



COUNCIL REPORT
Development Services
For the December 10, 2019 Council Meeting

DATE: December 3, 2019 File: TUP 19-05
TO: Paul Gipps, CAO
FROM: Chris Oliver, Planner
RE: Application: TUP 19-05, Temporary Use Permit, 1160 Stevens Road
Legal: A portion of Lot A, DL 505, ODYD Plan 31423
Owner: 1493308 ALBERTA LTD
Applicant: Provincial Rental Housing Corporation (PRHC)

RECOMMENDED MOTION:

THAT Council authorize the issuance of a Temporary Use Permit to allow for temporary winter shelter services located at 1160 Stevens Road (A portion of Lot A, DL 505, ODYD, Plan 31423) for a period of up to six months, subject to the conditions outlined in the attached Temporary Use Permit.

RATIONALE:

The recommended motion is based on the following:

- Temporary shelters save lives by connecting people without homes with shelter services;
- The proposed use is temporary in nature and is intended to address an immediate need in the community;
- Oversight and administration will be provided by West Kelowna Shelter Society, an experienced shelter operator who will provide 24/7 services on site;
- The only abutting property, the SunRidge Community Church is in full support of the proposal;
- The subject property is in close proximity to transit and tickets are available for use from the West Kelowna Shelter Society;
- The proposed use is aligned with the commitment to support initiatives that meet the needs of all residents in the community included in the Official Community Plan; and
- Council has committed to responding to vulnerable individuals facing elevated levels of risk and continuing to improve housing options, access to health care and social services on the Greater Westside through the 2019 Strategic Priorities.

STRATEGIC PRIORITY OBJECTIVE:

The 2019–2022 Strategic Plan identifies Health, Homelessness and Housing as Strategic Priority: To provide support for efforts to address health, homelessness and housing in the community.

LEGISLATIVE REQUIREMENTS:

Section 493 of the *Local Government Act* gives Council the authority to issue a Temporary Use Permit (TUP) to allow a use that is not permitted in the applicable zoning regulations. A TUP may allow a use on a property for up to three years and specify conditions under which the use may be carried out. A TUP may be extended once for a period of up to three years at the discretion of Council.

BACKGROUND:

Like many mid-sized cities in British Columbia, West Kelowna has a growing homeless population. The Westside 2018 Point-in-Time Count Report identified 72 people experiencing homelessness on the Westside. Declining vacancy rates, rising rents, a limited supply of affordable housing coupled with mental health challenges and associated drug issues have had a significant impact on the area's most vulnerable.

The City has recently taken a collaborative leadership approach to address the identified social issues on the Westside, together with Westbank First Nation and the District of Peachland. The City and adjacent local governments have greatly increased communication with Interior Health, BC Housing, the West Kelowna Shelter Society (WKSS) and several other non-government organizations to identify the lack of services on the Greater Westside and to express the need for assistance from the Provincial ministries and agencies.

Proposal

The Provincial Rental Housing Corporation is requesting a Temporary Use Permit (TUP) to allow for a temporary winter shelter service for a period of up to six months on a 0.28 ha portion of 1160 Stevens Road (Attachment 2). The TUP would provide temporary shelter services for this upcoming winter. The shelter would provide safe secure spaces for up to 40 people experiencing homelessness in West Kelowna. Temporary housing accommodations would be brought onto the vacant parcel for housing, showers, toilets, storage, and amenity space. There are also a number of operational details the applicant and their operator have shared:

- The shelter would only operate until March 31, 2019;
- Staff would be on site 24 hours a day, seven days a week;
- Meals would be brought in as there would be no cooking facilities on-site;
- The intake process would prioritize West Kelowna residents;
- People will be able to come and go during the day with restricted overnight hours;
- Staff monitor entry and exit through cameras and exterior buzzers. Intake and discharge of guests is through the BC Housing Database; and
- Interior Health would also provide health services based on individual needs; and
- Additional operational details are included in Attachment 7.

An experienced local provider, the WKSS, would operate the shelter. WKSS has been effectively managing shelter and housing at 3672 Brown Road since December 2018. BC Housing, Interior Health, and the WKSS work from a Housing First principle. The goal is to provide stable shelter/housing, and then work with people to promote recovery and well-being. The applicant has noted, harm reduction best practices, based on Interior Health's guidance, would be followed within the shelter in order to prevent overdoses. This means drug-use will be permitted on site however only in a designated area that would be monitored by staff and require safe-disposal of needles. Although we anticipate most drug-use will happen inside the shelter, the society would be sweeping the streets daily as a courtesy to neighbours.

