



STAFF REPORT ACTION REQUIRED

Approach for Proposed Zoning Regulations for Rooming Houses

Date:	December 14, 2009
To:	Planning and Growth Management Committee
From:	Chief Planner and Executive Director, City Planning
Wards:	All
Reference Number:	Pg10004

SUMMARY

A Staff Report to Planning and Growth Management Committee on January 8, 2009 concluded that consideration of extending zoning and licensing regulations of rooming houses should await the release of two documents: the new draft zoning by-law and the ten year affordable housing framework. Both documents were released in 2009.

This Report recommends an approach for rooming house zoning regulations predicated on an associated licensing regime. Incorporation of any new rooming house zoning regulations in the new draft zoning by-law should be contingent on the development of new rooming house licensing regulations and enforcement strategy.

The zoning approach outlined in this report includes a new definition of a rooming house and several qualifications to ensure consistent minimum standard of design. It is proposed to permit rooming houses in most Residential Multiple (RM) zones, all Residential Apartment (RA) zones, all Commercial Residential (CR) zones and all Commercial Residential Employment (CRE) zones across the City in the new draft zoning by-law. This results in an extension of the areas in which rooming houses are permitted. The existing rooming house provisions found in the R2, R3, R4 and R4A zones of the former City of Toronto zoning by-law will also be retained in the new zoning by-law.

It is recommended that the changes to the zoning and licensing by-laws be implemented concurrently. Changes to the rooming house licensing provisions in the Municipal Code are required to provide consistency between rooming house licensing and zoning regulations to ensure that all of the City's standards are in place across the City. This Report recommends that the Executive Director of Municipal Licensing and Standards

prepare a licensing strategy that is consistent with the proposed zoning by-law changes. It is further recommended that consultation occur around the changes to the zoning and licensing by-laws prior to submitting a final report back to Committee.

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning Division recommends that:

1. The Chief Planner and Executive Director, City Planning Division, prepare zoning regulations for Rooming Houses that would be incorporated in the New Zoning By-law that would define and permit Rooming Houses in Residential Multiple (RM) zones, where five or more units are permitted, Residential Apartment (RA) zones, Commercial Residential (CR) zones, Commercial Residential Employment (CRE) zones and those parts of the Residential (R) zone in the Draft Zoning By-law that coincide with the existing provisions for Rooming Houses found in the R2, R3, R4 and R4A zones in the former City of Toronto Zoning By-law.
2. The Executive Director of Municipal Licensing and Standards, in consultation with the Fire Chief, the Medical Officer of Health and the Chief Planner and Executive Director, City Planning, prepare a city-wide Rooming House licensing regime and enforcement strategy which takes into account the proposed zoning approach outlined in Recommendation 1.
3. The Chief Planner and Executive Director, City Planning Division, and the Executive Director of Municipal Licensing and Standards consult with the public and stakeholders after preparing the draft zoning and licensing regulations.
4. The Chief Planner and Executive Director, City Planning Division, and the Executive Director of Municipal Licensing and Standards report to the Planning and Growth Management Committee following the preparation of and consultation on the draft zoning by-law and licensing by-law changes

Financial Impact

This report will have no financial impact beyond what has already been approved in the current year's budget.

DECISION HISTORY

A staff report for information only to the Planning and Growth Management Committee's November 4, 2009 meeting stated that a report proposing zoning regulations for rooming houses is continuing in step with the new zoning by-law project and would be presented to Committee at its January 6, 2010 meeting. Link to the Report:

<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-24421.pdf>

The information report noted that at its January 8, 2009 meeting the Planning and Growth Management Committee considered the Staff Report "Extending Zoning and Licensing

of Rooming Houses." The Report arose from a June 16, 2008 request from the Affordable Housing Committee to Deputy City Manager Sue Corke to review the feasibility of two tasks: extending city-wide zoning regulations that permit rooming houses in some zones and licensing requirements for rooming houses.

Link to the Report:

<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-17594.pdf>

As part of the consideration of the Report, the Committee requested staff to bring fraternity and sorority houses into the regulation of rooming houses under the new zoning and licensing by-laws.

