

APPENDIX A

Municipal Approaches to Zoning of Boarding, Rooming and Lodging Houses

Barrie

In 2007 the City of Barrie amended its Zoning By-law to address the issue of boarding, lodging and rooming houses. Included in the amendment, along with other definitions, were the following:

BOARDING LODGING ROOMING HOUSE , “ A dwelling where:

- (1) lodging is provided for one or more tenants where at least one of the tenant occupied rooms is equipped with an external locking mechanism that prevents access to said room by other house occupants when the room is unoccupied, or,
- (2) lodging is provided for more than 4 tenants; but
- (3) Shall not include a group home, hotel , motel, hospital, children’s home, nursing establishment, rest home, home for the aged, or a bed and breakfast establishment, or other similar establishments.”

Boarding Lodging Rooming Houses are further divided into small and large categories as defined below:

BOARDING LODGING ROOM HOUSE, LARGE, “A Boarding Lodging Rooming House where lodging is provided for more than 6 tenants.”

BOARDING LODGING ROOM HOUSE, SMALL, “ A Boarding Lodging Rooming House where lodging is provided for not more than 6 tenants.”

Small Boarding Lodging Rooming Houses are permitted in all residential zones and require a distance separation of 75 metres from each other within specific low and medium density residential zones.(R1, R2, R3, R4 and RM1)

Large Boarding Lodging Rooming Houses are only permitted within certain Medium and High Density Residential Zones. (RM2, RA1 and RA2)

The Barrie amendment also defined “Dormitory” to include, “a building or portion thereof used for the temporary residential accommodation of more than 20 persons attending an institution of higher learning’, which are permitted in the RM2, RA1 and RA2 zones.

Kingston

City of Kingston Zoning By-law 8499 defines Boarding House Dwelling, Family and Rooming House as follows:

BOARDING HOUSE, “means a building or portion thereof in which rooms and meals are regularly provided for compensation to four or more persons other than the owner and members of his family, provided that this use is contained within a building erected on or before 1977, 09, 07. A boarding house shall not include a group home.”

FAMILY, “means one or more persons residing together and comprising a single domestic household, sharing all areas of a dwelling unit, exclusive of bedrooms and may include up to three roomers or boarders.”

ROOMING HOUSE, “means a building or portion thereof in which rooms are regularly provided for compensation to four or more persons other than the owner and members of the owners family provided that the use is contained with a building erected before 1977, 09, 07. A rooming house shall not include a multiple family dwelling, hotel or group home.”

Boarding houses and rooming houses are permitted in Three to Six Family Dwelling “B” Zones, Special Education and Medical Use “E” Zones and the Central Business District “C” Zone.

Kitchener

The City of Kitchener Zoning By-law 85-1 defines Lodging House and Lodging unit as follows:

LODGING HOUSE, “means a dwelling unit or part thereof containing one or more lodging units designed to accommodate four or more residents. The residents may share common areas of the dwelling other than the lodging units and do not appear to function as a household. This shall not include a group home, nursing home, hospital or any other residential care facility licenced, approved or supervised under any general or specific Act or a hotel. This shall include, but not be limited to, student residences and convents.”

LODGING UNIT, “means a room or a set of rooms located in a lodging house or other dwelling designed or intended to be used for sleeping and living accommodation, which is designed for the exclusive use of the resident or residents of the unit; is not normally accessible to persons other than the residents or residents of the unit; and may contain either a bathroom or kitchen but does not contain both for the exclusive use of the resident or residents of the unit.”

A lodging house is a permitted use in the medium and high density residential R-5 and R-6 zones and the Commercial Residential CR-1 Zone. A 400 metre separation distance is required between lodging houses

London

The City of London By-law Z-1, defines Lodging Houses into two categories

LODGING HOUSE, CLASS 1, “means a residential building which is used to provide lodging units for hire or gain directly or indirectly to three or fewer persons with or without meals. A lodging house, class 1, shall not include a nursing home, hotel, motel, hostel, group home, bed and breakfast establishment, emergency care establishment, or a residence of an educational institution.

LODGING HOUSE, CLASS 2, “means a residential building which is used to provide lodging units for hire or gain directly or indirectly to more than three persons, with or without meals. A lodging house, class 2, shall not include a nursing home, hotel, motel, hostel, group home, bed and breakfast establishment, emergency care establishment, or a residence of an educational institution.”

LODGING UNIT, “means a room with sleeping facilities, either alone or in conjunction with another room or rooms.”

It also is noted that in the London Zoning By-law Z-1, a dwelling unit shall not contain more than five bedrooms.

The London Zoning By-law permits Class 1 Lodging Houses with a maximum of three lodging units in any dwelling unit in a detached, semi-detached, duplex, triplex, fourplex, townhouse, or apartment dwelling.

