

COUNCIL WORKSHOP AGENDA

April 24, 2017

10:00 a.m.

Blaney Room, 1st Floor, City Hall

The purpose of the Council Workshop is to review and discuss policies and other items of interest to Council. Although resolutions may be passed at this meeting, the intent is to make a consensus decision to send an item to Council for debate and vote or refer the item back to staff for more information or clarification. The meeting is live streamed and recorded by the City of Maple Ridge.

REMINDERS

April 24, 2017

Audit & Finance Committee Meeting	9:00 a.m.
Closed Council	following Workshop
Committee of the Whole Meeting	1:00 p.m.

April 25, 2017

Council Meeting	7:00 p.m.
Public Hearing	7:10 p.m.

1. ***ADOPTION OF THE AGENDA***
2. ***MINUTES***
 - 2.1 Minutes of the March 27, 2017 Council Workshop Meeting
3. ***PRESENTATIONS AT THE REQUEST OF COUNCIL***
4. ***MAYOR AND COUNCILLORS' REPORTS***
5. ***UNFINISHED AND NEW BUSINESS***
 - 5.1 **Remedial Action for the Removal of Nuisance Vehicles Located at PID 012-877-336**

Staff report dated April 24, 2017 recommending that wrecked and unlicensed vehicles at PID 012-877-336 be declared a nuisance and that the Owner must remove the nuisance vehicles.

5.2 Community Safety Plan

Staff report dated April 24, 2017 recommending endorsement of a process for the development of a Community Safety Plan.

5.3 Leisure Centre Accommodation Plan

Staff report dated April 24, 2017 providing information on mitigating the impact of the closure of the Maple Ridge Leisure Centre on aquatics users and staff groups supporting the aquatics operations.

5.4 Options for Regulating Supportive Recovery Homes, Transitional Housing, Assisted Living Residences and Community Care Facilities

Staff report dated April 24, 2017 providing options for possible regulatory changes to the City of Maple Ridge Zoning Bylaw to address issues stemming from existing care facilities in the City.

6. *CORRESPONDENCE*

6.1 Upcoming Events

April 29, 2017 8:00 a.m.	Council of Councils – Coast Hotel and Convention Centre, 20393 Fraser Highway, Langley, BC Organizer: Metro Vancouver Board of Directors
April 29, 2017 11:00 a.m.	Pick Your Passion in Celebration of National Volunteer Week – Valley Fair Mall, Maple Ridge, BC Organizer: City of Maple Ridge, Community Services & Valley Fair Mall
April 29, 2017 6:30 p.m.	Inaugural Gala – St. Luke's Parish Family Centre Hall, 20285 Dewdney Trunk Road, Maple Ridge, BC Organizer: Ridge Meadows Multicultural Society
May 1, 2017 6:00 p.m.	13 th Anniversary Celebration – Maple Ridge Baptist Church, 22155 Loughheed Highway, Maple Ridge, BC
May 7, 2017 12:00 p.m.	Annual Walk for Alzheimer's – 100 Newport Drive, Port Moody, BC Organizer: Investors Group and Alzheimer Society of BC
May 13, 2017 11:00 a.m.	Haney Farmers Market Opening Day – Memorial Peace Park, Maple Ridge, BC Organizer: Haney Farmers Market Society
May 13, 2017 6:00 p.m.	Annual Fundraiser and Citizen of the Year Presentation, Meadow Gardens Golf Club, 19675 Meadow Gardens Way Pitt Meadows, BC Organizer: Maple Ridge Community Foundation

7. ***BRIEFING ON OTHER ITEMS OF INTEREST/QUESTIONS FROM COUNCIL***

Links to member associations:

- Union of British Columbia Municipalities (“UBCM”) Newsletter *The Compass*
 - <http://www.ubcm.ca/EN/main/resources/past-issues-compass/2016-archive.html>
- Lower Mainland Local Government Association (“LMLGA”)
 - <http://www.lmlga.ca/>
- Federation of Canadian Municipalities (“FCM”)
 - <https://www.fcm.ca/>

8. ***MATTERS DEEMED EXPEDIENT***

9. ***NOTICE OF CLOSED COUNCIL MEETING***

That the Council meeting immediately following this meeting be closed to the public pursuant to Section 90(1) and 90 (2) of the Community Charter as the subject matter being considered relates to the following:

Section 90(1)(a) Personal information about an identifiable individual who holds or is being considered for a position as an employee appointed by the municipality.

Section 90(1)(e) The acquisition of land or improvements of which council considers that disclosure might reasonably be expected to harm the interests of the municipality.

Section 90(1)(g) Litigation or potential litigation affecting the municipality.

Section 90(1)(j) Information that is prohibited or information that if it were presented in a document would be prohibited from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act.

Any other matter that may be brought before the Council that meets the requirements for a meeting closed to the public pursuant to Sections 90 (1) and 90 (2) of the Community Charter or Freedom of Information and Protection of Privacy Act.

10. ***ADJOURNMENT***

Checked by: _____
Date: _____

Rules for Holding a Closed Meeting

Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to one or more of the following:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- (c) labour relations or employee negotiations;
- (d) the security of property of the municipality;
- (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure might reasonably be expected to harm the interests of the municipality;
- (f) law enforcement, if the council considers that disclosure might reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- (g) litigation or potential litigation affecting the municipality;
- (h) an administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality, other than a hearing to be conducted by the council or a delegate of council
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (j) information that is prohibited or information that if it were presented in a document would be prohibited from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;
- (l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report]
- (m) a matter that, under another enactment, is such that the public may be excluded from the meeting;
- (n) the consideration of whether a council meeting should be closed under a provision of this subsection of subsection (2)
- (o) the consideration of whether the authority under section 91 (other persons attending closed meetings) should be exercised in relation to a council meeting.

Section 90(2) A part of a council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:

- (a) a request under the Freedom of Information and Protection of Privacy Act, if the council is designated as head of the local public body for the purposes of that Act in relation to the matter;
- (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;
- (c) a matter that is being investigated under the Ombudsperson Act of which the municipality has been notified under section 14 [Ombudsperson to notify authority] of that Act;
- (d) a matter that, under another enactment, is such that the public must be excluded from the meeting;
- (e) a review of a proposed final performance audit report for the purpose of providing comments to the auditor general on the proposed report under section 23 (2) of the *Auditor General for Local Government Act* .

COUNCIL WORKSHOP MINUTES

March 27, 2017

The Minutes of the City Council Workshop held on March 27, 2017 at 10:04 a.m. in the Blaney Room of City Hall, 11995 Haney Place, Maple Ridge, British Columbia for the purpose of transacting regular City business.

