

**Proposed Consultation Plan on Rooming Houses**

<b>Date:</b>	August 6, 2014
<b>To:</b>	Executive Committee
<b>From:</b>	Executive Director, Municipal Licensing and Standards
<b>Wards:</b>	All
<b>Reference Number:</b>	P:\2014\Cluster B\MLS\EX14017

**SUMMARY**

This report provides a framework through which research and consultation will be conducted to identify the extent of issues and opportunities related to rooming houses.

Within the current environment, there has been an increasing number of complaints related to community impacts and significantly impaired life safety conditions in neighbourhoods where illegal rooming houses operate. The challenges inherent to the current regime have been evidenced by a number of incidents, primarily fire-related, where injuries and fatalities have occurred. In these instances, not only has the safety of the occupants of the property been jeopardized, but also, the safety of neighbours and the local community.

Staff have encountered unsafe living conditions including: homes where the density of occupants is beyond the capacity of the building to provide healthy or safe living conditions; accommodations that are substantially below those required by Building and Fire Codes; and individuals residing in buildings with significantly diminished standards and not suited for human occupancy.

This report recommends a four-phase work plan to review thoroughly the current issues and the regulatory structure around rooming houses, and to identify opportunities and strategies to address community impact and life safety concerns. Phase 1 will focus on research and analysis by the Interdivisional Working Group and preparation for consulting with key stakeholders and members of the public. In Phase 2, community-based consultations will be held, offering various opportunities to participate in person, online and through written submissions. In Phase 3, the preliminary findings will be incorporated into a discussion paper with recommendations for consideration by Executive Committee, expected by June 2015. In Phase 4, based on results of a second round of consultations, a final report with recommendations will be submitted to Executive Committee, expected by December 2015.

## RECOMMENDATIONS

---

**The Executive Director, Municipal Licensing and Standards recommends that:**

1. Executive Committee direct the Executive Director, Municipal Licensing and Standards and the Chief Planner and Executive Director, City Planning to report to Executive Committee by June 2015 on issues, preliminary findings and a discussion paper on rooming houses after undertaking research and extensive community-based consultations.
2. Executive Committee direct the Executive Director, Municipal Licensing and Standards and the Chief Planner and Executive Director, City Planning to form an Interdivisional Rooming House Working Group with a mandate to undertake a review of and make recommendations related to rooming houses, including, but not limited to: City Planning, Municipal Licensing and Standards, Toronto Building, Toronto Fire Services, the Office of Emergency Management, Legal Services, the Affordable Housing Office, Shelter Support and Housing Administration, Social Development, Finance and Administration, and Toronto Public Health.

### **Financial Impact**

There is no financial impact beyond what has already been approved in the current year's budget.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

### **DECISION HISTORY**

At its meeting of October 22, 2013, the Planning and Growth Management Committee directed that the Executive Director, Municipal Licensing and Standards, provide evidence that an effective strategy exists for the enforcement of illegal rooming houses. It further requested the Chief Planner and Executive Director, City Planning, to revisit the plans for community consultation on rooming houses to create real opportunities for discussion and dialogue.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG27.5>

At its meeting of March 6, 2013, the Planning and Growth Management Committee requested the Chief Planner and Executive Director, City Planning, in consultation with the Executive Director, Municipal Licensing and Standards, to report to the Planning and Growth Management Committee, on October 22, 2013 on exploring a framework for introducing City-wide zoning regulations for dwelling room accommodations; and a process for public consultation.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG21.1>

At its meeting of February 20 and 21, 2013, City Council requested the City Manager to submit a report to the Planning and Growth Management Committee on any and all Standing Committee processes currently pending on the issue of Rooming Houses, legal and illegal, along with credible timelines on when councillors may expect to attend and deliberate, and that concerned communities have adequate notice to participate.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.MM30.12>

At its meeting of March 29, 2012, Licensing and Standards Committee approved a working group comprised of representatives from relevant City Divisions, Toronto Police Services and other organizations as deemed necessary by the Executive Director, Municipal Licensing and Standards, to review and make recommendations to the appropriate standing committees on issues related to neighbourhoods near post-secondary institutions.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.LS12.3>

## ISSUE BACKGROUND

Over the last few decades, the City has faced various health and life safety issues related to rooming houses. The City is challenged in applying established standards for fire safety, occupancy and health as a result of inconsistent and unharmonized zoning and licensing standards that apply to rooming houses across the City.

