I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.b Report from the June 27, 2019 COTW Meeting

I.1.b.c 2915 Douglas Street - Temporary Use Permit Application No. 00014 (Burnside)

Moved By Councillor Loveday Seconded By Councillor Thornton-Joe

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."

CARRIED UNANIMOUSLY

C. LAND USE MATTERS

E.3 2915 Douglas Street - Temporary Use Permit Application No. 00014 (Burnside)

Committee received a report dated June 13, 2019 from the Acting Director of Sustainable Planning and Community Development proposing to temporarily permit 25 units of supportive rental housing and a 22-bed substance use treatment facility in the existing building.

Moved By Councillor Isitt Seconded By Councillor Potts

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.
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- 4. The Temporary Use Permit lapsing three years from the date of this resolution."

CARRIED UNANIMOUSLY



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:
 - 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:

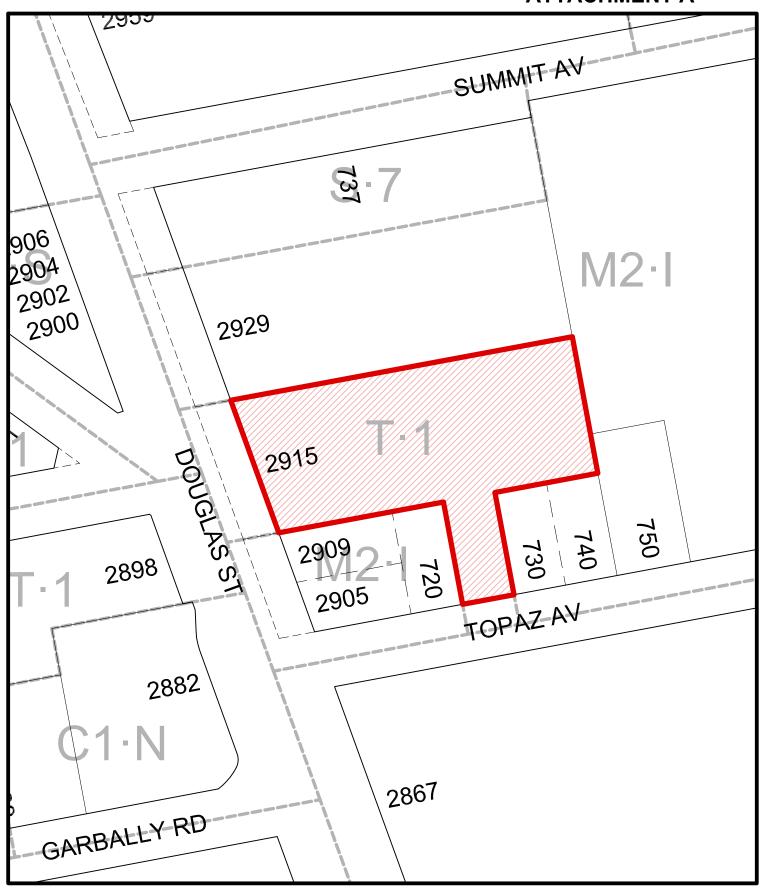
List of Attachments

Attachment A: Zoning Map
 Attachment B: Aerial Photo

Attachment C: Plans dated May 17, 2019

Attachment D: Letter from applicant dated May 17, 2019.

ATTACHMENT A





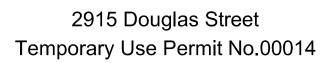
2915 Douglas Street Temporary Use Permit No.00014



