Tsang-Trinaistich, Issues Manager, Planning Urban Design and Sustainability

FROM: Doug Smith
General Manager, Planning, Urban Design and Sustainability (acting)

SUBJECT: A By-law to enact a Housing Agreement for 1247 Kingsway
– Notification of change to remove the DCL waiver.

RTS #: N/A

The purpose of this Memo is to notify Council that the applicant for the rezoning of 1247 Kingsway have informed staff of their intention to no longer take the DCL Waiver as previously declared at the time of the rezoning of the property. The Housing Agreement By-law, along with other rezoning enactment documents, are scheduled to go to Council for consideration on December 12, 2024.

Overview of DCL Waiver Process

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. The DCL Waiver is optional and no Council decision is required.

Rezoning Application at 1247 Kingsway

The rezoning application at 1247 Kingsway was approved in principle at the Public Hearing on September 15th, 2020. At the time of rezoning application, the applicant opted to take the DCL waiver, resulting in an estimated savings of \$744,246. Real Estate staff reviewed the rezoning application development pro forma and concluded that the rezoning would not be subject to a CAC. Because the project was subject to CAC review, the applicant was required to decide during the rezoning process whether the project would be taking the DCL waiver.

Nevertheless during the Development Permit process, the applicant decided not to opt for the DCL Waiver and instead will pay the full DCL fee. The applicant's decision to remove the DCL Waiver means that the City will no longer be able to secure initial starting rents in the rental portion of the development. Instead, rents will be set by the applicant, as dictated by the market. Real Estate staff have reviewed the applicant's decision to remove the DCL Waiver, 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



Doug Smith, P.Eng.
Acting General Manager
Planning, Urban Design and Sustainability