

AGENDA FOR THE REGULAR FINANCE / POLICY COMMITTEE OF THE WHOLE MEETING  
TO BE HELD IN THE BOARD ROOM, CITY HALL,  
ON MONDAY, 2008-OCT-06, COMMENCING AT 4:30 P.M.

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1. CALL THE REGULAR FINANCE / POLICY COMMITTEE OF THE WHOLE MEETING TO ORDER:

2. INTRODUCTION OF LATE ITEMS:

3. ADOPTION OF AGENDA:

4. ADOPTION OF MINUTES:

- (a) Minutes of the Regular Finance / Policy Committee of the Whole Meeting held in the Board Room, City Hall, on Monday, 2008-SEP-15 at 4:30 p.m.

Pg. 3-4

5. PRESENTATIONS:

6. DELEGATIONS PERTAINING TO AGENDA ITEMS: (10 MINUTES)

7. COMMISSION REPORTS:

8. COMMITTEE REPORTS:

9. STAFF REPORTS: *(blue)*

DEVELOPMENT SERVICES:

- (a) Z1-14 Rooming Houses

Pg. 5-9

Staff's Recommendations: That Council:

1. *permit rooming houses with up to ten rooms within select zones (as outlined in the report);*

AND:

2. *permit rooming houses with greater than ten rooms within select zones (as outlined in the report), subject to a Housing Agreement.*

COMMUNITY SERVICES:

(b) Unserviced Sewer Areas Outside Sewer Benefiting Area

Pg. 10-12

Staff's Recommendation: That Council approve the Green Lake Area as the priority sanitary sewer project for a Federal / Provincial cost sharing application.

(c) Green Lake Sewer

Pg. 13-15

Staff's Recommendations: That Council:

1. authorize the installation of a Low Pressure Sanitary Sewer System for the Green Lake Area, subject to Federal / Provincial grant funding;

AND:

2. include in the next application for grant funding, an allowance of \$7,500 per parcel to assist qualifying households with the installation of an effluent pump and associated works on their property.

10. **INFORMATION ONLY ITEMS:**

11. **CORRESPONDENCE:**

12. **NOTICE OF MOTION:**

13. **OTHER BUSINESS:**

14. **DELEGATIONS PERTAINING TO ITEMS NOT ON THE AGENDA:  
(10 MINUTES)**

15. **QUESTION PERIOD: (Agenda Items Only)**

16. **ADJOURNMENT:**

MINUTES OF THE REGULAR FINANCE / POLICY COMMITTEE OF THE WHOLE MEETING  
HELD IN THE BOARD ROOM, CITY HALL,  
ON MONDAY, 2008-SEP-15 COMMENCING AT 4:30 P.M.

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PRESENT: Councillor J. D. Cameron, Chair

Members: Mayor G. R. Korpan  
Councillor W. L. Bestwick  
Councillor M. D. Brennan  
Councillor J. D. Cameron  
Councillor L. D. McNabb  
Councillor C. S. Manhas  
Councillor L. J. Sherry  
Councillor M. W. Unger

Absent: Councillor W. J. Holdom

Staff: G. D. Berry, City Manager  
A. C. Kenning, Deputy City Manager  
A. W. Laidlaw, General Manager of Community Services  
E. C. Swabey, General Manager of Development Services  
I. Howat, Director of Legislative Services  
B. E. Clemens, Director of Finance  
T. M. Hickey, Director of Engineering and Public Works  
T. P. Seward, Director of Permits and Properties  
A. J. Tucker, Director of Planning and Development  
S. Graham, Manager, Financial Planning & Payroll  
B. Sims, Manager, Water Resources  
J. E. Harrison, Manager of Legislative Services  
L. Dennis, Recording Secretary

1. CALL THE OPEN MEETING TO ORDER:

The Regular Finance / Policy Committee of the Whole Meeting was called to order at 4:31 p.m.

2. ADOPTION OF AGENDA:

It was moved and seconded that the Agenda be adopted. The motion carried unanimously.

3. ADOPTION OF MINUTES:

It was moved and seconded that Minutes of the Regular Finance / Policy Committee of the Whole Meeting held in the Board Room, City Hall on Monday, 2008-AUG-25 at 4:30 p.m. be adopted as circulated. The motion carried unanimously.

