

The following reflects the options that the Administration presented at a public meeting held on July 10, 2013 at Knox Metropolitan Church. Through further analysis and consideration of input received in follow up to the meeting, some of the content contained in these options will not reflect the current perspective or position of the Administration.

# **Option 1: Eliminate the land use ‘Rooming House’ from the Zoning Bylaw and continue to enforce life safety issues**

Public Responses: 23

## **Administration Comments**

### Issues and Considerations:

- No increased spending required
- Reduce enforcement complexities
- Life Safety issues continue to be enforced by Bylaw Enforcement
- No tenant displacement (only for life safety)
- No control over numbers of boarders
- May create incompatible situations

## **Public Comments and Issues Identified:**

### General

- This option is easier to implement
- There will be limited tenant displacement only under circumstances due to life safety enforcement matter
- Municipal government has no place saying if property owners can or can not rent their property/houses
- Existing complaints are already covered under other bylaws and as such there is no need to regulate rooming/boarding houses as a land use. There are already bylaws in place to deal with the other issues such as crime, parking, noise, safety, building code and property maintenance. The focus should be on these specific problems and enforcing bylaws related to these areas
- It will help to intensify development in existing suburban areas and contribute to better utilization of city infrastructure. Intensification of residential development is a good thing and is identified in the new official community plan as important for achieving a sustainable community
- Allowing people the opportunity to rent rooms in their house to help them pay their mortgages achieves community objectives of affordable housing. This option helps first time home buyers enter the housing market
- University students need a place to live and rooming houses are a viable option in communities such as Whitmore Park and Hillsdale. It is unfair to have rental supply restricted and not able to live near the university.

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- Renters should be free to choose the best options that suit their needs and the determination of who lives where is best determined between renters and the landlord.
- This form of housing fills an important need in the housing market for those looking for more affordable product

### Enforcement

- Focus should be on ensuring building code compliance
- More focus should be on enforcing existing noise and parking standards. Similar parking issues that occur at some rooming houses can and do occur with large families. How are these situations different than parking at a rooming house
- The City needs to ramp up enforcement in these areas and this will address the problem

### Regulation

- Parking standards are not required as many in boarding houses use public transit
- Regulation would be a bad economic move as it will impact affordable housing supply and further strain the housing market. More regulation could have the effect of driving people away from the city for labour coming that is coming into the market to fill employment voids (they may choose to work elsewhere)
- Over regulation will increase municipal property taxes and result in rent increases and stagnate the economy. More regulations equate to increases in spending. If annual licensing for rooming houses is implemented it will be another administrative problem open to inconsistent enforcement.

## Option 2: Limit the number of boarders permitted in detached dwellings

Public Responses: 6

### Administration Comments

Boarder Definition: A person who rents a room for sleeping and living accommodation within a detached dwelling, with or without the provision of meals, who is not a member of the household occupying the detached dwelling and who is not the owner of the detached dwelling

Boarding House Definition: A detached dwelling in which the owner provides accommodation to boarders, exclusive of the owner and the owners household, and where no cooking facilities are present in any individual accommodation rooms

- Up to 4 Boarders with or without the occupancy of the owner's household
- 5 to 8 Boarders subject to public notice and City Council approval

Parking Standard: 0.5 stalls per Boarder, plus one for detached dwelling with no more than one parking stall provided in tandem.

### Issues and Considerations:

- The amendments would replace the current Rooming House definition with a new and clearer definition that establishes maximum number of Boarders
- Easier to understand and enforce than current definition
- Larger boarding homes subject to community review and input
- Off-street Parking standard applied
- Quick implementation period with new zoning amendments in place prior to the end of 2013
- Enforcement would be driven on a complaint basis and as such the Administration may not become aware of Boarding Houses that violate the rules until they are operational
- When complaints are received there will be enforcement challenges that will need to be overcome including gaining entry to property and establishing number of boarders and that there is a monetary exchange with a land lord.
- Public education process would be required and to make property owners aware of the new requirements

### Resource Implications:

Heightened community awareness around this issue would result in additional resources being required under this option. The resources would also be required to undertake public education on the new regulations.

Estimate two additional resources: Bylaw Standards Officer and Development Control Officer I.