PRESENT

Elected Officials

Councillor K. Duncan
Councillor B. Masse
Councillor G Robson
Councillor T. Shymkiw
Councillor C. Speirs

Appointed Staff

E.C. Swabey, Chief Administrative Officer
K. Swift, General Manager of Parks, Recreation & Culture
P. Gill, General Manager Corporate and Financial Services
F. Quinn, General Manager Public Works and Development Services
L. Darcus, Manager of Legislative Services

ABSENT

Mayor N. Read
Councillor C. Bell

A. Gaunt, Confidential Secretary

Other Staff as Required

D. Pollock, Municipal Engineer

Note: These Minutes are posted on the City Web Site at www.mapleridge.ca

Note: Councillor Duncan chaired the meeting as Acting Mayor

1. *ADOPTION OF THE AGENDA*

R/2017-140

It was moved and seconded

That the agenda for the March 27, 2017 Council Workshop Meeting be adopted as circulated.

CARRIED

2. *MINUTES*

2.1 Minutes of the March 20, 2017 Council Workshop Meeting

R/2017-141

It was moved and seconded

That the minutes of the Council Workshop Meeting of March 20, 2017 be adopted as circulated.

CARRIED

3. ***PRESENTATIONS AT THE REQUEST OF COUNCIL*** – Nil

4 ***MAYOR'S AND COUNCILLORS' REPORTS***

Councillor Speirs

Councillor Speirs attended a Save Riverview Coalition meeting.

Councillor Duncan

Councillor Duncan attended a meeting of the Active Transportation Committee and the “We Are Kwantlen” exhibit in Langley. She participated in the Opioid Overdose Campaign.

5. ***UNFINISHED AND NEW BUSINESS***

5.1 **Corporate Asset Management Policy**

Staff report dated March 27, 2017 recommending that the draft Corporate Asset Management Policy be finalized and forwarded to a Regular Council Meeting for consideration.

The Municipal Engineer gave a PowerPoint presentation providing information on the asset management initiative currently in progress to develop an integrated Asset Management Plan.

R/2017-142

It was moved and seconded

That the draft Corporate Asset Management Policy be finalized and forwarded to a Regular Council Meeting for consideration.

CARRIED

Note: Item 5.2 was deferred from the March 14, 2017 Council Meeting

5.2 **Follow up to Motion by Councillor Shymkiw**

Presentation by the Manager of Legislative Services

Motion resolving to change the current format of the Council Meeting Schedule

The following motion was referred to this Workshop.

Whereas the Maple Ridge Council Procedure Bylaw No. 6472-2007 and amendments thereto allows for Council to create Council Workshop meetings to conduct Workshop business;

And whereas there is no requirement to have such meeting under this bylaw;

Therefore be it resolved that,

Beginning April 1, 2017 meetings of Council Workshop schedule three Monday mornings each month cease for a five month trial period, and

All business normally conducted at Council Workshop be transferred to a Committee of the Whole meeting where reports and other city business will be considered and discussed but no resolutions or motions leading to decisions will be made except to forward agenda items to Council or refer back to staff/committees; and

Two Committee of the Whole meetings (including workshop type sessions) be scheduled each month on Tuesday evenings alternating with Regular Council meetings also scheduled for two Tuesday evenings each month, and that Public Hearings be scheduled prior to the third Tuesday Committee of the Whole Meeting and

The applicable advertisements to the change in the Council Meeting Schedule be advertised as required.

The Manager of Legislative Services presented background information about meetings and Council discussed alternatives for meetings with the majority favoring:

- The elimination of Committee of the Whole;
- Alternating Workshop Council Meeting with Regular Council on Tuesday evenings and including the items normally initiated at Committee of the Whole for decision at that meeting, forwarding to Regular Council, referring back to staff for additional information or to the developer for changes, or deferring;
- Including a question period (15 minutes) at the beginning of all meetings as well as at the end;
- Scheduling Public Hearing adjacent to one of the Workshop Council Meetings; and
- Scheduling Closed Council Meetings if and when required at 6:00 p.m. prior to Regular Council Meetings.

R/2017-143

It was moved and seconded

That staff bring forward a report to a Council Meeting summarizing the changes to the Council Meeting schedules requested during this Workshop.

CARRIED

6. ***CORRESPONDENCE*** – Nil
7. ***BRIEFING ON OTHER ITEMS OF INTEREST/QUESTIONS FROM COUNCIL*** – Nil
8. ***MATTERS DEEMED EXPEDIENT*** – Nil
9. ***NOTICE OF CLOSED COUNCIL MEETING***

R/2017-144

It was moved and seconded

That the Council meeting immediately following this meeting be closed to the public pursuant to Section 90(1) and 90 (2) of the Community Charter as the subject matter being considered relates to the following:

90(2)(d) A matter that, under another enactment, is such that the public may be excluded from the meeting.

Any other matter that may be brought before the Council that meets the requirements for a meeting closed to the public pursuant to Sections 90 (1) and 90 (2) of the Community Charter or Freedom of Information and Protection of Privacy Act.

CARRIED

10. ***ADJOURNMENT*** - 11:36 a.m.

K. Duncan, Acting Mayor

Certified Correct

L. Darcus, Corporate Officer

City of Maple Ridge

TO: Her Worship Mayor Nicole Read and Members of Council **DATE:** April 24, 2017

FROM: Chief Administrative Officer **Meeting:** Workshop

SUBJECT: Remedial Action for the removal of nuisance vehicles located at PID 012-877-336

EXECUTIVE SUMMARY:

The vehicles located on the property known as PID 012-877-336 (the "Property") are the subject of this remedial action order. The Bylaw Department has been responding to resident complaints at this property since December of 2013. Staff have attended this site on numerous occasions and requested that the Owner take steps to mitigate the nuisance condition in the community by removing the nuisance vehicles.

Letters have been sent to the Owner from the Bylaw Department but no action has been taken by the Owner. There are numerous vehicles that are in a state of disrepair. All of staff's efforts to achieve compliance have met with negative results as the Owner has done nothing to remedy the situation.

As Council is aware, Section 73 and 74 of the *Community Charter* provides authority to Council to pass a Remedial Action Requirement requiring an owner or occupier of real property to take measures to deal with a declared nuisance.

If a person with notice of this resolution wishes to request reconsideration of these requirements by Council, written notice of this request must be provided to the Manager of Legislative Services within 14 business days of that person receiving notice of the resolution.