4. STAFF REPORTS:

DEVELOPMENT SERVICES:

(a) Scheduling of Public Hearings

It was moved and seconded that Council cancel the Public Hearings originally scheduled for 2008-OCT-02 and 2008-NOV-06 and schedule a Special Public Hearing for 2008-OCT-16 in their place. The motion carried unanimously.

COMMUNITY SERVICES:

(b) Water Conservation Strategy

It was moved and seconded that Council adopt the Water Conservation Strategy. The motion carried unanimously.

5. PROCEDURAL MOTION:

It was moved and seconded that the following meeting be closed in order to deal with the following matters under the *Community Charter* Section 90(1):

- (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.

The motion carried unanimously.

6. ADJOURNMENT

It was moved and seconded at 4:51 p.m. that the meeting terminate. The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:

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DIRECTOR,  
LEGISLATIVE SERVICES

# STAFF REPORT

TO: A. TUCKER, DIRECTOR, PLANNING AND DEVELOPMENT, DSD

FROM: D. LINDSAY, MANAGER, PLANNING DIVISION, DSD

RE: Z1-14 – ROOMING HOUSES

☐ Council  
☒ Committee e1 PCDW  
☒ Open Meeting  
☐ In-Camera Meeting  
 Meeting Date: 2008-OCT-06

## STAFF'S RECOMMENDATION:

That Council direct Staff to prepare the necessary amendments to the Zoning Bylaw in order to:

- A) permit rooming houses with up to 10 rooms within select zones (as outlined in the report); and
- B) permit rooming houses with greater than 10 rooms within select zones (as outlined in the report), subject to a Housing Agreement.

## EXECUTIVE SUMMARY:

A number of rooming houses currently exist in the community. While this form of housing is likely the cheapest form of rental accommodation, it is not formally recognized nor permitted by the City's Zoning Bylaw.

As existing rooming houses are not permitted, building permits cannot be issued for upgrades which, in many cases, leaves no option other than to seek removal.

In recognition of this unique housing form, the current shortage of rental housing in the community, and in response to Council's housing initiatives, Staff recommend that Council amend the Zoning Bylaw in order to permit and regulate rooming houses.

## BACKGROUND:

### ***What is a Rooming House?***

A rooming house is a residential building in which renters occupy single rooms and typically share common areas, including kitchens and baths. Most rooming houses in Nanaimo are found in neighbourhoods in close proximity to the City's core. Rooming houses are usually the cheapest form of rental accommodation and are an essential form of housing for low-income individuals.

In Nanaimo, rooming houses are considered as any residential building where more than five tenants share a dwelling. The Zoning Bylaw permits up to five unrelated persons within a dwelling unit. As such, the renting of rooms to five persons, or less, is permitted in all residential zones.

The City does not have an accurate total on the number of rooming houses in the community. Based on existing inspections, Staff is aware of approximately 20 facilities that may be classed as rooming houses (greater than five unrelated persons) and estimate the number could exceed 100.

### **Existing Regulations**

At present, the Zoning Bylaw does not include a definition of "Rooming House" nor does it include it as a permitted use within any zone. The existing definition of "Single Family Dwelling" is:

*"...a building consisting of one dwelling unit used, or intended to be used, for the residents of one family..."*

The existing definition of Family is:

*"One or more individuals occupying a dwelling who are related through marriage or common-law, blood relationship, legal adoption or legal guardianship, or residents of a licensed group home or a group of not more than five unrelated persons, including servants, boarders and lodgers".*

Based on this definition, rooming houses with five tenants or less are permitted in all zones that allow for single family dwellings.

Given the current regulatory framework, there are no options when a rooming house with greater than five individuals is identified, other than proceeding with removal or conversion back to a single family dwelling.

Nanaimo's experience with respect to rooming houses is not unlike any other community; at one time rooming houses were seen as a common form of housing in growing Canadian communities, used by immigrants and working-class tenants in the early to middle of the last century. Some of these early rooming houses likely still exist in and around the downtown core. As there, historically, was no consistent method to track or license these facilities, it becomes difficult at best to identify facilities that could likely be deemed "legal non-conforming", with respect to current zoning.