City Council on August 5 and 6, 2009, adopted Housing Opportunities Toronto: An Affordable Housing Action Plan 2010-2020. Housing Opportunities Toronto is the City's Action Plan to address Toronto's affordable housing challenges over the next 10 years, and includes 67 proposed actions. Action 31 addresses rooming houses and reads:

"Preserve and expand the supply of affordable housing available to single persons by: a. Encouraging and permitting an increase in legal, well run rooming houses and other appropriate forms of housing where current zoning by-laws allow, and subject to any future changes to the zoning by-law."

Link to Housing Opportunities Toronto: An Affordable Housing Action Plan 2010-2020:

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21571.pdf>

Link to the May 6, 2009 Staff Report from Sue Corke, Deputy City Manager:

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21572.pdf>

The proposals in this report are consistent with the proposed action in Housing Opportunities Toronto: An Affordable Housing Action Plan 2010-2020.

ISSUE BACKGROUND

Features of a Rooming House

A rooming house is a form of housing that provides separate living accommodation in rooms. The living accommodation consists of single private rooms and includes some shared common areas. The room is private living accommodation, and may include food preparation or bathroom facilities but not both types of facilities, thereby distinguishing it in form from a dwelling unit. This definition of a rooming house is consistent with accepted definitions. A Canada wide survey, sponsored by CMHC in 2006, developed a working definition of a rooming house as a permanent form of housing that contains at least four separate habitable rooms, each containing either food preparation or bathroom facilities but not both. The nature of the rooming house living accommodation, with some private and some shared facilities and typically but not always for one person living on their own, is considered a form of affordable rental housing.

The Role of Zoning as a Regulatory Tool

Zoning is a regulatory tool under the *Planning Act*, which allows the City to regulate the use of land, along with the height, bulk, size, floor area, spacing and location of buildings. Section 35(2) of the *Planning Act* stipulates that this authority to regulate the physical form of the City by means of zoning does not include the authority to distinguish between persons who are related or unrelated in respect to their occupancy or use of a building, including the occupancy of a single housekeeping unit.

The courts have recognized the legitimacy of controlling density through zoning, as long as zoning is simply concerned with intensity of use, and not whether the users are related or unrelated. In May 2009, the Ontario Court of Appeal unanimously endorsed an Ontario Superior Court decision upholding the City of Oshawa's authority to distinguish between single detached dwellings and "lodging houses" as distinct uses for distinct zones applying to different parts of the municipality. The courts held that the definition of "single housekeeping unit" as a permitted use in lower density residential zones did not violate section 35(2) of the *Planning Act* because it was sufficiently broad to include related or unrelated persons, whether they followed a traditional or untraditional family model, but required more involvement between them as a basic social unit than simply short-term temporary sleeping quarters and shared facilities on a rental basis.

In November 2009, the Supreme Court of Canada dismissed an application to appeal the Court of Appeal's decision, and therefore, the Ontario Court of Appeal decision stands. The classification of a rooming house as a different use than a single housekeeping unit, as well as the application of specific zoning regulations to rooming houses is permitted under the *Planning Act*.

This report presents an approach for zoning regulations governing rooming houses consistent with the decisions of the Ontario Court of Appeal and Supreme Court decision respecting the use of zoning powers.

COMMENTS

Current Rooming House Zoning and Licensing Regulations

The current patchwork of zoning and licensing regulations across the City makes both the establishment of new rooming houses and the enforcement and investigation of suspected illegal rooming houses challenging and inconsistent.

Zoning

Zoning Regulations		
	Rooming House, Definition	Rooming House, Permission Qualifications
East York	yes (in Leaside)	no
Etobicoke	yes	yes
North York	yes	no
Scarborough	yes	no
Toronto	yes	yes
York	yes	yes

Rooming House - Definitions: All the zoning by-laws define a rooming house (except the former East York Township By-law). Central to the definitions is that a rooming house provides living accommodation. Some of the City's current zoning by-laws and licensing by-laws use the term "lodging house" to describe a "rooming house." The terms are generally interchangeable and are referred to as rooming houses in this Report.