Currently, rooming house operators are required to obtain licences in the former cities of Etobicoke and Toronto. Based on current regulations, the former City of Etobicoke's licensing by-law is administered by Toronto Public Health and the former City of Toronto's licensing by-law is administered by Municipal Licensing and Standards. While permitted by zoning, a licence is not required in the former City of York.

Chart 1 below summarizes regulations in the former zoning by-law provisions, as well as licensing regimes that currently exist in the former municipalities.

Former Municipality	Rooming House Definition	Permitted in Zoning By-law	Licensing By-law
<b>Etobicoke</b>	Yes	Yes	Yes
<b>Toronto</b>	Yes	Yes	Yes
<b>York</b>	Yes	Yes	No
<b>East York</b>	Yes (in Leaside)	No	No
<b>North York</b>	Yes	No	No
<b>Scarborough</b>	Yes	No	No

Chart 1: Existing zoning and licensing regulations in the former municipalities

All rooming houses and rooming house operators are required to comply with the Zoning and Property Standards by-laws, the Ontario Fire Code, the Building Code and all other relevant legislation. Where rooming houses are permitted and licensed, the owner is required to consent to annual inspections by City staff to ensure compliance with this applicable legislation. The City may serve an order to require the correction of any violation and may bring the licensee or applicant to the Rooming House Licensing Commission for conditions to be placed on a licence, or for a licence to be denied or revoked.

As of July 1, 2014, there were 214 rooming houses licensed in the City of Toronto. Also as of July 1, 2014, there were 43 licensed bachelorettes in Parkdale.

Research shows that rooming house occupants include students, seniors, low-income earners, new immigrants, and others who seek affordable single occupancy housing. The number and concentration of complaints regarding rooming houses are particularly high in areas of the city near post-secondary institutions.

## **COMMENTS**

The Municipal Licensing and Standards (ML&S) division, among others, responds to complaints related to illegal rooming houses, including complaints related to property standards, waste, and other community nuisance issues. There has been a significant increase in these complaints, as various areas of the City have seen this type of residential accommodation emerge.

Where zoning permissions and licensing are not in place for rooming houses, there is evidence that applicable legislation and standards are not being adhered to, resulting in substandard and occasionally dangerous living conditions that raise significant concerns about life safety standards in the City.

The manner by which enforcement activities are undertaken is directly related to the regulatory structure in place and the enforcement objective and outcomes being sought. As a result, it is difficult to outline one effective enforcement strategy. Rather, a systematic review of the regulatory structure ought to be undertaken.

### **Non-Permitted Rooming Houses**

Where rooming houses are not permitted, ML&S' only enforcement option is to cease the operation of the rooming house with enforcement actions that may include the issuance of charges, and obtaining convictions and orders through the court systems to end the rooming house operations. There are significant costs and impacts associated with this enforcement strategy.

This approach of ceasing illegal rooming house operations may also result in the de-housing of residents. De-housing creates an emergency situation for the residents and often requires significant support from various City divisions and agencies that provide

programs to assist residents. Evacuated residents need to find new permanent accommodation and may receive assistance during their housing search.

Ultimately, enforcement efforts resulting in de-housing may drive the rooming house market further underground, as occupants are less likely to report concerns for fear of being displaced. This leads to poorer conditions at rooming houses where inspectors are either unaware of concerns, or where occupants will not permit entry for inspection. Not being able to access these residences impacts life safety for the occupants and affects community safety as a whole.

### Permitted Rooming Houses

The fundamental objective of any enforcement activity is to gain compliance with applicable legislation and to ensure health and life safety is protected.

