



DRAFT TEMPORARY USE PERMIT

Temporary Use Permit Number: TUP No. 00017

Land Owner Details: The Corporation of the City of Victoria
#1 Centennial Square
Victoria, BC V8W 1P6

This Temporary Use Permit applies only to those lands within the City of Victoria described below and any buildings or structures on the land:

Street Address: 940 Caledonia Avenue and 953 and 963 Green Street, Victoria BC

Legal Description:

PID: 009-083-014
Amended Lot 24 (DD93682I), Suburban Lot 6, Victoria City, except the northerly 30 feet

PID: 009-082-930
Amended Lot 23 (DD93682I), Suburban Lot 6, Victoria City, except the northerly 30 feet

PID: 009-411-305
Amended Lot 22 (DD903683I), Suburban Lot 6, Victoria City, except the northerly 30 feet thereof

PID: 009-411-291
Amended Lot 21 (DD93683I), Suburban Lot 6, Victoria City, except the northerly 30 feet thereof

PID: 009-346-651
Lot 14, Suburban Lot 7, Victoria City, Plan 23

PID: 009-346-643
Lot 13, Suburban Lot 7, Victoria City, Plan 23

PID: 009-346-635
Lot 12, Suburban Lot 7, Victoria City, Plan 23

This Temporary Use Permit authorizes the following uses of land and buildings, described above, subject to the specific conditions in this section and the Standard Conditions listed below:

To permit 30 units of temporary transitional housing in refurbished shipping containers, two washroom facilities, office, flex space and storage containers, bicycle parking, outdoor furnishings and associated hard and soft landscaping.

This Temporary Use Permit relates to Plans dated February 11, 2021 and stamped “Final Approved” and is for the following only:

To permit 30 units of temporary transitional housing in refurbished shipping containers, two washroom facilities, office, flex space and storage containers, bicycle parking, outdoor furnishings and associated hard and soft landscaping.

Security:

(pursuant to Section 496 and/or 502 of the Local Government Act) n/a

Date of Temporary Use Permit Approval by Council or its Delegate:

Date Temporary Use Permit Issued:

This Temporary Use Permit lapses if construction not substantially started by:

**Assistant Director,
Temporary Use Services Division**

Standard Conditions of Temporary Use Permit

1. This Temporary Use Permit is issued subject to compliance with all applicable bylaws of The Corporation of the City of Victoria, except as specifically varied or supplemented by this Permit.
2. The land and buildings which are subject to this Permit shall be used strictly in accordance with the terms and conditions of this Permit and the Temporary Use Permit plans that form part of this Permit.
3. Pursuant to Section 497 of the *Local Government Act*, this Permit will lapse on the Temporary Use Permit Expiry Date.
4. (1) As a condition of the issuance of this Permit, the City may require the owner to give an undertaking to:
 - (a) demolish or remove a building or other structure; and
 - (b) restore land that is the subject of this Permit to a condition specified in the Permit by a date specified in the Permit.
- (2) An undertaking required under Section 4(1) of this Permit is attached to and forms part of this Permit.
- (3) If the owner fails to comply with all of the undertakings given under Section 4(1), the City may enter on the land and carry out the demolition, removal or restoration at the expense of the owner.
5. Where the City considers that:
 - (a) condition in this Permit respecting landscaping has not been satisfied; or
 - (b) where, as a result of the contravention of a condition in this Permit, an unsafe condition or damage to the natural environment has resulted,

the City may undertake and complete the works required to satisfy the landscaping condition or carry out any construction required to correct the unsafe condition or damage to the environment, at the cost of the Permit holder, and may apply the security in payment of the cost of the works with any excess to be returned to the Permit holder. Any expense incurred by the City beyond the value of the security may be recovered in the manner as municipal taxes.
6. The owner shall provide security by way of cash or an irrevocable letter of credit in the amount shown on the front of this Permit prior to the issuance of this Permit.
7. Where the Temporary Use authorized by this Permit has been completed or the Permit has lapsed prior to commencement of the use authorized by this Permit, and the land is restored to a condition specified in this Permit, the security shall be returned to the Permit holder.

Advisory Comments

The following comments are provided for information purposes only.

1. An inspection of the application site is required to ensure that the temporary use is in complete accordance with the approved Temporary Use Permit terms and conditions. The applicant is responsible for contacting the Development Services Division at 250-361-0382 to arrange the inspection one week after the commencement of the temporary use. Additional site inspections may occur during the construction phase of the project.
2. This issuance of this Permit does not absolve the owner or applicant from obtaining all other required City permits or approvals such as a building, sign or awning permit or a subdivision approval. The applicant may contact Permits and Inspections at 250-361-0344 to determine whether further permits are required in association with the temporary use hereby approved.
3. This Permit does not absolve the owner or applicant from any restrictive covenants or other contractual or legal obligations with respect to the property.
4. This Permit does not authorize altering an archaeological site. The owner/applicant is responsible for ensuring compliance with the *Heritage Conservation Act*, including steps to determine whether or not a site is an archaeological site. Under s.36 of the *Heritage Conservation Act* it is an offence to alter an archaeological site without first obtaining a permit to do so from the Province of British Columbia.