West Kelowna Shelter Society Background

The Emmanuel Church initiated the operation of a BC Housing funded winter shelter in 2016. This facility evolved from a 10-bed to a 15-bed overnight facility over 3 years. In 2018, BC Housing provided additional funding for evening meals for up to 25 people. The WKSS was established to advocate for and operate housing for the homeless on the Greater Westside. With growing demand for increased shelter beds and day use facilities, WKSS needed to find a new home for a larger 24 hour a day facility for the winter of 2018/19.

It was not until December 2018 that BC Housing and the Westbank United Church came to an agreement to utilize a portion of the United Church as a temporary 38-bed winter emergency shelter until May 1, 2019. The emergency shelter coupled with provision of access to outreach health services and harm reduction supplies quickly attracted many in the community that needed these services. The consolidation of these services at the United Church resulted in unintended impacts to the surrounding area. These impacts as well as the sustained demand for supportive housing were a major consideration in the Ministry of Municipal Affairs and Housing changing the format of the facility, limiting services provided on-site, and amending the intent of the facility from an emergency winter shelter to an interim housing facility until a new supportive housing facility is in place.

With emergency or temporary shelters being the first step from transitioning from experiencing homelessness to transitional housing, the absence of a winter shelter creates a significant barrier to meeting the needs of West Kelowna's most vulnerable (Figure 1.). The proposed temporary winter shelter beds would bring people in from the cold weather and without access to shelter and housing options, people will continue to live on the street with deteriorating health.



Figure 1. The Housing Continuum (Source: CMHC Website).

Site Selection

The City of West Kelowna reviewed and suggested several available locations with BC Housing to determine the best possible fit for a temporary winter shelter, as there is not an extensive inventory of available lots. This review included the few lots that could accommodate the appropriate temporary trailers, site utilities, close to public transit, accessibility to existing community and social services and other neighbourhood factors. From this review process, 1160 Stevens Road location was one of the few available parcels where a temporary lease agreement could be negotiated by BC Housing with the private property owner.

Location and Surrounding Uses

The property is a 1.23 ha (3.05 ac) parcel located within the West Kelowna Business Park area and has frontage



Figure 2. Adjacent Parcels

on Stevens Road and Old Westlake Road (Attachments 3 & 4). The subject property is not in a residential area and is ~450m to the closest rural zoned property and ~610m to the closest single family residential parcel (Figure 2.). The proximity to the closest schools are:

- Hudson Road Elementary is across Highway 97 and approximately 620m away from the proposed shelter.
- Mar Jok Elementary is approximately 1,200m from the proposed shelter.
- Rose Valley Elementary is approximately 2,300m from the proposed shelter.

The surrounding land uses include:

- North and East– (I1) Light Industrial Zoned Parcels
- South and West – Similarly zoned (C4) Service Commercial Parcels



Figure 3. Adjacent Parcels

The subject property only abuts one adjacent parcel and is otherwise surrounded on all sides with municipal road right of way (Figure 3.). The easterly portion of the site abuts Old Westlake Road which is currently an undeveloped portion of the right of way but like Westlake Road and Stevens Road, creates a buffer between surrounding properties.

The subject property is also located in proximity to transit and is within ~627m of both the North and South bound transit stops located on Highway 97 (Figure 4).

POLICY AND BYLAW REVIEW:

Official Community Plan (OCP)

The OCP identifies the entire municipality as being designated as an area where temporary use permits may be considered. The OCP also acknowledges that effective social planning is integral to creating a healthy community. As part of this guiding principle of social sustainability, the OCP commits that the City will support initiatives designed to meet the needs of all residents in the community for a range of social considerations including housing. A key policy included in the OCP that aligns with the proposed use includes supporting the provision of housing choices for people of varying ages and incomes, across the housing continuum, from emergency and transitional housing to affordable homeownership, and support regional initiatives that work toward the provision of non-market housing choices.



Figure 4. Proximity to Transit

Zoning Bylaw

The property is zoned (C4) Service Commercial. The C4 Service Commercial Zone does not permit Temporary Shelter Services, as this is only permitted as a standalone use in the Urban Centre Commercial Zone (C1). The Temporary Shelter and Supportive Services use permitted in the C1 Zone is defined as:

the provision of temporary accommodation to persons requiring immediate shelter or supportive services provided by a public authority or non-profit agency. Typical uses include hostels and overnight shelters providing services for vulnerable persons.

The proposed use closely aligns with the existing stand-alone permitted use in the (C1) Urban Centre Commercial Zone.