Most of the definitions in the zoning by-laws reference the number of persons accommodated as the means of determining what constitutes a rooming house. In former Etobicoke, Scarborough and York, a rooming house provides accommodation for more than two persons, while in former Toronto, a rooming house provides living accommodation for more than three persons. The former Town of Leaside and North York by-laws do not reference the number of persons in their definitions of a rooming house.

All of the definitions of a rooming house, except for former Scarborough identify certain uses as not being a rooming house, such as a hotel, hospital, and group home.

Rooming House - Permission Qualifications: Currently, rooming houses are permitted in Etobicoke, York and the former City of Toronto (see Map 1). The East York, North York, and Scarborough zoning by-laws do not list a rooming house as a permitted use in any zone, nor do they contain qualifications regulating rooming houses. Attachment 1 to this report provides the rooming house zoning permission qualifications in the former

municipalities of Etobicoke, Toronto and York by-laws. The following is a summary of the qualifications.

In former Etobicoke, a rooming house is permitted in some residential and commercial zones in a detached residential building, provided it: occupies the whole of the building; is owner occupied; meets minimum lot frontage and lot area requirements; has a maximum of 10 residents; meets minimum floor area per resident requirements; has a minimum landscape area; meets a minimum separation distance of 300 metres between another rooming house, group home or a similar residential crisis care facility.

In former Toronto, a rooming house is permitted in most residential zones, provided the building was originally constructed as a detached or semi-detached house and it: meets minimum size of rooms requirement; has a minimum number of washrooms; exhibits no substantial change to the exterior appearance of the dwelling; satisfies the requirement that if in a former semi-detached house, both halves of the building must be a rooming house; has a maximum number of dwelling rooms depending on the zone category and location; and meets the parking standard of 1 space for each 3 rooms, in excess of 3 rooms. In the mixed use and reinvestment zones, the rooming house regulation has no qualifications based on type of building and size of rooms, provided the maximum number of rooms does not exceed 25.

A number of exceptions in the former City of Toronto Zoning By-law provide different regulations for rooming houses in some areas. These exceptions to the former Toronto Zoning By-law, found in the R2, R3, R4 and R4A zones, either are more permissive, or place restrictions on their location. For instance, some exceptions allow rooming houses in areas if they legally existed on specific dates, while other restrictive exceptions do not allow rooming houses to locate in specific areas of the former City of Toronto.

In former York, a rooming house is permitted in the RM - Residential Multiple zones in a detached, semi-detached or duplex house. The rooming house must: front on an arterial or minor arterial road; meet minimum floor area per resident requirements; have a maximum of 10 residents; meet a minimum separation distance of 300 metres from another rooming house, group home or crisis care facility, and provide 1 parking space for every 3 bedrooms.

Licensing

Licensing Regulations	
	Rooming House
East York	no
Etobicoke	yes
North York	no
Scarborough	no
Toronto	yes
York	no

A rooming house requires a license in the former Cities of Etobicoke and Toronto. The Etobicoke Licensing By-law is administered by Toronto Public Health and the former City of Toronto Licensing By-law by Municipal Licensing & Standards. Both Licensing By-laws regulate rooming houses that do not offer personal care (i.e. "standard" rooming houses) and they both have a class of license in which the owner or an employee of the owner provides personal care to residents for any combination of their meals, health needs or daily activities. In York, the only other former city that permits a rooming house, a license is not required to operate a rooming house provided it complies with the City's other regulations, such as the zoning by-law.

Both Licensing By-laws stipulate a license application review process in which the owner is required to comply with Property Standards, the Zoning By-law, the Fire Code, the Building Code and the Health Protection and Promotion Act. Also, the owner is required to consent to inspections by City staff to enforce compliance. Licenses are renewed annually or every two years, depending on the class of license. The City may serve an order to require the correction of any violation and may revoke a license. The Licensing By-laws also describe health and safety requirements relating to the size of bedrooms, the maximum number of beds in a bedroom, the maintenance of kitchen and sanitary facilities, and keeping the premises free of vermin and garbage.

