

**Date:** August 14, 2024

**To:** **Mayor and Council**

**Name and title:** Deanna Wasnik, Director of Planning and Development

**Subject:** Temporary Use Permit Application No. TU000095

**Applicant:** Rick Edwards of Integrity Recovery Society for Paul Singh Powar

**Location:** 7973 Rochester Crescent

**Attachment(s):** Location and Existing Zoning Map  
Temporary Use Permit No. TU000095  
Supporting Documents

- Rationale Letter
- Letters of Support and Associated Map

**Recommendation(s):**

That Council DENIES Temporary Use Permit No. TU000095 for the property legally described as Lot 57, District Lot 2013, Cariboo District, Plan 23118.

**Purpose:**

The applicant has applied for a 3-year Temporary Use Permit to bring an existing “Housing, Supportive” use into compliance at 7973 Rochester Crescent (subject property) for Integrity Recovery Society. The applicant has provided a supplemental letter explaining the activities occurring at the facility, and the rationale for locating the use on the subject property.

**Background:**

Site Characteristics

Location	7973 Rochester Crescent
Legal Description	Lot 57, District Lot 2013, Cariboo District, Plan 23118
Current Use	Residential
Site Area	0.06 ha (0.14 acres)
Zoning	RS2: Single Residential

Surrounding Land Use Table

North	Rochester Crescent; Residential
South	Residential
East	Residential
West	Residential

#### Relevant Applications:

**Temporary Use Permit Application No. TU000064:** In September 2020, Integrity Recovery Society applied for a Temporary Use Permit to permit a supportive housing facility at 2310 McMillan Drive. The application was withdrawn by the applicant in October 2020 as they were informed Administration would not support such an application at this location. The applicant has indicated that Integrity Recovery Society relocated to 7973 Rochester Crescent and began operating immediately without applying for a Temporary Use Permit or business licence at this time.

**Business Licence Account No. 619832:** In June 2023, Development Services received a Business Licence Application to facilitate a “Housing, Supportive” business on the subject property. As a “Housing, Supportive” use is not permitted in the RS2 zone, the Business Licence Application was withheld pending a land use application. As such, the applicant has applied for a Temporary Use Permit as of February 20, 2024, as outlined below.

#### Policy / Regulatory Analysis:

A Temporary Use Permit (TUP) is a tool to allow a short-term use that does not comply with the Zoning Bylaw. As per the *Local Government Act*, a TUP may be issued for a maximum of 3-years and may only be renewed once for an additional 3-years. Following the expiration of the proposed TUP, the applicant must apply for a Zoning Bylaw amendment, cease the use, or relocate to a property that supports the proposed use.

#### **Zoning Bylaw**

The subject property is currently zoned RS2: Single Residential. The intent of the RS2 zone is to foster an urban lifestyle on properties larger than 500 m<sup>2</sup>. The RS2 zone also provides for complementary residential related uses that are compatible with the residential character of the area.

The applicant is currently providing supportive housing for men with histories of substance abuse from the existing house on the subject property contrary to the zoning of the subject property.

“Housing, Supportive” is defined by the Zoning Bylaw as:

*“residential housing provided and managed by a non-profit organization registered under the Society Act, for persons reintegrating into the community. This housing type aims to transition individuals to long-term permanent housing. This housing type typically contains common amenity space, laundry facilities, dining and kitchen facilities. Accessory minor health service or educational uses may also be provided. This use does not include Boarding or Lodging.”*

The RS2 zone does not permit a “Housing, Supportive” use. As such, the applicant has applied for a 3-year Temporary Use Permit to bring the existing “Housing, Supportive” use into compliance at the subject property.

“Housing, Supportive” uses have been permitted elsewhere within the city, but strictly on a site-specific basis. Only the following 4 properties located along minor collector and arterial roads, currently permit a “Housing, Supportive” use on a site-specific basis:

- 2855 14<sup>th</sup> Avenue (RM3: Multiple Residential);
- 1965 17<sup>th</sup> Avenue (RM5: Multiple Residential);
- 1616 Queensway (RM7: High-Rise Residential); and
- 160 Ontario Street (Z21: Integrated Health and Housing).

The subject property is located in lower College Heights surrounded by single-detached neighborhoods that do not permit a “Housing, Supportive” use. Administration is not in support of a “Housing, Supportive” use in the RS2 zone on the subject property.

### **Official Community Plan Bylaw No. 8383, 2011**

The subject property is designated as Neighbourhood Residential within Schedule B-6: Future Land Use of the Official Community Plan (OCP). The Neighbourhood Residential designation is intended to maintain a similar scale of housing to that typical to existing neighbourhoods (OCP Policy 8.3.58).