### **Why are Changes Needed?**

Following adoption of Council policy 2008-JAN-14 regarding inspection of residential and public buildings, the Fire Department, operating under the Fire Services Act, is moving forward with the inspection of rooming houses. As the Fire Inspectors, with the assistance of the Building Department, visit the premises they have typically identified upgrades in order to address life-safety issues. Where the facilities were deemed to be apartments (self-contained units including a kitchen) and the Zoning Bylaw permits multiple family uses, building permits are issued in order to upgrade the building. However, when the inspectors have identified rooming houses with more than five unrelated individuals living in single rooms with common areas for kitchen and bath, there is not presently the ability to issue building permits, as the use is not permitted by the Zoning Bylaw. The only option available is to convert the rooming house to a single family dwelling (five or less unrelated persons).

### **Official Community Plan (OCP) and Nanaimo's Housing Strategy**

Section 3.2 of the OCP includes policies with respect to the development and preservation of affordable housing within the community. The policies include specific reference to rooming houses as a method to address the objectives of affordable housing. Policy 3.2.15 "encourage rooming houses in existing single family dwellings and / or purpose-built facilities throughout the City. The homes or purpose-built facilities must be in keeping with the character of the area, comply with building code regulations and should be equitably distributed throughout neighbourhoods."

"Nanaimo's Response to Homelessness, June 2008", proposes a comprehensive housing-first approach and identifies a number of policies and regulatory actions to address affordable housing, including "facilitating the retention of rooming houses".

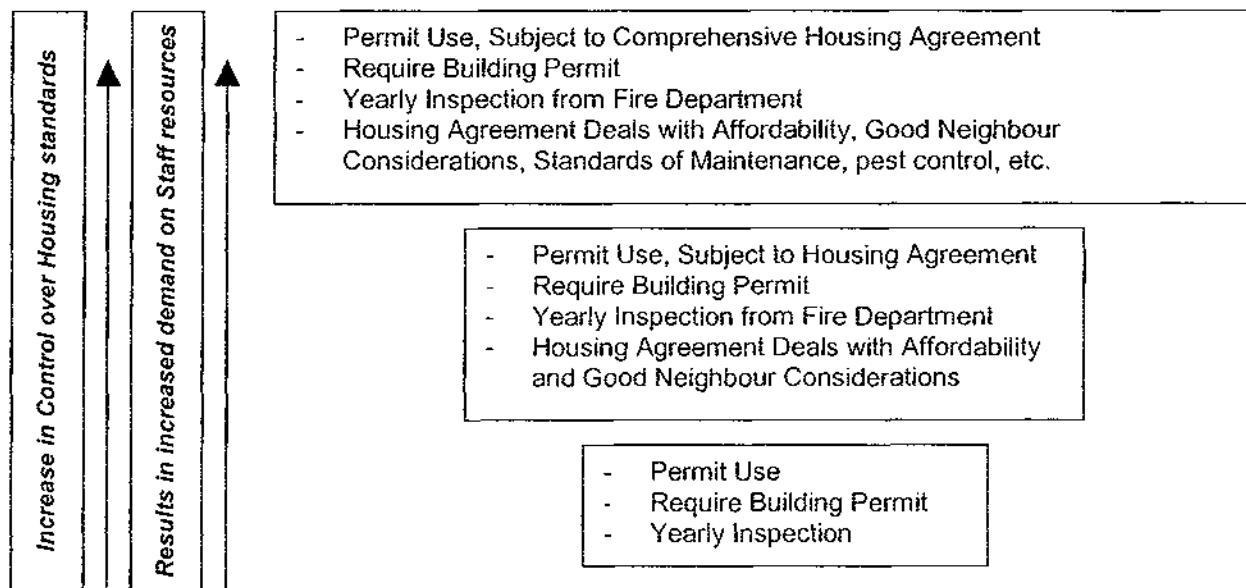
### **Options**

As with any issue, maintaining status quo is always an option however, given the current issues surrounding affordable housing and the priority identified through the OCP and Housing First Strategy, Staff does not believe maintaining status quo is a real option. Before deciding on an approach to rooming houses, Staff believe Council needs to consider two issues:

1. What role should the local government have in the on-going monitoring and operation of rooming houses?
2. Should legalization occur through site-specific applications or should the use be allowed as-of-right in certain zones?