In Etobicoke, a license is required if an owner offers for compensation accommodations for more than two persons. There may or may not be common food preparation facilities. The Etobicoke Licensing By-law has only one class of such licenses, regardless of the number of lodgers or rooming units provided. There are nine such licenses.

In the Toronto Licensing By-law, a rooming house is a building containing a room (which may include food preparation or sanitary facilities but not both) for living accommodation by more than three persons. The Toronto Licensing By-law identifies five classes of rooming houses. Beginning in October 2000 as part of the Parkdale Pilot Project, bachelorette buildings in the Parkdale area are also regulated by the rooming house licensing by-law. The Parkdale Project regularizes bachelorette buildings in Parkdale by requiring them to be subject to licensing and inspection the same as rooming houses to ensure an appropriate level of property maintenance.

The breakdown of rooming houses ("standard" rooming houses; i.e. offering no personal care) and bachelorettes by class and number of licenses in the former City of Toronto as of September 28, 2009 is as follows:

Class Description ↓	Type →	Rooming House (Standard)	Bachelorette, Parkdale Pilot Project Area
1- owner occupied, owner occupying a dwelling unit in the rooming house		31	10
2 - not more than 3 storeys with not more than 14 rooms or combination of rooms and dwelling units (with not more than 4 rooms or units on the third storey)		94	30
3 - not more than 3 storeys with more than 14 rooms or any combination of rooms and units		41	10
4 - more than 3 storeys		1	0
5 - operated by a non profit group		61	0
Total		228	50

A May 2004 consultant's report on the City's rooming house issues and future options prepared for the City of Toronto states that the median rooming house has about 11 rooms. In May 2004, the reported 414 licensed standard rooming houses would have provided an estimated 4,554 rooms in the former City of Toronto. Applying the median of 11 rooms per rooming house to the September 2009 stock of 228 licensed rooming houses translates to a stock of 2,508 rooms.

The nine licenses in former Etobicoke have a capacity of 348 residents. The two licenses at the Woodbine Race Track offer living accommodation for 310 of the total 348 licensed spaces available in all of former Etobicoke. Accommodation at Woodbine is for seasonal workers, such as horse groomers and walkers.

In Etobicoke, there are 10 personal care licenses and in former Toronto there are 59. The draft new zoning by-law identifies such personal care premises as other types of residential uses, such as nursing home, retirement home, or residential care home. The City's licensing provisions may need to recognize this change in the new zoning by-law with respect to personal care class licenses.

Enforcement of Current Regulations

In addition to the routine enforcement of the current regulations as part of the license application and license renewal procedures, the City enforces its regulations by investigating complaints about suspected illegal rooming houses. Figures compiled by Municipal Licensing and Standards indicate that in 2008 the City investigated 559 complaints about suspected illegal rooming houses in the City. In 2007, the City investigated 554 complaints.

For 2007 and 2008, the complaints were distributed about 30% each in the North York, Scarborough and Toronto & East York Districts, with the remaining 10% in the Etobicoke York District.

The intent of enforcement is to ensure that rooming house accommodation, like other housing in Toronto, is maintained and operated in compliance with building standards and licensing requirements, while respecting the housing needs of residents. Significant enforcement issues include the current inconsistent zoning and licensing regulatory standards across the City and the ability to gather evidence to determine whether a place is operating as an illegal rooming house.

It is being recommended that the Municipal Licensing and Standards Division prepare a licensing strategy based on the proposed city-wide zoning changes described in this report.

Approach for Zoning Regulations for Rooming Houses

Definition

The Housing Opportunities Toronto: An Affordable Housing Action Plan 2010 – 2020, adopted by City Council in August 2009, speaks of preserving and expanding the supply of affordable housing for single persons. The Affordable Housing Action Plan recognizes rooming houses as one form of affordable housing for single persons. Specifically, the Action Plan calls for encouraging an increase in legal, well run rooming houses and other appropriate forms of housing where current zoning by-laws allow and subject to any future changes to the zoning by-law. The challenge for zoning is to define a rooming house as a form of housing that is distinguishable from other housing types.

