



Municipality of Leamington Boarding House Study Update

September 2020

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EXECUTIVE SUMMARY

This Study concerns two types of housing, farm help accommodations and boarding houses. This Study is an update to a 2018 Boarding House Study and more closely examines the four specific approaches to addressing affordable housing opportunities in Leamington and also housing needs for farm workers. This Study identifies the following potential approaches:

- **Small boarding houses in the Urban Settlement Area.** Small boarding houses are those with four (4) to six (6) people, and will be permitted in low-density residential zones. This form of development would not require Site Plan Control but would be subject to other applicable inspections and permits (e.g. building permit).
- **Large boarding houses in the Urban Settlement Area.** Large boarding houses are those with seven (7) people or more, and will be permitted in medium to high density residential zones. Large boarding houses would be permitted in Leamington's Urban Settlement Area. The Zoning By-law would include specific details to guide the development process and applicants would be subject Site Plan Control process to address site specific design issues and concerns.
- **Farm help dwellings on-site (co-located with the farm operation in the Agricultural Area).** On-site farm help dwellings would be permitted for agriculturally designated lands. Farm help dwellings are to be located on the same site as the agricultural operation. The Zoning By-law would include specific details to guide development. The expectation is that in most cases, on-site farm help dwellings would be part of the broader site plan approval process for larger scale form of agricultural development (e.g. greenhouses).
- **Farm help dwellings off-site (located within the Agricultural Area but on a separate site from the farm operation).** Farm help dwellings off-site would be permitted within 800 metres of the primary place of employment, subject to the provision of a pedestrian/active transportation connection. The farm help dwellings should be placed within the cluster of farm buildings and limited to one boarding house per site. If the property does not have a primary agricultural use, a Zoning Bylaw Amendment to permit a boarding house within an existing residential dwelling, as a main use on the property, could be considered.

The Study lays out the policy implications for the four different approaches, along with the advantages and disadvantages of each approach. The Study recommends implementing each of the four different approaches in an effort to balance the overall pressure for a variety of housing options in the Municipality and the need to ensure that new development can be serviced efficiently, is compatible with the surrounding uses and is done in a manner which meets health and safety expectations.

The implementation process includes drafting an Official Plan Amendment and Zoning By-law Amendment where additional details can be further considered and assessed. The draft Official Plan Amendment and Zoning By-law Amendments would be circulated to commenting agencies and following, a statutory public meeting will be scheduled to engage with the public and stakeholders. Following this, a report would be prepared for Leamington Council, subject to approval, will then be moved to Essex County for approval. The mandated appeal periods will be in place following approval and subject to their results will lead to final approval and consolidation of the Official Plan and Zoning By-law.



1.0 INTRODUCTION

Dillon Consulting Limited (Dillon) was retained by the Municipality of Leamington ('the Municipality') in 2020 to review and update an earlier Boarding House Study completed by Jones Consulting Group in April 2018 (hereafter referred to as 'the 2018 Boarding House Study'). The 2018 Boarding House Study provided a detailed review of how boarding houses were being utilized in the Municipality and the potential impacts, if any, on the Municipality. Since the completion of the 2018 Boarding House Study a new Provincial Policy Statement came into effect, the Municipality is also completing its Official Plan review, with a Draft of the updated Plan currently posted for public review. In addition to this, the Municipality has continued to see a wide range of development applications, including opportunities for new large scale greenhouse operations in the agricultural area, as well as a range of different housing proposals within Leamington's urban area. Dillon was retained to review the recommendations from the 2018 Boarding House Study in lieu of recent policy changes, feedback from the on-going Official Plan Review and take into account any

This Study distinguishes between agricultural areas and agricultural uses. The term agricultural area refers to lands in the Official Plan which are designated for agricultural uses. Agricultural uses are generally defined in Leamington's Official Plan as uses that include the growing of crops and raising livestock, tree farms, aquaculture farming and forestry and conservation uses, greenhouse farming, on-site housing and mushroom farms (see Policy 3.1.2 for additional details).

additional emerging issues and opportunities related to recent development trends.