In the event the owner or occupier has not performed all of the Remedial Action Requirements within the time provided for compliance after the resolution is delivered to them, the City may, by its own forces or those of a contractor engaged by the City, enter the Property and perform the Remedial Action Requirements.

In the event the City takes the above referenced action, the City may recover the expense from the owner or occupier, together with costs and interest, in the same manner as municipal taxes in accordance with sections 17, 258, and 259 of the *Community Charter*.

Based upon the above referenced information on this matter staff recommends Council pass the following resolutions.

RECOMMENDATIONS:

1. That the wrecked and unlicensed vehicles at the property legally described as PID 012-877-336, Parcel "O" (reference plan 13847) of Parcel "K" (reference plan 2535) District Lot 433 Group 1, New Westminster District be declared a nuisance within the meaning of paragraph 74 (1) and 74 (2) of the *Community Charter*;

2. That the Owner must, no later than thirty (30) days after receiving a copy of this resolution, remove the nuisance vehicles.

DISCUSSION:

a) Background Context:

Staff received a complaint regarding the property known as PID 012-877-336 in December of 2013. A subsequent inspection revealed the presence wrecked vehicles, unlicensed vehicles and auto parts. On January 3, 2014 a letter was sent to the owner describing the bylaw infractions and giving a deadline for compliance. The owner failed to comply with the conditions of the letter and the situation remains the same. The owner has been fined several times and has also appeared in Court and been ordered to pay the fines. Despite all of this, the owner has done nothing to rectify the situation.

Our legal counsel was consulted to determine the next course of action and the advice given was to go forward with a Remedial Action Requirement.

Subsequent inspections by Bylaw Officers have revealed that the situation remains the same.

b) Alternatives:

Council does not approve the Remedial Action resolution and provides staff with an alternative direction in dealing with this situation.

CONCLUSIONS:

The wrecked vehicles constitute a nuisance to the community. City staff has given the Owner ample opportunity to resolve the situation but it appears that he does not intend to take any action in response to the problem. City staff recommends that Remedial Action Requirements as described in the Recommendation in this report be adopted.

The recommendations contained in this report have been reviewed by the City's solicitors.

"Original signed by R. MacNair"

Prepared by: R. MacNair
Manager of Bylaw & Licensing Services

"Original signed by Frank Quinn"

Approved by: Frank Quinn, MBA, P.Eng
General Manager: Public Works and Development Services

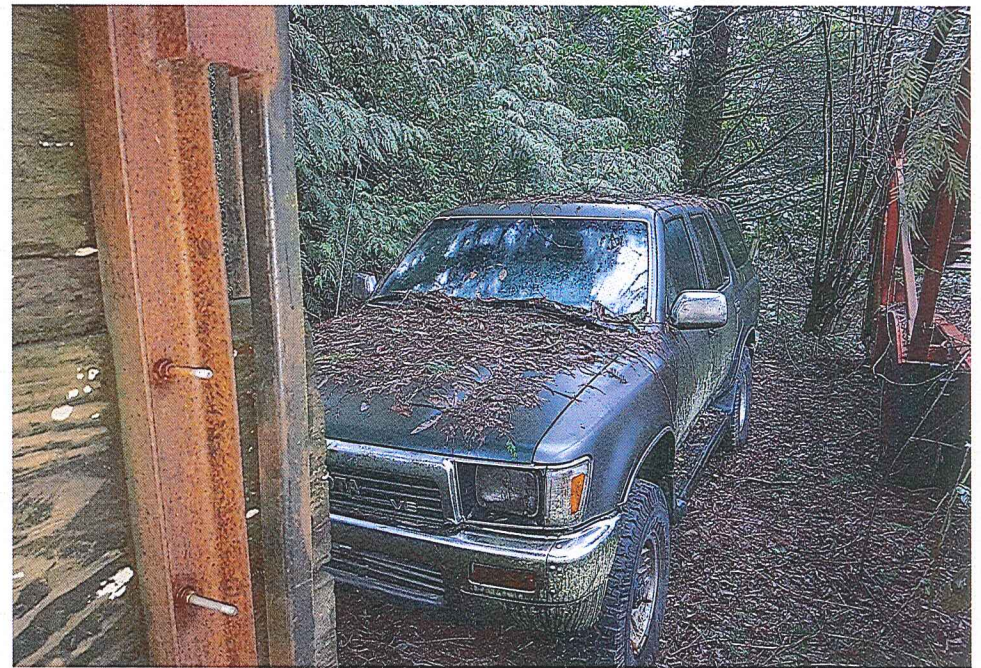
"Original signed by E.C. Swabey"

Concurrence: E.C. Swabey
Chief Administrative Officer

Attachments:

Appendix I – Photos

APPENDIX I





TO: Her Worship Mayor Nicole Read
and Members of Council
FROM: Chief Administrative Officer
SUBJECT: Community Safety Plan

MEETING DATE: April 24, 2017
MEETING: Council Workshop

EXECUTIVE SUMMARY:

The last community safety plan was completed over a decade ago. The community has grown considerably since then and given how much the trends in public safety have changed, an update is in order.

The responsibility for community safety involves more than the RCMP. While the RCMP will be involved in the development of the plan, so will other agencies including Bylaws, security, the Business Improvement Association (BIA), health services and social service agencies. We also hope to involve representation from the community at large.

The need for this plan was discussed as part of the 2017-2021 Business Planning deliberations. It will be developed over a series of meetings and we expect to have it completed by this fall.

RECOMMENDATIONS:

That the process for the development of the Community Safety Plan outlined in the staff report dated April 24, 2017 be endorsed.

DISCUSSION:

a) Background Context:

The community safety plan will be developed with input from a variety of stakeholders. The process will involve a facilitated cross-sectional group of between 20 to 30 individuals. We will meet once a week for up to 3 hours at a time, over about a 4 to 6 week period. Here is the ground that we expect to cover:

1. **Basic Backgrounder.** The first portion of the process will involve information sharing in order to establish a common understanding for the participants. Information will be provided on community growth patterns, projections, and trends. We will also learn about the number of initiatives that are already in place and the opportunities and challenges that are being faced. Best practices from other jurisdictions will also be shared.
2. Once the common understandings are in place, we will work through a series of exercises to determine our strengths, weaknesses opportunities and threats.

3. We will then look to identify specific action items that should be undertaken and by whom. The intent will be to come up with measurable items that can be followed up on. By having a cross section of people involved in the process, we hope to have people there who can speak for their respective agencies.
4. The input and suggested action items will be used to draft up the plan. A draft of the presentation will be presented to Council and will also be forwarded to community agencies for comment.
5. The community safety plan will be finalized, reflecting the feedback received. It is our hope that we will report progress on the plan on a regular basis.