In developing zoning regulations for rooming houses, much depends on how it is defined. There is no universally accepted definition outside of the qualification that it is a form of living accommodation. A lodging house is often understood to be synonymous with a rooming house and, as mentioned earlier in the report, several of the existing zoning by-laws use this term instead of 'rooming house'. The new zoning by-law proposes the use of the term 'rooming house.'

Zoning by-laws under the Planning Act can regulate the use of land and the erection and use of buildings or other structures. In defining a rooming house, the zoning by-law would recognize it as a separate use. In so doing, the rooming house definition would need to distinguish itself from other residential type uses including the 'dwelling unit.' The dwelling unit is defined as living accommodation for people living together as a single housekeeping unit, which includes both food preparation and sanitary facilities for the exclusive use of the occupants. Distinguishing between a rooming house and a dwelling unit was the subject of the case involving the City of Oshawa discussed earlier in this report. A key difference between a rooming house and a dwelling unit is that the dwelling unit contemplates the occupants sharing the entire accommodation. A rooming

house, on the other hand, would contain separate living accommodation exclusive for the use of the roomer. Other facilities in the building may be shared.

The facilities in a rooming house include food preparation facilities or sanitary facilities. One or the other of such facilities could be provided in the individual rooms but not both. Allowing both facilities would create a dwelling unit in form.

Another important characteristic of a rooming house is the size as measured by the number of rooms. This is consistent with accepted definitions used by other municipalities. As previously mentioned, the May 2004 consultant's report and the CMHC survey from 2006 define rooming houses as having a minimum of 4 separate habitable rooms. The Fire Protection and Prevention Act and the Building Code Act define a rooming house as a building not exceeding 3 storeys and providing lodging for more than 4 persons. These two Acts are concerned with fire safety when existing wood frame housing is converted to a rooming house for a specific number of people usually measured by the number of rooms. In many existing house form structures, accommodating more than 4 persons in individual rooms would likely trigger the need for alterations.

It is proposed that rooming houses, by definition, contain a minimum of 4 rooms designed for separate living accommodation. A minimum size acknowledges that a rooming house intends to provide housing for multiple persons in individual rooms. Having a minimum will also assist in developing a licensing strategy.

The definition also includes the stipulation that the rooming house may contain a dwelling unit. This allows for the owner to occupy the building along with the roomers.

The proposed definition of a rooming house would be:

"a building or part of a building that:

(i) contains a minimum of 4 rooms, each of which:

(a) is designed or intended for use as separate living accommodation; and

(b) may contain food preparation facilities or sanitary facilities, but not both; and

(ii) may contain one dwelling unit; and

(iii) is not a group home, residential care home, nursing home, retirement home, seniors community house, religious residence, student residence, tourist home, or hotel."

Regulations applying to Rooming Houses

The requirement that a rooming house contain a minimum of 4 rooms, together with the possibility of a dwelling unit, acknowledges a certain level of intensity with respect to use. As such, rooming houses would be compatible in zones that permit multiple unit residential buildings. In the new zoning, such zones include, Residential Apartment (RA) zones, Commercial Residential (CR) zones and Commercial Residential Employment (CRE) zones. In addition, the Residential Multiple (RM) zones that permit 5 or more

dwelling units would also be suitable recognizing that the rooming house could contain a dwelling unit such as that of the owner (see Map 2). The approach based on intensity of use is consistent with the Ontario Superior Court decision, endorsed by the Ontario Court of Appeal, upholding the City of Oshawa's zoning by-law which distinguishes "lodging houses" as a distinct use for distinct zones applying to different parts of the municipality and acknowledges the gradation of intensity in the zones.

There are significant differences between a single detached house with 4 bedrooms that could, arguably, have as many people living in it, or more, than a rooming house of similar size. But, the rooming house contemplates a minimum number of roomers, as it is designed and operated for such purpose, whereas the detached house may have as few as one person living in it. The detached house operates as a single housekeeping unit with occupants sharing the entire unit. The rooming house provides independent living accommodation sharing only some facilities as prescribed by the design.

