



General Purposes Committee

Date: Monday, February 7th, 2005
Place: Anderson Room
Richmond City Hall
Present: Mayor Malcolm D. Brodie, Chair
Councillor Linda Barnes
Councillor Derek Dang
Councillor Evelina Halsey-Brandt
Councillor Sue Halsey-Brandt
Councillor Rob Howard
Councillor Kiichi Kumagai
Councillor Harold Steves
Absent: Councillor Bill McNulty
Call to Order: The Chair called the meeting to order at 4:00 p.m.

MINUTES

1. It was moved and seconded
That the minutes of the meeting of the General Purposes Committee held on Monday, January 17th, 2005, be adopted as circulated.

CARRIED

DELEGATION

2. Mr. Tom Orange, President, Nuestra Familia Cigar Co. Ltd. (ROBUSTO) – regarding the indoor tobacco/smoking issue.

Mr. Tom Orange, 13028 No. 2 Road and Mr. Noah Felqar, 5900 Dover Crescent, representing Robusto Cigar & Coffee Shop, advised that the 'cigar club' was the result of many requests received from customers who wished to enjoy an evening cigar with their friends in a café atmosphere. He explained the cigar club would meet on Monday evenings after regular business hours: that participation was by membership only, and that no staff were on duty because of WCB regulations.

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Mr. Orange indicated that prior to the first event scheduled for January 10th, 2005, Bylaw Enforcement Officers had visited the shop and advised that the smoking regulations contained in the City's Public Health Protection Bylaw did not allow any smoking to take place inside any public or retail business.

Mr. Orange then provided background information on the history of the Robusto Café and Coffee Shop, during which he stated that he was seeking an amendment to the City's smoking regulations to allow smoking to take place within his shop after the close of regular business, for members only, once a week. He stated that this would allow his business to compete with other similar Lower Mainland shops which were permitted to have smoking in designated rooms.

Discussion ensued among Committee members and the delegation, during which advice was given that:

- it was the owner's intention to allow smoking to take place within the entire store area
- the store was located within a strata complex which was comprised of retail businesses at ground level with residential units located above
- while the owners did not know if the ventilation system for their shop was separate from the remainder of the strata complex, they indicated that they had been assured that smoke could not be filtered through to other parts of the building; further advice was given that the owners would consider a separate filtration system if it was required
- approval of the amendment would provide those persons who were passionate about smoking cigars with a venue to sit and enjoy a product that they liked with similar-minded people
- the members of the cigar club currently smoked outside in a patio area which had an awning erected over top, with portable heaters provided
- a number of evenings had been held since the opening of the business in November, 2003 where smoking took place within the confines of the store. however, the store had not been open for public business on those occasions
- the owners intended to establish a set of criteria which would be strictly adhered to, which would make their business different from other types of businesses which hoped to increase their revenue by allowing smoking within their establishments.

During the discussion, concern was expressed about the precedent which would be set if such an amendment was made to the no smoking regulations.

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Ms. Julie Thorsen, #255 – 13020 No. 2 Road, introduced Mr. Lee Fuller, Ms. Christine Boyce, and Ms. Ninfa Montaz, all residents of 13020 No. 2 Road, indicated that they represented the residents/owners of Waterside Village and were opposed to any amendment to the City's smoking bylaw as was being proposed by Robusto Cigar & Coffee Shop. A copy of Ms. Thorsen's submission is on file in the City Clerk's Office.

In response to questions from the Committee, Ms. Thorsen indicated that:

- while the residents did not have a problem with the coffee shop and the selling of cigars, they were concerned about the after hours 'smoking' parties occurring inside the building and the resulting tobacco smell which filtered through the rest of the complex, as well as noise issues resulting from the special events held in the patio area
- the coffee shop did not have its own outdoor patio area; the business was using common property which belonged to the strata council
- the issue had been raised with the strata council because owners were concerned about the resale value of their properties
- the police had been contacted on several occasions, and many meetings had been held with City representatives, the Provincial Security Programs Division Inspector and Mr. Orange in an effort to resolve the problems

Material circulated by Mayor Brodie on 'Lower Mainland Municipalities with Smoking Bylaws' was reviewed by the Committee during the above discussion. A copy of this information is on file in the City Clerk's Office.

Mr. Lee Fuller, #265 – 13020 No. 2 Road, located directly over the Robusto Café & Coffee Shop, advised that he could smell smoke emanating from this business at any time of the day or night in his washroom,

During the brief discussion which ensued with staff, the Manager, Building Approvals, John Irving, advised that the Building Code required that ventilation systems be vented to the exterior of buildings and not be connected to any other building unit.

It was moved and seconded

That Richmond City Council reconfirm its position as a non-smoking community.

CARRIED

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (5:07 p.m.).

CARRIED

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Certified a true and correct copy of the Minutes of the meeting of the General Purposes Committee of the Council of the City of Richmond held on Monday, February 7th, 2005.

Mayor Malcolm D. Brodie
Chair

Fran J. Ashton
Executive Assistant, City Clerk's Office