1.1 Context

Leamington is a major component of Ontario’s agricultural sector, home to over 60%¹ of Ontario’s greenhouses, generating \$1 billion in farm gate revenue annually (Windsor Essex Economic Development Corporation, 2020). Leamington’s fertile soils and favourable climate support the range of agricultural crops which contributes to the economic growth and vitality of supporting one in eight jobs across Canada (Agriculture and Agri-Food Canada, 2019). With close to 2,000 acres of land occupied by the industry, one of the key aspects to the ongoing operations is the provision of housing for the farm worker population that the industry relies on, including a significant population of Temporary Foreign Workers (see **Figure 1-1** showing location of existing greenhouse operations). Temporary Foreign Workers, or sometimes called migrant workers, are defined as a foreign national engaged in work activity who is authorized, with the appropriate documentation, to enter and to remain in Canada for a limited period (Elgersma, 2014). In Ontario approximately 21,975 jobs were filled by temporary foreign agricultural workers, with greenhouse, nursery and floriculture production industry hiring the majority of temporary foreign workers (Statistics Canada, 2015).

This Study concerns two types of housing, farm help accommodations and boarding houses. Generally, farm help accommodations are intended to provide seasonal accommodation for workers of the owner or operator of a farm and are located in an agricultural area. A boarding house is a form of affordable housing, offering rooms for rent, typically (although not exclusively). The occupants of a boarding house are not a single tenancy and the dwelling format varies, including single-detached, semi-detached, townhome or apartment dwelling.

Workers are typically housed in on-farm accommodations (referred to as farm help dwellings), or in accommodations in the Municipality’s urban settlement area (i.e. boarding houses). In recent years, a number of issues have emerged around the supply of affordable housing options in Leamington. Some of the key issues include:

- **Provision of efficient and cost effective water and wastewater servicing solutions can be a challenge:** Full municipal servicing is currently not in place in agricultural areas where temporary farm help dwellings are required. Based on the Province’s hierarchy of services, the expectation is that most farm help accommodations are to be serviced using private services, however it is acknowledged that the required infrastructure as well as the Ministry of Environment, Conservation and Parks (MOECP) approvals process for the installation of private services can take an extended period of time to secure approvals. Amongst other things, the MOECP requires approvals for large private systems (i.e. systems with a design capacity in excess of 10,000 litres per day). In addition, there are concerns around the long term sustainability of implementing a

¹ 60% includes all greenhouses in Leamington and Kingsville.



Looking north on Highway 77 showing cyclist travelling southbound on paved shoulder.

high number of larger scale private wastewater solutions in the agricultural area, increasing the risk of septic failure. Within Leamington's urban area, while there is the ability to provide full municipal services, depending on the scale and location of development there may also be site specific challenges related to undersized combined sewers or localized capacity constraints.