### Public Comments and Issues Identified:

#### General

- The problem is not with the home owner who rents out rooms but the problem is with the commercial rooming house enterprise where the owner is not present on site. Under option 2 the city could encourage a voluntary registration side by side with a complaint driven enforcement process

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- This option would provide a limit that balances the need for more housing, providing the owner with ability and opportunity to rent and help to protect the character of existing neighbourhoods

### Regulation

- This option would allow boarders to still live in R1 areas but would address houses overflowing with people that lead to both safety issues in the houses and problems related to impact on the neighbourhood.
- If option 2 is selected it should address daily rentals and classify those situations as something different. These operations are operating more as motels in a residential area and may need to be defined differently
- If there is tenant displacement with the implementation of regulations limiting the number of boarders there should be a two months grace period allowed to allow tenants to find alternate housing
- The numbers of boarders needs to be regulated and where there are larger boarding homes then area need to be specifically identified for these homes and they should not be located in R1 areas as these areas were not planned for multiple tenants in a home
- We currently have Option 1 and this approach has been unsuccessful in addressing issues of landlords violating bylaws and exploiting tenants and neighbourhoods. The number of boarders need to be regulated

### Enforcement

- Although enforcement will remain reactive, this is all that is needed as limits on the number of boarders with clear definitions will have desired effect

# Option 3: Establish boarding house sizes dependent on densities allowed in zoning districts and boarding houses/apartments require an annual license and inspections

Public Responses: 17

## Administration Comments

Boarding House: Boarding House as defined in Option 2 and accommodated in detached dwellings in any zoning district and no discretionary use provision

Boarding Apartment Definition: A building in which the owner supplies accommodation for more than four boarders, exclusive of the owner and the owner's household, with or without provision of meals, and where no cooking facilities are present in any individual accommodation rooms

- Accommodated in medium to high density and some commercial zoning districts
- Work unit created to enforce and administer licensing of Boarding Houses/Apartments with annual inspections

Parking Standard: 0.5 stalls per Boarder, plus one for detached dwelling with no more than one parking stall provided in tandem.

## Issues and Considerations:

- Proactive enforcement with annual licensing and inspection for life safety issues
- The amendments would replace the current Rooming House definition with a new and clearer definition that establishes maximum number of Boarders
- Licensing would provide a means for tracking this segment of the rental market and an inventory of licensed boarding facilities would be created and maintained
- Option 3 may result in better quality accommodation for boarders however, given expenses with the upkeep of properties that would result this may result in rental increases for a more vulnerable segment of the rental market
- Annual inspection would serve as an important tool for ensuring compliance with various codes however, it is very resource intensive and would require the establishment of a work team which would have a core set of employees but also require resource commitments from other work areas including Fire, Building Standards, Parking Standards, Enforcement, and Planning.
- The implementation period would be long as specific bylaw provisions and regulations would need to be prepared and adopted. In addition work would be required to hire a work team to administer and regulate the annual inspection process. It is estimated that the implementation period would be two to three years.
- A development permit would not be required for a boarding house (less than four boarders) but would be required for more than four boarders should City Council approve.

### Resource Implications:

A work team would need to be established as well as resource commitments from a number of business units to undertake an annual licensing process.. The resources would also be required to undertake public education on the new regulations.

Estimated additional resources:

Manager Position  
Administrative Support  
Boarding House Coordinator  
Two Bylaw Licensing Clerks

Staff allocations from the following work areas to an inspection team:

- Fire
- Building Standards
- Bylaw Enforcement
- Parking Standards

### **Public Comments and Issues Identified:**

#### General

- Support adoption of the approach used in the City of Ottawa which is very similar to this option
- This option provides for a coordinated approach to dealing with the multiple regulatory areas that this issue touches and does so with a team approach from many city regulatory work areas
- An important implementation piece of this option would be public education and advertising to inform the public and property owners of the changes in regulatory approach
- Prefer this option with the owner living in the house
- The City should consider making parking a cost that might deter more vehicles from parking on the street.
- The adoption of Option 1 will lead to further community degradation. The current lack of regulation is allowing a “free ride” on community assets

#### Regulation

- A requirement of 0.5 parking stalls per boarder is fair. This should address on-street parking impacts
- As indicated in Option 2 – If this option is selected it should address daily rentals and classify those situations as something different. These operations are operating more as motels in a residential area and may need to be defined differently. Rentals by boarders should be for at least a one month period to provide for more stability and less frequent tenant turnover
- The capacity of boarders in a home should be determined by the number of bedrooms or size of house. One option for determining the number of boarders in a house might be to have the number of boarders determined by the floor area of the home or a boarder to washroom ratio
- The City in adopting this option will also need to look at how secondary suites in detached dwellings are treated

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- Option two and three indicated that boarding house can have up to four boarders present in the home as a permitted use. If implemented this option should consider 2 or 3 boarders as opposed to 4 as a permitted use. Fewer boarders should be considered where the owner resides on site as the impacts of the owners household need to be considered.
- The City should regulate the number of boarding houses permitted in an area to avoid clustering of boarding house activity

