

BED AND BREAKFAST ESTABLISHMENTS

1.0 INTRODUCTION

A bed and breakfast establishment (B&B) is a temporary accommodation, typically with breakfast, offered to the travelling and vacationing public in a private residential dwelling for an all-inclusive fee. B&Bs have become an integral part of the Ontario tourism industry as they offer an alternative to a hotel or motel. Generally, B&Bs offer a different experience for travellers than traditional forms of accommodation in hotels or motels by providing a homelike ambiance and a personal level of attention, often in dwellings with unique decor or architecture. Typically, the accommodation is not totally self-contained in that the bathroom and breakfast facilities may be shared with other guests and/or with the host family. An important feature distinguishing the B&B from other forms of tourist accommodation is that the primary function of the property is a residence, with the bed and breakfast operation being a complementary or accessory use.

B&Bs are considered to be a residential use and a form of home-based business. However, it is also a commercial enterprise to the extent that there is an exchange of money for the residential services provided. Generally B&Bs are located in dwelling units that are in residential neighbourhoods, ensuring compatibility with the neighbourhood is essential. While they contribute to local economies, they can raise issues concerning their potential impacts upon existing residential neighbourhoods. Some of the concerns include the potential of de-stabilization resulting from the introduction of the new use, increased traffic, increased on-street parking, signage, noise, as well as other less quantifiable impacts that affect neighbours' perception of their neighbourhoods.

Although B&Bs are not permitted in any of the zones in Zoning By-law 5500 (Mississauga), Zoning By-law 1227 (Port Credit), Zoning By-law 65-30 (Streetsville) and Zoning By-law 1965-136 (Oakville), there are a few B&Bs in the City. Some of these establishments have received variances via the Committee of Adjustment, while others operate as non-permitted uses. The City is promoting tourism and encouraging tourists to explore what the City has to offer, and being a popular form of tourist accommodation, additional operations may seek to establish in Mississauga.

2.0 BACKGROUND

Resulting from a complaint, the Enforcement Division of the Corporate Services Department on June 13, 2002 sent notifications to owners of lands identified as possibly operating bed and breakfast facilities in their residences, and requested them to apply to the Committee of Adjustment for minor variances to permit such a use. Four (4) establishments applied to the Committee of Adjustment, two (2) each in July and September 2002, for variances to permit the existing bed and breakfast operations to remain within the existing dwellings. Prior to consideration of the first two (2) applications by the Committee of Adjustment on August 8, 2002, the Planning and Development Committee at its meeting on August 6, 2002 approved the following Recommendation PDC-0097-2002:

“That the Commissioner of Planning and Building be requested to review criteria to permit the establishment of Bed and Breakfast facilities in residential communities in Mississauga and report back to a future Planning and Development Committee meeting.”

Recommendation PDC-0097-2002 was adopted by City Council on August 14, 2002.

This study reviews the existing City Plan/Mississauga Plan policies and Zoning By-law provisions regarding B&Bs, existing B&Bs in the City, policies and provisions of other municipalities, addresses issues related to B&Bs, and develops recommendations based on findings of the study.

3.0 PROVINCIAL REGULATIONS

3.1 *Planning Act, R.S.O. 1990, c. P.13*

Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, allows municipalities to regulate the location of B&Bs. This section allows municipalities to pass zoning by-laws to prohibit the use of lands, except for such purposes as may be set out in the by-laws.

A certificate of occupancy (known as a zoning certificate in Mississauga) is another tool that may be used to keep a record of B&Bs. Under Section 34(6) of the *Planning Act*, a municipality may pass a by-law requiring a zoning certificate in order to change the type of use of any land or building covered by the by-law. A B & B locating in a dwelling is considered a change of use, and would require an application for a zoning certificate. The use of Section 34(6) of the *Planning Act* would also provide a means of establishing a record of B&Bs. A zoning certificate cannot be refused if the use meets the Zoning By-law provisions.

