

Conservation Housing Co-op Green living in the heart of Ottawa

Housing co-operatives are democratically-run, non-profit corporations governed by the *Co-operative Corporations Act*. The primary objective of a housing co-op is the provision of housing to its members as nearly as possible at cost. Members sign occupancy agreements to not only live in the co-op but also to accept responsibilities of membership, including participation in the running of the corporation. A board of directors is elected to govern the co-op's affairs.

Constructed in 1995, the Conservation Co-op is an 84-unit "green" multi-unit building that was built to very high energy efficiency standards. It offers its members backyard garden plots, feeds electricity into the grid with rooftop solar panels, collects rain water in a cistern, has a large underground parking lot for bicycles, and its members adhere to an environmental code of practice that limits their use of toxic cleaning products and requires them to recycle and compost.

As is common in so many multi-unit buildings, residents were complaining about second-hand smoke (SHS) infiltration in their homes from neighbouring units. Complaints were not just about tobacco smoke either; the board was receiving complaints regarding marijuana and hashish smoke as well. In 2010, in response to a member's request, the board struck a SHS committee to investigate the problem and examine options. One of the first tasks the committee undertook was to survey the co-op's members to find out the extent of the problem, and to gauge support for a possible no-smoking bylaw. The survey, conducted in October 2010, showed strong support for a smoke-free co-op environment which enabled the committee to start drafting a bylaw.

To help build support for the bylaw, the SHS committee organized two information evenings—one in November of 2010 and one again in May 2012. Members from Ottawa Public Health and the Smoking and Health Action Foundation were invited to share information and to address members' concerns about prohibiting smoking at the co-op. At a general members' meeting on July 19, 2012, members of the Conservation Co-op voted 73% in favour of prohibiting all types of smoking not only inside private units, but also on balconies and on the co-op's property.

Significantly, members opted to grandfather current members for just 6 months, setting a Canadian precedent. Members felt that grandfathering current residents indefinitely was not a viable option, as it would neither solve the problem of continued exposure to SHS nor would it treat all members equally. To give people time to adjust, three outdoor designated smoking areas were created on the co-op's property for a period of 12 months. A cost-sharing arrangement for smokers interested in quitting and participating in a smoking cessation course was also established.



In terms of compliance, time will tell how members adjust to the new rules. The bylaw calls for a complaint mechanism to be instituted, whereby all member complaints must be in writing and signed. All reasonable complaints will be followed up by the board with written warnings. If the board and/or co-op office receives three or more written complaints directed at the same unit/member, this constitutes contravention of the by-law and provides grounds for the board to pursue enforcement as per section 171.8 of the *Cooperative Corporations Act*. This section sets out the mechanism for termination of membership and occupancy rights by a board majority at a board meeting.

Congratulations to the Conservation Co-op for its bold smoke-free decision that fits perfectly with its commitment to green and sustainable living. This decision not only benefits the health of co-op members, but also helps to pave the way for other housing co-ops interested in no-smoking bylaws.

For more information:

Conservation Co-operative Homes, Inc.
140 Mann Avenue,
Ottawa, ON, K1N 1E5

613.567.7281

<http://www.conscoop.ottawa.on.ca/>
cchi@bellnet.ca