The objective of the plan is to create a shared understanding of the safety initiatives that are already in place and to get a commitment from stakeholders on key action items that need to be pursued.

CONCLUSIONS:

A new holistic plan is needed to guide the development of Community Safety in the City of Maple Ridge for years to come and we hope to do this through a process involving key stakeholders.

"Original signed by Paul Gill"

Prepared and Paul Gill,

Approved by: GM: Corporate & Financial Services

"Original signed by Frank Quinn" for

Concurrence: E.C. Swabey

Chief Administrative Officer

TO: Her Worship Mayor Nicole Read
and Members of Council
FROM: Chief Administrative Officer
SUBJECT: Leisure Centre Accommodation Plan

MEETING DATE: April 24, 2017
FILE NO:
MEETING: Workshop

EXECUTIVE SUMMARY:

The Maple Ridge Leisure Centre Lifecycle Improvement Plan report dated February 20, 2017, provided information on how the aquatic retrofit and improvements to the Maple Ridge Leisure Centre (MRLC) could be achieved. Council supported the recommendation to proceed with the MRLC retrofit and asked staff to report back to Council on the departments plan to minimize staff and customer impacts during the pool closure. The following report has been developed with input from staff and provides information aimed at mitigating the significant impact of a closure to aquatics users and those staff groups that support the aquatics operations.

RECOMMENDATION:

For information only.

DISCUSSION:

a) Background Context:

The MRLC pool is programmed to provide a balance of aquatic opportunities for a variety of users and user groups. The purpose of this report is to inform Council of the areas of planning staff is undertaking to mitigate the impacts on the public and user groups during the upcoming pool retrofit.

1. To provide alternatives for Maple Ridge residents to continue aquatic health and wellness activities.

Staff is exploring the option of expanding the operations at the Hammond Outdoor Pool from two months to four months to accommodate the summer swim club schedule, increase opportunities for after school swim lessons, aquatic fitness/therapy, and leisure swim programming. This could also include a variety of dry floor fitness classes at the MRLC for aqua fitness users to transition from water fitness to land fitness for continued participation through supplementary forms of exercise.

Staff conducted preliminary investigation into the potential to cover the outdoor pool, however, it will be cost prohibitive as the scope of work would require much more than simply covering the pool itself including a major retrofit of the pump house, change rooms and deck area and therefore is not being pursued further at this time.

2. To support the sustainability of the swim clubs for the continued development of their high performance and developing athletes.

Preliminary discussions with other municipalities have resulted in the potential to utilize available pool space during prime and non-prime times. Based on feedback from neighbouring municipalities, staff is confident the required lane hours for the three clubs can be secured in neighboring municipalities.

Staff continues to liaise with the clubs on a regular basis and will hold follow up meetings to share the preliminary rental opportunities available which staff will secure on the clubs behalf. Staff will negotiate pricing with the neighbouring municipalities and bring this information back to Council with a recommendation on the rental subsidization based on the City of Maple Ridge current rental rates. While this option introduces an inconvenience of travel times it does allow the clubs to continue with their training programs.

3. To support accessibility.

Consideration will be given to reduced membership fees and one time drop in costs to reflect the inconvenience experienced during the closure. Staff will also explore offering pre-registered programs that may include transportation to neighboring pools for specialized programs or swims, which may appeal to seniors or other groups with special needs.

4. To explore retention initiatives to retain permanent and part-time PRC employees during the closure.

Staff groups directly affected by the pool closure include the aquatics area, building service workers and customer service staff.

The impacts to the aquatics area will be the greatest, however, many of those staff will be retained to continue working at the Hammond Outdoor Pool during the four month summer operations. Cross departmental projects such as the implementation of the new Recreation Software may provide additional project work for staff. Similar to the process followed during the Joint Leisure Services separation, staff is looking at the internal job opportunities that may arise prior and during the renovation and will work closely with CUPE to accommodate displaced staff when filling temporary vacancies.

Throughout the process other ideas may arise and will be considered as these plans are being more fully developed.

b) Desired Outcome:

To provide citizens of Maple Ridge with a variety of options to maintain their health and wellness fitness activities until the Leisure Centre Aquatics area reopens.

c) Citizen/Customer Implications:

The pool closure will result in an inconvenience to our customers; through a combination of additional land fitness activities as well as access to other aquatic facilities in neighbouring municipalities the City will do as much as possible to support MRLC patrons and employees through the closure period.

d) Business Plan/Financial Implications:

Funding for the initiatives to provide alternative services to pool patrons during the closure can be accommodated from the existing budgets assigned to pool operations.

CONCLUSIONS:

While the pool closure is absolutely necessary to accommodate the facility retrofit, we recognize the significant inconvenience to our pool patrons and staff and are committed to exploring all options available for patrons continued health and wellness participation and staff retention opportunities throughout the process.

“original signed by Christa Balatti”

Prepared by: Christa Balatti, Recreation Manager
Parks, Recreation & Culture

“original signed by Wendy McCormick”

Approved by: Wendy McCormick, Director Recreation and Community Services
Parks, Recreation & Culture

“original signed by Kelly Swift”

Approved by: Kelly Swift, General Manager,
Parks, Recreation & Culture

“original signed by E.C. Swabey”

Concurrence: E.C. Swabey
Chief Administrative Officer

Att: Staff report dated February 20, 2017 (Appendix A)

City of Maple Ridge

TO: Her Worship Mayor Nicole Read
and Members of Council
FROM: Chief Administrative Officer
MEETING DATE: April 24, 2017
MEETING: Council Workshop
SUBJECT: Options for Regulating Supportive Recovery Homes, Transitional Housing,
Assisted Living Residences and Community Care Facilities

EXECUTIVE SUMMARY:

On April 26, 2016 Council directed staff to prepare a report outlining options for regulating operation of addiction abuse treatment centres in the community. It is noted these facilities are called 'Supportive Recovery Homes' in the research and for the remainder of this report, this terminology will be used.

While this report provides a general overview of Community Care Facilities and Assisted Living Residences, the main objective of this report is to focus on those private facilities that are unregulated, unlicensed or unregistered Supportive Recovery Homes and other similar facilities. Definitions are provided for various types of care facilities to understand the differences and to identify the opportunities within the City's municipal jurisdiction for regulating private, unregulated, unlicensed or unregistered Supportive Recovery Homes and other similar facilities. This includes a brief overview of how Supportive Recovery Homes are being regulated in other municipalities in the Region.