Under Section 41 of the *Planning Act*, a municipality can apply site plan control to “development”, which includes the construction, erection or placing of one or more buildings or structures on land, or the making of an addition or alteration to a building or structure that has the effect of substantially increasing size or usability thereof. Often zoning provisions prevent or limit exterior changes to dwellings containing home-based businesses or bed and breakfast facilities. Site plan approval is applicable to the B&B if any addition or alteration to a structure has the effect of substantially increasing the size or usability thereof.

3.2 *Municipal Act, R.S.O. 1990, c. M.45*

Section 257.2 of the *Municipal Act*, R.S.O. 1990, c. M.45 gives municipalities the power to pass a by-law to license, regulate and govern any business carried on within the municipality including the power to impose conditions and to revoke or suspend a licence.

The new *Municipal Act*, which comes into effect on January 1, 2003, contains restrictions on when a municipality may impose a licensing regime. Under Section 150(2), Part IV, Licensing and Registration, the restrictions will limit the licensing power to the following purposes:

1. Health and safety.
2. Nuisance control.
3. Consumer protection.

Each licensing by-law will be required to include an explanation as to the reason why the municipality is licensing or imposing conditions, and how that reason relates to any of the three foregoing purposes.

3.3 Other Legislation

Under the *Fire Protection and Prevention Act*, a B&B providing lodging for more than three (3) persons in return for remuneration falls under the definition of a “boarding, lodging or rooming house” and, therefore, must comply with more extensive safety requirements, including fire separations around sleeping rooms, egress from dwelling units, number of required exits, etc. Further, the Ontario Fire Code requirements change from residential to commercial (hotel) requirements when the occupancy load is more than ten (10) persons (more than five (5) rooms based on an occupancy load of two (2) persons per room).

Regulation 1037 (amended to Ontario Reg. 371/98) under the *Tourism Act*, R.S.O. 1990, c. T.10, requires tourist establishments that make use of Crown resources to obtain a licence and annual permit from the Ministry of Tourism and Recreation. In discussion with the Ministry staff, it is understood that B&Bs do not require a Provincial licence, except for those tourist establishments that make use of Crown resources.

4.0 CITY PLAN/MISSISSAUGA PLAN POLICIES

City Plan and City Council-adopted Mississauga Plan do not contain specific policies that permit B&Bs in residential planning districts, except in the Streetsville District, which was the result of public input received during preparation of the Streetsville District Policies.

Section 5.3, Residential, Land Use Policies, of City Plan states the following:

“5.3 RESIDENTIAL

5.3.1 Permitted Use

5.3.1.1 The predominant use of the land will be residential dwellings including apartments in houses and special needs housing as follows:

- a. housing for the elderly such as homes for the aged, satellite homes, retirement homes, rest homes, senior apartments, life care communities, and senior retirement communities;
- b. supportive housing such as group homes, shelters for victims of family violence, and transitional homes for youth;

- c. student housing.

5.3.1.2 The following uses normally associated with residential development will be permitted provided that they are compatible with the residential area and in accordance with current City policies and guidelines:

- a. schools, places of religious assembly, firehalls and police stations;
- b. libraries, day care centres, and nursery schools;
- c. accessory offices for physicians, dentists, and drugless practitioners in their principal private residences;
- d. parks and open spaces; where open space lies within the Natural Areas System and/or Greenbelt, the applicable policies of this Plan will apply;
- e. public utilities.”

Section 6.33.4.1, Residential, Land Use, Streetsville District Policies of City Plan states the following:

“6.33.2.1 Residential

In addition to the uses permitted by the Land Use Policies of this Plan, bed and breakfast establishments are permitted provided that they front upon Queen Street, Main Street, Thomas Street or Church Street.”

Similar policies are also contained in City Council-adopted Mississauga Plan under Section 3.2.1, General Policies, Residential Permitted Uses and Section 4.32.4.1, Residential, Land Use, Streetsville District Policies.

