

## **Background**

According to the “Vancouver Memorandum” prepared by Stikeman Elliott LLP, the legal firm engaged by the developer of the proposed 580 Commonage project, Kerkhoff Develop-Build has indicated a willingness to provide “up to 40% attainable (market) housing” in their development. This commitment is framed as a key public benefit supporting the requested amendment to the City’s Official Community Plan.

However, a close review of the proposed framework reveals several significant weaknesses that raise questions about whether the development will meaningfully address Vernon’s housing needs.

### **1. The 40% Target Is Not a Firm Commitment**

The proposal refers to “up to 40%” attainable housing.

This wording does not establish a minimum requirement. In practice, it could allow a much smaller proportion of attainable housing while still technically meeting the terms of the agreement.

### **2. “Attainable Housing” Is Not Tied To A Specific Measure Of Affordability**

The definition used in the proposal describes attainable housing as:

- smaller homes
- smaller lots
- rental housing
- manufactured homes

However, the framework does not require homes to meet any specific affordability thresholds, such as pricing that is tied to local incomes.

As a result, homes could still be priced well beyond what many Vernon households can afford while being labeled “attainable.”

### **3. No Long-Term Affordability Protections**

The proposal refers to a “covenant registered against the Lands,” but it does not clearly establish mechanisms that would:

- restrict resale prices
- prioritize local buyers
- ensure homes remain affordable over time

Without these measures, homes initially marketed as attainable could quickly be resold at full market prices.

### **4. Affordability Can Be Deferred to Future Phases**

The framework allows the developer to meet attainable housing commitments in future phases of the development rather at the time each phase of the project is built

As Vernonites know only too well, large master-planned projects often unfold over decades. This creates a risk that attainable housing may be delayed significantly, delivered only late in the project timeline, or not built at all if the project remains incomplete.

### **5. Key Details Are Deferred to Future Rezoning Decisions**

Under the proposal, the specific details of attainable housing would be determined at each future rezoning stage, rather than being fully defined now.

This means the project could receive OCP approval before the actual affordability measures are clearly established.

## **6. Giving Amendment Approval Before Details Are Settled Removes Leverage**

The framework essentially says: "Approve the major land-use change now, and we'll work out the specific housing details later."

But once the OCP designation is changed, the developer gains enormous value and leverage. It becomes much harder for the city to negotiate and enforce strong affordability requirements later.

## **Conclusion**

580 Commonage is presented as a development that is meant to provide housing for folks who struggle to meet their housing needs. However, when we look at the "fine print" in the materials that go to Council, the developer shows no interest whatsoever to be locked into such a commitment. If this is truly the goal of Kerkhoff Develop-Build, why won't they put it clearly in writing?