



General Purposes Committee

Date: Tuesday, April 2nd, 2002
Place: Anderson Room
Richmond City Hall
Present: Mayor Malcolm D. Brodie, Chair
Councillor Linda Barnes
Councillor Lyn Greenhill
Councillor Evelina Halsey-Brandt (entered at 5:40 p.m.)
Councillor Sue Halsey-Brandt
Councillor Rob Howard
Councillor Kiichi Kumagai
Councillor Bill McNulty
Councillor Harold Steves
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, March 18th, 2002, be adopted as circulated.

CARRIED

2. **7-10 SIZE GROUP HOME ZONING AND POLICY OPTIONS**
(Report: Mar. 25/02, File No.: 4057-03) (REDMS No. 654166, 660736, 660735, 657064, 670851, 529965, 594165)

The General Manager, Urban Development, David McLellan, briefly reviewed the report with the Committee, during which he circulated copies of the recent amendments to the *Community Care Facility Act* which dealt with certain types of facilities which no longer require a Provincial licence to operate.

Discussion then ensued among Committee members and staff on:

- the types of facilities which would now require licences
- the "Turning Point" facility on Odlin Road and whether that facility, along with others which required licences under the previous legislation, would be required to renew their licences in the future

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- whether hospice facilities would require licencing because of the dispensing of medication to the patients
- whether the City would have discriminatory authority over and above the Provincial legislation regarding care facilities to require the operators of drug and alcohol recovery facilities to obtain licences from the City
- the question of discrimination against specific groups of people and the opinion of the Law Department that the option of requiring only 7 to 10 person drug and alcohol recovery facilities to be considered through a rezoning process would be in violation of the Canadian Charter of Rights and Freedoms
- the zoning bylaws enacted by other municipalities in the Lower Mainland and other areas of Canada to control drug and alcohol recovery facilities and whether these bylaws would withstand a legal challenge
- whether the City would have the ability to monitor the establishment of an unlicensed (no medical services) recovery facility within its boundaries
- the proposed protocol agreement between the City and Richmond Health Services
- whether zoning could be used to control the establishment of all 7 to 10 person group home facilities, and whether there were any options available which would not require the rezoning of shelters for battered and abused women and children
- whether any action should be taken at this time to resolve the situation or to wait until the question of long term Provincial health care delivery had been better clarified
- whether zoning guidelines would be put in place which would differ from those for a single-family residential dwelling unit, to control the number of people living in a group home
- the process and action which would be taken in the event that complaints were made by area residents about a particular group home facility.

Mr. Everett McKenzie, 9691 Gilbert Crescent, a member of the Group Home Task Force, expressed pleasure that the concept of requiring 7 to 10 person group homes to be located a minimum of 200 metres from schools and parks had not been included as a recommendation; and that the Canadian Charter of Human Rights and Freedoms had been recognized. Mr. McKenzie stated that there was no evidence that group home facilities in Richmond caused problems for area residents; and that the residents of these facilities were not criminals and were voluntary occupants.

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Mr. McKenzie advised that the Group Home Task Force and Richmond Health Services had a desire to know about and monitor existing group care home facilities, and he suggested that because the operators of these facilities were constantly applying for funding, that that would provide an opportunity to monitor them.

A brief discussion ensued among Committee members and Mr. McKenzie, during which he advised, in response to questions, that the City would learn about the establishment of new drug and alcohol recovery facilities because of the extensive renovations which would be required, which would require building and other permits. He also suggested that the nature of these renovations should alert the neighbours that 'something' was happening in their neighbourhood.

Mr. John Wong, 3858 McKay Drive, spoke on the group home issue. (A copy of his submission is attached as Schedule A and forms part of these minutes.)

Discussion ensued among Committee members and Mr. Wong on his suggestion that the City initiate a zoning process despite the fact that such action would be in violation of the Charter of Rights, during which information was provided by the Staff Solicitor that the Supreme Court of Canada had made a general decision that no one had the authority to initiate a zoning process which would result in the discrimination of specific groups of individuals.

Also addressed during the discussion was the issue of whether there was any evidence that Mr. Wong should be concerned about with respect to problems caused by the residents of group home facilities. In making his final statements, Mr. Wong advised that residents should have the right to decide for themselves whether they would like to have a group home facility located in their neighbourhood.