To allow B&Bs in residential designations, amendments to City Plan and City Council-adopted Mississauga Plan are required.

5.0 ZONING BY-LAWS PROVISIONS

There are no definitions of “BED AND BREAKFAST ESTABLISHMENT” or provisions related to B&Bs in Zoning By-law 5500 (Mississauga), Zoning By-law 1227 (Port Credit), Zoning By-law 65-30 (Streetsville) and Zoning By-law 1965-136 (Oakville). In other words, B&Bs are not permitted uses in any zone.

B&Bs are considered a form of home-based business, for which a report titled “*Home-Based Businesses*” dated October 2, 1995 was considered by the Planning and Development Committee on October 16, 1995. However, the report was referred back to staff for further discussion. Since then, there was no further report dealing with this matter.

Zoning By-laws 5500, 1227 and 65-30 contain the following definitions:

“DWELLING UNIT” or “HOUSEKEEPING UNIT” means one (1) or more habitable rooms designed, occupied or intended to be occupied as living quarters for a single family or single household and shall, as a minimum standard contain sanitary facilities, accommodation for sleeping and not more than one (1) kitchen.

“FAMILY” or “HOUSEHOLD” means one (1) or more persons occupying a dwelling unit or a housekeeping unit who have access to all areas of the dwelling unit or housekeeping unit, but does not include a group of persons occupying a boarding, rooming or lodging house.

Zoning By-law 1965-136 defines “dwelling” to mean a place of residence, but does not include a hotel or motel, or a building used for institutional purposes such as an orphanage, nursing home, or boarding school.

Those lands west of Winston Churchill Boulevard and north of Dundas Street West, formerly in the Town of Oakville, and presently under the provisions of Zoning By-law 1965-136 (Oakville) are zoned Agricultural (A) with one site zoned Highway Commercial (C5). Therefore, the Residential zone provisions of Zoning By-law 1965-136 are not applicable to lands in Mississauga.

To allow B&Bs as permitted uses in Residential zones, amendments to Zoning By-law 5500, Zoning By-law 1227 and Zoning By-law 65-30 are required. An amendment to Zoning By-law 1965-136 would not be required as none of the lands in Mississauga presently under Zoning By-law 1965-136 are zoned Residential.

6.0 EXISTING BED AND BREAKFAST ESTABLISHMENTS

B&Bs are not permitted uses in the City, however, based on information obtained from web sites and tour books, it appears that there may be fourteen (14) B&Bs within the City. However, no single comprehensive list is available.

All B&Bs in the City, as advertised through various web sites and tour books, operate in detached dwellings and are located on local roads in residential neighbourhoods. Other than the address signs, none of the B&Bs display any ground signs or fascia signs that advertise the establishments.

Map 1 shows the location of advertised B&Bs in the City. As noted, the locations of B&Bs are spread out in the City, with a slight concentration in the southern part of the City in Wards 1 and 2. Through recent telephone enquiries, seven (7) confirmed that the B&Bs are in operation.

The bed and breakfast facilities can be summarized by room capacity as follows:

• Two rooms	4
• Three rooms	3
• Four rooms	2
• <u>Capacity unknown</u>	<u>5</u>
Total	14

Of the fourteen (14) advertised B&Bs, one (1) was approved by the Ontario Municipal Board, two (2) were approved by the Committee of Adjustment and two (2) were refused by the Committee of Adjustment.

Robert and Joyce Dallimore of 2110 Varency Drive applied in 1994, under File C.A.“A” 296/94, for a variance to permit a bed and breakfast operation to continue from the subject property, but was refused by the Committee of Adjustment on May 12, 1994. The applicant appealed the decision, and on September 5, 1995, the Ontario Municipal Board allowed the variance subject to the condition that the number of bedrooms devoted to bed and breakfast operation be limited to three (3). The Committee of Adjustment decision and the Ontario Municipal Board order are attached as Appendix 1 to this report.