Where rooming houses are operating in a permitted/licensed environment, ML&S' and other City divisions' enforcement objective is to ensure operators comply with the licensing regulations and all other applicable by-laws that govern their operation, including property standards. Other City divisions also focus their enforcement efforts to ensure adequacy of building standards and life safety systems.

Complementary to these objectives, the City, through Provincial/Federal funding, offers forgivable loans to assist rooming house operators in a zoning permitted area to complete renovations and repairs to upgrade the safety standards of the building.

## **CONSULTATION PLAN**

As rooming house regulation is of interest to a broad range of stakeholders, this report recommends a four-phase work plan which is centred on community-based consultation to explore various rooming house issues across the City. A comprehensive process of public engagement will be used to explore options to deal with areas affected by rooming house issues. By June 2015, staff will report back to Executive Committee with a preliminary report and discussion paper on research and findings. A final report will be submitted by the end of 2015 after further consultations and committee direction.

### **Phase 1: Issue Identification and Review Approaches**

Initially, with input from the Interdivisional Rooming House Working Group, staff will conduct research into rooming houses via jurisdictional scans, data collection and analysis, review of applicable federal and provincial legislation, review of relevant City of Toronto by-laws, and any other issues.

*Phase Duration: August to October 2014*

## **Phase 2: Stakeholder Engagement and Public Consultation**

Staff will reach out to local councillors as a starting point to identify appropriate areas for community-based consultations. Staff will use the initial findings to prepare consultation materials.

The City will **engage key stakeholders** and members of the public to ensure rooming house operators, occupants and all other interested parties are heard. Along with City divisions, these stakeholders include rooming house operators and occupants, the Rooming House Working Group, the Rupert Coalition, Toronto Police Service, Toronto Community Housing Corporation, the Toronto Alliance to End Homelessness, post-secondary institutions and other interested parties. These community-based consultations will be localized and extensive. They will be designed to identify issues, reach out and listen to community members, and record the issues addressed to inform policy and decisions on the regulatory regime and enforcement strategies.

**Public consultation** will take place across the City, and will be community-based and extensive. In addition to general information sessions, tailored and localized consultation will take place in areas identified by local councillors and City staff as having rooming house-related complaints, such as neighbourhoods near post-secondary institutions. Staff will work with councillors' offices to identify key parties to engage, such as local resident groups. To engage student users of rooming houses, staff will reach out to post-secondary institutions as partners, including identifying opportunities to hold consultations in the institutions themselves.

Staff will develop an online survey to solicit feedback from the public on existing conditions in rooming houses and possible courses of action. **Staff will make information readily available to the public throughout the review process.** Regular updates will be shared through the project email list and City social media accounts. The project website will be regularly updated and will act as the hub for key documents and meeting minutes.

To facilitate public input, staff will offer various opportunities to participate in person, online and through written submissions. All public consultations will be accessible and information will be translated into languages other than English, where appropriate.

*Phase Duration: November 2014 to February 2015*

## **Phase 3: Research, Analysis and Preliminary Report**

Staff will analyze the research and compile the results of the consultations into a discussion paper. The discussion paper will form part of the preliminary report to Executive Committee along with recommendations from the Interdivisional Working Group. The preliminary report will be submitted to Executive Committee by June 2015.

*Phase Duration: February 2015 to June 2015*

#### **Phase 4: Final Report**

Subject to direction from Executive Committee, staff will undertake additional consultations, in a format to be determined. A final report with recommendations on a regulatory structure will be submitted to Executive Committee, expected by December 2015.

*Phase Duration: June 2015 to December 2015*

#### **CONTACTS**

Tracey Cook  
Executive Director  
Municipal Licensing and Standards  
Tel: 416-392-8445  
Email: [tcook2@toronto.ca](mailto:tcook2@toronto.ca)

Jennifer Keesmaat  
Chief Planner and Executive Director  
City Planning  
Tel: 416-392-8772  
Email: [jkeesma@toronto.ca](mailto:jkeesma@toronto.ca)

#### **SIGNATURE**

---

Tracey Cook, Executive Director  
Municipal Licensing and Standards