In the zones where rooming houses would be permitted, it is proposed that a rooming house meet the following qualifications:

- parking rate of 1 parking space for every 3 rooms with the exception of the Downtown, Centres and Avenues, with subway access, where the rate will be 1 space for every 6 rooms;
- if a room in a rooming house does not have a private sanitary facility then a shared sanitary facility must be available in the building; and
- sanitary facilities must be provided at a rate of a minimum of 1 sanitary facility for the first 6 rooms, and 1 additional sanitary facility for every additional 6 rooms, or part thereof.

The parking rate of one space for every 3 rooms is from the former City of Toronto Zoning By-law where most rooming houses are currently located. This rate will be generally extended across the City where rooming houses are to be permitted. The lower rate of one parking space for every 6 rooms, which will apply to the Downtown, Centres and Avenues, is consistent with the approach taken by the city-wide parking study which determined that a reduction in the parking requirement is supportable in areas of greater transit availability.

The sanitary facility qualifications ensure that all residents of a rooming house have access to such a facility. The large number of occupants sharing bathroom facilities is recognised as a reason for the poor state of repair of bathrooms at some rooming houses. A minimum rate of bathroom facilities per room works towards addressing this concern.

In the former City of Toronto, rooming houses are permitted in the R2, R3, R4 and R4A zones in addition to the commercial residential zones and the reinvestment zones. These R zones permit all residential building types from single detached to walk-up apartments. Initially, rooming houses were permitted in the R4 and R4A zones and could be constructed as a new building. Later, rooming houses were permitted in the R2 and R3 zones. However, in order to maintain the character of these areas, the City imposed restrictions that limited the size and design of rooming houses. It was deemed important

to maintain the external appearance of existing homes so rooming houses were permitted in the form of converted dwellings, that is, the external house form was to be retained while permitting the appropriate internal modifications. The requirements vary from area to area in these zones and are specifically prescribed in Section 12 of the existing former City of Toronto zoning by-law. These special regulations will be retained.

In addition to the specific rooming house qualifications described above, once the zoning approach is implemented at the same time as the current rooming house licensing by-laws are updated and approved by Council, a rooming house would need to comply with the R, RM, RA, CR or CRE zone development standards in the draft new zoning by-law relating to the built form and lot in which a rooming house is located, such as maximum building height and minimum building setbacks, and yard requirements.

Licensing

The licensing by-law is the appropriate regulatory tool to coordinate the enforcement of the City's regulations, such as the Fire Code and health and safety standards. For example, the current Etobicoke and Toronto licensing by-laws regulate the rooms used for sleeping to ensure they are not part of a stairway, kitchen, boiler room or laundry room. Also, the by-laws regulate matters such as ensuring basements are well drained and ventilated, the requirement that the correct type and number of fire extinguishers are provided and that the owner have and post a fire safety plan for the premises. Even after a license is issued, the City may enforce the regulations through regular inspections and inspections on a complaint basis and the licensing renewal process. A city-wide licensing by-law would streamline inspections, relieving the burden on property owners and tenants of multiple inspections.

A city-wide licensing by-law would make it possible to monitor the City's rooming house stock over time.

Implementation of the Approach for Zoning Regulations for Rooming Houses

It is recommended that the approach for zoning regulations for rooming houses be implemented concurrently with amendments to the licensing by-laws. Implementation should await the report from the Executive Director of Municipal Licensing and Standards on amendments to the Municipal Code.

A stakeholder's consultation program would be part of the licensing amendment process. Stakeholders would therefore be able to comment on both the proposed zoning approach and licensing amendments. One consultation process would ensure that any appropriate changes to the zoning approach would be consistent with a proposed licensing amendment.

Concurrent implementation of new city-wide rooming house zoning and licensing regulations ensures that all rooming houses across the City are operated to all of the City's standards. Implementing new rooming house zoning and licensing regulations at different times would only perpetuate the current regulatory regime of a patchwork of

zoning and licensing regulations across the City, making both the establishment of new rooming houses and the enforcement and investigation of suspected illegal rooming houses challenging and inconsistent.

In the interim, while awaiting concurrent implementation of the zoning approach with the update of the licensing by-laws, the current rooming house zoning regulations in the zoning by-laws of the former municipalities will be brought forward at the time of the draft new zoning by-law.