On August 8, 2002, the Committee of Adjustment considered two (2) applications under Files C.A.“A” 544/02, John Kavanagh of 1208 Greening Avenue, and C.A.“A” 547/02, Barbara Joan Bowie of 1164 Garden Road, and resolved to authorize and grant the requests, to permit the existing bed and breakfast operations to remain within the existing dwellings on the subject properties, for a temporary period of three (3) years to expire on September 30, 2005 subject to six conditions, including limiting the number of bedrooms associated with the bed and breakfast operations to two (2). The Committee of Adjustment decisions are attached as Appendices 2 and 3 to this report.

On October 10, 2002, the Committee of Adjustment considered an application under File C.A.“A” 761/02, Robert and Lucy Jones of 5466 Middleport Crescent, and resolved to deny the application to permit the existing bed and breakfast operation to remain within the existing dwelling on the subject property. The Committee of Adjustment decision is attached as Appendix 4 to this report.

On October 17, 2002, the Committee of Adjustment considered an application under File C.A.“A” 779/02, Sudeen Ron and Shirley Persaud Doobay of 3571 Copernicus Drive, and resolved to deny the application to permit the existing bed and breakfast operation to remain within the existing dwelling on the subject property. The Committee of Adjustment decision is attached as Appendix 5 to this report.

7.0 BED AND BREAKFAST ESTABLISHMENT PROVISIONS OF OTHER MUNICIPALITIES

Twenty nine (29) municipalities in Ontario were contacted regarding their Official Plan policies and Zoning By-law provisions for B&Bs, eighteen (18) of which provided information which is summarized in Appendix 6.

Most municipalities do not have specific B&B policies in their Official Plans, except the City of Midland, the City of Niagara Falls, the Town of Niagara-on-the-Lake, the City of Oshawa, the City of Sault Ste. Marie, and the City of Toronto.

With respect to zoning, four (4) municipalities do not have specific provisions for B&Bs. The City of Markham does not permit B&Bs in residential zones. The City of Peterborough considers B&Bs as home-based businesses. The City of London permits B&Bs in detached dwellings with no specific zoning provisions. The City of Niagara Falls requires site-specific zoning if the B&B is to be located in Residential zones.

Most of the municipalities with specific B&B zoning provisions allow B&Bs to be accessory to detached dwellings, be owner occupied, restrict B&Bs to two (2) or three (3) guest rooms and require parking for the rented bedrooms. Three (3) municipalities also permit B&Bs in other dwelling types, such as semi-detached and row dwellings, etc. Some municipalities also specify the location for parking, and some allow tandem parking. Most municipalities require the residential appearance to be maintained.

With respect to licensing, only four (4) municipalities have licensing by-laws for the licensing, regulating and governing of B&Bs.

8.0 ISSUES RELATED TO BED AND BREAKFAST ESTABLISHMENTS

Concerns regarding bed and breakfast operations stem from their location in residential neighbourhoods. Because B&Bs have a commercial component, the commercial characteristics may be perceived to be a source of potential conflict in residential areas. The impacts of B&Bs tend to be relatively minor in nature, as reflected is receiving no complaints from neighbours of the B&Bs in the City. Generally, the operations do not generate more noise, smell, dust or other nuisances than from residences with no B&Bs. However, the impacts can increase in relation to the scale of the operation. Some of the concerns of B&Bs include the potential of de-stabilization resulting from the introduction of the use, building alteration, the scale of the new use, increased traffic, parking, signage, noise, etc. These concerns need to be assessed and balanced against the observed characteristics and effects of B&Bs, and regulated where they could be potential problems.

This section reviews the nature of the following issues, and how they are proposed to be dealt with:

- Type of dwelling;
- Residential character;
- Scale;
- Parking;

- Signage;
- Other uses in detached dwellings;
- Zoning certificate;
- Ontario Building Code/Ontario Fire Code
- Licensing;
- Site plan approval;
- Definitions.