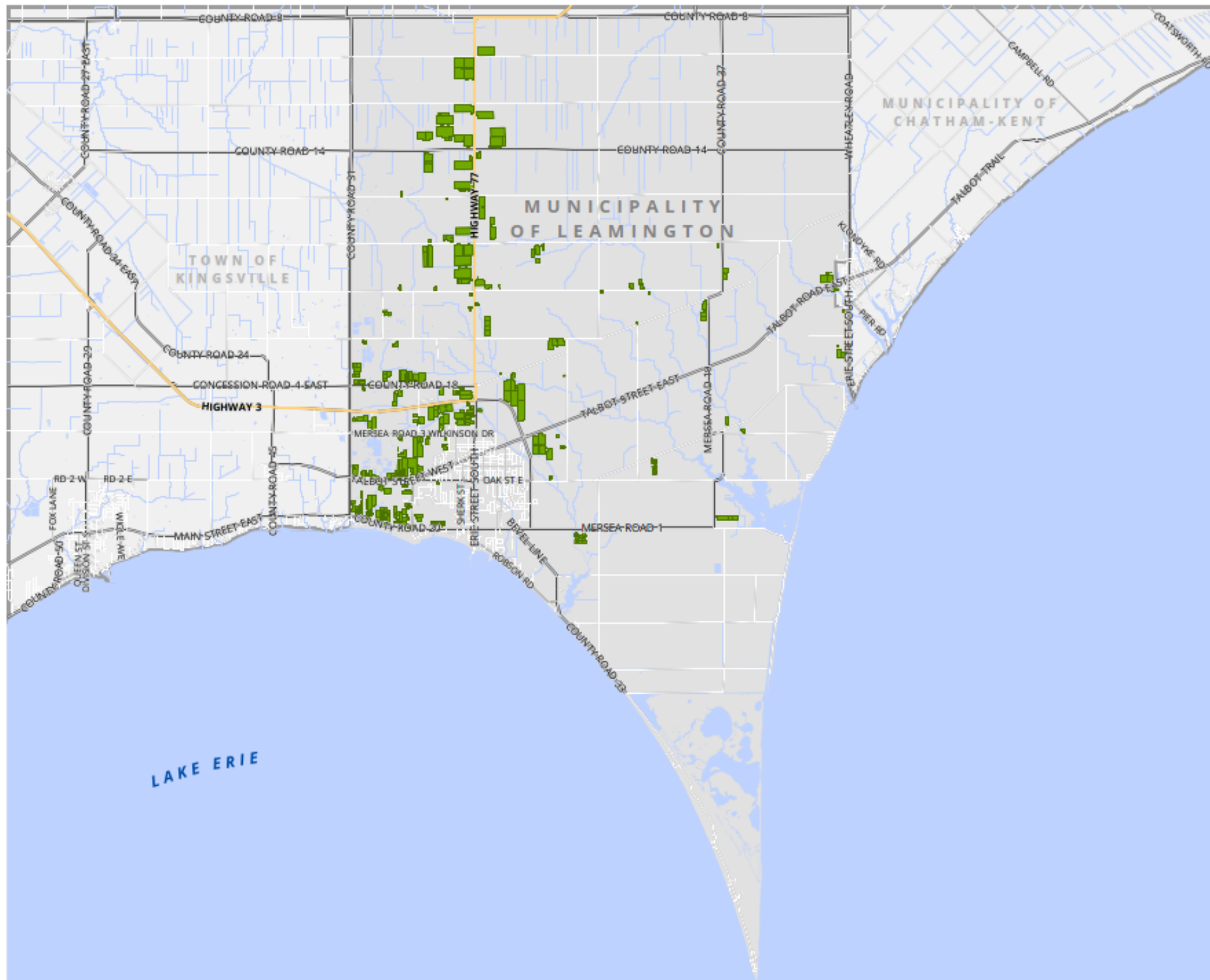
- **Access to a safe and efficient transportation network is critical for employers, workers and residents:** There are emerging concerns over road safety in the agricultural area, where a number of farm workers use bicycles to travel to and from work (be it from one farm to another farm or from the urban area into agricultural area/ and vice versa). And while a number of farm workers live within the urban area, a number of workers whose accommodations are located within the agricultural area regularly travel to the urban area to take advantage of the broader range of services and amenities located in Leamington. Most roads in the agricultural area are not well equipped to safely support active transportation modes, with pedestrians and cyclists using the shoulder or the road where there is no paved shoulder (or a very narrow shoulder). Ditches and drains adjacent to the road prevent quick fixes and nighttime travel can also be a major challenge, as most roads are not well lit. Improving road safety for active transportation in the agricultural area within the public right of way requires significant long term investment. And while there is improved connectivity for active transportation within Leamington's urban area (sidewalks, bike lanes, trails, slower speed limits, lighting, etc.), there can be challenges at the site and neighbourhood level, such as a lack of neighbourhood connectivity and/or inadequate on site bike storage.