### **Role of Local Government**

Regardless of how Council approaches the legalization of rooming houses, the end result will include, at minimum, yearly, on-going inspections through the Fire Department. At the other end of the spectrum, Council could take a more active role through the adoption of Housing Agreements and address issues such as affordability and standards of maintenance. Of course, with each additional step and regulation comes a corresponding increase in Staff involvement, which results in increased cost to the City.



As outlined in Section 905 of the Local Government Act a local government may, by bylaw, enter into a Housing Agreement with the owner of land. The agreement may include terms and conditions on items such as:

- tenure;
- availability to classes of persons;
- administration and management of units; and
- rents.

In addition to establishing rental rates, a Housing Agreement could also include maintenance standards to ensure tenants have access to maintained and safe accommodation. A sample Housing Agreement is attached (Schedule 'A'). A comprehensive Housing Agreement (including standards of maintenance) moves the Municipality much closer to assuming a role traditionally held by the Provincial Residential Tenancy Branch.

A Housing Agreement must be adopted by Council by bylaw and, as such, the use of the property as a rooming house will ultimately be subject to Council approval. Unlike rezoning applications, Housing Agreements do not require public notification or a formal public hearing. Once registered, the Housing Agreement runs with the land.

### ***Site-Specific Versus As-of-Right***

In order to move forward with amendments to the Zoning Bylaw, Staff are of the opinion that there are two principal options:

#### ***1. Site-Specific Application***

Under this option the Zoning Bylaw would be amended to include a definition for "Rooming Houses" and require owners to make application in order to rezone the property and legalize the use.

This option provides for the greatest opportunity for neighbourhood and community input as all applications would include signage and notification and would be required to proceed through the formal public hearing process. It is likely that with individual applications, Staff would recommend Housing Agreements as a condition of rezoning.

Given the cost and associated risks with rezoning applications, Staff would anticipate that few operators would proceed with this option to legalize their existing use and even fewer proposals for new rooming houses would be received. This, of course, results in displacement of existing tenants and potentially exacerbates the existing housing shortfall.

#### ***2. As-of-Right Use***

The second option identified by Staff is to amend the Zoning Bylaw in order to add the use of "Rooming Houses" and, specifically, include the use within certain zones (RM-3, RM-4, RM-5, RM-6, RM-7, RM-8, RM-9, RM-10 and RM-11 Zones). This option, if approved, would include the use as being permitted, subject to a Housing Agreement. Based on Staff's review, it appears that the majority of known rooming houses are located in or around the downtown core, on commercial, or multiple family zoned property. Existing or proposed rooming houses which are not included in one of the above noted zones would require site-specific rezoning in order to be legalized or permitted.

### ***Staffing / Budget Implications***

Regardless of the option selected, Staff believe that there will be implications for staffing and, ultimately, the budget. These initiatives (including Housing Agreements) move the City closer to the role of a housing authority and will result in City Hall receiving and responding to complaints regarding standards of maintenance of rental units (a role traditionally handled by the Province). This is a significant change to how the City does business. By requiring Housing Agreements the City assumes a role not traditionally considered to be that of local government. At this time, Staff would estimate that a minimum of 0.5 full-time employees would be required to monitor and respond to the specific issue of rooming houses.



### **Recommendations**

Given the two principal decisions (role of local government and approach to zoning), and given the multiple options under each, there are numerous approaches that could be pursued with respect to the legalization and on-going regulation of rooming houses. Staff's recommendation is an attempt at finding a balance between the issues of housing affordability, community involvement, and cost to the Municipality. Staff recommend that rooming houses to a maximum of ten rooms be permitted within all commercial, RM-3, RM-4, RM-5, RM-6, RM-7, RM-8, RM-9, RM-10 and RM-11 Zones. The units will require building permits in order to be legalized and business licensing. Yearly inspections will be completed by the Fire Department in order to ensure life-safety issues are addressed. Rooming houses which are not included in one of the above-noted zones would require site-specific rezoning in order to be legalized or permitted.