8.1 Type of Dwelling

All confirmed B&Bs in the City are located in detached dwellings. In order to address concerns related to neighbourhood compatibility, specifically with respect to the provision of adequate parking and privacy for both B&B guests and neighbours, detached dwellings offer the best opportunity that zoning requirements can be met and land use compatibility issues can be minimized or negated.

Minimum lot requirements for detached dwellings vary depending on the individual zoning category. However, lot sizes for detached dwellings are generally larger than those of other dwellings types. B&Bs require sufficient area to accommodate on-site parking and, therefore, generally require larger lots. The characteristics of B&Bs which are sought by guests are also typically found in larger lots which often contain larger homes.

In order to address neighbourhood compatibility and parking requirements as well as respond to the characteristics of B&Bs, it is proposed that B&Bs be permitted only in detached dwellings.

8.2 Residential Character

There is a concern related to the alteration of residential dwellings in a manner that could change the residential character of the neighbourhood. It is likely that most B&Bs operators would not wish to alter the residential appearance of the dwellings, since a residential setting is often part of their appeal to clients. Through site checks on the existing B&Bs, no advertising signs have been erected. The external appearance of most dwellings remain as private residences. However, to ensure that the integrity of the residential neighbourhood is protected, it is proposed that an appropriate policy be added to the Residential designations in City Plan/Mississauga Plan stating that the residential character of the dwellings must be preserved. It is also proposed that a zoning provision be imposed that the owner(s) must reside on the premises.

8.3 Scale

Since compatibility with the surrounding neighbourhood is an important issue, the number of bedrooms used for B&Bs should be restricted to ensure that the dwelling remains a residence. Controlling the number of rental bedrooms addresses concerns related to increased traffic, and activity due to a large number of guests. The need for physical changes to the property to accommodate parking is also minimized, thereby, maintaining the character of the streetscape.

Of the nine (9) advertised B&Bs in the City with known room capacity, seven (7) have two (2) or three (3) rented bedrooms, while only two (2) have four (4) rented bedrooms. Most detached dwellings in the City contain three (3) to four (4) bedrooms. Allowing a least one (1) bedroom to be exclusively occupied and used by the owner(s) and operator(s) of the B&B, it is proposed that a maximum of three (3) bedrooms be the upper limit for an as-of-right B&B in a detached dwelling.

For B&Bs that have more than three (3) rental bedrooms, if it can be demonstrated that they would be compatible with the surrounding residential area and, all other provisions, consideration may be given based on individual merit via site-specific rezoning application or minor variance application through the Committee of Adjustment.

8.4 Parking

Neighbourhood compatibility issues with B&Bs often centre on concerns related to parking. These concerns can be addressed by ensuring that there is adequate parking on-site for the residents and the guests.

The existing B&Bs in the City are all located on local roads, away from major roads with transit routes. It is likely that guests will travel by cars to the B&Bs. Therefore, the provision of parking becomes an important issue. A typical parking standard for B&Bs required by other municipalities is one (1) space for every rented bedroom. Not altering the parking requirement for the dwelling unit, it is proposed that one (1) space be required for each rented bedroom, in addition to the parking requirement for the detached dwelling depending on the zoning. To provide some flexibility in the provision of parking spaces, it is proposed that tandem parking be allowed.

While additional parking is required for B&Bs, other zoning provisions for detached dwellings, such as maximum permitted driveway or hard surface parking area width, setbacks, lot coverage, landscaping, etc., remain applicable. The intent is to maintain the residential character of the dwellings and to ensure that the integrity of the residential neighbourhood is protected.

8.5 Signage

While many B&Bs advertise through local Chamber of Commerce publications, tourist information centres, tourist information packages and B&Bs directories, web sites, etc., signs are often used to help guests locate the B&Bs. Controlling the size, design, material and location of signs can protect the interest of neighbours and the integrity of the neighbourhood.

