

MINUTES of a Regular Meeting of the **MUNICIPAL PLANNING COMMISSION (MPC)** held on Tuesday, August 4, 2020 at 3:00 p.m. with the following in attendance:

CHAIRMAN:	B. Crowson	Councillor
MEMBERS:	R. Miyashiro	Councillor
	K. Baird	Member at Large
	M. Elemans	Member at Large
	K. Fleckenstein	Member at Large
	P. Tessier	Member at Large
OTHERS:	M. Gaehring	Secretary to the Commission
	A. Olsen	Senior Development Officer
	W. Smith	Recording Secretary
ABSENT:	J. Mauro	Councillor
	A. Tuveson	Member at Large

M. ELEMANS:

THAT the agenda of the meeting of the Municipal Planning Commission (MPC) held on August 4, 2020 be approved as presented/amended.

-----CARRIED

K. BAIRD:

THAT the minutes of the meeting of the Municipal Planning Commission (MPC) held on July 21, 2020 be approved.

-----CARRIED

DEVELOPMENT APPLICATIONS:

DEV12184, Corick Holding Ltd., 505 & 507 15 Street South, propose to establish a group home with a maximum of 10 clients and two staff members at one time. Land Use District is R-L Low Density Residential District.

Development Officer's Presentation:

Angie Olsen, Senior Development Officer outlined the following information:

- Application received June 23, 2020 to establish a group home for six (6) residents and one to two staff members for 507 15 Street South
- Contacted applicants regarding a contingency plan that was submitted and was not adequate and lacking required information. Applicant have since provided a revised neighbourhood communication plan, which describes the operations and provides contact information for neighbours, if issues occur
- Inquired about intention for other half of duplex at 505 15 Street South. Informed applicants if they were thinking of a group home also they would not be able to exceed a maximum of 10 clients in the entire building
- Revised application received June 29, 2020 for a maximum of 10 clients and two staff members to occupy entire building
- There would be five (5) clients occupying each half of the two unit dwelling
- Group Homes are typically brought before MPC

- Group Home means using a dwelling for a residential care facility with support care for 4 to 10 persons who require supervised group living arrangements. This includes seniors' group homes and may incorporate accommodation for resident staff
- Visiting professionals are not considered staff
- Outdoor amenity space is limited and does not include grass. It was suggested that removal of driveway at 507 and be replaced with grass to allow for green space
- Will have no significant change to traffic patterns due to group home
- Lane is wide enough to handle an Access-A-Ride bus
- Transportation stated Access-A-Ride would pick up in front of property
- Development requires four off street parking stalls, two of which to be located on the front driveway in front of 505 15 Street South and two in the detached garage
- Visitor parking would be at the discretion of the Development Authority
- There are no other approved group homes within 100m radius
- This application meets the requirements of Land Use Bylaw 5700
- Neighbourhood letters sent to property owners within 100m radius on June 30, 2020 notifying neighbours of the proposed development. Another Neighbourhood letter was sent on July 15, 2020 notifying them that the application would be brought before MPC. To date, we have received 17 letters of opposition and in support. Several calls received inquiring about who the clients are and questions in regards to the two unit dwelling building permit.
- In conclusion this application is put forward for MPC's decision based on information provided and recommendation given by Development Officer

Applicant's Presentation:

Corry Thomas, Owner, Corick Holding Ltd, and Akasi Appiah, Executive Director of Futures Unlimited advised as follows:

Corry Thomas:

- Chose to curve driveway and reduce parking to one stall at 507 15 Street South to keep the large tree in front of property
- Large trees in neighbourhood add to the beautification of area

Akasi Appiah

- Group Home will be a Foster Home
- 10 year old child needs more help, structure and routine
- Children/Clients are not drug addicted or have mental illness'
- Children/Clients residing at this home would be children taken away from their homes and are now wards of the government
- No drugs or alcohol allowed at foster home
- Want to help these children, not make their lives worse
- Children/clients information is kept confidential and no visitors are allowed

Other Presentations:

Rob Ursel, 1421 5 Avenue South

- Poor communication of development throughout construction
- Deception of development
- Needed to advocate much earlier
- Not a good spot for these type of children with schools being is such close proximity
- Home can be/will be disruptive by police and ambulance
- Believe there are better locations within the City of Lethbridge

Rhoda Davis, 1421 5 Avenue South

- No information was shared with the neighborhood concerning the Foster Group Home application

- When funds are received from the government this makes this group home a business and not a Not For Profit

Craig Albrecht, 538 16 Street South

- Concerned with the usage of the home and clientele living at property
- No restrictions in place with development
- Nothing in writing to stop changes in types of clients living there
- Very difficult to enter street from alley during construction, many times no way out
- Handi-Bus would have difficulty getting around in alley
- Extensive traffic on street when school is in, pedestrian and vehicle
- Pedestrian would be put at risk when vehicles are backing out of driveway
- Toured home and questioned the recreation uses in garage in back yard
- Understand that Akasi would be moving children from other group homes to this residence

Guy Simon, 503 15 Street South

- Have lived in neighbourhood for 30 years
- Have raised family and plan to retire in area
- Presently there are three generations living in our home
- Development does not fit into neighbourhood
- Fear safety for all
- Understand alarms will be activated when clients are missing which could be 24/7
- Extensive traffic on street when school is in, pedestrian and vehicle
- Question using the garage for recreational purposes
- Parking overflow will be in front of my residence
- Feel there is too much variance in ages of children in home
- One staff member for five children – too many children
- Have doubts that whole facility is safe
- Neighbourhood needs some guaranteed safety

Bob Coleman, 503 14 Street South

- Why is application different than the original intention
- Clearly deception
- Neighbourhood received mixed information
- Understand that all individuals need a place to live
- Applicant was not up front with us
- Now we really know the intended use of this property
- Applicant assured there would be no worries/issues with the group home
- Could license suddenly change status after being established
- Neighbourhood needs guarantee that the intended use does not change
- Nature of license states only children under 18 years of age
- Residents of group home required to go to school
- Would there be zero tolerance
- Qualified staff members at the home

Rob Rorrick, 1512 15 Avenue South

- Submitted letter with concerns
- Also own property at 837 15 Street South which is located by group home
- Concerned with visitors
- Business is not welcome in neighbourhood
- Property needs to stay as a residential home
- Design of home would never have received approval in the past

Brent Peterson, 1402 5 Avenue South

- Future of property status when new people take over group home
- Recently purchased in neighbourhood and starting family

- Feel home values will be affected by this group home
- Feels that commission members would not allow in their neighbourhood

Tamara Nelson, 503 14 Street South

- Very disappointed with the lack of information provided
- Originally advised this property would be a duplex now it is a business
- Many bodies at one residence
- Have acquaintances that live near a group home, status changed overnight with no information shared of changes
- Will we be protected as a community

Perry Shockey, 513 14 Street South

- Group home location should not be located beside an alley, should be more mid-block
- Alley is not safe for residents
- Residents be handicapped or disabled
- Original communication neighbourhood was told a duplex was being built
- Architectural control approval
- Concerned and skeptical with information be passed on
- Would applicant build this type of home beside them

Patrick Carroll, 1412 5 Avenue South

- Development process was not followed properly from beginning
- Received no letters or communication
- Believe this is a commercial business which should not be in residential neighbourhood
- Increase traffic as there would many trips to and from residence
- Two staff members for ten children does not seem enough
- Applicant stated the children will not be seen, where will they be
- Group home not suitable in this neighbourhood

Henriette Plas, 1505 4 Avenue South

- Neighbours have spoken very clearly to opposition
- No process from beginning of development
- Lots of transparency from a building stand point from beginning
- Duplex does not fit into the architectural control of neighbourhood
- Poor structure for accessibility of the youth

Megan Cummins, 526 16 Street South

- Submitted letter with concerns
- Need to know the type of clientele
- Needs to be strict regulations in case of change of clientele
- Reinforcement of number of residents on a regular basis
- Suggested an Impact Study be done to show positive and negatives of group home
- Huge impact on neighbourhood
- Concerned with safety of neighbourhood and residents
- Do not believe this type of residence is best for the group home residents

There was no response to the Chairman's three calls for anyone else wishing to speak.