ATTACHMENT B









2929 2915 2909 2898 Topaz Ave 2905

EXISTING SITE LOCATION

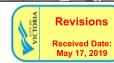


UNIT LOCATION IN BUILDING 11

ATTACHMENT C



AERIAL VIEW - EXISTING BUILDING LOCATION



		May 17, 2019	
BUILDING CODE REVIEW			
BUILDING CODE:	2018 BRITISH COLUMBIA BUILDING CODE		
EXISTING MAJOR BUILDING OCCUPANCIES:	GROUP C - RESIDENTIAL OCCUPANCY (TRANSITIONAL HOUSING)		
	GROUP A, DIVISION 2 - ASSEMBLY OCCUPANCY (SPOONS DINER)		
SUBSIDIARY OCCUPANCY:	GROUP D - BUSINESS AND PERSONAL SERVICES (SUPPORT SERVICES FOR TRANSITIONAL HOUSING)		
BUILDING AREA:	1638 SQUARE METRES		
BUILDING HEIGHT:	4 STOREYS		
SPRINKLERED:	YES		
FIRE ALARM:	YES		
STREETS FACED:	2		
CONSTRUCTION ARTICLE:	3.2.2.50 - GROUP C, UP TO 6 STOREYS, SPRINKLERED	3.2.2.24 - GROUP A, DIVISION 2, UP TO 6 STOREYS, ANY AREA, SPRINKLERED	
ALLOWABLE BUILDING HEIGHT:	6 STOREYS	6 STOREYS	
ALLOWABLE BUILDING AREA:	1800 SQUARE METRES IF 4 STOREYS IN BUILDING HEIGHT	ANY AREA	
ALLOWABLE CONSTRUCTION:	COMBUSTIBLE OR NONCOMBUSTIBLE	NONCOMBUSTIBLE ONLY	
SPRINKLERED:	REQUIRED	REQUIRED	
FLOOR ASSEMBLIES FRR:	NOT LESS THAN 1 HOUR	NOT LESS THAN 1 HOUR	
MEZZANINE FRR:	NOT LESS THAN 1 HOUR	NOT LESS THAN 1 HOUR	
LOADBEARING WALLS, COLUNMS & ARCHES FRR:	NOT LESS THAN THAT REQUIRED FOR THE SUPPORTED ASSEMBLY	NOT LESS THAN THAT REQUIRED FOR THE SUPPORTED ASSEMBLY	
TRAVEL DISTANCE (BCBC 3.4.2.5.b):	45 METRES (BUILDING COMPLIES)	45 METRES (BUILDING COMPLIES)	

SECOND FLOOR T.U.P

2915 DOUGLAS STREET VICTORIA, BC

BC HOUSING



SUE FOR:	DATE:
VISIONS	MAY 16, 2019

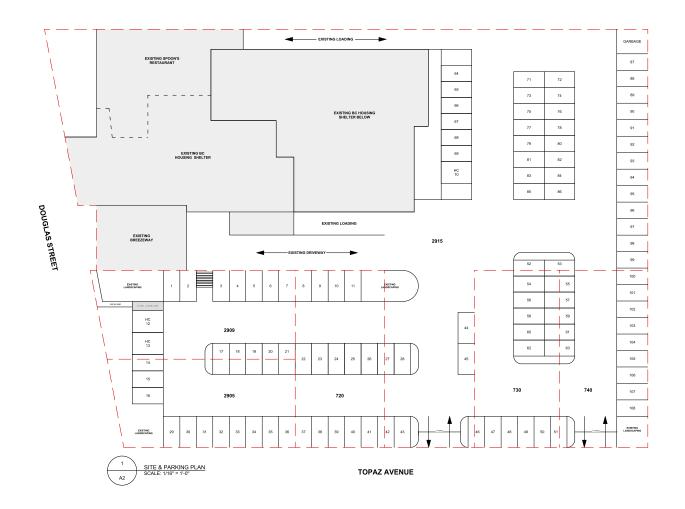
MAY 16, 2019

SITE LOCATION & CODE REVIEW

DRAWING NUMBER:

PARKING REQUIREMENTS (AS PER CITY OF VICTORIA SCHEDULE C)				
FLOOR LEVEL	SPOON'S RESTAURANT	BC HOUSING SHELTER OFFICE	BC HOUSING TRANSITIONAL HOUSING/SHELTER	TOTAL PARKING COUNT
BASEMENT LEVEL (Transitional Housing)	-	-	1546 sqm / 80 sqm = 19.3	19.3
MAIN FLOOR (Shelter office & Spoon's Restaurant)	239 sqm / 20 sqm = 11.95	58 sqm / 50 sqm = 1.16	532 sqm / 80 sqm = 6.65	19.76
SECOND FLOOR (Supportive Treatment/Transitional Housing)	-	-	831 sqm / 80 sqm = 10.39	10.39
THIRD FLOOR (Transitional Housing)	-	-	831 sqm / 80 sqm = 10.39	10.39
TOTAL:	11.95	1.16	46.73	60 PARKING SPACES REQUIRED

DRAWING LEGEND	
PROPERTY LINES	



UECT:

