



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No: TUP2301/TUP00008

From: Director of Development Services

Date: July 12, 2023

Subject: Temporary Use Permit No. 2301 – 1885 Cliffe Avenue (BC Housing)

PURPOSE:

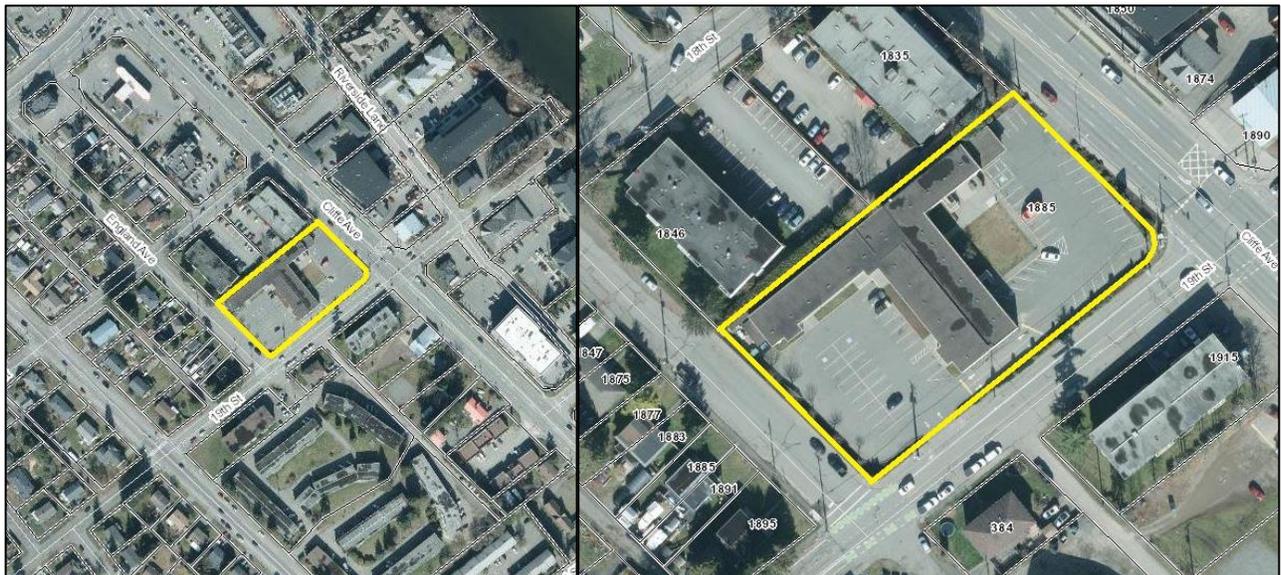
The purpose of this report is for Council to consider approval of Temporary Use Permit No. 2301 for 1885 Cliffe Avenue (Super 8) for a period of three years to allow *Supportive Housing* as a use. BC Housing is the applicant and owner of the lands under the Provincial Rental Housing Corporation (PRHC). BC Housing will enter into an Operator Agreement with Comox Valley Transition Society (CVTS). Issuance of the Temporary Use Permit No.2301 is subject to conditions being met and staff are recommending delegation of the issuance of this permit to the Chief Administration Officer.

Legal Description: Lot B, Section 68, Comox District, Plan 23642, Except part in Plan VIP72700.

BACKGROUND:

The subject property is located at 1885 Cliffe Avenue, is zoned Multiple Use 2 (MU-2) Zone and is currently occupied by the Super 8 Motel. The property is approximately 5152 m² (55,456 ft²) with access from Cliffe Avenue and 19th Street. (Figure 1)

Figure No. 1: Context Map



BC Housing has purchased the property to facilitate the transfer of residents from the Travelodge to the Super 8, due to the lease at the Travelodge expiring on June 30, 2023. The Super 8 hotel will house 67 residents from the Travelodge while a permanent housing solution can be created.

The existing zoning Multiple Use Two Zone (MU-2) does not permit supportive housing but the OCP has designated this property as Urban Corridor which does supportive and transitional housing. In order for Council to consider a TUP the use must be supported in the OCP. A Temporary Use Permit (TUP) is required to permit the supportive housing use on the subject property within the Mu-2 zone. The process is guided by Division 8 Temporary Use Permits of the *Local Government Act* and the Development Applications Procedure Bylaw No. 2790.