### Enforcement

- This option includes vital element of monitoring and enforcement and proactive enforcement
- This option allows the City to regulate and enforce Boarding Houses as a business
- Confidence in enforcement and follow up is critical and this option provides for more regular enforcement and follow up
- Any option must address fire regulations, electrical code and insurance guidelines. Option 3 ensures that this is addressed on an ongoing basis. This option is proactive with respect to enforcement. What we currently have is reactive enforcement which is ineffective and inconsistent. This option ensures that life safety issues are checked with regularity

### Licensing

- Rooming and boarding rental situations are businesses and need to be licensed
- To reduce the costs with implementation the City should not do annual inspections and could have home owners complete applications voluntarily on line with no fee. Another option might be to do inspections of rooming and boarding facilities every three to five years but still have them submit an annual fee

# **Combination of Options Presented**

Public Responses: 6

## **Public Comments and Issues Identified:**

### General

- In addition, to the regulations identified in the options the City needs to provide land lord information to the CCRA to ensure they are paying taxes
- These residents were aligned with some combination between options two and three

### Regulation

- Option three should be changed to only allow rooming/boarding house situations in medium to high density residential area and some commercial zones.
- Overall in favour of option 2 but owners can not be invisible to neighbours. It must be clear that this option is a limit of four boarders regardless of whether or not they live in a basement suite. Four must remain four throughout the building.

### Licensing

- Rental of rooms in residential areas can occur but only if they are licensed and no more than 2 rooms per dwelling unit. The City should also list the location of homes that they have inspected through this process



# None of the Proposed Options

Public Responses: 55

## Public Comments and Issues Identified:

### General

- Input on this issue is needed from health, mobile crisis units, and other service providers
- It is unfair to have these operations pop up in existing communities. The City should prohibit the purchase and conversion of homes in existing neighbourhoods into purely rooming or boarding houses. The City needs to address the situations where houses are being physically altered and carved up to add additional rental rooms
- All options do not go far enough to protect the investment home owners have in their homes and the options do not go far enough in protecting the renter
- None of the options presented deal with the real issues which are parking and absent landlords
- Part of the problem is the City converted too many former rental buildings into condominiums
- Safe-guards should be provided to protect boarders
- Owners should be required to provide proof of insurance. This would address some concerns that surrounding residents have about fire risk from the over use and occupancy of detached dwellings
- The uncontrolled expansion of rooming houses into detached residential areas is negatively impacting the character of these areas and it is the City's responsibility is to protect the character and integrity of neighbourhoods
- Amelioration of the low vacancy rate should not be at the expense of established neighbourhoods. The City should put more effort into establishing more apartment rentals
- If an application requires City Council approval then how is the public notified

### Regulations

- There is a need when a group of unrelated people rent that the owner has to be living in the home as this will address a number of behavioural issues
- The options should look at regulating by number of boarders per floor area or having boarder to bathroom ratios
- A parking space should be provided for each boarder and not 0.5 stalls per boarder
- The City should consider an approach of random inspections and not undertake annual inspections as a means to reduce and manage cost
- Rooming houses should be directed to medium and high density areas where sites and parking can be purposefully planned
- Short term accommodation offerings of one day/week are commercial motel business and are not consistent with the purpose and intent of the R1 zone. High turnover in rooming houses and

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“residential motels” and transient behavior of these situations negatively impact the security and sense of community. If changes are made to the bylaws these existing situations should not be grandfathered.

- The City should regulate boarding houses in the same manner that Group Care facilities are regulated by restricting the number that can be allowed in any given district or block face
- Up to four boarders is too many. Rules should fall in line with what the insurance industry deems a rooming house with anything more than two rooms being rented out a rooming house. Number of boarders should be limited to no more than two per detached dwelling and more than 2 boarders should only be allowed in medium to high density residential zones
- The parking standard should be higher with at least .75 spots per boarder as opposed to the 0.5 stalls per boarder identified in options 2 and 3. In general, off-street parking standards/requirements must be implemented
- The current Rooming House definition is out of date and needs to be addressed
- There needs to be an alignment between the number of boarders and the zones they are located

### Licensing

- Home owners renting out rooms from the primary residence should be allowed to do so and not required to need a permit or a license. Regulate instead the situations where the owner is absent
- Room rental business that earn more than \$5000/year must be licensed and inspected for life safety issues
- Licensees must agree to periodic inspections

### Enforcement

- No matter what option is chosen enforcement of the bylaws and current bylaws must occur regardless of rental arrangement. The City needs to increase fines for street parking violations. The City should make it clear how the bylaws will be enforced no matter what option is selected
- More thorough enforcement is the key for any bylaw. Enforcement should be on a graduated scale with penalties increasing for multiple offences.