SECOND FLOOR T.U.P

2915 DOUGLAS STREET VICTORIA, BC

CLIENT:

BC HOUSING



BUE FOR: DATE: VISIONS MAY 16, 2019

PROJECT NO.:

RAWN BY:

MAY 16, 2019

SCALE:

1/16" = 1'-0"

DRAWING TITLE:

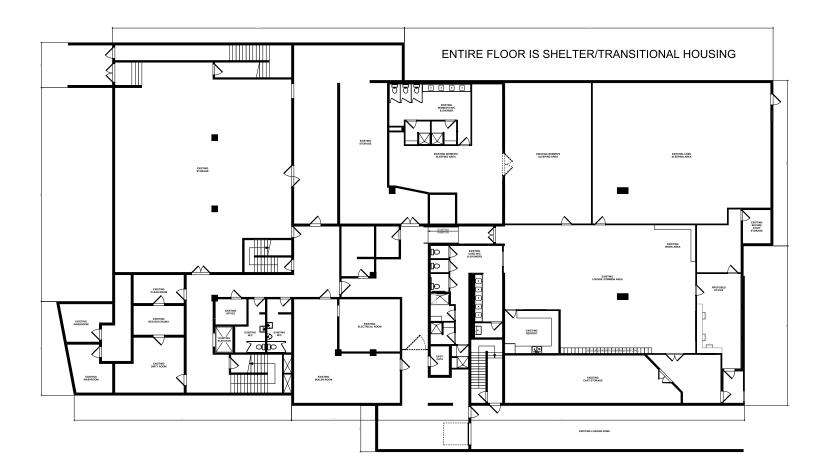
SITE PLAN & PARKING PLAN

DRAWING NUMBER:



PARTITION LEGEND

EXISTING PARTITION - TO REMAIN



1 EXISTING BASEMENT PLAN
SCALE: 1/8" = 1'-0"

OJECT:

SECOND FLOOR T.U.P

2915 DOUGLAS STREET VICTORIA, BC

BC HOUSING



ISSUE FOR:	DATE:
REVISIONS	MAY 16, 2019
SAC PROJECT NO	D.:

BCH-2915-19

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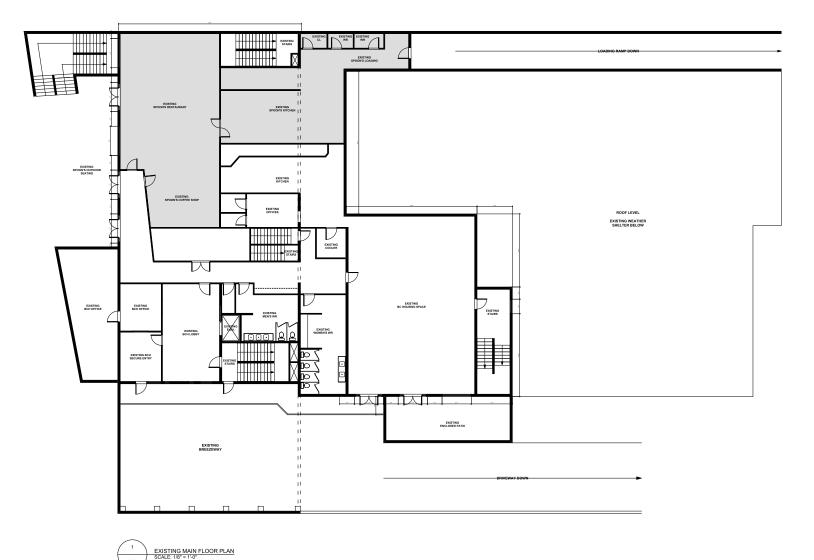
MAY 16, 2019

SCALE: 1/8" = 1'-0"

EXISTING BASEMENT PLAN

DRAWING NUMBER:





PROJECT:

SECOND FLOOR T.U.P

2915 DOUGLAS STREET VICTORIA, BC

CLIENT:

BC HOUSING



SSUE FOR: DATE: EVISIONS MAY 16, 2019

BCH-2915-19

SL

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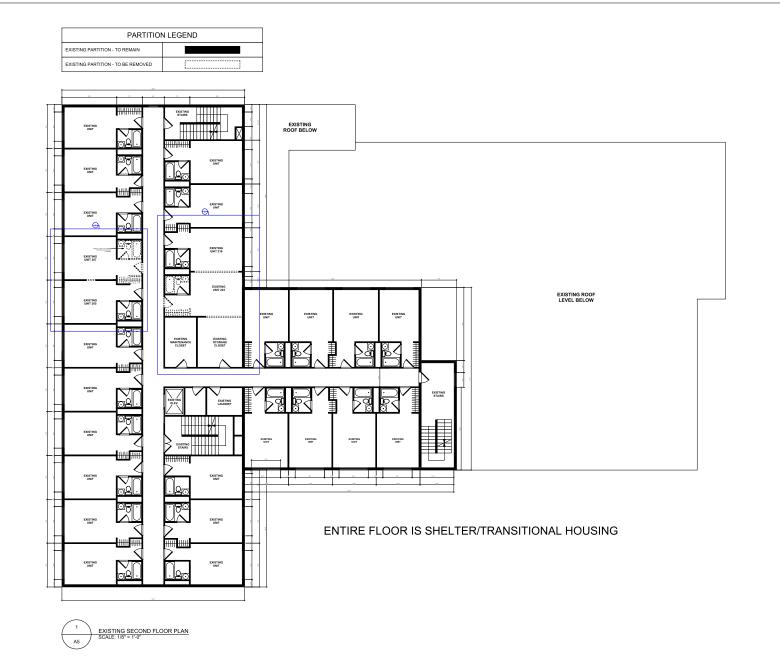
MAY 16, 2019

SCALE: 1/8" = 1'-0"

DRAWING TITLE:

EXISTING MAIN FLOOR

DRAWING NUMBER:



ROJECT:

SECOND FLOOR

2915 DOUGLAS STREET VICTORIA, BC

CLIENT:

BC HOUSING



SSUE FOR:	DATE:
REVISIONS	MAY 16, 2019

BCH-2915-19

RAWN BY:

ATF:

MAY 16, 2019

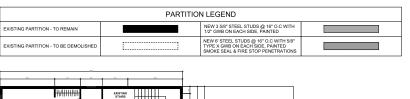
1/8" = 1'-0"

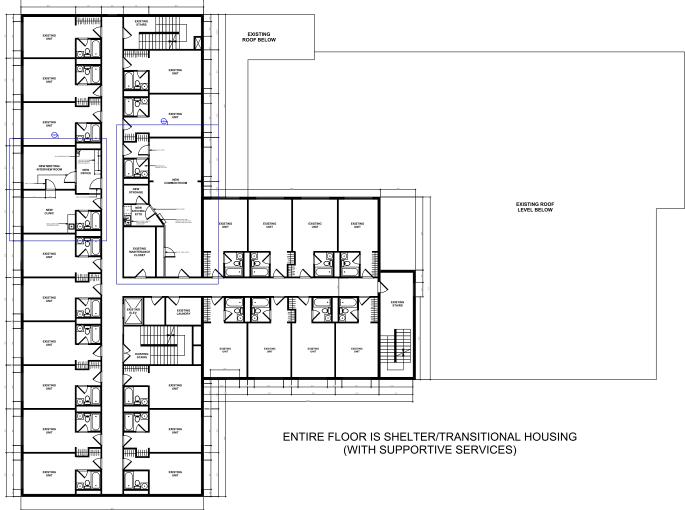
DRAWING TITLE

SCALE:

EXISTING SECOND FLOOR PLAN

DRAWING NUMBER:





PROPOSED SECOND FLOOR PLAN SCALE: 1/8" = 1"-0"

SECOND FLOOR

2915 DOUGLAS STREET VICTORIA, BC

CLIENT:

BC HOUSING



ISSUE FOR:	DATE:	
REVISIONS	MAY 16, 2019	
SAC PROJECT NO.:		

MAY 16, 2019

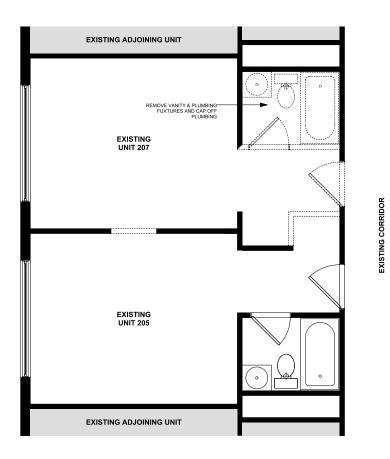
SCALE:

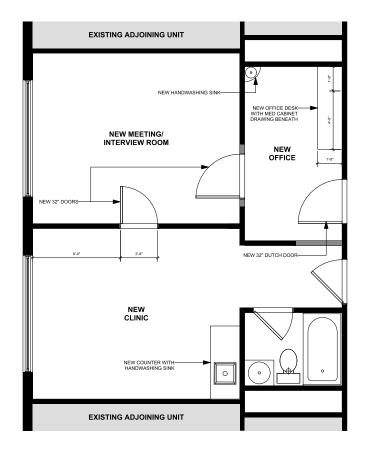
1/8" = 1'-0"

PROPOSED SECOND FLOOR PLAN

DRAWING NUMBER:

PARTITION LEGEND			
EXISTING PARTITION - TO REMAIN		NEW 3 5/8" STEEL STUDS @ 16" O.C WITH 1/2" GWB ON EACH SIDE, PAINTED	
EXISTING PARTITION - TO BE DEMOLISHED		NEW 6" STEEL STUDS @ 16" O.C WITH 5/8" TYPE X GWB ON EACH SIDE, PAINTED SMOKE SEAL & FIRE STOP PENETRATIONS	





EXISTING UNIT 205 & 207 SCALE: 1/2" = 1'-0"



SECOND FLOOR T.U.P

2915 DOUGLAS STREET VICTORIA, BC

CLIENT:

BC HOUSING



DATE:
MAY 16, 2019
).:
915-19

EXISTING CORRIDOR

DRAWN BY:

MAY 16, 2019

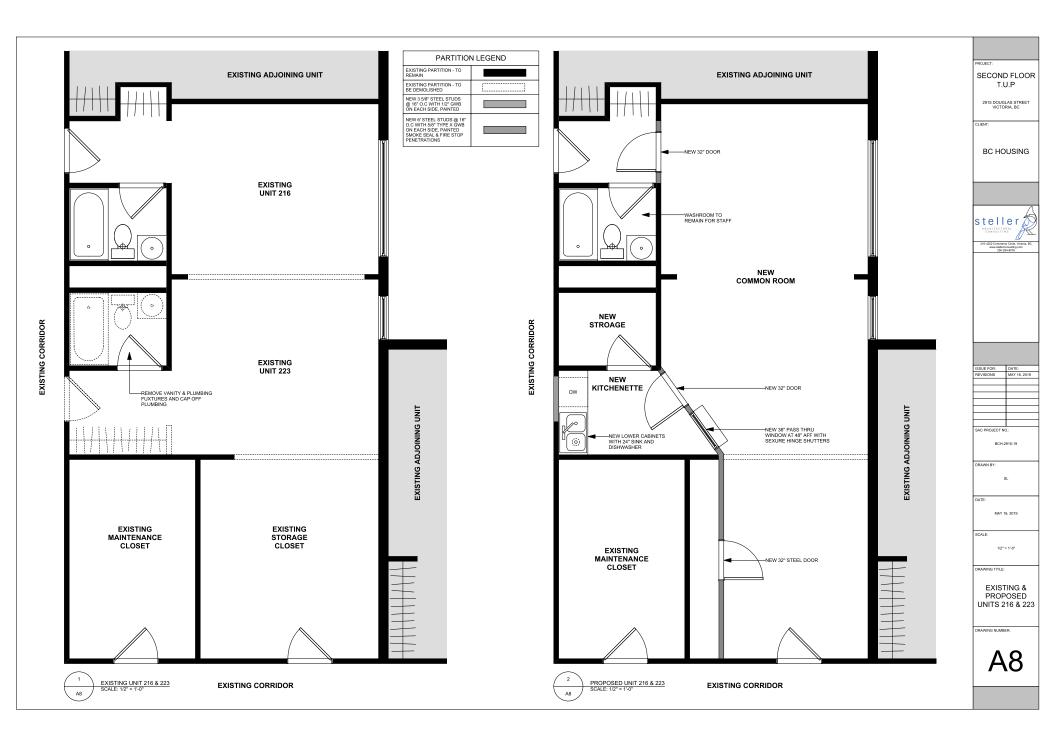
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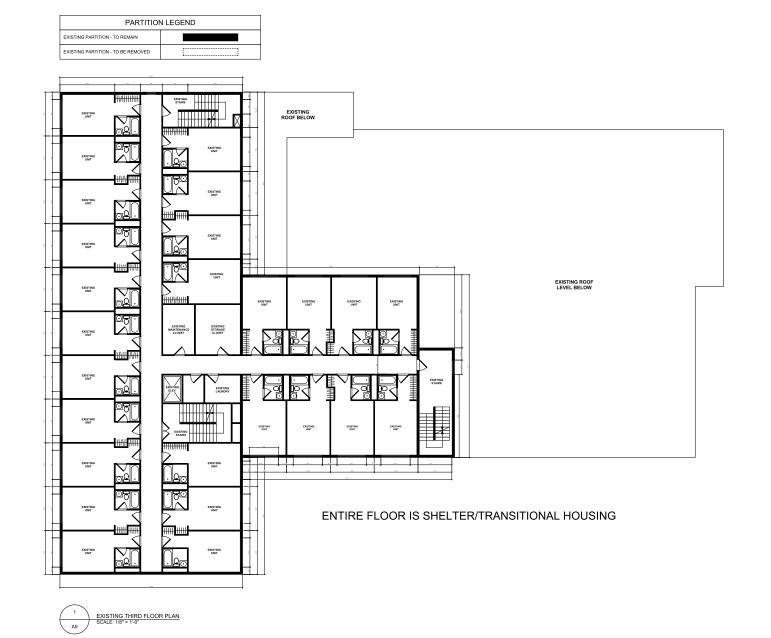
DRAWING TITLE:

EXISTING & PROPOSED UNITS 205 & 207

DRAWING NUMBER:







ROJECT:

SECOND FLOOR

2915 DOUGLAS STREET VICTORIA, BC

CLIENT:

BC HOUSING



SSUE FOR:	DATE:
REVISIONS	MAY 16, 2019

BCH-2915-19

RAWN BY:

ITE:

MAY 16, 2019

1/8" = 1'-0"

DRAWING TITLE

SCALE:

EXISTING THIRD FLOOR

DRAWING NUMBER:

Mayor Lisa Helps & Council City of Victoria 1 Centennial Square, Victoria, BC V8W 1P6

RE: 2915 DOUGLAS STREET TEMPORARY USE PERMIT APPLICATION

Dear Mayor Helps & Council,

PHS Community Services Society (PHS) is pleased to submit this application for a Temporary Use Permit approval for the property located at 2915 Douglas Street. This zoning change will allow us to qualify for the provincial Assisted Living Registry program. This program provides residents with a daily per diem; this is necessary to create sustainable recovery services to vulnerable citizens in Victoria and neighbouring communities.

PROJECT SUMMARY

The building and lot being considered were zoned and operated for decades as a motel. It was recently purchased by the province and converted to a supportive housing project to address both the homelessness crisis in Victoria and the overdose crisis. In terms of the overdose crisis the response has been to bring in the Vancouver Island Health Authority (IH) and renovate the second floor (22Units) of the building to be a supportive substance use treatment program named the Douglas Street Community Supportive Treatment (DSC ST) program.

GOVERNMENT POLICIES

The address is located in the Burnside Gorge neighbourhood. The Burnside Gorge Official Community Plan from July 2017 designates this block as General Employment. This temporary use permit would fall within that designated category. Victoria's Official Community Plan has a Housing and Homelessness Strategy (Chapter 13) which addresses the need for support services by means of short term stay shelters and safe beds. This temporary use will allow those individuals in need of such services to access them at 2915 Douglas.

PROJECT BENEFITS & AMENITIES

The DSC SL project is unique in the continuum of care available through Island Health: it is targeted at people who are higher needs (typically street entrenched) and therefore unsuitable for more mainstream programs. It is a crucial service in the midst of the opioid crisis and is a high-volume project with its capacity at 22 beds. The program is in-patient, meaning the program participants live at the DSC supportive recovery while they are involved in the recovery program. Each resident has their own room and meals are provided to allow people to focus on their needs and their recovery. Programming includes group sessions, traditional approaches (12 Step and SMART) as well as yoga and creative writing.

