

## TEMPORARY USE PERMIT- EMERGENCY SHELTER (DRAFT for Council Discussion)

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**Permit No:** TUP-2018-01

**Registered Owner:** The Board of School Trustees of School District No. 79 (Cowichan Valley)

**Subject Property:** **540 Cairnsmore Street, Duncan BC V9L 2A1**

**Description of Land:**

Parcel Identifier:	<b>006-737-994</b>
Legal Description:	<b>Lot 5, Block 1, Section 19, Range 5, Quamichan District, Plan 1935</b>
<b>And,</b>	
Parcel Identifier:	<b>006-738-001</b>
Legal Description:	<b>Lot 6, Block 1, Section 19, Range 5, Quamichan District, Plan 1935</b>
<b>And,</b>	
Parcel Identifier:	<b>006-738-010</b>
Legal Description:	<b>Lot 7, Block 1, Section 19, Range 5, Quamichan District, Plan 1935</b>
<b>And,</b>	
Parcel Identifier:	<b>006-738-028</b>
Legal Description:	<b>Lot 8, Block 1, Section 19, Range 5, Quamichan District, Plan 1935</b>
<b>And,</b>	
Parcel Identifier:	<b>006-738-044</b>
Legal Description:	<b>Lot 11, Block 1, Section 19, Range 5, Quamichan District, Plan 1935</b>

**Proposal:** Temporary Use Permit- Emergency Cold Weather Shelter for Women

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### Conditions of Permit:

1. This permit is issued subject to compliance with all relevant City of Duncan bylaws, except as specifically varied or supplemented by this Permit.
2. This permit applies to the lands described above, and any buildings, structures, and other development thereon (hereinafter called 'the Lands').
3. The Lands and building which are subject to this Permit shall be developed in accordance with the terms and conditions of this Permit and in accordance with the following schedules:

#### Schedule A – Site Plan

#### Schedule B – Building Layout Plan

4. This permit will expire on September 17, 2020, at which time the rights granted under this permit will cease.
5. This permit may be extended one time for a period no greater than two years as per the regulations set out in the *Local Government Act* and not greater than any period established in the *Official Community Plan* in regards to temporary uses.
6. This permit is not a building permit.

### Emergency Cold Weather Shelter

7. The *emergency shelter* use on the Lands, including parking, is limited to the areas identified on SCHEDULE A of this Temporary Use Permit.
  - a. A maximum of 15 of beds is permitted.
  - b. Operating season will be November to March.
  - c. No pets will be permitted on site.
  - d. Outdoor activity and intake areas shall be screened from public view and from the view of adjacent properties.
  - e. Adequate lighting shall be provided in all parking, pedestrian paths, and entry areas. Lights shall be shielded and reflected away from adjacent uses.
  - f. Adequate management, support staff and security must be present during the hours of operation of the facility. A minimum of one (1) supervisory level staff member must be present on the site during hours of operation. Operator(s) must ensure that loitering does not occur on the property during off-hours and must ensure that guests are not loitering, littering, or otherwise creating a nuisance to the neighborhood.
  - g. A security plan shall be submitted to the RCMP for approval and must be approved before the facility begins operation and annually, thereafter.
  - h. If a guest is socially disruptive or is responsible for creating any type of nuisance to neighborhood or facility, the operator must discharge the guest and notify the RCMP.
  - i. Shelter hours of operation will be 5:00 p.m. to 9:00 a.m.
  - j. The security plan must include intake period and must provide at least one (1) female employee or volunteer.
  - k. Alcohol, weapons and illegal substances shall not be allowed on the site at any time.
  - l. The operator must comply with all laws and shall notify the RCMP of all crimes in accordance with the security plan.
  - m. No smoking will be permitted on site as per the City's *Smoke Free Bylaw No. 3179, 2018*
  - n. A shuttle bus will be organized by Cowichan Women Against Violence (CWAV) to bring guests to and from the shelter during the hours of operation, with pick up and drop off locations to be determined elsewhere in the City on public lands.
  - o. In-out privileges are prohibited, unless for medical reasons. Departing guests must be shuttled or taxied away from the shelter to a recorded location.
  - p. CWAV will enter into an agreement with the City of Duncan and provide City Council with an update report on the project, community impacts, neighbourhood involvement opportunities and other important events twice per year. (January and March of each year of operation)
  - q. An agreement will be made between CWAV, the City of Duncan and the RCMP to ensure effective implementation of the security plan are in place for neighbourhood residents including overnight staff monitoring, daily morning needle sweep procedures, including a communications plan for the City and local residents providing contact information for concerned local resident use after hours.
  - r. The structure's use must run in compliance with the requirements of the City's Fire Inspector.
8. All requirements of *Zoning Bylaw 3166* must be adhered to.
9. City Council has the right to terminate this agreement with any breach of the above mentioned conditions.
10. This Temporary Use Permit is granted to School District 79, with the Cowichan Women Against Violence as the primary contact or agent for operating the emergency cold weather women's shelter. No other agent will be permitted to operate the shelter, unless permitted by City Council.

