



City of
Peterborough

TO: Members of Planning Committee

FROM: Ken Hetherington, Manager, Planning Division

MEETING DATE: April 30, 2012

SUBJECT: Report PLPD12-021
Boarding and Lodging Houses
Zoning By-law Definition

PURPOSE

A report to recommend a Zoning By-law Amendment to revise the definition of a Boarding House to comply with the City's Business Licensing By-law as it pertains to Lodging Houses.

RECOMMENDATION

That Council approve the recommendations outlined in report PLPD12-021 dated April 30, 2012, of the Manager, Planning Division, as follows:

That Section 1 – Definitions of By-law 1997–123 be amended in accordance with the draft amendment attached as Exhibit 'A' to Report PLPD12-021 to add a "Lodging or Rooming House" to the definition of a Boarding House.

BUDGET AND FINANCIAL IMPLICATIONS

No budget or financial implications would result from the decision to approve this By-law.

BACKGROUND

On February 21, 2012 Council approved a resolution amending certain municipal by-laws pertaining to the regulation of boarding houses. Included in the resolution approved in Report PLPD12-004 was the requirement to amend the City's Business Licensing By-law 05-197 to provide additional provisions for lodging houses. The City's Zoning By-law, however, has always referred to this type of residential accommodation as a "boarding house." The Definitions section of the Zoning By-law contains the following definitions:

"Boarder includes a roomer or Lodger.

Boarding House means a dwelling in which the proprietor, or his authorized agent, resides and provides furnished lodgings, with or without meals, for profit, to three (3) or more persons."

Therefore, with a Licensing By-law which requires licenses for "lodging houses" and a Zoning By-law that permits "boarding houses," licenses for lodging houses cannot be issued because they are not permitted uses under the Zoning By-law.

As was presented in Report PLPD12-004, there are issues regarding the City's existing definitions, particularly with respect to consistency with the Ontario Building Code and Ontario Fire Code. Staff are continuing to undertake a review of the definitions and zoning regulations, which will include the experiences of other municipalities which are home to post-secondary institutions. The adoption of an interim control by-law to prohibit the creation of new boarding lodging and rooming houses, as recommended in Report PLPD12-022, will allow time for a review of the detailed regulatory measures. The proposed amendment to the definition terminology is not implicated by this review.

The proposed amendment does not attempt to address the regulatory issues related to the definition of boarding houses, including 100 percent consistency with the Ontario Building and Fire Codes. The amendment simply bridges the gap between the Zoning By-law, which permits "boarding houses" and the Business Licensing By-law which requires licenses for "lodging houses." The proposed amendment does however include the term "Rooming House" as this is included in the Ontario Building and Fire Codes.

SUMMARY

The proposed amendment to the definition of Boarding House retains the existing definition for Boarding House in tact and only changes the defined term from Boarding House to Boarding, Lodging or Rooming House. This will allow licenses to be issued for legitimate Boarding Lodging or Rooming Houses operating in compliance with the Zoning By-law. The proposed Zoning By-law Amendment is a housekeeping matter but must be processed in accordance with the Planning Act which requires a public meeting.

Submitted by,

Concurred with,

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Manager, Planning Division

Malcolm Hunt, Director
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Attachment: Exhibit A: Draft Zoning By-law Amendment