



Legislation Text

File #: AR-17-319, **Version:** 1

TAMRMS#: B06

Report on "Group Homes"

Presented by: Kathleen Short, Architectural Development Officer II

RECOMMENDATION(S)

1. That the report "Report on Group Homes, July 2017", provided as an attachment to the July 10 agenda report entitled "Report on 'Group Homes'", be received as information.
2. That Council direct Administration to conduct a full review of the Land Use Bylaw as it pertains to Supportive Housing (Group Homes) and bring forward amendments to Land Use Bylaw 9/2005 by the end of Q2 2018 to better define, improve, categorize, and provide provisions for Supportive Housing (Group Homes) use types based on best practices, and provincial regulations.
3. That the following motion be rescinded:

CM-16-179

"That Administration propose for Council's consideration by August 31, 2017 all related Bylaw and Policy amendments that would result in creating a group home category that is a permitted use".

PURPOSE OF REPORT

The purpose of this Report is to respond to a Council Motion approved on December 5, 2016 directing Administration to provide a report regarding changing the group home category from discretionary to permitted prior to bringing the bylaw and policy amendments to Council.

COUNCIL DIRECTION

On December 5, 2016 the following motions were passed:

CM-16-179

"That Administration propose for Council's consideration by August 31, 2017 all related Bylaw and Policy amendments that would result in creating a group home category that is a permitted use".

Council also passed the following motion on December 5, 2016:

"That a report is brought to council for review regarding changing "group home category" from discretionary to permitted use in the LUB is brought forward prior to the bylaw and policy amendments on this topic are brought to council."

BACKGROUND AND DISCUSSION

As noted in the Purpose section of this Agenda Report, Administration has been asked to provide a report on changing Group Homes from discretionary to permitted uses in the Land Use Bylaw (LUB).

Administration has provided the attached report titled “*Report on Group Homes, July 2017*” for Council’s review.

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

None at this time.

IMPLICATIONS OF RECOMMENDATION(S)

If Council accepts Administration’s recommendation:

Advantages:

- Administration has already developed proposed amendments regarding the definition of supportive living facilities (group homes) and associated uses, and treatment centres within the forthcoming amendments to the LUB for Residential Districts.
- Allows a more thorough review of the scope of supportive housing use types and compliance with existing provincial legislation for inclusion in the Land Use Bylaw.
- Will help to create clear definitions for each category and appropriate regulations for each type developed.
- Provides for greater clarity for the public on what congregate living options would be permitted or discretionary in a given land use district.
- Would provide greater assurance that housing options are compatible with the residential character of their neighborhoods.
- Allows for better alignment with Federal, Provincial, and Municipal directives for inclusion of all persons in residential districts.
-

Challenges:

- Due to the limited number of remaining Council meetings, circulation timelines, Agenda Report timelines, and advertising requirements, a full review could not be accommodated prior to the election.
- Would require additional staff time/resources to conduct the research and draft amendments.

Financial:

None at this time.

Legal / Risk:

Any proposed Bylaw amendment requires a public hearing in accordance with Section 230 of the MGA. Further, the public hearing must be advertised in accordance with Section 606 of the MGA.

Program or Service:

None at this time.

Organizational:

None at this time.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

1. Receive the report as information and take no action at this time. This would leave the current LUB categories, definitions and regulations as they exist in LUB 9/2005.

Advantages:

- No staff resources required for consultation and LUB amendments.

Challenges:

- Perception that the City did not address the concerns raised by applicants with regard to discrimination.
- Adjacent property owners continue to bring forward appeals against the issuance of the permit based on assumptions and the perceived connotation of the words "Group Home".
- Notification will continue to be a part of the process of issuing Group Home permits

2. Receive the report as information and direct Administration to proceed with CM-16-079, returning to Council on August 28, 2017 for a public hearing to bring forward amendments to the Land Use Bylaw to move Group Homes from a discretionary use to a permitted use.

Advantages:

- Limited staff resources required for a simple text amendment.

Challenges:

- Notification upon approval is no longer part of the process.
- Could be seen as a perceived lack of transparency by the City.
- Does not address the out of date aspect of the LUB, other common concerns and misconceptions around the topic of Group Homes.

STRATEGIC CONNECTIONS

Municipal Plans and Policies

1. City of St. Albert Strategic Plan (Policy C-CG-02)

Advocate for people with disabilities and ensure City services and facilities are fully accessible to the community.

2. Pillars of Sustainability

Social

- We are inclusive; we embrace, respect and support people of all ages, cultures and backgrounds.
- We believe in the strength of our neighbourhoods, ensuring that there is a diverse range of housing and transportation options available to all.

Economic

- We want people to live all parts of their lives in St. Albert, fostering opportunities to work, shop and play here.

3. St. Albert Community Vision

Social - We are a friendly and inclusive community of passionate equals, where everyone feels a sense of belonging. We believe that community starts with the person next door.

4. Municipal Development Plan

St. Albert is an inclusive family-oriented community that values its nature, culture, historical and recreational amenities.

Outlines the need to provide activities and facilities that meet the diverse, multi-generational needs of the community.

5. Social Master Plan

“St. Albert is a community where accessibility for all is ensured”.

Legislation

The *Alberta Human Rights Act* RSA 2000 c.A-25.5 indicates as follows:

4. No person shall

(a) deny to any person or class of persons any goods, services, accommodation or facilities that are customarily available to the public, or

(b) discriminate against any person or class of persons with respect to any goods, services, accommodation or facilities that are customarily available to the public,

because of the race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, ancestry, place of origin, marital status, source of income, family status or sexual orientation of that person or class of persons or of any other person or class of persons.

Report Date: July 10, 2017

Author(s): Kathleen Short

Committee/Department: Infrastructure and Development Services

General Manager: Glenn Tompolski

City Manager: Kevin Scoble