**Authorized by**

\_\_\_\_\_  
**Director of Corporate Services**

I HEREBY CERTIFY that I have read the terms and conditions of the Temporary Use Permit contained herein. I understand and agree that the City of Duncan has made no representations, covenants, warranties, guarantees, promises, or agreements (verbal or otherwise) with Cowichan Women Against Violence/ School District 79, other than those contained in this Permit.

\_\_\_\_\_  
**Owner/Agent (signature)**

\_\_\_\_\_  
**Witness (signature)**

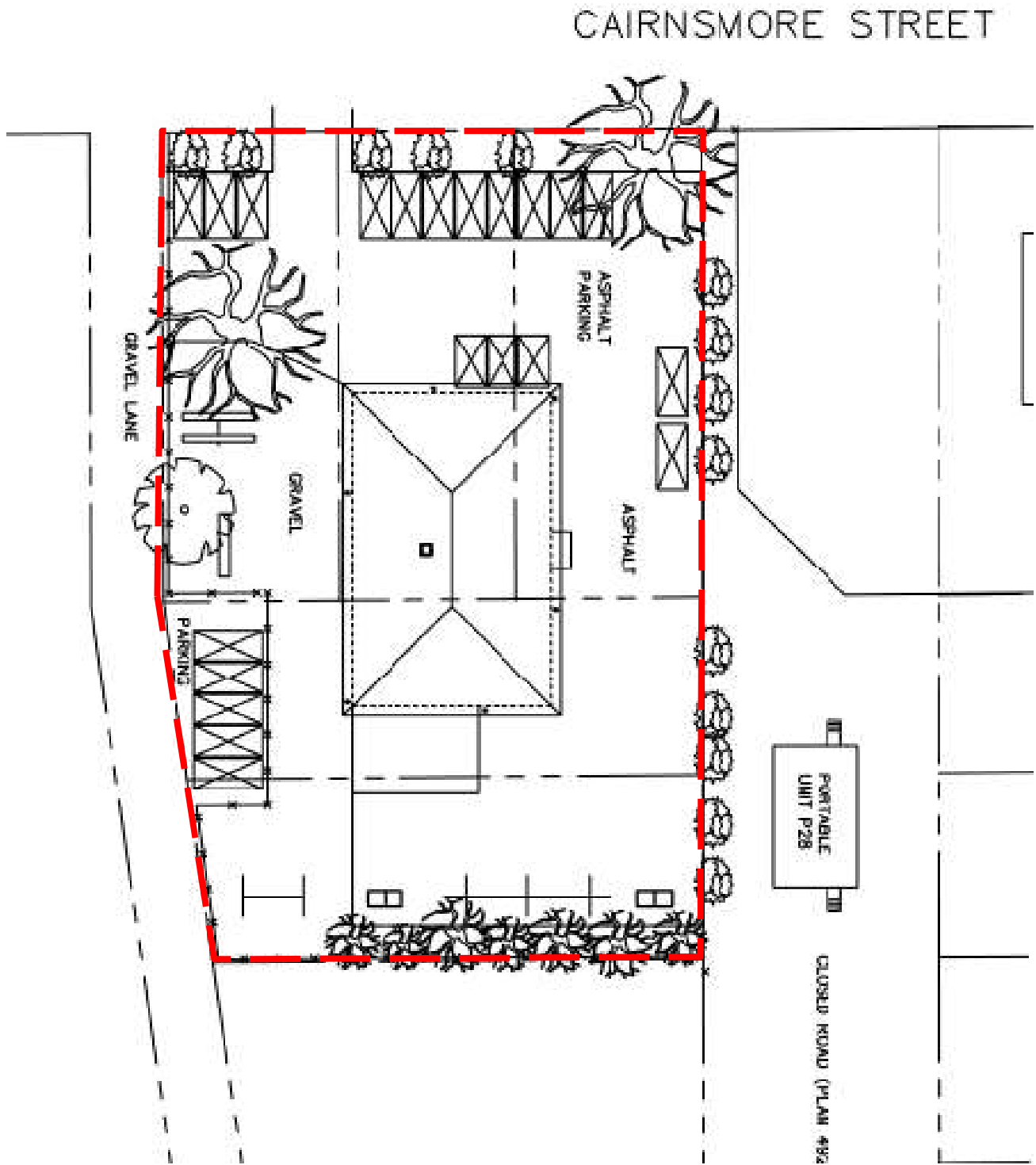
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**Print Name**

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**Print Name**

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**Date**

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Schedule A – Site Plan



**Schedule B – Building Layout**