Questions:

Ms. Olsen, Mr. Thomas and Ms. Appiah responded to questions regarding:

- Original plan was to cut boulevard tree down to build driveway
- Approval needed to cut down boulevard tree
- Explanation of ASCL
- Number of children has changed from 6 to 10

- Futures Unlimited is a business or a Not For Profit organization
- Neighbourhood Communication Plan have stats to show number of complaints
- Futures Unlimited website states cultural teachings
- Futures Unlimited allowed to access elders for teaching
- Safety of children not a concern when contacting outside assistance
- Children will attend nearby schools
- Reasonable to situate a group home in such close proximity to schools
- Day in the life of a resident
- Police called if children go “absent without authorized leave” (AWAL)
- Property originally received approval
- Error was noted original development permit process
- Why would development be approved when building does not match community
- Any requirements residents need to know before development is built
- Duplex originally designed/built for group home
- Clarification of original residence plan
- Original development had no issues about building from neighbourhood
- Who owns property now
- Using garage as recreational takes away staff parking
- Explanation of type of resident that would be living in home
- Written agreement with Child Family Services
- Is this the first foster home of this type to open
- Concerned that clientele type could change
- Requested to put in restrictions in the decision
- Are there any unofficial group homes in area
- Maximum number of residents for duplex if not a group home
- Specific example of resident behavior
- When would neighbours call the emergency number
- How would call be resolved
- Pets allowed in home
- Group Therapy animals used

The following motion was presented:

P. TESSIER:

THAT Development Application DEV12184 be **REFUSED** with the following conditions:

1. That the application will unduly interfere with the amenities of the neighbourhood. The neighbourhood communication plan was not adequate did not address the concerns raised by residents.

-----**CARRIED**

DEV12185, Corick Holding Ltd., 1509 Lakeshore Road South, propose to establish a group home with a maximum of eight (8) clients and two staff members at one time. Land Use District is R-L Low Density Residential District.

Development Officer’s Presentation:

Angie Olsen, Senior Development Officer outlined the following information:

- Application received June 23, 2020 to establish a group home for a maximum of eight (8) clients and two staff members

- Contacted applicants regarding a contingency plan that was submitted and was not adequate and lacking required information. Applicant have since provided a revised neighbourhood communication plan, which describes the operations and provides contact information for neighbours, if issues occur
- Group Homes are typically brought before MPC
- Group Home means using a dwelling for a residential care facility with support care for 4 to 10 persons who require supervised group living arrangements. This includes seniors' group homes and may incorporate accommodation for resident staff
- Visiting professionals are not considered staff
- 1995 to mid-2000's, this property had approval for a group home for six clients and two staff. 1997, an expansion was approved for additional clients and staff, which brought the total clients to nine and three staff. 2007 expansion was again approved bringing total up to 10 clients and three staff. First application was heard by MPC, second application went to MPC and SDAB and third application was approved by the Development Officer
- Will have no significant change to traffic patterns due to group home
- There are no other approved group homes within 100m radius
- Development requires two off street parking stalls, three parking stalls will be located on the front driveway
- Visitor parking would be at the discretion of the Development Authority
- This application meets the requirements of Land Use Bylaw 5700
- Neighbourhood letters sent to property owners within 100m radius on June 29, 2020 notifying neighbours of the proposed development. Another Neighbourhood letter was sent on July 15, 2020 notifying them that the application would be brought before the MPC meeting. To date, we have received eight letters of opposition. Several calls received inquiring about who the group home occupants would be and concerns around parking in the area
- In conclusion this application is put forward for MPC's decision based on information provided and recommendation given by Development Officer

Applicant's Presentation:

Corry Thomas, Owner, Corick Holding Ltd, and Akasi Appiah, Executive Director of Futures Unlimited advised as follows:

Corry Thomas:

- Owned property for 14 years
- Original group home for assisted living clients closed in 2013
- Lived in home personally after closure of group home
- Redoing home for the purpose of a group home

Akasi Appiah

- Will lease property with the intention of using as a group home

Other Presentations:

Cheryl Fujikawa, 1523 Lakeshore Road South

- Traffic is a big issue and cannot be dismissed
- Traffic congestion around address is a daily event
- Extensive traffic on street when school is in, park across the street and Spring/Summer Baseball Diamonds
- Pedestrian safety with many near misses
- Neighbourhood is rental upon rental from corner westward, with subject being one
- Needs to be accumulative plans in place for management issues and maintenance
- Many neighbours are very concerned also
- No communication or details shared with neighbourhood regarding group home
- Who will live at the group home
- Not a good location for group home with schools being in such close proximity

- Previous group home lacked supervision as many times I guided distraught clients back to where they belonged
- Many children and elderly use the nearby crosswalk
- Received no information from Futures Unlimited to provide proper feedback on this group home

James Fujikawa, 1523 Lakeshore Road South

- Must emphasize that just because there are only two residents present, there is much concern in neighbourhood
- When going door to door found lots of disagreement with developments
- Traffic issues has large impact on neighbourhood and a big concern
- Demographic of neighbourhood must be taken into consideration
- Consideration needs to be taken with site location of group home

There was no response to the Chairman's three calls for anyone else wishing to speak.

Questions:

Ms. Olsen, Mr. Thomas and Ms. Appiah responded to questions regarding:

- Use of building prior to 2016
- What was purchased in 2016
- Clients moved out of original group home and address lost status of group home
- Who will be living at this address
- Will they be children between the ages of 12 and 17
- Who will be responsible for yard maintenance
- How many group homes do you operate
- Number of residents for other group homes
- Reason for applying for eight clients
- Presently is there an updated neighbourhood plan
- Why was there no communication shared with neighbours concerning group home
- Were the Fujikawa's included when speaking to neighbours

The following motion was presented:

K. FLECKENSTEIN:

THAT Development Application DEV12185 be **APPROVED** with the following conditions:

1. That this group home be approved for a maximum of 6 clients in the entire building.
2. That this group home be approved for a maximum of two scheduled staff to be present at one time.
3. That a minimum of three off-street parking spaces to be provided and maintained for this use.
4. The applicant/provider must obtain and maintain any relevant provincial licenses and/or approvals.

-----DEFEATED

**IN FAVOR: R. MIYASHIRO
 K. BAIRD
 K. FLECKENSTEIN**

**OPPOSED: B. CROWSON
 M. ELEMANS
 P. TESSIER**

THIS DECISION WAS DEFEATED BASED ON A TIE VOTE.

REASONS FOR REFUSAL ARE AS FOLLOWS:

B. CROWSON

- Lack of information for the neighbourhood and the uncertainty that resulted
- Because of this lack of information this affected how I perceived the impact on the community which I believe will be negative and unduly affect the neighbours
- Communication Plan appears ineffective as neighbouring communication was not well done
- Uncertainties about management of group home and how it will be operated

MORGAN ELEMANS

- I found that the applicants were uninformed towards their planning on the property. Their lack of community engagement and lack of knowledge towards the type of residents in the house swayed my decision and as such, decided to refuse this application.

PAUL TESSIER

- I voted NO on the motion to approve DEV12185 as the applicants proposal as presented did not convince me that there would be no unduly impacts on the neighbourhood and community. Further, the applicant obfuscated the intended use of the proposed facility, and did not provide any evidence of Governance/Corporate Structure/Due Diligence or provided any feedback with regards to addressing community complaints. The applicant did not provide any evidence of a history of support or proper communication with residents surrounding the existing, un-regulated facilities.

R. MIYASHIRO:

THAT this meeting of the Municipal Planning Commission be adjourned.

-----**CARRIED**

CHAIRMAN

SECRETARY