



Op-ed in support of allowing lodging homes outright throughout Kitchener

The City of Kitchener has the opportunity to maximize sustainable, affordable housing in existing residential buildings. Currently there is a rule that almost all neighbourhoods must keep lodging homes 400 metres apart and lodging homes are not allowed without additional zoning permissions in some neighbourhoods. On October 30th, Kitchener can vote to start to remove these requirements. This would be in line with recommendations of the lodging home subcommittee of the Housing For All Strategy.ⁱ

Lodging homes, as they are referred to in City of Kitchener's 2019 Zoning By-law, are dwellings with 5 or more tenants who rent a lodging unit and share accommodations such as a kitchen or bathroom. Lodging homes are frequently more affordable than other housing typesⁱⁱ and can be available for tenancy much sooner than new builds, since they require only moderate changes to existing structures,

Regulations similar to Kitchener's lodging house bylaw have been deemed exclusionary by the Ontario Human Rights Commission (OHRC). Zoning is meant to govern land use, not to segregate or exclude people. But the current lodging house bylaw does precisely that. Licensing a lodging home is currently only allowed in some residential neighbourhoods without additional zoning permissions required. They are outright banned in Lower Doon.ⁱⁱⁱ

This would only be acceptable practice if it were determined by the capacity of municipal infrastructure such as sewers; with restrictions removed as capacity is updated.^{iv} Ensuring that licensed lodging homes may exist in all residential neighbourhoods is an affirmative step to encourage affordable housing to spread throughout the city.

Kitchener's second act of exclusion is applying a 400 meter "minimum separation distance" between lodging homes. The OHRC reminds us that minimum separation distances were intended to protect people, by separating residential areas from the noise and pollution of industry, not regulate people themselves by dictating where they can live in relation to each other. The OHRC considers this "people-zoning", which is illegal in Ontario.^v

Meanwhile, removing zoning restrictions can allow more lodging homes to be licensed. Licensing can increase protections for tenants and provide a stronger framework for ensuring a lodging house is part of a vibrant neighbourhood. Safety for tenants is improved by ensuring they can report landlords, without the very reasonable fear of becoming homeless when reporting unsafe living conditions. Licensing must focus on ensuring tenant health and safety and requiring property owners to live up to the obligations inherent in being part of a neighbourhood - such as snow removal, maintaining property standards, and



garbage collection. Licensing must regulate the property and the property owner's actions as a business. It must not be abused to push tenants out of neighbourhoods.

High minimum parking requirements can be another barrier to lodging homes as they generally require more parking spaces than is needed. These are expensive, regressive, environmentally damaging requirements which ignore the investments the city has made in walkability, bicycle infrastructure and public transit.

Allowing for more lodging homes throughout the City can encourage existing ones to become licensed, which provides increased protections to renters. Also, facilitating lodging homes can help prevent homelessness as this housing type is much more likely to be affordable. Council has the opportunity to make Kitchener a more inclusive and affordable city. We hope they make the right choice.

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Waterloo Region Yes in My Backyard

ⁱ The lodging homes subcommittee and City of Kitchener staff wrote an October 2023 Issues and Options paper which called for effectively allowing lodging homes as-of right throughout the City of Kitchener. It can be found here: <https://pub-kitchener.escribemeetings.com/filestream.ashx?DocumentId=13737>

ⁱⁱ See Maytree Foundation (2020) "A Human Rights Review of Toronto's Multi-Tenant Homes Policies", pg. 17. https://maytree.com/wp-content/uploads/Human_Rights_Review_Toronto_MTH_Policies.pdf

See also, Joy and Paul Connelly (2021) "The Economics of Rooming Houses" Maytree Foundation, pg. 3. <https://maytree.com/wp-content/uploads/The-economics-of-rooming-houses.pdf>

ⁱⁱⁱ The Lower Doon Land Use Study Report (2021) points this out and calls for allowing lodging homes in Lower Doon: https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD_PLAN_2177_Lower_Doon_Report.pdf

^{iv} The proposed new bylaw for lodging homes has a line that says: "A lodging house shall be connected to full municipal services." See: Attachment C - Amending Bylaw to Bylaw 85-1 City wide Lodging House Review, pg. 2: <https://pub-kitchener.escribemeetings.com/filestream.ashx?DocumentId=13735>

^v See "Room for everyone: Human rights and rental housing licensing", Ontario Human Rights Commission (2013, pg. 17). https://www3.ohrc.on.ca/sites/default/files/room%20for%20everyone_human%20rights%20and%20rental%20housing%20licensing_accessible.pdf

Restrictions on lodging homes in certain residential zones are also judged to have a "discriminatory impact": https://www.ohrc.on.ca/en/news_centre/proposed-lodging-house-licensing-bylaw-and-associated-proposed-zoning-bylaw-amendment