



Committee of the Whole Report For the Meeting of June 27, 2019

To: Committee of the Whole **Date:** June 13, 2019
From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development
Subject: Temporary use Permit with Variance Application No. 00014 for 2915 Douglas Street

RECOMMENDATION

That Council after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Temporary Use Permit Application No. 00014 for 2915 Douglas Street, in accordance with:

1. Plans date stamped May 17, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the required number of parking spaces from 60 to 40.
3. Registration of a Section 219 Covenant on the adjoining properties located at 2905 and 2909 Douglas Street and 720, 730 and 740 Topaz Avenue to secure an additional 20 parking spaces in order to comply with the parking requirement for the proposed uses in the existing building at 2915 Douglas Street, to the satisfaction of the Director of Engineering and Public Works."
4. The Temporary Use Permit lapsing three years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 493 of the Local Government Act, Council may issue a Temporary Use Permit. A Temporary Use Permit may allow a use not permitted by zoning, may specify conditions under which the temporary use may be carried on, and may allow and regulate construction of buildings and structures in respect of the use of which the permit is issued.

In accordance with Section 498 of the *Local Government Act*, council may issue a Temporary use Permit with Variance that varies a *Zoning Regulation Bylaw*, provided that the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Temporary Use Permit with Variance Application for the property located at 2915 Douglas Street. The proposal is to temporarily permit 25 units of supportive rental housing and a 22-bed substance use treatment facility in the existing building.

The following points were considered in assessing these applications:

- The *Official Community Plan* (OCP, 2012) identifies the property within the General Employment Urban Place Designation, which does not support residential uses and treatment facilities; however, TUPs are permitted in the OCP throughout the whole City.
- The OCP supports the efforts of senior government and community organizations to reduce poverty through enabling stable housing with support services.
- The subject property is designated General Employment in the *Burnside Gorge Neighbourhood Plan*, 2017, which also does not support residential uses and treatment facilities. However, the proposal to provide an interim use that addresses a critical housing need and demand for health services in the community, while giving the applicant time to develop a long-term redevelopment plan for the site, is supportable.
- The applicant currently operates a 50-bed shelter (The Arbutus Shelter), which is permitted under the existing T-1 Zone, Limited Transient Accommodation District. The existing restaurant is considered existing non-conforming as it was permitted as an accessory use in conjunction with the previous motel.
- The applicant is proposing to reduce the required number of parking spaces from 60 to 40. The applicant has indicated to staff that the parking demand for the residential uses and treatment facility is 15 parking spaces. The parking requirement for the existing restaurant is 12 parking spaces; therefore the total parking demand for the building is approximately 27 parking spaces. The applicant is willing to register an easement on the adjacent properties to secure an additional 20 parking spaces and comply with the parking requirements for the existing building.

BACKGROUND

Description of Proposal

The proposal is to temporarily permit 25 units of supportive rental housing and a 22-bed substance use treatment facility in the existing building. Subject to Council approval, a Temporary Use Permit (TUP) can be extended one time for an additional period of up to three years. The proposed variance is related to parking.

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation Impacts

The applicant has not identified any active transportation impacts associated with this proposal.

Public Realm Improvements

No public realm improvements are proposed in association with this Temporary use Permit Application.

Existing Site Development and Development Potential

The site is presently a restaurant, shelter, supportive rental housing and substance use treatment facility. Under the current T-1 Zone, the permitted uses are restricted to single-family dwellings and customary accessory uses, transient accommodation, housekeeping apartment buildings, boarding houses and rooming houses.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on April 29, 2019, the application was referred for a 30-day comment period to the Burnside Gorge CALUC. At the time of writing this report, a letter from the CALUC had not been received.

This application proposes variances; therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

ANALYSIS

Official Community Plan

The *Official Community Plan* (OCP, 2012) identifies the property within the General Employment Urban Place Designation. Residential uses are not supported within this designation. A TUP would permit the proposed uses for a period of up to three years, with the ability to extend the permit for another three years subject to Council approval. The OCP supports the efforts of senior government and community organizations to reduce poverty through enabling stable housing with support services.

Local Area Plans

The *Burnside-Gorge Neighbourhood Plan*, 2017, identifies the subject site as General Employment, which does not support residential uses. However, the proposal to provide an interim use that addresses a critical housing need and demand for health services in the community, while giving the applicant time to develop a long-term redevelopment plan for the site, is supportable.

Regulatory Considerations

According to Schedule C: Off-street Parking, the parking requirement for the proposed uses is 60 parking stalls, including 48 parking stalls for "Transitional Housing and Emergency Shelter" use and 12 stalls for the "Restaurant" use. The applicant is proposing to reduce the required number of parking spaces from 60 to 40.

Staff have requested that the applicant register easements on their adjoining properties at 2905 and 2909 Douglas Street and 720, 730 and 740 Topaz Avenue in order to secure an additional 20 parking spaces and comply with the parking requirement for the existing building at 2915 Douglas Street. The applicant is willing to register an easement and for that reason, the parking variance is supportable.

CONCLUSIONS

The proposal to temporarily permit 25 units of supportive rental housing and a 22-bed substance use treatment facility in the existing building for a period of up to three years at the property located at 2915 Douglas Street is supportable given that it is an opportunity to allow an interim use to accommodate a critical housing need and health services in the community, while giving the applicant time to develop a long-term redevelopment plan for the site. The parking variance is also supportable given that the applicant is willing to register an easement on

adjacent properties to secure more parking for the uses in the existing building. Staff recommend for Council's consideration that the application advance to a Public Hearing.

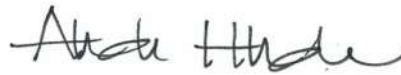
ALTERNATE MOTION

That Council decline TUP with Variance Application No. 00014 for the property located at 2915 Douglas Street.

Respectfully submitted,




Leanne Taylor
Senior Planner
Development Services Division



Andrea Hudson, Assistant Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Date: June 19, 2019

List of Attachments

- Attachment A: Zoning Map
- Attachment B: Aerial Photo
- Attachment C: Plans dated May 17, 2019
- Attachment D: Letter from applicant dated May 17, 2019.