In discussion, this report offers a draft set of possible regulatory changes to the City of Maple Ridge Zoning Bylaw as a basis for addressing some the issues stemming from existing care facilities in the City.

RECOMMENDATION:

The following two options are presented for Council consideration:

1. That staff be directed to prepare bylaw amendments and a Housing Agreement template to regulate Supportive Recovery Homes and other similar facilities as identified in Option 1: Creation of Regulations for uses with a maximum of 10 residents in the Policy and Regulations section of the report entitled "Options for Regulating Supportive Recovery Homes, Transitional Housing, Assisted Living Residences and Community Care Facilities", dated April 24, 2017.

OR

2. That staff be directed to prepare bylaw amendments and a Housing Agreement template to regulate Supportive Recovery Homes and other similar facilities as identified in Option 2: OCP amendment and Institutional zoning in the Policy and Regulations section of the report entitled "Options for Regulating Supportive Recovery Homes, Transitional Housing, Assisted Living Residences and Community Care Facilities", dated April 24, 2017.

DISCUSSION:

a) Background

At a regularly scheduled Council meeting on April 26, 2016, Council passed the following resolution:

R/2016-214: that Staff be directed to prepare a report outlining options for regulating operation of addiction abuse treatment centres in the community.

This work plan item was included in the 2017 Business Plan. Recently Council were advised on the legal framework for these facilities.

The provincial *Community Care and Assisted Living Act* provides licensing for Community Care facilities and a registration process for Assisted Living Residences. In short, these facilities can be characterized as follows:

- A **Community Care Facility** is a premises or part of premises in which an operator provides care to **3 or more persons** who are not related. A Community Care facility must be licensed under the *Community Care and Assisted Living Act*. Licensing programs for community care facilities are operated by regional health authorities such as Fraser Health. Those Community Care facilities that contain more than 10 people in care are subject to municipal zoning. Those facilities that are used as a residence for no more than 10 persons, not more than 6 of whom are persons in care **are exempt from municipal zoning**.
- An **Assisted Living Residence** is a premises or part of a premise, other than a Community Care facility, in which housing, and hospitality services are provided by or through the operator to **3 or more adults** who are not related. An Assisted Living Residence must be registered with the Assisted Living Registrar and must comply with municipal zoning.
- A premises or part of a premise that provides, by or through an operator, housing and hospitality services to two or less people who are not related is permitted in municipal zoning.

Section 20 of the *Community Care and Assisted Living Act* identifies those instances where a facility is exempt. The section is as follows:

Certain laws not to apply

20 (1) *This section applies to a community care facility*

- (a) *for which a licence has been issued,*
- (b) *that is being, or is to be, used*
 - (i) *as a day care for no more than 8 persons in care, or*
 - (ii) *as a residence for no more than 10 persons, not more than 6 of whom are persons in care,*
- (c) *from which, in the event of a fire, persons in care can safely exit unaided or be removed by its staff, and*
- (d) *that complies with all enactments of British Columbia and the municipality where the community care facility is located that relate to fire and health respecting a single family dwelling house.*

- (2) A provision in an enactment of British Columbia, other than this Act, or of a municipality, does not apply to a community care facility described in subsection (1) if that provision would
- (a) limit the number of persons in care who may be accepted or accommodated at the community care facility,
 - (b) limit the types of care that may be provided to persons in care at the community care facility, or
 - (c) apply to the community care facility only because
 - (i) it is not being used as a single family dwelling house, or
 - (ii) it operates as a community care facility, a charitable enterprise or a commercial venture.

Prescribed Services:

Under the *Community Care and Assisted Living Act*, facilities are categorized based on the **number of prescribed services** that are provided over and above the typical housing and hospitality services these facilities inherently represent.

A Community Care Facility provides hospitality services plus 3 or more prescribed services. An Assisted Living Residence provides hospitality services plus 1 but not more than 2 prescribed services. It is noted that house-keeping services such as provision of meals, laundry and housecleaning are not considered prescribed services.

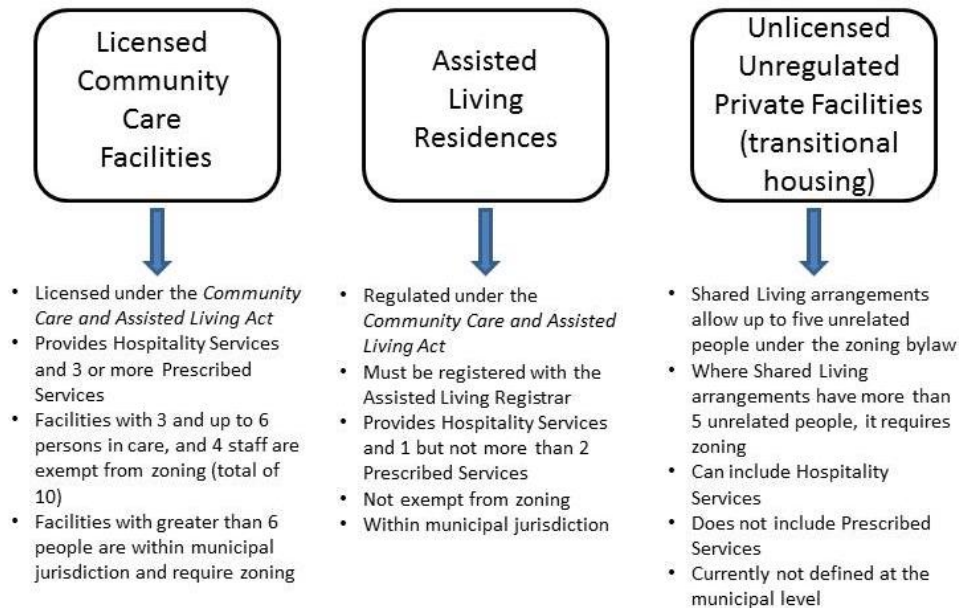
Prescribed services are defined as the following by the *Community Care and Assisted Living Regulation*:

- (a) regular assistance with activities of daily living, including eating, mobility, dressing, grooming, bathing or personal hygiene;
- (b) central storage of medication, distribution of medication, administering medication or monitoring the taking of medication;
- (c) maintenance or management of the cash resources or other property of a resident or person in care;
- (d) monitoring of food intake or of adherence to therapeutic diets;
- (e) structured behaviour management and intervention; and
- (f) psychosocial rehabilitative therapy or intensive physical rehabilitative therapy.