NEED & DEMAND

The proposed operating budget, developed between IH and PHS, is based on a 'per diem' model for the residents of the program. The per diem component reflects approximately 30% of the operating budget. To be eligible for the daily per diems the supportive treatment program would need to be certified and registered with the Provincial Ministry of Health's Assisted Living Registry¹. PHS has completed the Assisted Living Registry application process, including the site visit, but is unable to meet the requirement for a business license from the City of Victoria due to zoning issues beyond our control. At present then the program is operating at a significant deficit and PHS is working with IH and BC Housing to remedy the business license issue as soon as possible. Possible solutions are a 'temporary business license' while the City of Victoria and BCH are developing the larger rezoning proposal.

NEIGHBOURHOOD

The Douglas Street Community building is located in the Burnside-Gorge neighbourhood.

2915 Douglas St.

V8T 4M8

IMPACTS

There are no anticipated impacts from being granted a temporary business license or from a rezoning of the land use as the building is fully occupied now with:

- 25 units of housing 3-5 years
- 22-beds Supportive Treatment up to a 9 month stay
- 50-bed Shelter (The Arbutus Shelter) 1 month (average stay)

SAFETY & SECURITY

PHS is committed to the Burnside-Gorge community and indeed has been attending monthly meetings with the Burnside-Gorge Community Advisory Committee (CAC) for well over a year now. The building is staffed 24/7 with 2 PHS staff at the front door. The Supportive Treatment program has another staff at reception on the Treatment floor 24/7 as well as a project nurse and Project Manager Monday through Friday.

The Arbutus Shelter has 2 staff on 24/7 as well.

In total the building has a base staff team of at least 5 people 24 hours per day, 7 days per week. With a nurse and 2 Managers. Most of the building is equipped with CCTV and the doors are fitted with electronic key locks.

Providing people experiencing unstable housing/homelessness, with addiction and mental health challenges, with supportive housing and treatment options is a net benefit for Victoria and the local community. At PHS we are committed to supporting both the neighbours and the residents and we have earned to trust of the neighbours by doing so.

¹ https://www2.gov.bc.ca/gov/content/health/accessing-health-care/assisted-living-registrar

In the 2 years the Douglas St. Community building has been in operation there have been no significant concerns and in fact the feedback from the Community (via the CAC) has been exemplary.

TRANSPORTATION

The front of the building faces Douglas Street, a major transportation corridor of Victoria's Burnside Gorge neighbourhood. A bus stop is located less than 100 metres northwest of the entrance at the corner of Douglas Street and Summit Avenue.

HERITAGE

The building in question has no heritage status, nor are there any nearby buildings which have heritage status.

GREEN BUILDING FEATURES

This temporary use permit would not envision changes to the current building structure.

INFRASTRUCTURE

The site is located along the main thoroughfare of Douglas Street with easy access to public transportation. Police services are located within 1 block of the site.

ABOUT PHS Community Services Society

PHS operates over 1500 units of supportive housing between Vancouver and Victoria. PHS operates two buildings in Victoria:

- The Johnson St. Community 844 Johnson St.
- The Douglas St. Community 2915 Douglas St.

PHS also contracts with Island Health to provide primary care to residents through our PHS Health Clinic and operates the first residential-based Supervised Consumption Site that has a Health Canada exemption (Section 56).

Sincerely,

Russell Maynard

PHS Community Services Society

Rundl Magneral

778.889.2201



471 Cecelia Road, Victoria, BC V8T 4T4

June 17, 2019

Mayor & Council #1 Centennial Square Victoria, BC

Dear Mayor and Council:

Burnside Gorge CALUC comment on the TUP application No. 00014 for 2915 Douglas Street

The Burnside Gorge LUC has no objections to a TUP being granted for supportive housing and a supportive substance use treatment centre at the Douglas Street Community at 2915 Douglas Street. The Douglas Street Community already has a limited substance use treatment centre and this will bring the centre into compliance to allow for an application for a business license.

The BGLUC has expectations that PHS will monitor the area surrounding their property to mitigate any neighbourhood issues. It is of critical importance that no downgrading of the neighbourhood occurs.

The Burnside Gorge community looks forward to an improved supportive program that assists recovery service programs.

Respectfully,

Avery Stetski

en = State

Land Use Committee Chair Burnside Gorge Community Association

Sustainable Planning and Community Development Department CC: Russ Maynard, PHS

Temporary Use Permit Application No. 00014 for 2915 Douglas Street