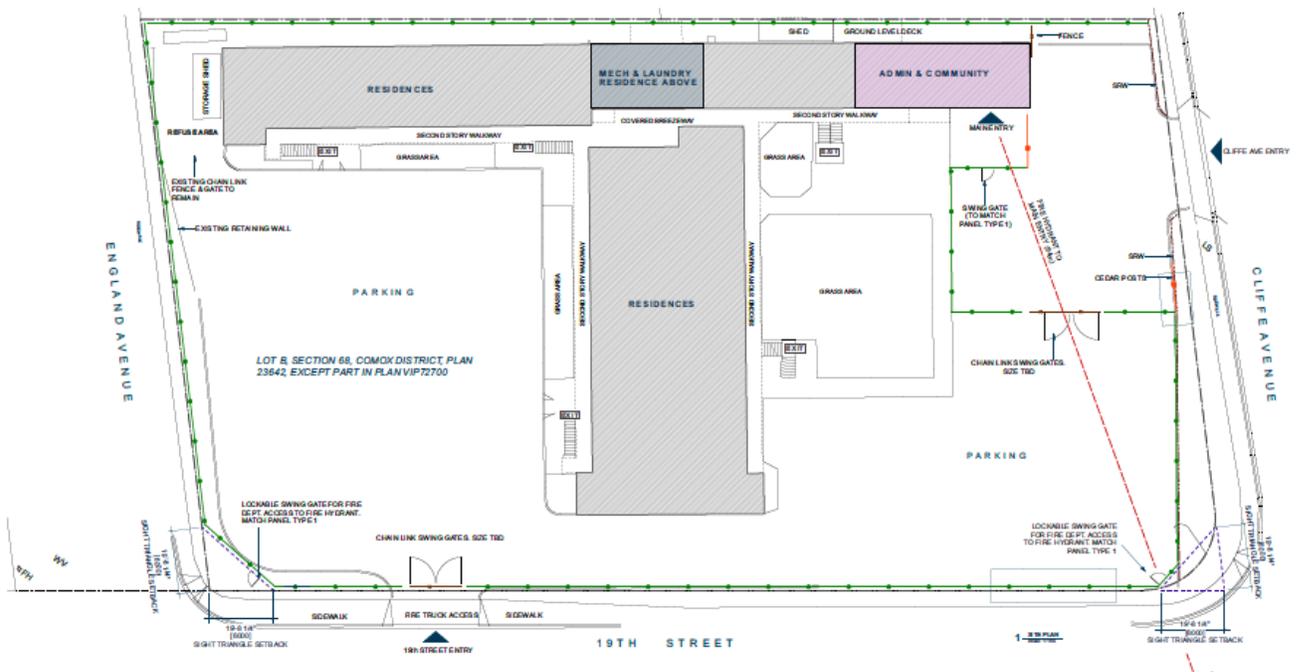
DISCUSSION:

Staff has been working with BC Housing and their consultants to finalize documents that are required to inform the TUP and be attached to the TUP. The status of these documents is outlined below.

Site Plan

The site plan (Figure 2) has a 2 metre fence which complies with the zoning bylaw and addresses sight triangles on the corners of the lot. There are two entryways identified on the plan and the uses are identified.

Figure 2 Site Plan



Operations

CVTS will enter into an Operator Agreement with BC Housing. This operator agreement does not include the requirements for a Community Advisory Committee and a good neighbour agreement, as such these will be requirements prior to issuance of the TUP. A template has been provided to the City, see attachment. The TUP will require that an executed agreement be received prior to issuance of a TUP.

At the June 28, 2023 Council requested a city representative be part of the Community Advisory Committee (CAC), staff has notified BC Housing about this request and requested the Terms of Reference for the CAC to include a city representative as part of the conditions prior to issuance of the TUP.

In addition, staff has requested a copy of the Good Neighbourhood Agreement prior to issuance of the TUP. Staff understand that this may be part of the CAC Terms of Reference and awaiting confirmation from BC Housing.

Fire Protection

BC Housing has proposed a two staged approach to fire plan and protection. The initial phase is to provide fire watch which consists of two staff per 24 hours. Campbell River Fire Safety has inspected the building's smoke alarms and fire extinguishers, any deficiencies have been addressed by BC Housing.

The next phase is to hard wire the smoke alarms and install sprinklers. Plans will need to be submitted to the City's Building Services and timing of the installation is unknown at this time.

A Fire Plan will be required as part of the TUP prior to issuance.

Security

There is onsite staff 24/7 and BC Housing is finalizing security hours as part of the Operator agreement. There will be security cameras installed on the property. In addition, there will be a number provided for residences in the area to contact with any concerns as per the Operator agreement with CVTS.

A security plan is required as part of the TUP prior to issuance but aspects of this plan will need to be confidential for security purposes.

Building Services

As per the BC Building Code, a coordinating professional is required to oversee renovations and to ensure the building meets the building code requirements for life and safety as per the proposed use. A schedule A (coordinating professional) has been received by the City which is a requirement of the TUP. BC Housing has retained a code consultant to perform the code review for the Coordinating professional. City's Building Services is working with the Coordinating Professional to ensure BC Building Code compliance.

The Coordinating Professional is a registered Architect who is preparing the construction drawings required for the supportive housing use. The City requires that the building application be complete and that the appropriate code compliance has been achieved. This will be a requirement prior to issuance of the TUP.

As per Section 502 of the Local Government Act a security deposit for improvement to the lands that need to be removed at the end of the Temporary Use Permit are required. The improvement to the site has been the fence which is specifically designed for the site. Staff are discussing with BC Housing a Letter of Indemnification to cover the costs of the fence removal should it be required. This amount would be placed into the permit where it states TBD.