Staff also recommend that the Zoning Bylaw be amended in order to allow rooming houses which contain greater than ten rooms in the above-noted zones, subject to first obtaining a Housing Agreement.

Staff recommend that the Housing Agreement address issues of rent and administration (much like a Good Neighbour Agreement) but that it not include standard of maintenance requirements as the majority of these issues will be addressed through the Fire Department during their yearly inspections.

Respectfully submitted,

*for:*   
D. Lindsay  
Manager, Planning Division  
**Development Services Department**

  
A. Tucker  
Director, Planning & Development  
**Development Services Department**

DL/pm  
Council: 2008-SEP-29  
Z1-55/2008Sep08 Cncl Rpt Rooming Houses.doc

To: CITY MANAGER  
FORWARDED FOR CITY MANAGER'S  
REPORT TO COUNCIL

  
GENERAL MANAGER OF DEVELOPMENT SERVICES

# STAFF REPORT

REPORT TO: TOM HICKEY, DIRECTOR, ENGINEERING & PUBLIC WORKS

FROM: TOM MOSCRIP, SENIOR MANAGER, ENGINEERING

RE: UNSERVICED SEWER AREAS OUTSIDE SEWER BENEFITING AREA

## STAFF'S RECOMMENDATION:

That Council:

- Approve the Green Lake area as the priority sanitary sewer project for a Federal/Provincial cost sharing application.
- Receive this report.

## EXECUTIVE SUMMARY:

In June, Council directed staff to determine the cost to provide sanitary sewer service to the unserved areas inside the City and outside the sewer benefiting area. Over the last three months, staff completed a study, based on conceptual designs, that identifies unserved areas and estimates the servicing costs to the areas.

Six areas meeting criteria for the sanitary servicing review were identified:

- Green Lake
- Maki Road East
- Western Acres W
- Jingle Pot
- Stephenson Point
- Western Acres E

Areas that are located outside the revised Urban Containment Boundary or sites in which servicing costs will be borne by the developer at time of development (Sandstone, Cable Bay) were not included in the analysis.

## **Conceptual Design Construction Cost Estimates**

The cost estimate for Green Lake was completed with an earlier study. Construction cost estimates were prepared for the remaining 5 areas based on:

- Costs are only for sewage collection mains to existing parcel boundaries.
- Costs are in 2008 dollars and are based on conceptual design.

## **Unserved Sewer Areas – Cost Estimate Summary**

Areas	Cost Estimate	Hectares	Existing Lots
Green Lake	\$3,976,000	63.4	107
Stephenson Point	\$2,605,000	10.6	25
Jingle Pot	\$6,333,000	169.5	125
Western Acres W	\$2,459,000	10.9	20
Western Acres E	\$3,763,000	40.2	51
Maki Road East	\$812,000	4.8	4
<b>TOTAL</b>	<b>\$19,948,000.00</b>		

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☒ Open Meeting  
☐ In-Camera Meeting  
Meeting Date: 2008-01-06

From a health and safety perspective, the Green Lake area has existing suburban development densities and environmental impacts that make it the highest priority area for servicing.

Future development densities, environmental impacts and other issues for the other five areas will require more detailed study and design. This includes a review of land uses and downstream system capacities.

BACKGROUND:

The City of Nanaimo provides sewer collection to properties inside the sewer benefiting area.

The study area includes unserviced areas accessible by the existing road network, inside the City and outside the sewer benefiting area.

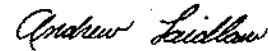
*Refer to Figure 1 attached – Unserviced Sewer Areas Location Plan.*



