

Report to Council



Date: October 30, 2012
File: 0505-35-00
To: City Manager
From: Theresa Eichler, Community Planning Manager
Subject: Housing Agreements for Minor Group Living Homes - Cadder and Caramillo

Recommendation:

THAT Council, receives, for information, the report from the Community Planning Manager dated October 30, 2012 with respect to repealing Housing Agreement Bylaws No. 8802 and 8891;

AND THAT Bylaw No. 10777 being the Repealing Bylaw for Housing Agreements Bylaws No. 8802 and 8891 be forwarded for reading consideration.

Purpose:

This report is for the purpose of rescinding the housing agreements for two properties that identify group living homes. A staff report was presented at the September 10, 2012 meeting and the following was the last clause in the corresponding Council resolution, as reflected in Service Request 237680:

AND FURTHER THAT Council directs staff to forward for future Council consideration a report rescinding Bylaw No 8802, being "Housing Agreement Authorization Bylaw - Provincial Rental Housing Corporation - Caramillo Court and Bylaw No. 8891 being "Housing Agreement Authorization Bylaw - Okanagan Families Society - Cadder.

Background:

The rationale for discontinuing the two housing agreements was presented in the August 24, 2012 report to Council, as follows:

"The use of special needs housing agreements for recognizing minor group living homes appears to be superfluous. Minor group living homes¹, as land uses, are technically exempt from municipal zoning under Section 20 of the Community Care and Assisted Living Act (CCALA). Similarly, the City's housing agreement cannot restrict the use of the home more than the CCALA does. In terms of the City's ability to ensure that minor group living homes are compatible with the surrounding neighbourhood, this is limited to the regulations that provide siting, building size and height regulations. The use or restriction of the use is not within the City's control if the IHA licence has been issued and/or is still in effect for a minor group living home.

Two active special needs housing agreements are for minor group living homes. One, at 620 Cadder Ave., no longer exists and the property has been rezoned to P2 - Education and Minor Institutional to better meet the needs of the agency that occupies the house. There is a clause in the housing agreement that allows the property to be used in compliance with its zoning, but the agreement is no longer needed. The second is for a licensed group living home on Caramillo Crt."

¹ A minor group living home is a single detached house that provides licensed residential health care to no more than six residents with no more than ten people residing in the home, including staff.

A handwritten signature in black ink, appearing to be a stylized 'K' or similar mark.

Internal Circulation:

City Clerk
Director of Land Use Management
Manager, Urban Land Use

Legal/Statutory Authority:

Local Government Act Section 905

Existing Policy:

Official Community Plan

Objective 5.9 - Support the creation of affordable and safe rental, non-market and/or special needs housing.

Communications Comments:

Owners of the two properties that have agreements that are recommended for removal have been advised of the recommendation to rescind the housing agreements. The owners also would receive written notice of this action, should it go ahead. It would not affect the use or value of the properties other than to remove the notice from the property title.

Considerations not applicable to this report:

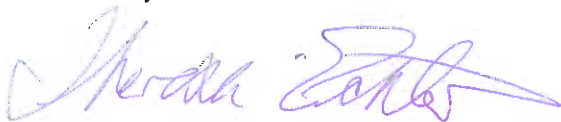
Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

Alternate Recommendation:

Submitted by:



T. Eichler, Community Planning Manager

Approved for inclusion:



S. K. Bagh, MCIP, Director of Policy and Planning

cc:

City Clerk
Director, Land Use Management
Manager, Urban Land Use