- **There are unknown impacts on the overall supply of affordable housing:** Maintaining a sufficient supply of affordable housing is a matter of provincial interest and is critical to the future growth of the Municipality. Most municipalities across the province face challenges around housing affordability. In Leamington, this challenge is more complex, as the Municipality’s approach needs to cater to both residents and farm workers alike, suggesting the need for a diversity of housing solutions.

1.2 Study Purpose

The purpose of the following report is to review and refine recommendations of the 2018 Boarding House Study and take into consideration any relevant policy changes from the 2020 PPS to ultimately provide clear options to Council. This update is scoped to also consider directions from the County Official Plan, the draft Official Plan (Draft OP), and briefly touches upon some additional examples elsewhere in Ontario and Canada. The findings and recommendation of this report are intended to provide the basis for an Official Plan Amendment and Zoning By-law Amendment.

This report is organized into five sections, with this first section providing a general overview and explanation of the context for the study. The second section summarizes the key findings and recommendations of the 2018 Boarding House Study and the third section includes a detailed policy and regulatory review of several different housing options. The fourth section covers several examples of how other municipalities have dealt with farm help dwellings and boarding houses. The fifth section summarizes the advantages and disadvantages for the various options and includes recommendations and next steps.



MUNICIPALITY OF LEAMINGTON

GREENHOUSE LOCATIONS

■ Greenhouse

1:110,000
0 1 2 4 km

MAP CREATED BY: GM
MAP CHECKED BY: ZS
MAP PROJECTION: NAD 1983 UTM Zone 17N

DILLON CONSULTING

PROJECT: 202349
STATUS: DRAFT
DATE: 2020-04-21

Figure 1-1: Greenhouse Locations Map

2.0 STUDY BACKGROUND

2.1 Summary of Jones Consulting Group Boarding House Study (2018)

The 2018 Boarding House Study was undertaken to understand where and how properties in the Municipality were being used as boarding houses, as well as the potential impacts they have on the Municipality. The Study was undertaken at the request of Council to “identify the need for affordable housing within Leamington and how that is best accommodated through intensification and growth;

- a) identify areas in the municipality that can appropriately accommodate increased density based on:
 - o capacity of municipal services,
 - o access to amenities, recreational opportunities, transit routes and commercial and social services
 - o the density, form and compatibility of adjacent existing development
- b) establish regulatory controls to be implemented within the Zoning By-law framework, including establishing a definition of a “boarding, lodging and rooming house”
- c) ensure that the definition is consistent with the definitions and regulations of the Building Code Act and the Fire Protection and Prevention Act
- d) establish Leamington specific minimum standards for boarding houses such as the number of washroom facilities, minimum and maximum number of rooms, available common space, etc.
- e) provide tools to establish a licencing system to ensure the proper management and conversion of existing dwellings for use as boarding houses.”

Council enacted an Interim Control By-law (78-16) on November 21, 2016 and commissioned the Jones Consulting Group to complete the Study. The Study summarized a planning analysis of boarding houses and farm help dwellings. Residents’ and stakeholders concerns were also documented. One of the key concerns raised in the report was the available supply of affordable rental units in the urban area, as a number of single detached dwelling units were being utilized as boarding houses to house Temporary Foreign Workers and the overall supply of rental housing was diminishing. In addition, a number single detached dwelling units had not been converted to the standard of the Building Code, and concerns were raised around the quality and safety of housing. Additional issues including the impact on urban sanitary services, increased traffic on roads, road safety in particular for workers who commute on foot or by bicycle on roads which do not have adequate facilities for these modes, and neighbouring residents’ concerns about potential overcrowding further compounded the matter.

The Study also reviewed common definitions for boarding houses, characteristics of boarding houses, the foreign worker programs in Canada, the geographic characteristics of boarding houses in Leamington, issues related to boarding houses including sanitary servicing, regulatory controls, the safety and social

well-being of residents and the economic benefits associated with the greenhouses. The Study provided a review of comparator municipalities' policies related to farm help dwellings, including boarding houses or similar accommodations.