Ms. Janet Tyler, of 12633 No. 2 Road, a 'randomly selected' member of the Group Home Task Force, stated that she looked to the City to uphold the Charter of Rights. She also suggested that future task forces, when submitting recommendations to Council, that the rationale for their recommendations be included, as she felt that this would help to eliminate much of the frustration experienced at previous General Purposes Committee meetings on the group home issue.

Ms. Tyler further advised that she had visited the 'Turning Point' group home, and had discovered that some of the occupants were in residence for a longer period than the 90 day program because they had chosen to repeat the program. She concluded her presentation by stating that she would not want to live in a city which violated the Charter of Rights.

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During the discussion which ensued, Ms. Tyler stated, in response to questions, that to her knowledge, the 'Turning Point' facility was not an injection site and that residents voluntarily chose to stay longer. She further advised that copies of police reports had been attached to the minutes of the meetings of the Group Home Task Force. Also addressed during the discussion was the process which would be followed once the City had been advised by the Richmond Health Services that an application for a residential care facility had been received, if the recommendations of the Group Home Task Force were adopted.

Mr. Brian Wardley, of 3091 Pleasant Street, a member of the Group Home Task Force, spoke in support of group homes in the community, and stated that he did not agree with the statements made by Mr. Wong earlier in the meeting. He urged the Committee to make a decision and to act on behalf of all Richmond residents, not just a small vocal group. Mr. Wardley referred to the three proposed zoning processes and stated that it was obvious that these proposals would not work. He further stated that he had confidence in the ability of the staff of the City and Richmond Health Services to know when a group home facility was being established in Richmond, and did not feel that a 'law' was required. Mr. Wardley in concluding his statements, advised that the City should take a positive view with regard to group homes. He added that control of these facilities through the proper application of guidelines.

A brief discussion ensued, during which Mr. Wardley stated that it was his belief that the operators of group home facilities would follow guidelines and would not act outside those boundaries, even though licences were no longer required.

(Cllr. Steves left the meeting at 5:09 p.m.)

Ms. Anne Wicks of 10171 Hollymount Drive, spoke in support of the location of group homes in residential areas, and against violating the Canadian Charter of Human Rights & Freedoms. She suggested that it might be helpful if the identify of existing group homes was clarified. Ms. Wicks also advised that many of the residents who attended the East Richmond meeting were in support of group homes, and pointed out that there could be more problems with neighbours who had drug and alcohol problems which were not being treated, as well as noise problems caused by people wanting to party all weekend. She concluded by stating that the City should be helping people with drug and alcohol problems to recover.

Mr. Satya Lal, of 10431 Odlin Road, adjacent to the 'Turning Point' recovery facility, stated that he had nothing against the residents of that facility. He also spoke about the Charter of Rights and the adoption of a zoning process to control the location of group homes in Richmond.

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Mr. Lal reviewed the manner in which 'Turning Point' became established in his neighbourhood and reviewed the problems being experienced by local residents. He spoke about his rights as a neighbour and a resident of Richmond and asked that everyone be treated fairly. He urged Council to make a decision as quickly as possible.

Discussion took place among Committee members and Mr. Lal, during which Mr. Lal stated in response to questions, that (i) legislation should be enacted to control all group home facilities with more than 7 residents, (ii) that a zoning process should be implemented to control the location of these facilities in the community, and (iii) any resulting zoning bylaw should determine where these facilities would be located and how far apart they would be. He stated that these regulations should be applied fairly to every group home, with more emphasis placed on drug and alcohol recovery homes. In response to further questions, Mr. Lal provided information on the complaints which he had made to the RCMP about the problems being caused by the residents of 'Turning Point'.

(Cllr. Steves returned to the meeting at 5:20 p.m., during the above discussion.)

Following the conclusion of the presentations by speakers, the following motion was introduced:

It was moved and seconded

That the October 31st, 2001 Richmond Group Home Task Force Final Report and Recommendations be endorsed, with an amendment to the final paragraph on Page 2 of the Group Home Task Force report, under "E.2 – City Process", to:

- (1) delete the words "conveys neighbours comments", and***
- (2) substitute the following, "Council publicly reviews the (i) proposed building requirements for fire, health and location, (ii) comments of the neighbours, and (iii) City staff recommendations, and forwards a decision as a recommendation to the".***

The question on the motion was not called, as discussion ensued amongst Committee members and staff on the issue of licenced and unlicenced group home facilities in relation to the proposed amendment.