Tom Moserip, Sr. Manager  
Engineering

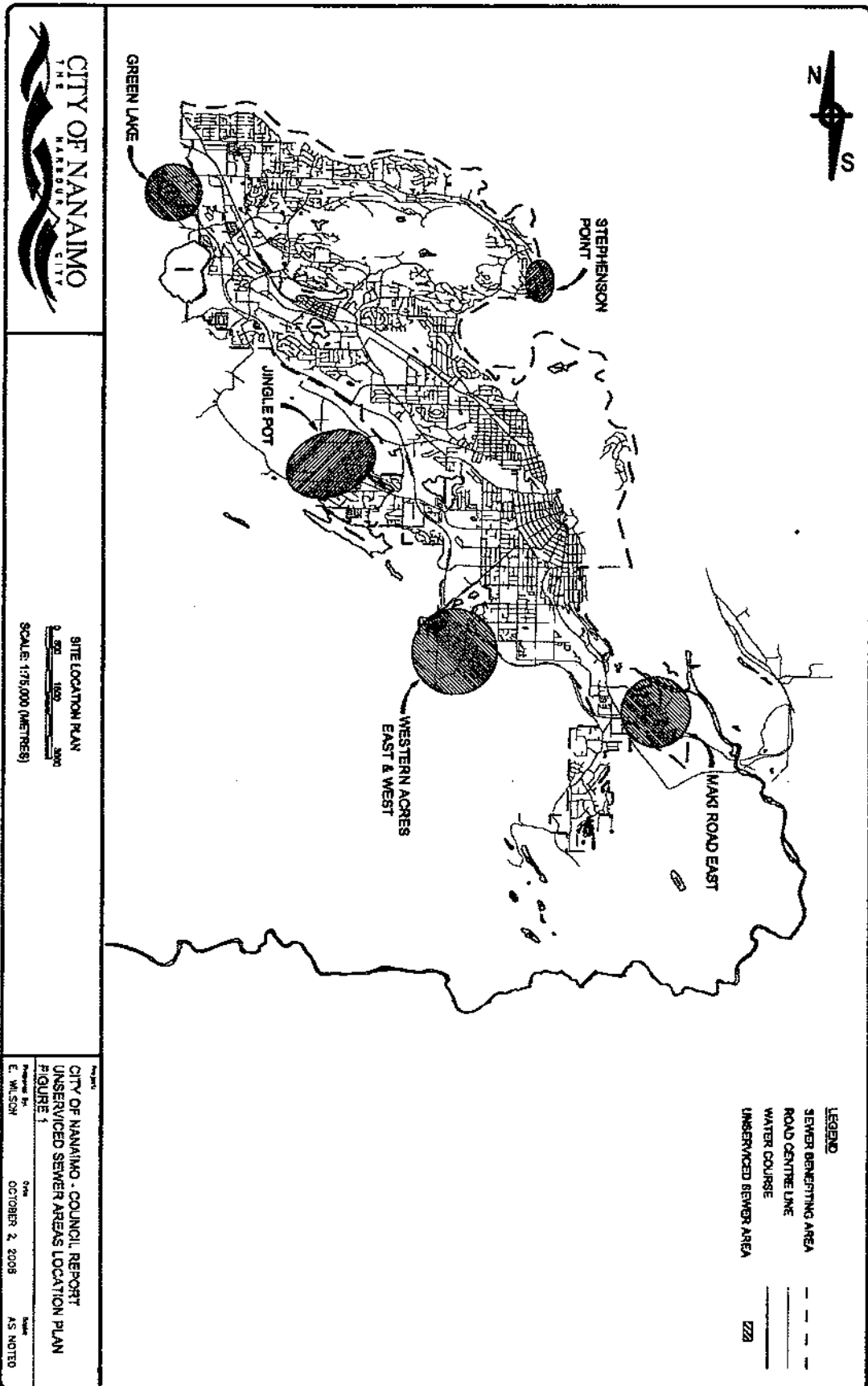


Tom Hickey, Director  
Engineering & Public Works



Andy Laidlaw, Gen. Manager  
Community Services

DF\*ju  
g:Admin/Unserviced Sewer Areas Outside SBA  
2008-Sep-29



# STAFF REPORT

REPORT TO: TOM HICKEY, DIRECTOR, ENGINEERING & PUBLIC WORKS

FROM: TOM MOSCRIP, SENIOR MANAGER, ENGINEERING

RE: GREEN LAKE SEWER

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## RECOMMENDATION:

That Council:

1. Authorize the installation of a Low Pressure Sanitary Sewer System for the Green Lake Area, subject to Federal/Provincial grant funding.
2. Include in the next application for grant funding an allowance of \$7,500 per parcel to assist qualifying households with the installation of an effluent pump and associated works on their property.