2.2 Boarding House Study (2018) Recommendations

The 2018 Boarding House Study provided a number of specific recommendations which are briefly summarized below:

1. Establish a planning approval framework for boarding houses and foreign worker housing to ensure that development aligns with the Building Code and fire safety standards.
2. Distinguish between different types of boarding houses by classifying the boarding houses as large and small, as well as on-farm, off-farm and off-farm within settlement areas.
3. Identify off-farm boarding houses as small or large based on occupancy. Small boarding houses would be boarding houses with a maximum of four, six or ten occupants. Large boarding houses would be a boarding house with more than four, six or ten occupants. The consultants recommend that Council decide whether four occupants, six occupants or ten occupants will be the threshold.
4. Small on-farm and large off-farm boarding houses should be permitted outside of the settlement areas, and small off-farm boarding houses within the settlement areas would be permitted in the Zoning By-law as-of-right. The basis for these recommendations stems from the position that boarding houses bear an essential role in supporting the local agricultural economy, and supporting policies and Zoning By-law permissions should be put in place, provided sufficient sanitary sewer capacity is available to support the development.
5. On-farm boarding houses would have the following provisions:
 - Permit foreign worker housing as-of-right in all agricultural zones;
 - Include a new definition for boarding houses;
 - Restrict the use of mobile homes as boarding houses;
 - Permit one single detached dwelling and farm help dwellings on an agricultural site that is larger than 0.8 hectares and contains an agricultural use;
 - Permit one single detached dwelling or one farm help dwelling on an agricultural lot that does not contain an agricultural use or is less than 0.8 hectares in size;
 - Boarding houses will be considered accessory buildings;
 - Remove the maximum number of labourers permitted to be accommodated in on-farm farm help dwellings; and
 - Licence the dwelling under the *Municipal Act*.
6. Off-farm boarding houses outside settlement areas have the following provisions:
 - Permit boarding houses supporting temporary farm workers as-of-right in all agricultural zones;
 - Include a new definition for boarding houses;

- Encourage the exterior design of boarding houses to retain the characteristics of a single detached dwelling in terms of architecture, massing, height, gross floor area, parking and access;
 - Maximum height shall be 10 meters; and
 - A maximum of one (1) boarding house per property.
7. Off-farm boarding houses inside settlement areas have the following provisions:
- Permit small boarding houses as-of-right in any residential zone;
 - Require a Zoning By-law Amendment for large boarding houses;
 - Ensure adequate availability of water and sanitary services;
 - Monitor the locations of new boarding houses to ensure that the stability of existing neighbourhoods is maintained;
 - Encourage the design of boarding houses to retain the characteristics of a single detached dwelling;
 - Establish Planning Areas where larger boarding houses would be permitted. Establish maximum densities for Planning Areas;
 - Maximum height shall be 10 meters;
 - Minimum landscaped open space should be 35-45%;
 - Establish maximum densities based on the number of approved boarding house occupants per hectare – i.e. 10-20 boarding houses per hectare within the specific Planning Areas that permit the boarding houses, 200-300 boarding house occupants per hectare within the specific Planning Areas that permit the boarding houses;
 - Require one (1) bicycle parking space per occupant;
 - Provide parking at a rate of 1 space per 5-10 occupants;
 - Second suites are not permitted on the same property as a boarding house; and
 - A maximum of one (1) boarding house per property.
8. The proposed definitions for key terms are as follows:
- *Boarding House or Lodging House or Rooming House, SMALL:* Shall mean a dwelling in which the proprietor supplies, for a fee, sleeping accommodation with or without board for a maximum of XX (XX)² persons, including the proprietor, but does not include a hotel, hospital, group home dwelling, home for the young or the aged, and bed and breakfast establishment. Accommodation provided off of the farm, with or without a fee, to temporary foreign workers under programs such as the Seasonal Agricultural Worker Program and Temporary Foreign Worker Program, also fall under this definition.
 - *Boarding House or Lodging House or Rooming House, LARGE:* Shall mean a dwelling in which the proprietor supplies, for a fee, sleeping accommodation with or without board

² The specific number of persons recommended for inclusion in the definition of a *Boarding House, Lodging House, or Rooming House, small* was not identified in the 2018 Boarding House Study.

for XX (XX) ³or more persons, including the proprietor, but does not include a hotel, hospital, group home dwelling, home for the young or the aged, and bed and breakfast establishment. Accommodation provided off of the farm, with or without a fee, to temporary foreign workers under programs such as the Seasonal Agricultural Worker Program and Temporary Foreign Worker Program, also fall under this definition.