Figure 1 below shows how facilities are categorized according to the number of prescribed services and the licensing or registration requirements, where applicable. Categorization is also impacted by the number of people in a facility.

Figure 1

Classification of Care Facilities



It is noted that the City may not regulate or prohibit by zoning or regulate by business regulation a provincially operated facility on provincially owned land or on privately owned land (i.e. leased to the Province for a Provincial purpose and undertaking). A privately operated use on Provincial land (i.e. a private commercial company leasing Crown land) may be regulated by the City by zoning and by business regulations.

b) Supportive Recovery Homes in Maple Ridge & Implications

As illustrated above, certain unregulated, unlicensed or unregistered private facilities may exist that resemble an Assisted Living Residence or Community Care Facility, in that they offer a measure of hospitality services, but may not offer any prescribed services. In such instances these facilities would not require registration under the Assisted Living Registrar or licensing under the *Community Care and Assisted Living Act*. Such facilities can be difficult to differentiate between other shared living arrangements such as boarding uses, making such operators difficult to target with regulations – lest a wider class of user beyond Supportive Recovery Homes is unintentionally targeted.

As of February 1, 2017 there are six registered Supportive Recovery Homes in Maple Ridge, according to the Assisted Living Registrar.¹ However, there are facilities operating in Maple Ridge that are not registered with the Assisted Living Registrar and are therefore unknown, be they legitimate Supportive Recovery Homes or operations that resemble such uses, and are receiving the shelter portion of income assistance. The concern is that there are people that need housing supports that are on income assistance and are entering into agreements to live at these facilities. By its title, regardless of whether a supportive recovery facility is registered or not, they are intended

¹ http://www.health.gov.bc.ca/assisted/mentalhealth_locator/index.php/displayfacility/bycommunity/7

to be a substance free facility and offer supports to people transitioning from detoxification to living independently. If a person resumes substance abuse in a Supportive Recovery Home whether registered or unregistered, they can be asked to leave and that person will have no funds to look after themselves and could potentially become homeless.

It is noted that the model for Supportive Recovery Homes includes an agreement between the person and the operator to reside at a facility. This type of agreement means people entering into these agreements are not covered under the *Residential Tenancy Act* and do not have access to *those avenues of appeal*. Tenancy concerns are not within the jurisdiction of the Assisted Living Registrar.²

It is also noted that there are other types of transition housing such as the John Howard Society and housing for individuals that are fleeing abuse that are supportive but are not necessarily focused on addiction recovery.

c) Lower Mainland Examples

There is an opportunity for the City of Maple Ridge to regulate the unregulated, unlicensed or unregistered Supportive Recovery use and other similar facilities based on the understanding that legitimate Supportive Recovery Homes must be registered with the Assisted Living Registrar, and that registered Supportive Recovery Homes are subject to municipal zoning.

There are a number of municipalities in the Lower Mainland that have developed a regulatory approach within their respective jurisdictions to regulate Supportive Recovery Homes, from which lessons may be learned, namely the City of Surrey, City of Abbotsford and the District of Mission. The following section features three examples from Lower Mainland municipalities that utilize a number of tools that could be considered in the Maple Ridge context.

City of Surrey:

In response to a growing number of illegal Supportive Recovery Homes (i.e. not registered with the Assisted Living Registrar) the City of Surrey developed an approach to regulate this use in order to control the number of these facilities within the municipality. In 2015, a review of bylaws and regulations related to supportive recovery homes was conducted by the City of Surrey Legal Services staff. It was determined that a business license could be required and a cap on the number of supportive recovery homes (55) could be implemented. At that time, City of Surrey staff also engaged with operators to further understand some of the Supportive Recovery Homes operators' concerns. A majority of the operators' concerns were associated with not having clear direction from the City of Surrey on requirements to operate a Supportive Recovery Home.

The business licensing regime was implemented following a report to City of Surrey Council on Supportive Recovery Homes on December 19, 2016. The cap of 55 Supportive Recovery Homes will be implemented as part of this process. It includes the following requirements for the business license:

- Good Neighbour agreement
- Property owner consent
- Review of property and applicant history

² <http://www2.gov.bc.ca/gov/content/health/accessing-health-care/finding-assisted-living-or-residential-care/assisted-living-residences/mental-health-and-substance-use-assisted-living/considering-mhsu-assisted-living>

City of Abbotsford:

The City of Abbotsford's approach to supportive recovery was to define the use in the Zoning Bylaw and identify in which zones this use is permitted. Along with this framework, a suite of tools has been prepared. The definition is as follows:

Supportive Recovery Home Use means a *residential use* providing a supportive and structured environment for individuals recovering from drug or alcohol addiction, before they are ready to move into independent housing.

The City accompanied this with a Supportive Recovery Homes policy. The policy presents the definition of a Supportive Recovery Home, and the conditions of use, which include:

- Identification of where this type of use is permitted
- A Housing Agreement³
- Maximum house occupancy of 10 people a maximum of which of nine can be in care
- Use not permitted within 200m of an existing Supportive Recovery Home, or a Public or Independent School
- Has no exterior signage
- Must possess a valid business licence for each facility including requisite inspections such as Fire and Building inspections.

The Housing Agreement includes requirements for neighbourhood consultation meetings for each new home, operator and residency conditions, and property and housing standards. When these requirements are met, the Housing Agreement becomes a bylaw. Non-compliance with the bylaw can result in the shutdown of a facility.

District of Mission

The District of Mission developed a similar approach to the City of Abbotsford by providing a definition of supportive recovery facilities accompanied by a similar set of tools. The District of Mission defines Supportive Recovery in its Zoning Bylaw as follows:

Supportive Recovery: means a *Facility* providing a supportive and structured environment for individuals recovering from drug and alcohol addiction, before they are ready to move into independent housing.

³ **Local Government Act, Section 483** (1) A local government may, by bylaw, enter into a housing agreement under this section.

(2) A housing agreement may include terms and conditions agreed to by the local government and the owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions respecting one or more of the following:

(a) the form of tenure of the housing units;

(b) the availability of the housing units to classes of persons identified in the agreement or the bylaw under subsection (1) for the agreement;

(c) the administration and management of the housing units, including the manner in which the housing units will be made available to persons within a class referred to in paragraph (b);

(d) rents and lease, sale or share prices that may be charged, and the rates at which these may be increased over time, as specified in the agreement or as determined in accordance with a formula specified in the agreement.

