

Rooming Houses in Toronto

This is a form of housing that has historically provided affordable living to many people across Ontario. Because these units are usually found in older buildings and the occupants have lower incomes, local governments have used zoning by-laws to try to keep them out of “respectable” neighbourhoods. But these efforts have generally failed since there is a need for low-rent housing that neither the regular market nor government programs are meeting.

What is a “rooming house”?

The simple definition of “rooming house” is a building that contains rental units that have either a kitchen or a bathroom, but not both. So, there are shared kitchens or bathrooms and sometimes both. Because of this sharing, landlords can put these units on the market at a cheaper rent than self-contained units. People with lower incomes can afford to live in them. This sharing also presents challenges in regard to privacy and safety for the people living there. These units are also known as “dwelling rooms” or “single-room occupancies (SROs)”.

Under Ontario law, people who live in rooming houses are residential tenants unless they share the kitchen or bathroom with an owner (or close family member of the owner) who lives in the building. Tenants cannot be evicted without proper cause and proper notice, and their rents cannot be increased beyond inflation without an Order from the Landlord and Tenant Board. The landlord is responsible for repairing and maintaining the building and the unit and for meeting health and safety standards.

But this is where the problems start. Tenants should be able to call their local government to have a building inspector look at their unit and order the landlord to make repairs or fix unsafe conditions. But if the zoning by-laws prohibit rooming houses in a neighbourhood, an inspection could trigger a process that results in the house being shut down and the tenants losing their housing. Local governments have wrestled with this problem for many years, and satisfactory solutions have not yet been found. Homeowners fight for restrictions, believing that sharing their community with lower-income tenants depresses the value of their property. Rooming house tenants continue to rent “illegal” units because they are the only ones they can afford.

Governments combine tough talk with foot-dragging and the occasional high-profile closing of a dangerous or offensive building.

ACTO has done a lot of work on this issue in the City of Toronto. The zoning by-laws are a patchwork of leftovers from the municipalities that existed prior to amalgamation in 1998. Where they are allowed, rooming houses are subject to a strict licensing scheme which seeks to protect the tenants but makes it very difficult to legally develop, convert or operate these properties.

The City of Toronto has a Housing Charter that says: “All residents should be able to live in their neighbourhood of choice without discrimination.” Prohibiting rooming houses in many areas of the City conflicts with this important commitment. The Housing Charter provides a principled basis for permitting and regulating them across the City and ensuring that they meet the standards that apply to all housing types. But the City has spent years studying and consulting, and appears to be no closer to a resolution. Other communities in Ontario have not even tried to address these problems.

ACTO has been participating in Toronto’s consultation and by-law review process for many years. We have appealed the current patchwork zoning to the Ontario Municipal Board, basing on our argument in part on the guarantees in the Canadian Charter of Rights and Freedoms – the freedom from discrimination. But that case is still a long way off.

Rooming houses provide a way to ensure that our communities are inclusive of all types of people without having to make major new public investments. Proper licensing and inspection can prevent irresponsible property owners from putting tenants or other community members at risk. Across Ontario, where rooming house properties otherwise meet the standards for size, density and building form, they should be allowed in all residential zones anywhere in our communities. And the people that live in them should be welcomed and supported.