(Cllr. Evelina Halsey-Brandt entered the meeting at 5:40 p.m., during the above discussion.)

Discussion continued on this matter, during which the comment was made, with reference to statements made earlier about the need for major renovations, that perhaps a 'flagging' system could be initiated through the building permit process. Questions were raised about (i) how the City could control the establishment of group homes in residential areas without discriminating against specific facilities, and (ii) the role of City Council as part of the process.

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As a result of the discussion, the following **referral** motion was introduced:

It was moved and seconded

That the report (dated March 25th, 2002, from the Manager, Policy Planning), be referred to staff for a report to the General Purposes Committee as quickly as possible on guidelines and procedures with regard to:

- (1) licenced and unlicenced group home operations;*
- (2) building permits and protocol which would have to be established;*
- (3) ensure that the City had control over the location of group home facilities; and*
- (4) how a 'triggering' mechanism could be initiated which would alert the City to the location of an unlicenced group home facility within its boundaries.*

CARRIED

OPPOSED: Mayor Brodie
Cllr. Greenhill
E. Halsey-Brandt
Howard

(Cllrs. S. Halsey-Brandt and Kumagai left the meeting at 6:05 p.m., and did not return.)

COMMUNITY SAFETY DIVISION

3. **ANIMAL CONTROL & SHELTER SERVICES CONTRACT 2002-2003** (Report: Mar. 22/02, File No.: 1000-05-021) (REDMS No. 674389, 668966)

The Manager, Community Bylaws, Sandra Tokarczyk, advised that she was available to answer any questions which the Committee might have. She then advised that two amendments were required to the SPCA agreement, firstly in section 3.01 to indicate that the term of the agreement would end on December 31st, 2003 and not December 31st, 2001 as indicated; and secondly, in section 7.02, to add that the month of September to those months in which the Contractor could canvass for the sale of animal licences.

Discussion then took place among Committee members and Ms. Tokarczyk, during which she advised in response to questions, that:

- the \$268,000 cost represented the provision of the same level of service
- staff were working with the SPCA to increase licencing
- a decision would be made by the SPCA within 6 months on the provision of animal control and enforcement services; if a decision was made to opt out of providing this service, City staff would then undertake an analysis on the cost of the City providing such a service.

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(Cllr. McNulty left the meeting at 6:10 p.m., during this discussion, and did not return.)

- the SPCA was only considering whether to opt out of providing animal control and enforcement services, and would still be responsible for operation of the animal shelter; however, City staff would be reviewing the entire issue as it would be difficult to provide animal control and enforcement services without an animal shelter being available
- a financial audit was undertaken of the services provided by the SPCA to the City, and it was found that the City was receiving comparable value in relation to other municipalities within the Greater Vancouver Regional District
- the local SPCA could find it difficult to operate without funding from the City as the licence fees currently being collected did not cover the cost of operating the animal shelter; efforts were being taken by City staff and the SPCA to increase current licencing to offset the cost of operating the animal shelter.

Ms. Tokarczyk further advised that Ms. June Humphreys, of the Richmond Homeless Cats Society had wanted to address the Committee on issues relating to the spaying and neutering of animals, and the diversion of a portion of the cat breeder permit revenue to the Richmond Homeless Cats Society, however, she was unable to wait. Ms. Tokarczyk stated that the SPCA had agreed to the spaying and neutering of all domestic animals prior to adoption, and this had been included as a clause in the new agreement. She also advised that staff were reviewing the proposal to divert funds to the Society and would be meeting on that matter next week.

Discussion also took place on the decision of the SPCA not to euthanize adoptable animals, the impact which this decision would have on the handling of vicious dogs and 'cross-bred' dogs which could conceivably be vicious, and the work being by the SPCA on this issue.

It was moved and seconded

That the Mayor and City Clerk be authorized to execute the contract with the SPCA to provide domestic animal control, local bylaw enforcement, and pound services for a two-year term ending December 31, 2003, at a net cost of \$268,000 per annum.