The former City of Toronto zoning by-law currently permits rooming houses, with qualifications, in R2, R3, R4 and R4A zones (R zone in the draft new zoning by-law). In addition, there are area-based exceptions in Section 12 of the current former City of Toronto zoning by-law which may apply either more permissive or more restrictive rules in various locations. The qualification relating to the maximum number of rooms in a rooming house and the existing provisions will be brought forward into the proposed zoning by-law in February 2010.

Fraternity or Sorority House

A fraternity or sorority house that exhibits the physical form of a rooming house would need to comply with the rooming house provisions of the zoning by-law and the licensing by-law regulations, regardless of whether the persons living there are members of a fraternity or sorority. This would not apply to a student residence operated by, or on behalf of, a school.

This report has been prepared in consultation with City Legal, Municipal Licensing & Standards, Shelter, Support & Housing Administration Division and the Affordable Housing Office.

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SIGNATURE

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ATTACHMENTS

Attachment 1: Rooming House Zone Provisions in the Current Zoning By-laws
Attachment 2: Map 1 Existing Zones That Permit Rooming Houses
Attachment 3: Map 2 Zones in the New Draft Zoning By-law That Would Permit Rooming Houses

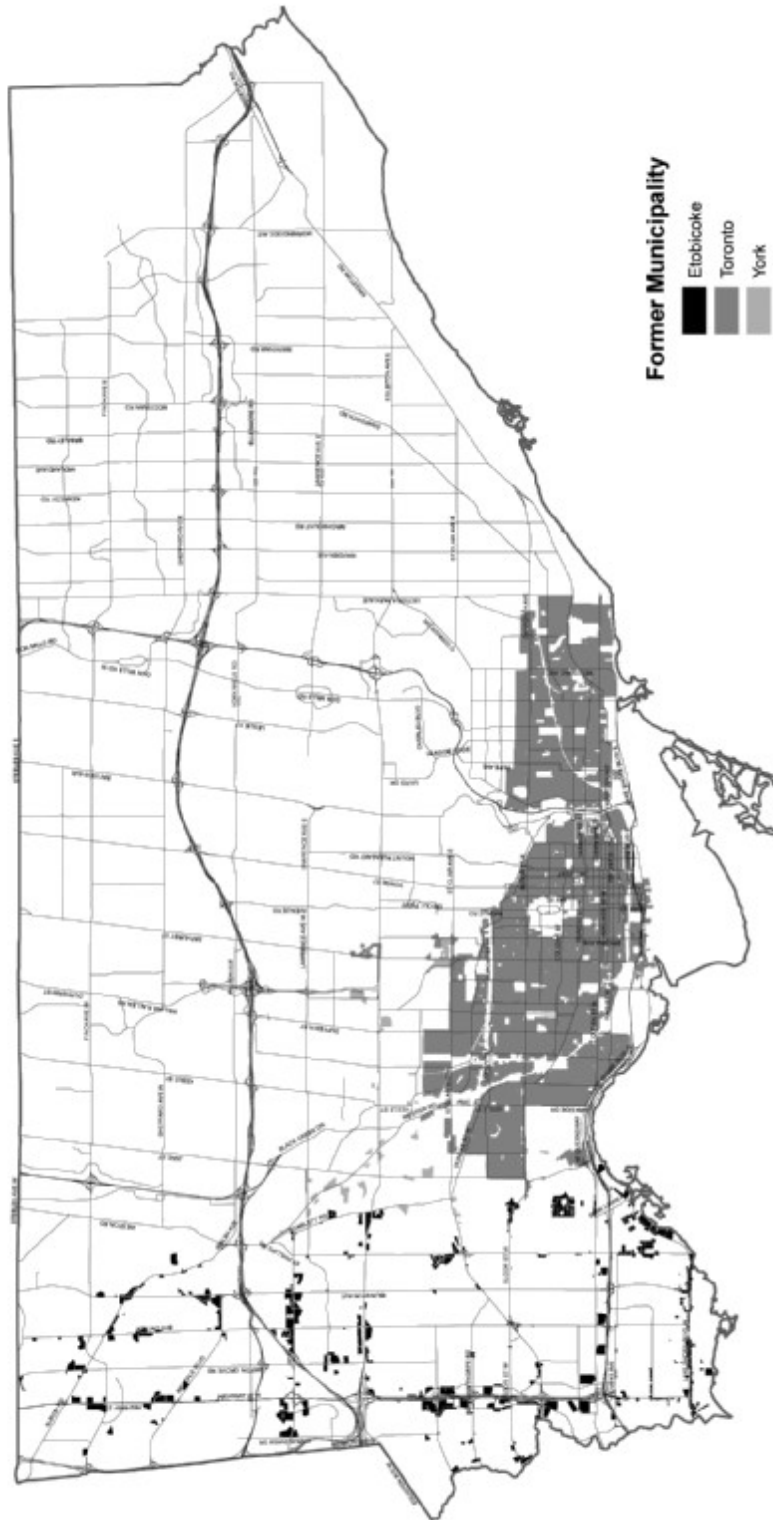
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Attachment 1: Rooming House Zone Provisions in the Current Zoning By-laws

