

**The Corporation of the
Township of Selwyn**

By-law Number 2021-064

**Being a By-law passed pursuant to the provisions of
Section 34 of *The Planning Act*, R.S.O. 1990, as amended to amend
the Township of Selwyn Comprehensive
Zoning By-law No. 2009-021, as otherwise amended.**

Whereas the Council of the Corporation of the Township of Selwyn has initiated an amendment to By-Law No. 2009-021, otherwise known as the Comprehensive Zoning By-Law, insofar as is necessary to establish regulations related to boarding, lodging or rooming houses.

The proposed zoning by-law amendment will have the effect of permitting boarding, lodging or rooming houses in the following zone categories: Residential Type One (R1), Residential Type Two (R2), and Multiple Residential (R3). Regulations related to boarding, lodging or rooming houses will also be established.

Whereas the Ontario Municipal Act, 2001, S.O. 2001, c.25, Section 5.3, as amended, states that a municipal power shall be exercised by By-law unless the municipality is specifically authorized to do otherwise;

Now therefore the Council of the Corporation of the Township of Selwyn enacts as follows:

1. **Section 2 – Definitions** of By-law No. 2009-021, as amended, is hereby further amended by inserting a new definition following the definition of “Alter”, namely “Amenity Area”, which shall read as follows:

“**Amenity Area**” shall mean an area exterior to the residential building, or an interior area common to all dwelling units within a residential building, which is designed and intended primarily for the leisure and recreation of the occupants of the building and may include a landscaped open space area.

2. **Section 2 – Definitions** of By-law No. 2009-021, as amended, is hereby further amended by inserting a new definition following the definition of “Boat House”, namely “Boarding, Lodging, or Rooming House”, which shall read as follows:

“**Boarding, Lodging or Rooming house**” shall mean a building in which lodging is provided for four (4) or more persons in return for remuneration or for the provision of services or for both, and in which the lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants, but does not include: a motel, hotel, bed and breakfast establishment, tourist establishment, private hospital, group home, second unit or apartment dwelling.

3. **Section 2 – Definitions** of By-law No. 2009-021, as amended, is hereby further amended by inserting a new definition following the definition of “Solar Energy Farm”, namely “Stacked Parking”, which shall read as follows:

“**Stacked Parking**” shall mean a parking space that is only accessed by passing through one or more other parking spaces in a parking area from a street, lane, drive aisle or driveway.

4. **Section 3 – General Provisions** of By-law No. 2009-021, as amended, is hereby further amended with the addition of a new sub-section, namely 3.5 Boarding, Lodging and Rooming Houses, which shall read as follows:

“Notwithstanding any other provision of this By-law to the contrary, a boarding, lodging or rooming house shall be permitted within a single detached dwelling, a semi-detached dwelling, or a townhouse dwelling in the permitted zones. The following provisions shall apply to regulate and govern such use:

- a) The maximum number of bedrooms in a boarding, lodging or rooming house shall be six (6).
- b) The maximum number of people accommodated within any boarding, lodging or rooming house shall not exceed six (6).
- c) No cooking facilities shall be permitted in any bedroom or room other than a kitchen of a boarding, lodging or rooming house.
- d) A minimum amenity area shall be located exterior to the building in the rear yard and shall not be less than a total of 100 square metres for each boarding, lodging or rooming house.
- e) That the boarding, lodging or rooming house complies with the requirements of the Ontario Building Code, Fire Code, and the Residential Tenancies Act.
- f) That the boarding, lodging or rooming house shall be registered with the Township of Selwyn in accordance with the normal requirements of the Township.
- g) That the sole use of the building shall be as a boarding, lodging or rooming house.
- h) A second unit is not permitted on a lot that is used for a boarding, lodging or rooming house. “

5. **Section 3 – General Provisions** of By-Law No. 2009-21, as amended, is hereby further amended by re-numbering the sections following the new subsection 3.5 accordingly.

6. **Section 3.29 – Off Street Parking Requirements** of By-law No. 2009-021, as amended, is hereby further amended by replacing subsection m) Boarding or Rooming House and shall read as follows:

“m) Boarding, Lodging and Rooming Houses - 1 space per bedroom. Off-street parking for boarding, lodging and rooming houses may be arranged as stacked parking spaces provided that the number of parking spaces arranged as stacked parking spaces does not exceed two (2). “

7. **Section 4.9 – Residential Type One (R1) Zone** of By-law No. 2009-021, as amended, is hereby further amended with the addition of a new sub-section, namely 4.9.1.1 f), and shall therefore read as follows:

“f) boarding, lodging or rooming house within a dwelling serviced by municipal water supply and sanitary sewers in accordance with the provisions of Section 3.5 of this By-law.”

8. **Section 4.10 – Residential Type Two (R2) Zone** of By-law No. 2009-021, as amended, is hereby further amended with the addition of a new subsection, namely 4.10.1.1 e), and shall therefore read as follows:

“e) boarding, lodging or rooming house within a dwelling serviced by municipal water supply and sanitary sewers in accordance with the provisions of Section 3.5 of this By-law.”

9. **Section 4.11 – Multiple Residential (R3) Zone** of By-law No. 2009-021, as amended, is hereby further amended with the

addition of a new subsection, namely 4.11.1.1 f), and shall therefore read as follows:

“f) boarding, lodging or rooming house within a dwelling serviced by municipal water supply and sanitary sewers in accordance with the provisions of Section 3.5 of this By-law.”

10. **That** subject to notice of the passing of this By-law in accordance with the provisions of Section 34(18) of the Planning Act, this By-law shall come into force and effect on the date of passing by the Council of the Corporation of the Township of Selwyn.

Read a first, second, and third time and finally passed this 21st day of September, 2021.

Original Signed

Andy Mitchell, Mayor

Original Signed

Angela Chittick, Clerk

Corporate Seal