The Sign By-law (By-law 0054-2002) lists the permitted sign types by sign class, for Residential and Open Space, Commercial, Industrial and Agricultural Signs. In the Residential and Open Space Sign category, the following table outlines the sign requirements:

Use	Address Sign	Fascia Sign	Ground Sign			No.
	Max. Sign Area	Max. Sign Area	Max. Sign Area	Max. Height	Max. Street Line Setback	
One-family detached dwelling, Semi-detached dwellings, Duplex, Double duplex, Triplex, Row dwelling, Street row dwelling, Quadrifoil	0.2 m ² (2.15 sq. ft.)	Not Permitted	0.4 m ² (4.30 sq. ft.) only for an Address Sign	1.2 m (3.94 ft.)	1 m (3.28 ft.)	1
Apartment house, Maisonette, Multiple horizontal dwelling, Garden court house, Terrace row dwelling, Stacked row dwelling	0.4 m ² (4.30 sq. ft.) and located only on the wall of the first storey	Not Permitted	1.2 m ² (12.92 sq. ft.) only for an Address sign	3.6 m (11.81 ft.)	1 m (3.28 ft.)	1
Business School Place of Religious Assembly	N.A.	5.0 m ² (53.82 sq. ft.)	5.0 m ² (53.82 sq. ft.)	4 m (13.12 ft.)	1 m (3.28 ft.)	1
Special Sign Districts Mineola District ^{1,2,3} ¹ a window sign shall be prohibited in the Mineola District. ² A ground sign in the Mineola District shall be a maximum of 0.45 m (1.48 ft.) thick. ³ A ground sign in the Mineola District shall be either backlit, with individual cut out letters only, or illuminated by a spotlight.	0.09 m ² (0.97 sq. ft.) and not illuminated	Not Permitted	1.2 m ² (12.05 sq. ft.) and 0.37 m ² (3.98 sq. ft.) message area	1.8 m (5.90 ft.) Min. Height 0.9 m (2.95 ft.)	1.5 m (4.92 ft.)	1
Churchill Meadows District - Primary Development Corridors (business use only)	0.2 m ² (2.15 sq. ft.)	15% of the front building face of the first storey and not to be erected higher than the upper limits of the first storey	0.4 m ² (4.30 sq. ft.)	1.2 m (3.94 ft.)	1 m (3.28 ft.)	1

It is noted that other than the address signs, none of the B&Bs in the City have ground signs or fascia signs advertising the facilities. As B&Bs are not permitted uses presently, the proposal to allow B&Bs in detached dwellings in the Zoning By-laws would also require amendments to the Sign By-law. Currently, the Planning and Building Department is reviewing the Sign By-law under a separate study, and this matter will be dealt with in that study.

8.6 Other Uses in Detached Dwellings

The Zoning By-laws currently permit certain occupations or individuals to operate businesses within detached dwellings. Some residential zones permit offices for doctors, dentists and drugless practitioners, music tutoring, occupations or businesses of persons with physical disabilities, and/or home-based businesses to operate in detached dwellings subject to certain requirements. Group

homes are also permitted in detached dwellings of some residential zones. To ensure that the integrity of the residential neighbourhood is not threatened, and to control the type and intensity of the use, it is proposed that other permitted uses in detached dwellings not be allowed in combination with B&Bs.

8.7 Zoning Certificate

Although a B&B is located in a detached dwelling, it is considered a change of use, and would require an application for a zoning certificate. More extensive safety requirements in the Ontario Building Code and the Ontario Fire Code may be applicable. A zoning certificate is also a tool that may be used to keep a record of all B&Bs in the City.

8.8 Ontario Building Code/Ontario Fire Code

B&Bs must meet standards related to fire, safety, building codes in addition to zoning provisions. These standards are necessary for ensuring the safety and enjoyment of the guests, and also providing a consistency in quality for all B&Bs in the City.