- *Temporary Foreign Worker*: Shall mean a worker hired through the Seasonal Agricultural Worker Program or the Temporary Foreign Worker Program offered by the Government of Canada or any other similar program designed to fill temporary labour and skill shortages when qualified Canadian citizens or permanent residents are not available.
- *Dwelling, Farm Help*: Shall mean a dwelling that is used for the housing of farm workers on the farm they are employed, including, but not limited to, temporary foreign workers, where the workers assist on the subject farm on a regular basis.

The 2018 Boarding House Study identified four possible approaches to addressing the housing situation in Leamington. Building from the 2018 Boarding House Study, this report considers the rapid growth in the greenhouse industry, reviews the latest Provincial policy and regulations relevant to farm help dwellings, and reviews the advantages and disadvantages of various policy options to guide the Municipality. The following section provides an in-depth review, interpretation and direct application of Provincial, County and Municipal policies as related the various approaches to the housing needs in Leamington.

³ The specific number of persons recommended for inclusion in the definition of a *Boarding House, Lodging House, or Rooming House, Large/Small* was not identified in the 2018 Boarding House Study.



3.0 PLANNING POLICY REVIEW

The following section presents an analysis of boarding house/farm help dwelling approaches alongside the applicable Provincial, County and Municipal policies and regulations. The policy review considers the following approaches:

1. Boarding houses in the Urban Settlement Area⁴:
 - a. Large
 - b. Small
2. Farm help dwellings on-site (co-located with the farm operation in the Agricultural Area)
3. Farm help dwellings off-site (located within the Agricultural Area but on a separate site from the farm operation)

The planning policy analysis considers the following:

- Provincial Policy Statement (PPS), 2020;

⁴ It is important to note that the Leamington Official Plan does not delineate the specific limits of the Urban Settlement Area. However, the County of Essex Official Plan identifies the Urban Settlement Area for Leamington on Schedule A2. For the purposes of this report, the term Urban Settlement Area is meant to refer to those lands shown on Schedule A2 in the Municipality of Leamington which are identified as “Primary Settlement Area”.

- Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) Guidelines for Permitted Uses in Ontario’s Prime Agricultural Areas, 2016 (hereinafter referred to as the OMAFRA Guidelines);
- County of Essex Official Plan, 2014;
- Municipality of Leamington Official Plan, 2008; and
- Municipality of Leamington Zoning By-law 890-09, 2009.

The updated PPS came into effect on May 1, 2020. The PPS supports the government’s goals related to increasing housing, supporting jobs, and reducing red tape. OMAFRA regulates land uses within prime agricultural areas (provided all PPS criteria are met), and provides guidance on permitted uses within these areas.

At the local level, recognizing various overlaps between policies and criteria in the Official Plan, the analysis attempts to consolidate the relevant policies and criteria, and identify and evaluate the potential planning and land use related issues associated with the proposed housing developments.

3.1 Provincial Policy Statement, 2020

3.1.1 Boarding Houses in the Urban Settlement Area

Based on the PPS (2020), boarding houses within the urban settlement area would be permitted in areas designated for residential development and would be required to be located on full municipal services. The PPS does not include specific policy direction for boarding houses, but does include a number of policies which are relevant to this Study. The PPS supports promoting efficient development and land use patterns which sustain the financial well-being of the municipality over the long-term. The PPS also supports accommodating a range and mix of residential uses to meet long-term needs, as well as policies to promote affordable housing. This analysis suggests that boarding houses in the urban settlement area would be consistent with the applicable policies of the PPS including:

- I. Section 1.1.1 relating to healthy, liveable and safe communities;
Boarding houses would provide a range and mix of residential uses. By permitting boarding houses in the urban areas of the municipality, Leamington would promote cost-effective development patterns and standards to minimize land use consumption and servicing costs.
- II. Section 1.1.3 relating to settlement areas;
Boarding houses in the urban area help to increase density and also could help to promote and support active transportation.
- III. Section 1.4 relating to housing;
Boarding houses in urban areas would provide affordable housing opportunities while helping to maintain the stock of existing residential dwellings.
- IV. Section 1.6.6 relating to sewage, water and stormwater servicing;

Directing boarding house developments to the urban area would be in accordance with the Province's servicing hierarchy, whereby denser forms of development are located in fully serviced areas.

V. Section 1.7 relating to long-term economic prosperity;

By updating and revising its approach to boarding houses and farm help dwellings, the Municipality would be supporting greenhouse development and economic growth.

3.1.2 Farm Help Dwellings – On-site

Accommodations that are on the same site as an agricultural operation provide the farm operators with housing options for on-site farm help. The PPS supports agriculture-related uses and on-farm diversified uses that are compatible with, and do not hinder, surrounding agricultural operations. The analysis suggests that farm help dwellings on the same site as agricultural operations would be consistent with the applicable policies of the PPS including:

I. Section 1.1.4 relating to rural areas in municipalities;

The PPS supports providing opportunities for economic activities and promotes diversification of the economic base and employment opportunities in the rural areas. On-site farm help dwellings would be located outside of the settlement area within agricultural areas.

II. Section 2.3 relating to agriculture;

According to the PPS, the permitted uses in agricultural areas are agricultural uses, agriculture-related uses and on-farm diversified uses.

According to OMAFRA's *Guidelines for Permitted Uses in Ontario's Prime Agricultural Areas*, on-site housing for farm workers is considered an agricultural use and is therefore permitted within prime agricultural areas as they provide 'accommodation for full-time farm labour when the size and nature of the operation requires additional employment' (Section 1.3). On-site housing could also be considered an on-farm diversified use per the Guidelines if it accommodates workers from other neighbouring farms. The Guidelines further state that 'agricultural uses may also include associated on-farm buildings and structures' (Section 2.1.1.). Section 2.1.1.2 of the Guidelines states:

'To minimize impacts on agriculture, locate housing for full-time farm labour within the farm building cluster. If this is not possible, place housing on lower-priority agricultural lands that meet the province's minimum distance separation (MDS) formulae requirements and take as little land out of agricultural production as possible.' The Guidelines state that it is recommended that the farmer consider alternatives to building a new, separate, permanent dwelling for farm help. Alternatives can include the following:

I. A second dwelling unit within an existing building on the farm;

II. A temporary structure, such as a trailer or other portable dwelling unit; or

- III. An existing dwelling on a parcel of land that is part of the extended farm operation, or located in a nearby settlement area or on a rural lot (Section 2.1.1.2).

Additional on-site farm dwellings for farm workers are considered to be an appropriate form of housing. The Province's guidelines recognize the importance of additional housing for farm workers and the guidelines provide direction for alternative approaches.

3.1.3 Farm Help Dwellings – Off-site

Some agricultural operations, such as greenhouses, may wish to utilize existing lots other than the greenhouse occupied lots for farm worker housing. This may be for multiple reasons, including a lack of space on the greenhouse lots or septic system issues due to the majority of the septic capacity utilized by the greenhouse. The analysis suggests that farm help dwellings on a separate site from the primary agricultural use would be consistent with the applicable policies of the PPS including:

- I. Section 2.3 relating to agriculture;

The permitted uses in prime agricultural areas are agricultural uses, agriculture-related uses and on-farm diversified uses. The Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas was published in 2016 to help municipalities, decision-makers, farmers and others interpret the policies in the PPS (2014) as they relate to uses that are permitted in prime agricultural areas.