The District accompanied this definition with a *Guide to Supportive Recovery Homes*. The guide outlines the following requirements, which includes:

- Identification of where the use is permitted
- Maximum occupancy of 10 people including staff
- A Housing Agreement
- Use is not permitted within 250m of an existing Supportive Recovery Home, or a primary or secondary public or independent school, or childcare facilities with a business license
- Has no exterior signage
- A valid Business licence for each facility including requisite inspections such as Fire and Building inspections.

d) Current City of Maple Ridge Policy and Regulation

The following is the current policy and regulations that pertain to how this municipality regulates unregistered Supportive Recovery Homes, Transitional Housing, Assisted Living Residences and Community Care Facilities. It introduces the relevant sections of the Official Community Plan, the Zoning Bylaw, and the Business Licensing and Regulation Bylaw to identify opportunities to regulate unregistered Supportive Recovery Homes and similar facilities such as Assisted Living Residences, Community Care Facilities, and Transitional Housing.

The Assisted Living Registrar states that not registering an Assisted Living Residence is illegal. It states:

*If your residence meets the definition of an assisted living residence as set out in the Community Care and Assisted Living Act, you are required to register your residence. The requirement to register applies equally to publicly subsidized and private pay residences. **It is illegal to operate an assisted living residence in B.C. that is not registered.***⁴

Maple Ridge Official Community Plan

The City of Maple Ridge Official Community Plan Section 3 – 32 supports the provision of affordable, rental and special needs housing throughout the City.

Maple Ridge Zoning Bylaw

The Zoning Bylaw contains the following definitions for Dwelling Unit, Family, Boarding Use and Private Hospital.

- **Dwelling unit:** means one or more rooms used for the residential accommodation of **only one family** when such room or rooms contain or provide for the installation of only one set of cooking facilities.
- **Family:** Mean the persons sharing a household, consisting of: (a) two or more persons related by blood, marriage, adoption, or foster parenthood; or (b) **three or fewer unrelated persons**.
- **Boarding use:** means a use accessory to a residential use for the accommodation of persons, other than members of the family that is contained entirely within the dwelling unit, limited to not more than **2 sleeping units and limited to not more than 2 boarders**.
- **Private Hospital** use means a use providing for the care of the sick, injured, or aged other than in a public hospital; includes private hospitals, convalescent homes, nursing homes, hospices, palliative care units, **community care facilities**, multi-level care facilities, congregate care facilities and adult daycare centres.

⁴ <http://www2.gov.bc.ca/assets/gov/health/accessing-health-care/finding-assisted-living-residential-care-facilities/assisted-living-residences/seniors-assisted-living/operating-a-seniors-assisted-living-residence/should-i-register-my-residence.pdf>, p. 1.

The Zoning Bylaw does not currently define Supportive Recovery Home, Assisted Living, Transitional Housing or Community Care. This means a dwelling unit may contain five or fewer unrelated people in a shared residential living arrangement in Maple Ridge that doesn't include the provision of prescribed services, based on the definition of family and the definition of boarding use. This definition is consistent with planning practice across the country. The number of up to five unrelated persons living together in designated residential areas is reflective of a Supreme Court of Canada decision and should not be altered.

Maple Ridge Business Licencing and Regulation Bylaw:

The City of Maple Ridge requires a business license for all operators that charge rents to people. The *Rental Units – Room Rental/Care Home* category of the Business Licencing and Regulation Bylaw captures uses such as Community Care, Assisted Living, Supportive Recovery Homes, and Transitional Housing.

The Bylaw states that approval by either the Fraser Health Authority or the Assisted Living Registrar, depending on whether the facility is either providing Community Care or Assisted Living, should be in place prior to making application. Once the Municipality is satisfied that the facility has met the approvals of the Planning, Permit, Bylaws & Fire Departments, a municipal approval letter is sent by Licensing to Fraser Health or the Assisted Living Registrar. The Business Licence is not issued until notification is received from Fraser Health or the Assisted Living Registrar. Non-profit organizations are also required to hold a valid business licence, although they are exempt from paying a fee.⁵

Active Business Licences

There is the *Rental Unit – Room Rental/Care Home* category in the Business and Licensing Bylaw where private facilities such as those discussed in this report would be contained but there is no present category for Supportive Recovery Homes. There are 29 active business licences within the '*Rental Unit – Room Rental/Care Home*' category for 2017. However, breaking these out into the specific types of facilities is challenging as this licensing category is a catch-all that also includes Seniors Residential Care, Assisted Living, Community Care and standard 5-unrelated person boarding facilities. Many have held a business licence with the City for many years and are issued a renewed licence each year.⁶

POLICY AND REGULATIONS

It is acknowledged that a Community Care facility must be licensed under the *Community Care and Assisted Living Act* and that a Community Care facility that contains more than 10 people is subject to municipal zoning. Those facilities that are used as a residence with not more than 6 persons in care are exempt from municipal zoning. Given that exempt Community Care facilities are not the key focus of this report, such a use could be defined and limited to certain locations in the City when the number of persons in care exceeds six. The City currently requires any facility wanting greater than six residents in care to rezone to Institutional.

⁵ Business Licencing and Regulation Bylaw No. 6815-2011 City of Maple Ridge Business and Licensing Bylaw Section 7.19.1: Every Non-Profit Society shall hold a valid and subsisting Licence as per Schedule "A". There is no fee for such Licence.

⁶ Correspondence from Maple Ridge Bylaws Department, February 3, 2017.

An Assisted Living Residence must be registered with the Assisted Living Registrar and must comply with municipal zoning. Operation of a facility that meets the criteria of an Assisted Living Residence but is not registered with the Assisted Living Registrar is illegal. Assisted Living Residences are not exempt from zoning so there is a mechanism for the City to regulate uses. Therefore, the City could equally define such uses so it might enforce any unregistered illegal operations.

There are other private facilities that exist that are not licensed and are not registered, but are not illegal, such as Transitional Housing. Recognizing this, there are a number of regulatory tools that can be leveraged within our municipal jurisdiction towards establishing a clear set of regulations for such operators. Based on the current Maple Ridge regulatory and policy framework and the examples from other Lower Mainland municipalities featured in this report, the following options are identified. It is recognized that the zoning bylaw can be amended to regulate care facilities with up to 10 persons in care. Anything greater would require Institutional zoning.

Option 1: Creation of Regulations for uses with a maximum of 10 residents.

This option would create regulations that would allow a maximum of 10 residents including staff.