Class 2 Lodging Houses are only permitted in certain medium and high density residential zones including R8,R9, R10 and R11 and certain commercial zones, including “DA”, Downtown Areas , “OR”, Office Residential and “BDC”, Business District Commercial Zones

Oshawa

The City of Oshawa Zoning By-law 60-94, defines Lodging House, Lodging Unit and Lodger as follows:

LODGING HOUSE, “means a building or a part of a building, containing three to ten lodging units, which does not appear to function as a dwelling unit, although one may be included with the lodging units. It includes, without limitation, a rooming house and a boarding house, a fraternity or sorority house. It does not include a hotel, a crisis residence, a hospital, a group home, a correctional group home, a bed and breakfast establishment nor a nursing home. A lodging house may involve shared cooking or washroom facilities. Meals may or may not be provided to residents. Common areas, such as living rooms, may or may not be provided.”

LODGING UNIT, “means one or more rooms within a lodging house used or designed to be used for sleeping accommodations. Lodging units may contain cooking or washroom facilities, but not both.”

LODGER, “means any person who pays rent, fees or other valuable consideration to a proprietor for living accommodation in which cooking or washroom facilities are shared with other persons.”

In the City of Oshawa Zoning By-law, lodging houses are permitted the R7 Residential zone, in which the only permitted use is a lodging house. Lodging houses are also permitted in the CBD Central Business District Zone.

The City of Oshawa By-law also includes a provision limiting the maximum number of bedrooms to four in any dwelling unit within a specific area identified in the Zoning By-law.

Ottawa

The City of Ottawa Zoning By-law 2008-250, defines rooming house, converted rooming house, and rooming unit as follows:

ROOMING HOUSE, “means a principal dwelling within the whole of a residential use building that contains at least four rooming units, and which may also contain dwelling units and an administration office accessory to the operation of the house.”

ROOMING HOUSE, CONVERTED, “means the whole of a residential use building or the whole or part of any other building that was converted to a rooming house.”

ROOMING UNIT, “means a room, or a suite of rooms, that constitutes a separate, independent residential occupancy, but which is not self-contained and which requires access to other parts of the principal dwelling or building intended to serve the residents, including shower or bathtub facilities, kitchens, eating areas or bathrooms.”

The General Provisions of the Ottawa Zoning By-law permit up to three rooming units in a detached dwelling, a linked-detached dwelling, a semi-detached dwelling, a duplex dwelling, and a multiple attached dwelling in the R1, R2, R3, R4, and R5 zones.

Converted rooming houses are permitted in R1 (single dwellings), R2 (two unit dwellings) and R3 (up to 4 dwellings) zones subject to the lot fronting on and having direct vehicular access to an Arterial or Major Collector Road and having a maximum of seven rooming units, or a maximum of one dwelling unit and six rooming units.

Rooming houses, and converted rooming house are permitted uses in the R4 and R5, medium and high density residential Zones.

Rooming houses and converted rooming houses are permitted in all six of the commercial zones in the City of Ottawa Zoning By-law.

Sault Ste Marie

Sault Ste Marie's Zoning By-law (2005-150), which was enacted in 2005, does not include a definition for boarding house dwelling but does define rooming house as follows:

ROOMING HOUSE – “Establishments primarily engaged in providing temporary or longer term accommodation, which for the period of occupancy, may serve as a principal residence.”

In Sault Ste Marie, rooming houses are permitted in R3 Low Density Residential, R4 Medium Density Residential and R5 High Density Residential Zones. In addition, the Sault Ste. Marie By-law permits rooming houses in the C1 Traditional Commercial and C2T Central Commercial Transition (areas surrounding the “CT” Central Commercial zone applied in the downtown area) Zones.

Thunder Bay

The City of Thunder Bay is in the process of preparing a new zoning by-law. Their draft zoning by-law includes the following:

LODGING HOUSE is defined the same as in the City of Thunder Bay Lodging House By-law (157-2005), as any building or part of a building which contains four or more lodging units or is used or available for use by four or more lodgers, excluding hotels, motels, bed and breakfast establishments, hospitals, nursing home, foster homes, group homes, homes for the young or the elderly, institutions which are licensed, approved or supervised under any other general or special legislation.

Lodging houses are permitted in the MU1, Mixed-Use One and MU2, Mixed-Use Two zones which also permit apartments, townhouses, and limited range of commercial and residential care facilities.

Waterloo

In the City of Waterloo By-laws 1108 and 1418, Lodging Houses are divided into two Classes.

LODGING HOUSE -CLASS ONE, “means a lodging house which is located in the whole of a building and

- (I) are occupied by four or more persons in addition to the proprietor and his/her household;
- or

(ii) occupied by 6 or more persons without a proprietor and his/her household.”

“LODGING HOUSE-CLASS TWO, means a lodging house within a dwelling unit occupied by 4 or 5 persons without a proprietor and his/her household;

Lodging Class One, are permitted in medium and high density residential zones. Lodging House Class Two, are permitted in all residential zones. In Single Residence Zones a minimum distance separation of 150 m is required between Lodging House Class Two facilities and a minimum distance separation of 75 m is required in Medium Density Residential Zones.

Both Class One and Class Two Lodging Houses require a license under the City's Lodging House Licensing By-law.