CARRIED

FINANCE & CORPORATE SERVICES DIVISION

4. WINTER WONDERLAND AND VIVE LE FRANCE (Report: Mar. 6/02, File No.: 7400-01) (REDMS No. 655164)

The General Manager, Finance & Corporate Services, Jim Bruce, in response to questions from the Committee, advised that:

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- the Richmond Sunset Rotary Club had been fully apprised of all costs associated with the holding of the proposed events
- the cost of holding the events included all staff time, and would be responsibility of the Club, and any additional requirements not included in the initial agreement would be funded by the Club
- the Rotary Club was in full agreement with a full cost recovery on the part of the City, and a new agreement had been prepared which ensured that full cost recovery would be achieved.

A brief discussion ensued among Committee members on whether the Rotary Club would be charging a fee to patrons of the proposed entertainment events, during which it was noted that it was the intention of the Club to offer the entertainment by donation.

It was moved and seconded

- (1) *That the Richmond Sunset Rotary Club utilize Richmond City Hall Meeting House from November 29, 2002 to January 3, 2003 for Winter Wonderland, with the costs of the event to be covered by the Richmond Sunset Rotary Club.*
- (2) *That the Richmond Sunset Rotary Club utilize Richmond City Hall Meeting House for Vive Le France on December 6, 2002, with costs for this event to be covered by the Richmond Sunset Rotary Club.*

CARRIED

At this point in the meeting, the Chair directed that the meeting would recess for approximately 15 minutes (6:30 p.m.).

The General Purposes Committee meeting reconvened at 6:47 p.m., with Cllrs. S. Halsey-Brandt, Kumagai and McNulty absent.

5. **PROPOSED 5 YEAR FINANCIAL PLAN (2002-2006)**

(Report: March 26/02, File No.: 0985-01) (REDMS No. 675803, 676233)

The Director of Finance, Danley Yip, accompanied by Mr. Bruce, reviewed the proposed 5 Year Financial Plan with the Committee. Discussion then ensued among Committee members and staff on:

- the impact of the inclusion of \$500,000 of second quarter casino revenue funds (if the Notice of Motion to be considered by Council on April 8th, 2002 was successful) would have on the 2002 and subsequent budgets
- the conservative estimate of 1.0% annually for future new growth
- the ability of Council to amend the 5 Year Financial Plan following its adoption

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- the proposed property tax increase for 2003, and whether this figure could be adjusted to reflect an increase which would be more acceptable
- the status of the City's reserve accounts and whether the funds in these accounts were at acceptable levels
- whether the replacement costs for the fire halls and a new community safety building had been included in the 5 Year Financial Plan now being reviewed
- the impact of deferring programs and projects from the 2002 and 2003 operating budgets to future budgets
- whether any consideration had been given to the future development of City owned property to generate additional revenue, and whether this potential revenue had been factored into the financial plan now being considered by the Committee
- whether the plan now being considered reflected possible future revenue enhancement and expenditure reductions which might result from the review now being undertaken by staff.

As a result of the discussion, the following **referral** motion was introduced:

It was moved and seconded

That the report (dated March 26th, 2002, from the Director of Finance), regarding the proposed 5 Year Financial Plan (2002-2006), be referred to staff for a report to the General Purposes Committee at a special meeting to be held at 5:30 p.m. on Thursday, April 4th, 2002.

Prior to the question on the motion being called, staff were directed to:

- (i) review the feasibility of reducing the proposed 2003 property tax increase to 4.4%, and increasing the subsequent years to 3.77%, 4.01% and 4.02% respectively;
- (ii) provide comparisons, with less conservative assumptions and projections, to show the impact of various proposed property tax increases, and to provide anticipated dollar values in revenue enhancement and expenditure reductions to achieve 5%, 4%, and 3% for each of the years in the proposed plan;
- (iii) provide a projection of casino funding, if all of the 2003 anticipated revenue was used in 2003, as well as the balance of casino revenue from 2002;
- (iv) provide information on the outcome of reducing the 2002 budget to 3.95%;
- (v) provide projections on the impact of a decision not to include casino revenue in the operating budget subsequent to 2006; and

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- (vi) report on when the development of the City-owned River Road property could be expected to come forward and the revenue which could be generated from the project.

The question on the motion was then called, and it was **CARRIED**.

ADJOURNMENT

It was moved and seconded
That the meeting adjourn (7:45 p.m.).

CARRIED

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 Tuesday, April 2nd, 2002.