Infrastructure

Review of site plan indicates there is a City water chamber that requires a SRW to allow the City to access the chamber and maintain it. The City is requesting this SRW plan and document be submitted to the City for registration.

Any requirements for additional services will be identified at time of Building Permit issuance and will be required to be paid by the owner.

POLICY ANALYSIS:

The Official Community Plan LU 1 supports housing affordability and diversity. Urban Corridor policy #1 supports mix of land uses and a diversity of multi-residential housing choices to promote establishment of a complete community. The Urban Corridor permitted uses include supportive and transitional housing.

FINANCIAL IMPLICATIONS:

There is no financial impact at this time.

ADMINISTRATIVE IMPLICATIONS:

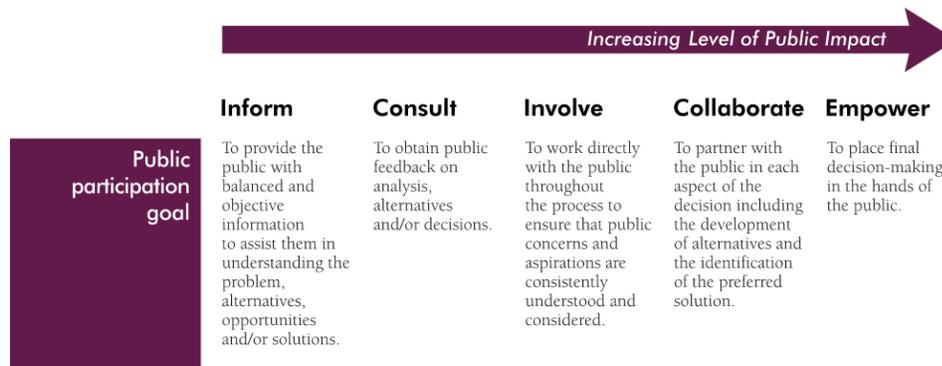
The TUP requires input from various city departments but processing and issuance is part of Development Services responsibilities.

STRATEGIC PRIORITIES REFERENCE:

The 2023-2026 Strategic Priorities are organized and reflect the four cardinal points of Community Well Being, Equity, Reconciliation and Climate Adaptation and this application is consistent with and supports the first three points. The TUP addresses the Affordable Housing strategic priority and provides temporary housing within the overall continuum of housing options.

PUBLIC ENGAGEMENT:

Staff would inform the public based on the IAP2 Spectrum of Public Participation:



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Public Information Meeting

At the June 28, 2023 regular Council meeting, BC Housing provided a report dated June 12, 2023 which summarized the June 8, 2023 public information meeting held at Native's Sons Hall from 6-8 pm. The staff report from the regular meeting of Council on June 28, 2023 is Attachment 2.

Council requested further information regarding questions asked to BC Housing's Community Relations team and the responses. This report dated July 3, 2023 is Attachment 3.

Notice

As per the *Local Government Act* and the Development Applications Procedure Bylaw, public notice has been given as per section 466 of the *Local Government Act*, that Council will consider the TUP at the July 12 regular council meeting at 4pm at the CVRD Council Chambers.

Two consecutive advertisements have been placed in the Comox Valley Record, June 28 and July 5; and a mailout to 546 owners and /or occupants in a 200 metre radius of the subject property was mailed on June 28, 2023. As of the date of this report staff have received one comment not in support. Staff will update Council at the July 12, 2023 regular Council meeting with any comments received.

In addition, the City will utilize our social media platform to inform the public of the meeting date and where they can provide comments to.

The draft TUP is Attachment 4.

OPTIONS:

1. THAT Council approve Temporary Use Permit No. 2301 and delegate the issuance of Temporary Use Permit No. 2301 to the Chief Administrator Officer once the following conditions have been met;
 - a) A building permit application has been received that is complete and includes code compliance review to the satisfaction of the Manager of Building Services;

- b) An executed Operator Agreement between BC Housing and Comox Valley Transition Society has been provided to staff;
 - c) A fire plan acceptable to the Fire Chief;
 - d) A security plan is received to the satisfaction of staff;
 - e) A Community Advisory Committee Terms of Reference is received to the satisfaction of staff;
 - f) A Good Neighbour Agreement has been received to the satisfaction of staff;
 - g) A SRW plan and document for the City's water chamber on the property at 1885 Cliffe Avenue has been received to the satisfaction of staff;
 - h) Letter of Indemnity has been received as per Section 502 of the Local Government Act.
2. THAT Council provide alternative direction to staff through a resolution for information Council is seeking on Temporary Use Permit No. 2301.
3. THAT Council not proceed with the Temporary Use Permit No.2301

ATTACHMENTS:

- 1. Attachment 1 Operator Agreement-sample
- 2. Attachment 2 June 28 Staff report
- 3. Attachment 3 Community Engagement report dated July 3, 2023
- 4. Attachment 4 Draft Temporary Use Permit No.2301

Prepared by: Marianne Wade, Director of Development Services
Concurrence: Geoff Garbutt, M.Pl., MCIP, RPP, City Manager (CAO)