## EXECUTIVE SUMMARY:

In 2005, Council directed Staff to develop options and submit an Infrastructure Grant application to provide sanitary sewer services to approximately 107 parcels in the Green Lake area of Nanaimo. Earlier this year the Province notified the City that the most recent grant application was not successful and suggested that the City design a system that provides the best economic value to improve opportunities for future applications.

After further investigation, a Low Pressure Sanitary Sewer System is recommended. It is a simple and dependable system that has the least expensive construction and operating costs. Additionally, it has the least environmental impact during construction.

Subject to Council's direction, Staff will seek funding from future Federal/Provincial grant programs. Also an Information Open House for Green Lake residents will be held in the coming months.

## BACKGROUND:

A Low Pressure Sewer System is effective in areas like Green Lake where there are significant challenges with developing a gravity feed system. In Nanaimo, similar systems are located at Fielding Road, Protection Island and Bayshore Drive. This type of system does not utilize large City owned pump stations but requires each homeowner to own and operate a small effluent pump located on their property. All costs for the operation, repair and replacement of the pump and its appurtenances are the responsibility of the homeowner. On the Fielding Road and the Bayshore Drive projects all or the majority of installation costs on private property were paid by the City.

A Low Pressure System has been selected because:

- It has the lowest capital cost (\$3.6 million)
- It has low operating and maintenance costs.

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☐ In-Camera Meeting  
Meeting Date: 2008-05-06.

- Responses from previous grant programs have indicated a strong preference to projects using the most economic option.

In comparison, a system of forcemains and municipally owned pumps to service Green Lake is estimated to cost in the order of \$6.9 million in capital costs.

In 2001, when a similar system was installed on Fielding Road, to encourage connection, homeowners received up to \$6,000 in reimbursement to help cover the purchase and installation costs of the pump and associated onsite works. To encourage connection on the Green Lake project, it is recommended that a reimbursement to homeowners of up to \$7,500 be considered. With an allowance for inflation this will cover the cost of the pump (approx. \$3,500) plus the majority of the associated onsite installation costs for most of the 107 lots.

Reimbursement for the installation of pumps for each lot would be one time only. Lots eligible for reimbursement must:

- be legally registered as of the date of announcement of the award for grant funding,
- have a legal residence on the property,
- have a City approved operating pump connection within 365 days of substantial completion of the sanitary sewer main to which the lot is connected.

Where a legally registered lot is in existence at the time of the announcement of the grant, but where the owner subdivides the property prior to claiming reimbursement, the City will designate which newly created lot is eligible for reimbursement in consultation with the sub-divider. Only one of the lots will be eligible for reimbursement.

The capacity of the low pressure system will limit population growth in Green Lake. Design density will be 2.8 people per unit. Also, 30% of existing single family zoned parcels and future single family zoned parcels will be assumed to have secondary suites, adding 1.5 people per parcel. Design densities will be increased by four times along Green Lake Crescent, by three times along Aulds Road and by two times in all other areas.

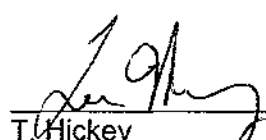
The estimated construction costs are approximately \$3.6 million. Based on previous Federal/Provincial grant funding programs, the City's share would be 1/3 of that or approximately \$1.2 million. The City's share of the project is currently allocated in the Sanitary Sewer Reserve Fund.

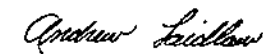
#### Lake View Crescent

Concurrent with the foregoing, staff has received a petition from ten households on Lake View Crescent requesting the City of Nanaimo enter into a cost sharing agreement with them to construct sanitary sewer services to their properties. Lake View Crescent is a part of the Green Lake Study area. A report regarding this petition is being prepared and will be submitted to Council at an upcoming meeting.

Respectfully submitted,

  
T. Moscrip  
Senior Manager, Engineering

  
T. Hickey  
Director, Engineering & Public Works

  
A.W. Laidlaw  
General Manager,  
Community Services

TK/jw/sp  
g:Admin/Green Lake Sewer  
File: 5340.07.02/5260.20.35/5245.20.421

# **GREEN LAKE LOW PRESSURE SANITARY SYSTEM**