This option would require the preparation of amendments to the Zoning Bylaw that include:

- New definitions for Assisted Living, Community Care, Supportive Recovery, and Transitional Housing in **Part 2 Interpretation**;
- Requirements including criteria for a Housing Agreement where this use is permitted in **Part 4, Section 402 General Requirements**; and
- Adding a category to the Permitted Uses residential matrix in **Part 6, Section 601** allowing the use on all lots 557m² (RS-1b) or greater, subject to satisfying prescribed criteria.

Amendments to the Business Licensing and Regulating Bylaw will also be required for:

- New definitions for Assisted Living, Community Care, Supportive Recovery, and Transitional Housing.

If operators are able to meet the proposed General Regulation requirements, enter into a Housing Agreement with the City, and intend to operate in a single family zone with a minimum lot size of 557m² or greater, they will be in compliance with City of Maple Ridge bylaws. They will also be subject to bylaw enforcement if operations are in violation of the bylaw and can be shut down. A draft of these proposed zoning bylaw amendments is attached as Appendix A.

This option is supported by staff because it recognizes the extreme need for these forms of housing in the community while at the same time establishing regulations for location and operating expectations.

Option 2: OCP amendment and Institutional zoning

Option 2 would require that small scale Assisted Living Facilities or Transitional Housing facilities apply for an OCP amendment and rezone to Institutional. As part of the rezoning process operators would be required to enter into a Housing Agreement with the City.

The implications for this approach is that each operator would be required to go through the rezoning process, which includes first, second, third, and final reading of a bylaw as well as a public hearing between second and third reading. This approach has the potential to meet with opposition and has a low likelihood of success. Rezoning can also be a lengthy process with associated costs to the land owner, can be very divisive, and thus further reducing the opportunity to regulate facilities such as these in a timely fashion. This approach would not easily facilitate the housing of people in need of supports in the community.

Should Council wish to pursue this option, staff should be directed to prepare a report with draft zoning bylaw amendments clarifying that small scale care facilities are considered to be Institutional uses.

CONCLUSION:

Developing a policy and regulatory framework to regulate small-scale Community Care Facilities, Supportive Recovery Homes, Transitional Housing and Assisted Living Residences will provide a greater degree of assurance to the community, clarity to operators, and more safety for people going through recovery. Staff are seeking Council's direction, noting that Option 1 best addresses the need for this form of housing in the community while regulating location and the operation of such facilities.

"Original signed by Siobhan Murphy"

Prepared by: Siobhan Murphy, MCIP, RPP
Planner II

"Original signed by Christine Carter"

Approved by: Christine Carter, MPL, MCIP, RPP
Director of Planning

"Original signed by Frank Quinn"

Approved by: Frank Quinn, MBA, P. Eng
GM: Public Works & Development Services

"Original signed by E.C. Swabey"

Concurrence: E.C. Swabey
Chief Administrative Officer

Appendix A –Proposed Draft Amendment to the City of Maple Ridge Zoning Bylaw

Option 1: Proposed Draft Amendment to the City of Maple Ridge Zoning Bylaw

PART 2: INTERPRETATION

Assisted Living Use: provides hospitality services, personal care services, and up to two prescribed services to 3 or more persons who are not related by blood or marriage to adults who can live independently but require a supportive environment due to physical and functional health challenges. Assisted Living Residences must be registered with the provincial government's Assisted Living Registrar and are subject to the Community Care and Assisted Living Act.

Community Care Use: provides hospitality services, personal care services, and three or more prescribed services to 3 or more persons who are not related by blood or marriage for the purpose of providing care. Community Care facilities must be licensed by the applicable regional health authority and are subject to the Community Care and Assisted Living Act. A Community Care Facility that contains more than 10 people in care is subject to municipal zoning. Those facilities that are used as a residence for no more than 10 persons, not more than 6 of whom are persons in care are exempt from municipal zoning.

Supportive Recovery: a use providing a supportive and structured environment for individuals recovering from drug and alcohol addiction before they are ready to move into independent housing.

Transitional Housing: use that provides housing for persons in transition from emergency shelter to permanent housing.

Part 4: GENERAL REGULATIONS

Section 402

Supportive Recovery, Transitional Housing, Assisted Living and Community Care Use:

Where permitted a Supportive Recovery, Transitional Housing, Assisted Living or Community Care Use is subject to the following provisions:

- a) Shall have a maximum of 10 residents including staff*
- b) Shall be contained within the same building as the One Family Residential Use;*
- c) Be 250m from other Supportive Recovery Homes, from schools both public and private, and childcare facilities*
- d) Shall not be permitted where there is a Secondary Suite, Boarding Use or Temporary Residential Use on the lot;*
- e) Will require proof of notification to the applicable Health Authority or to the appropriate authority if located on a lot which is not serviced by municipal sewer;*
- f) Shall not be strata-titled;*
- g) Shall not be permitted on property situated within a floodplain;*
- h) Shall not be permitted unless permitted by the provisions of section 601 (A.) of the Zoning Bylaw.*
- i) Shall be permitted on the condition that the operator enters into a Housing Agreement with the Corporation of the City of Maple Ridge under Section 483 of the Local Government Act, which must be executed and delivered to the Municipality prior to the issuance of any*

building permit for the land in relation to which the use is permitted. The Housing Agreement shall include, but not be limited to:

- i) Establish maximum number of residents per dwelling unit as per BC Building Code Standards
- ii) An exit plan for residents who are evicted or who complete the program must be filed with the City. The exit plan shall include the proviso for those clients that are evicted, funding provided by the province to the Supportive Recovery Home will be held in trust, and the organization will provide a prorated amount at the time of departure to the client.
- iii) Adhere to municipal noise bylaw standards
- iv) Residence staff must be living on the premises 24 hours per day
- v) A current roster of all Operators, residents and staff must be maintained on site and available to the City and/or MRPD
- vi) No alcohol or illicit drugs are permitted on the premises
- vii) Property owner approval of the facility
- viii) Neighbourhood Consultation Meetings
 - A. Neighbourhood meetings are required for each new home
 - B. Notification of neighbours (100m radius mail out within the UAB, 500m radius mail out outside of the UAB at the Operator's expense)
- ix) Property and Housing Standards
 - A. Property maintenance and parking standards must be met
 - B. Annual fire inspections shall be performed
 - C. Annual building inspections shall be performed
 - D. Shall have no exterior signage

Section 601 (A)

Supportive Recovery, Transitional Housing and Assisted Living Uses will be added to this section and will be allowed in all lots zoned 557m² (RS-1b) or greater.

Other Amendments

- Amendments to other sections of the zoning bylaw, including Institutional to clarify when rezoning will be required.
- Amendments to the Business Licensing and Regulation Bylaw and other may be required.