Under the *Fire Protection and Prevention Act*, a B&B providing lodging for more than three (3) persons in return for remuneration falls under the definition of a “boarding, lodging or rooming house” and, therefore, must comply with more extensive safety requirements in the Ontario Building Code and the Ontario Fire Code, including fire separations around sleeping rooms, egress from dwelling units, number of required exits, etc. Through review of the applications for zoning certificates, building permits and/or inspections of the premises by Fire Inspectors may be required.

8.9 Licensing

A municipal licence is one mechanism for enforcing operational standards and for tracking the number and location of B&Bs in the City. However, licensing B&Bs may also give the impression that the City is responsible for enforcing minimum standards regarding quality and health. In addition, a considerable amount of municipal resources are required to administer licences.

Although there are a few municipalities in Ontario that require licensing of B&Bs in accordance with the *Municipal Act*, most municipalities contacted do not have licensing by-laws regulating B&Bs. No complaints have been received from neighbours of the existing B&Bs in the City. Further, given the small number of B&Bs in the City and the extra administration involved, it is suggested not to license B&Bs at this time. The zoning certificates noted in Section 8.8 above would track the number and location of B&Bs in the City.

8.10 Site Plan Approval

Under Section 41 of the *Planning Act*, a municipality can apply site plan control to “development”, including the making of an addition or alteration to a building or structure that has the effect of

substantially increasing the size or usability thereof. Site plan approval would be required for a B&B if an addition or alteration to the structure falls within the definition of “development”.

8.11 Definitions

If B&Bs are permitted in detached dwellings, a definition of “BED AND BREAKFAST ESTABLISHMENT” would be required. It should be defined to mean a detached dwelling, where the resident owner(s) offers short-term temporary accommodation, with or without meals, to the travelling and vacationing public, but does not include a boarding house, rooming house, lodging house, group home, hotel or motel.

To ensure that a boarding house, a rooming house, a lodging house, a group home, a hotel and a motel are not interpreted to be a B&B, additional definitions for these uses are required if the terms are not defined in the Zoning By-laws.

Presently, Zoning By-law 5500 contains only definitions of “GROUP HOME” and “HOTEL”, but does not have definitions of “BOARDING HOUSE”, “ROOMING HOUSE”, “LODGING HOUSE” and “MOTEL”. Zoning By-law 1227 contains definitions of “BOARDING HOUSE”, “LODGING HOUSE”, “GROUP HOME”, “HOTEL” and “MOTEL”, but does not have a definition of “ROOMING HOUSE”. By-law 65-30 contains definitions of “BOARDING OR LODGING HOUSE”, “GROUP HOME”, “HOTEL”, “HOTEL, RESIDENTIAL” and “MOTEL”, but does not have a definition of “ROOMING HOUSE”. For consistency in all the three Zoning By-laws, it is suggested that these definitions be reviewed as part of the Comprehensive Zoning By-law Review, and be dealt with under a separate study.

9.0 TOURISM AND ECONOMIC BENEFITS

Although the Ministry of Tourism and Recreation does not licence B&Bs, there are a number of Bed and Breakfast associations and booking organizations which regulate their members. For example, the Federation of Ontario Bed and Breakfast Accommodation (FOBBA) regulates members of its organization through Code of Ethics, and standard policies and procedures. The FOBBA is a self regulating organization which inspects the accommodation offered by registered members on a regular basis.

B&Bs can benefit the municipality by providing: a needed service to tourists; an alternative form of accommodation; an attraction to keep guests in the area for longer periods of time; a means of promoting local restaurants, museums, waterfront facilities, shopping and other attractions; and income to operators and other businesses, involving relatively little capital layout to establish. B&Bs also provide way for the operators to meet new and interesting people.

10.0 PROPOSED POLICIES AND PROVISIONS FOR BED AND BREAKFAST ESTABLISHMENTS

10.1 Proposed City Plan/Mississauga Plan Policies

As noted in Section 4.0 above, City Plan and City Council-adopted Mississauga Plan do not contain specific policies that permit B&Bs in residential planning districts, except in the Streetsville District. To allow B&Bs as permitted uses in detached dwellings, amendments to the general policies of Residential designations in City Plan and City Council-adopted Mississauga Plan are required. The amendments should also include an additional policy stating that the residential character of the dwellings must be preserved.