PUBLIC NOTIFICATION:

A Notice of Application sign has been posted on site as required by the Development Applications Procedures Bylaw No. 0260. Due to the irregular shape of the parcel, existing signage and fencing two signs were posted on site to ensure the Procedure Bylaw requirements (setback 3m from the parcel line, in the center of the parcel) were met and that the additional sign be clearly visible from the main access (Stevens Road). Additionally, a mail-out was sent to all property owners (Attachment 5) and hand delivered notices were delivered to their tenants within 100 meters of the subject property (25 notices total) and an advertisement was placed in the local newspaper. At time of writing this report, 25 written submissions have been received in reference to this proposal (Attachment 6). Common concerns or input raised by residents and businesses in these submission include:

- Recognizing the need in the community for a shelter but not supportive of the proposed location;
- Not a suitable location due to:
 - Proximity to schools
 - Lack of amenities in the area (grocery store, support services etc.)
 - Lack of transit
 - Proximity to liquor store, pharmacy, medical clinic, veterinarian hospital
 - Proximity to residents in the Rose Valley Neighbourhood
 - Proximity to the SunRidge Church (including a daycare)
- Proposed alternative locations for the shelter, such as WFN owned lands and Westbank Centre;
- Concerns with increased crime (theft), loitering, and drug use;
- Lack of RCMP presence and no increase in patrolling;
- Concern that the Point-in-Time Count Report did not identify people experiencing homelessness in the Rose Valley Neighbourhood; and
- Concerns with the shelter continuing past the proposed TUP expiry.

As part of the notification process, the abutting property owner the SunRidge Community Church which also operates an after school program, was notified of the application. The Church has indicated they are in full support of the application and have provided a letter of support for the proposed temporary winter shelter (Attachment 7).

In addition to the public consultation completed by the City as required by the *Local Government Act*, the applicant has in consultation with their operator (the WKSS), completed various supplemental consultation activities including:

- Proactively consulted with the only abutting property, the Sunridge Church;
- Completed a supplemental mail-out to surrounding property owners, and tenants with additional operational information, including FAQs regarding the operation of a temporary winter shelter (Attachment 8);
- WKSS engaged with neighbouring properties in the immediate area to introduce themselves and answer questions; and
- Completed key stakeholder outreach to Westbank First Nation, Interior Health, Journey Home Society, Sunridge Community Church, and local service providers.

Advisory Planning Commission

The subject application was not taken to the APC as the application processing timeline did not fall within the scheduled APC meetings. In order to have the APC consider the proposed TUP, the application would have been delayed approximately 4 weeks.

Interior Health

Interior Health was consulted as part of the referral process. Two main areas of focus were highlighted in their comments related to a broader healthy communities perspective and operationally focused environmental health perspective. Key comments related to the proposed TUP application are:

- A person's health and well-being is largely determined by the social conditions which they experience over their life. Housing is such a condition, whereas a lack of safe and stable housing leads to financial and psychological vulnerability and stress, resulting in people living in poor conditions, being forced to continually move, and/or experiencing homelessness.
- A temporary winter shelter provides an opportunity for people experiencing homelessness to seek reprieve from the cold and winter conditions, reducing risk of hypothermia and frost bite.

ALTERNATE MOTIONS:

1. **THAT** Council postpone the issuance of a Temporary Use Permit to allow for temporary winter shelter services located at 1160 Stevens Road (A portion of Lot A, DL 505, ODYD, Plan 31423) for a period of up to six months.

Should Council wish to postpone the issuance of a Temporary Use Permit for the subject property, it is requested that direction be provided as part of the Council resolution.

2. **THAT** Council deny the issuance of a Temporary Use Permit to allow for temporary winter shelter services located at 1160 Stevens Road (A portion of Lot A, DL 505, ODYD, Plan 31423) for a period of up to six months.

Should Council choose to deny the proposed Temporary Use Permit, the file would be closed and the applicant would be required to wait a minimum of six months following the date of refusal before reapplying for the same permit, as per Bylaw No. 0260.

NEXT STEPS:

Following consideration by Council, if approved, the applicant would be required to submit a Building Permit application for the proposed temporary structures and service connections. Once all necessary Building Permit conditions have been satisfied, work will begin on-site immediately with the goal of opening by early 2020.

The City will continue to work in collaboration with community partners to address the complex, multi-faceted and extremely complex issues causing the rise of social issues in West Kelowna.

REVIEWED AND APPROVED BY:

Brent Magnan, Planning Manager
Tracey Batten, Deputy CAO/Corporate Officer
Paul Gipps, CAO

Powerpoint: Yes No

Attachments:

1. Temporary Use Permit (TUP 19-05)
2. Site Plan
3. Context Map
4. Subject Property Map
5. Public Notification Area
6. 25 Submissions from the public (up until 4:30pm on December 3rd)
7. Letter of Support from Sunridge Community Church
8. Supplemental Community Notification Prepared by BC Housing