provisions	Etobicoke	Toronto	York
minimum rooming house occupancy requirement	-at least 3 tenants	-accommodations for more than 3 persons	-more than 2 lodgers
zones rooming houses are permitted	-Etobicoke (township): R4, R5, CN, CL, CG zones -New Toronto: R3, R4, C zones -Mimico: R3, R4, C zones -Long Branch: RMA & C-1 zones	-R2, R3, R4, R4A, RA, CR, MCR, Q zones -NOTE: in the RA, CR, MCR, Q zones the qualifications described below do not apply, except the maximum number of rooms	-RM1 and RM2 zones
maximum number of residents or rooms in a rooming house	-maximum 10 residents	maximum number of rooms: -R2 zone: 6 rooms -R3 zone (outside the central area): 6 rooms -R3 zone (inside the central area): 12 rooms -R4, R4A zones: 12 rooms -RA, CR, MCR, Q zones: 25 rooms	-maximum 10 residents
dwelling type	-detached residential building, wholly occupied by the rooming house	-detached house or semi-detached houses (both halves must be a rooming house) -house must be at least 5 years old	-detached house, semi-detached house or duplex, wholly occupied by the rooming house
minimum lot area	-460 sq m	-n/a	-n/a
minimum lot frontage	-12.0 m	-n/a	-n/a
minimum landscape area	-minimum 75 sq m in either the rear or side yard	-n/a	-n/a
owner occupancy	-must be owner-occupied	-n/a	-n/a
floor area of the rooming house and rooms	-minimum floor area per resident of 23 sq m -maximum of 10 residents per dwelling	-9 sq m for single occupant or 7 sq m for each of two or more occupants, per room -no culinary in room if the room's floor area is 13 sq m or less & the room cannot have direct access to a washroom provided for exclusive use of the room -1 washroom for every 6 occupants	-minimum floor area per resident of 41 sq m for a 3 bedroom rooming house, plus 7 sq m for each additional bedroom -maximum 10 residents per dwelling

provisions	Etobicoke	Toronto	York
distance separation (property line to property line)	-minimum separation of 300 m between another rooming house, group home or similar residential care facility	-n/a	-minimum separation of 300 m between another rooming house or group home or crisis care facility
appearance of house	-n/a	-no substantial change to the exterior of the house -only 1 addition to the house allowed	-n/a
parking space requirements	-minimum 1 space for owner and 1 space for every 2 lodgers	-minimum 1 space for every 3 rooms, in excess of 3 rooms	-minimum 1 space for every 3 bedrooms
road frontage	-n/a	-n/a	-property must front on arterial or minor arterial road

Attachment 2: Map 1 Existing Zones That Permit Rooming Houses



MAP 1: Existing Zones that Permit Rooming Houses

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Not to Scale
12/18/2009

Attachment 3: Map 2 Zones in the New Draft Zoning By-law That Would Permit Rooming Houses



TORONTO City Planning

MAP 2: Zones in the New Draft Zoning By-law That Would Permit Rooming Houses

Not to Scale
12/18/2008