Since B&Bs are proposed to be permitted as-of-right in detached dwellings in Residential designations, specific policies in the Streetsville District Policies for B&Bs would be redundant and should be deleted.

10.2 Proposed Zoning By-law Provisions

As noted in Section 5.0 above, a B&B is not a permitted use in residential zones in all four Zoning By-laws. An amendment to Zoning By-law 1965-136 is not required since none of the lands in Mississauga under the provisions of Zoning By-law 1965-136 are zoned Residential. To allow B&Bs in detached dwellings in Residential zones, amendments to Zoning By-law 5500, Zoning By-law 1227 and Zoning By-law 65-30 are required. The amendments should include the following:

- add a definition of “BED AND BREAKFAST ESTABLISHMENT” to mean a detached dwelling, where the resident owner(s) offers short-term temporary accommodation, with or without meals, to the travelling and vacationing public, but does not include a boarding house, rooming house, lodging house, group home, hotel or motel;
- add general provisions for Bed and Breakfast Establishments located in Residential zones:
 - permitted only in detached dwellings;
 - the owner(s) must reside on the premises;
 - a maximum of three (3) rented bedrooms are used for the purpose of providing temporary lodging to the travelling and vacationing public;
 - one (1) parking space for each rented bedroom, in addition to the relevant parking requirement for the detached dwelling. Tandem parking is allowed;
 - other permitted uses in detached dwellings, including offices for doctors, dentists and drugless practitioners; music tutoring; occupations or businesses of persons with physical disabilities; and home-based businesses, not be permitted in conjunction with the bed and breakfast establishment;
 - other respective zone provisions for detached dwellings remain applicable.

Other proposed amendments related to the definitions of “BOARDING HOUSE”, “ROOMING HOUSE”, “LODGING HOUSE” and “MOTEL” will be reviewed as part of the Comprehensive Zoning By-law Review and be dealt with under a separate study.

11.0 CONCLUSION

Except for the Streetsville District, City Plan and City Council-adopted Mississauga Plan do not permit B&Bs in other residential districts. B&Bs are not permitted uses in any of the zones in the four Zoning By-laws.

In addressing the issues of B&Bs, this report reviews the existing City Plan/Mississauga Plan policies and Zoning By-law provisions related to B&Bs, reviews existing B&Bs in the City, reviews policies and provisions of other municipalities, addresses related issues, and develops recommendations based on findings of the study.

Based on the evaluation of the background information and related provisions, this report proposes that City Plan and City Council-adopted Mississauga Plan be amended by allowing B&Bs as permitted uses in detached dwellings, and that the residential character of the dwellings must be preserved.

This report also proposes that Zoning By-law 5500, Zoning By-law 1227 and Zoning By-law 65-30 be amended by adding general provisions in Residential zones permitting B&Bs in detached dwellings subject to, among other requirements, the owner(s) must reside on the premises, limiting the maximum number of rental bedrooms, parking requirement, and other permitted uses in detached dwellings not be allowed in conjunction with B&Bs. A definition of “BED AND BREAKFAST ESTABLISHMENT” is also proposed.

Other proposed amendments related to the definitions of “BOARDING HOUSE”, “ROOMING HOUSE”, “LODGING HOUSE” and “MOTEL” will be dealt with as part of the Comprehensive Zoning By-law Review.

12.0 RECOMMENDATION

It is suggested that a public meeting be scheduled for proposed amendments to City Plan/Mississauga Plan, Zoning By-law 5500, Zoning By-law 1227 and Zoning By-law 65-30.

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**BED AND BREAKFAST
ESTABLISHMENTS**

November 2002

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Planning and Building Department