Mayor Malcolm D. Brodie
Chair

Fran J. Ashton
Executive Assistant

JOHN G. WONG
3858 MCKAY DRIVE
RICHMOND, B.C.

**SCHEDULE A TO THE MINUTES OF
THE GENERAL PURPOSES
COMMITTEE MEETING HELD ON
TUESDAY, APRIL 2ND, 2002**

APRIL 2, 2002

WE WOULD FAVOR OPTION #1 AS THE PROPER WAY TO ADDRESS THE GROUP HOME FOR ALCOHOL AND DRUG TREATMENT HOME WITH A FEW AMENDMENTS AS WE HAVE SAID BEFORE. THE AMENDMENTS ARE: 1) 200 METERS FROM LIBRARIES, COMMUNITY CENTRES, SCHOOLS AND PARKS, 2) 20 HOMES LOCATED NEAR THE SITE 3) LOCATED AT ATERIAL ROAD. IF MAJORITY DECIDED THAT THEY SHOULD NOT ALLOW THIS TYPE OF GROUP HOME THEN IT WILL BE TURN DOWN.

CANADIAN CHARTER OF RIGHTS ARE FOR WHO, THE MAJORITY OF CANADIANS OR FOR THE PEOPLE THAT USE GOVERNMENT ASSISTANCE TO FIGHT FOR THEIR CHARTER OF RIGHTS. IF YOU ARE SO WORRY ABOUT THIS CHARTER OF RIGHTS WHY IS IT THAT OTHER MINUCIPALITIES HAVE THIS TYPE OF BY-LAW AND REZONING REQUIREMENTS HAVE NOT ENCOUNTER THIS TYPE OF PROBLEM. GROUP HOME SEPARATION IS A GOOD THING, AS IN VARIOUS TYPE OF BUSINESS MUST BE SEPARATED WHEN ISSUING PERMIT AND ZONING REQUIREMENTS. IF THE VARIOUS BUSINESS WHO ARE ISSUING PERMIT AND ZONING DIFFERENTLY AND SAME TYPE OF BUSINESS BUT THE CITY SEPARATE THEM, THEN IF THEY ARE NOT DISCRIMINATED AGAINST THEN WHY IS THE GROUP HOME ANY DIFFERENT. THE ZONING, PUBLIC HEARING AND BY-LAW REQUIREMENTS FOR ALCOHOL AND DRUG TREATMENT CENTRE ONLY BECAUSE ALL OTHER GROUP HOMES HAVE TO BE KEPT SECRET OF THEIR LOCATION DUE TO SECURITY REASON FOR THE USERS AND WE ACCEPT THAT. ALSO ,OTHER TYPES OF GROUP HOME STAY IN THE COMMUNITY FOR A LONG LENGTH OF TIME AND THE NEIGHBORS CAN WORK WITH THEM TO INTERGRATE THEM BACK TO SOCIETY. AS FOR ALCOHOL AND DRUG TREATMENT HOMES WHERE THE RESIDENTS ONLY STAY FOR 4 TO 6 WEEKS AND THEY CAN WALK OUT ANYTIME AND COME BACK ANYTIME, HOW CAN THE NEIGHBORS HELP THEM OR GET TO KNOW THEM WHEN THEY ARE THAT TRANSIENT.

PLEASE NOTE THAT ON FEBRUARY 18,2002 AT A GENERAL PURPOSE MEETING IN THE COUNCIL CHAMBER THE MAYOR AND COUNCILLORS HAD ALL AGREED THAT THE GROUP HOME TASK FORCE RECOMMENDATIONS WERE NOT A GOOD IDEA. THAN WHY ARE WE STILL WASTING MONEY AND HUMAN RESOURCES TO CONTINUE TO PRESS THE END OF ITS SUCCESS? I SAY GET ON WITH IT AND GET THE WORK DONE AND LET THE PEOPLE DECIDE WHAT THEY HAVE IN THEIR NEIGHBOURHOOD NOT THE CITY STAFF OR MAYOR OR COUNCILLORS. PLEASE LET THE PEOPLE TAKE CHARGE OF THEIR NEIGHBOURHOODS AND SINCE WE ARE SMART ENOUGH TO ELECT THE RIGHT PEOPLE TO RUN THE CITY AND I AM SURE WE ARE SMART ENOUGH TO DECIDE HOW OUR NEIGHBOURHOODS SHOULD BE RUN.