Section 9.2 of the OCP outlines the following factors to consider for Temporary Use Permits:

#### Temporary Nature of Use

The applicant has applied for a 3-year term TUP to bring an existing “Housing, Supportive” use into compliance with the Zoning Bylaw. The applicant has provided a rationale letter further detailing the use, which is attached as a supporting document to this report. Should Council approve this TUP for the proposed term, prior to expiration, the applicant will be required to apply for a TUP renewal or rezoning application at a future date should they wish to continue the use on the subject property.

#### Compatibility of Adjacent Uses

The subject property is located within a single-detached neighborhood comprised predominately of RS2 zoning. The subject property is located approximately 125 m from Renison Park, 180 m from the Malaspina Elementary School and 200 m from the Malaspina Daycare, and approximately 150 m from the nearest transit service.

Bylaw Services has received one complaint regarding the operation of the “Housing, Supportive” on the subject property in April 2024. The nature of the complaint received by Bylaw Services included the following:

- Allegations of harassment and inappropriate remarks and gestures from residents of the subject property towards the complainant and their property.
- Concerns that tenants are not receiving adequate supervision or support.
- Observations of more than the 6 people in care initially proposed by the applicant.
- Reports of the business operating without a business license.

#### Impact on Natural Environment

The proposed use is not anticipated to negatively impact the natural environment.

#### Intensity of Proposed Use

Bylaw Services has attended the subject property, as a result of the above-noted complaint. Administration has been working with the applicant to bring the subject property into compliance with the City’s Zoning Bylaw No. 7850, 2007. Should Council approve this TUP, the proposed “Housing, Supportive” use would allow housing for persons reintegrating into the community on the subject property within a predominantly single-detached neighbourhood.

#### Inability to Conduct Proposed Use Elsewhere

“Housing, Supportive” uses have been permitted strictly on a site-specific basis. As noted above, only the 4 properties identified above currently permit a “Housing, Supportive” use. These four properties have been located along minor collector and arterial streets, in areas designated as Neighborhood Corridor and neighbourhood Centre Corridor on Schedule B-6: Future Land Use. Although there is inability to conduct the proposed use elsewhere without undertaking a land use application, there are more supportable locations with greater access to transit services, daily needs amenities, and support services.

The applicant is proposing to utilize the subject property as outlined in the rationale letter attached to this report. Administration is struggling to support this application as the proposed temporary use is not consistent with the policy direction of the OCP and is not compatible with surrounding land uses.

#### Other Considerations:

#### **Referrals**

This application was referred to internal City divisions and external agencies for comments. There are no outstanding comments or concerns with this application.

#### Property Title

A review of the legal title of the subject property indicated no encumbrances or restrictions that would affect this application.

#### Bylaw Services

Bylaw Services has received one complaint regarding the operation of the “Housing, Supportive” on the subject property. Representatives of Bylaw Services attended the subject property on May 2, 2024, and spoke with the applicant regarding the “Housing, Supportive” use. The applicant confirmed that Integrity Recovery Society has been operating a supportive housing from the subject property without a licence since October 2020, and that a TUP was now being sought to expand the scope of the business.

#### Ministry of Health - Assisted Living Registry & Community Care Licensing

The Assisted Living Registry & Community Care Licensing branch of the Ministry of Health was referred to for comment regarding the supportive housing facility on the subject property. At the time of this report, no comments have been received by the Ministry.

#### **Letters of Support**

The applicant has provided 4 (four) letters of support from residents surrounding the subject property (attached).

#### **Statutory Notification and Public Consultation**

Members of the public wanting to provide comment on the application, may submit written correspondence to Council. As per the requirements set out in the Local Government Act and “City of Prince George Development Procedures Bylaw No. 9423, 2023”, the City of Prince George will mail or otherwise deliver a public notice to property owners and tenants whose interests may be affected by this application. Written submissions received in response to the public notice for this application will be provided to Council for their consideration at the time the application and granting of the permit is being considered. Submissions received after the Council meeting agenda has been published will be provided to Council as a handout on the day of the Council meeting for consideration during deliberations on the application.

#### Alternatives:

1. Approve the permit
2. Approve the permit as amended
3. Refuse the permit
4. Defer or otherwise deal with the permit

Administration recommends that Temporary Use Permit No. TU000095 be denied. Should Council support this application, Temporary Use Permit No. TU000095 has been attached to this report.

**Summary and conclusion:**

Due to the rationale identified in this report, Administration recommends that Council deny the applicant's request for a TUP to allow a "Housing, Supportive" use for a 3-year term at 7973 Rochester Crescent.

**Respectfully Submitted:**

Deanna Wasnik, Director of Planning and Development

Prepared by: Keone Gourlay, Planner 1

**Approved:**

Walter Babicz, City Manager

Meeting Date: 2024/09/09