The OMAFRA Guidelines provide clear direction on the permitted uses in on agricultural lands. The intent of the Guidelines is twofold (OMAFRA Guidelines, Section 1.3):

1. maintaining the land base for agriculture (PPS Policy 2.3.1); and
2. supporting a thriving agricultural industry and rural economy (PPS Vision and PPS Policy 1.1.4)

As such, the Guidelines identify three main categories of uses in prime agricultural areas:

- Agricultural uses, which refers to the growing of crops, raising of livestock and raising of other animals for food, fur or fibre. This category also includes associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment;
- Agriculture-related uses, which encompasses farm-related commercial and farm-related industrial uses; and
- On-farm diversified uses, which are located on a farm but are secondary to the principal agricultural use of the property.

The specific criteria indicated for each of these uses is provided in Table 1 of the Guidelines.

Based on the category definitions in the above list, greenhouses are considered to be an agricultural use. Farm help dwellings would be classified as either an agricultural use where the accommodations are

provided on the same farm as the greenhouse operation, or as an on-farm diversified use where the accommodations are intended to house workers from neighbouring farms (Table 2 of the Guidelines specifically reference accommodation for farm labour as a value-added use). It is important to note that severances for on-farm diversified uses are not permitted under the PPS. As such, the application of portions of prime agricultural land for such uses can be achieved through partial zoning, but not lot creation.

3.2 County of Essex Official Plan, 2014

The County of Essex Official Plan (COP) provides a policy framework for managing growth, protecting resources and providing direction on land use decisions through the lower-tier municipalities. The following section provides a summary of the policy analysis for the COP.

3.2.1 Boarding Houses in the Urban Settlement Area

Boarding houses in the urban settlement area would be permitted as a type of residential intensification. The COP does not provide guidance on scale or size for boarding houses; however, the analysis suggests that boarding houses in the urban settlement area would conform to the applicable policies of the COP including:

I. Section 2.2. relating to growth management;

Non-resource related growth and development should be directed to settlement areas where it can be serviced. The boarding houses would be considered a form of residential development. Boarding houses would help the Municipality accommodate demand for additional housing units in the settlement area.

II. Section 2.8.1 relating to roads;

Boarding houses should be permitted on roads that are able to manage the additional traffic requirements that may arise from the use of some personal vehicles or shuttle services. Boarding houses within the settlement areas would locate development within the established urban area where the greatest concentration of infrastructure is available.

III. Section 2.8.4 relating to active transportation;

All boarding houses, whether within the settlement area or outside the settlement area, would typically be required to provide access to an improved pedestrian network to be utilized for active transportation. This may involve installing sidewalks along the frontage of a new development, insuring the boarding house is located in close proximity to a County Wide Active Transportation (CWAT) trail or installing or financially supporting the development of bike lanes in the general vicinity of the development.

IV. Section 3.2 relating to settlement areas;

The COP supports development within the Primary Settlement Area that is compact, mixed-use, pedestrian-oriented, with a broad range of housing types. Residential intensification is promoted in Primary Settlement Areas and permitted within fully serviced Secondary Settlement Areas. All new development in Primary Settlement Areas is required to occur on full municipal services. A healthy mixture of housing types including affordable housing options and alternative housing forms is encouraged. Boarding houses in the urban settlement area would provide increased density, affordable housing opportunities and on full municipal services.

3.2.2 Farm Help Dwellings – On-site

Farm help dwellings could be located within Agricultural designated lands in the COP. The vision for these lands includes a viable agricultural community comprised of many types of industries, including cash crop farming, greenhouse operations, orchards, vineyard farming, mushroom farming and livestock farming. Farm help dwellings on-site in the agricultural areas would conform to the applicable policies of the COP including:

I. Section 2.8.1 relating to roads;

On-farm boarding houses would be located on County Roads, Provincial Highways or local Roads. Traffic concerns and road safety can be addressed on a site specific basis through the Site Plan Control process. As required, the applicants may prepare Traffic Impact Studies.

II. Section 2.8.4 relating to active transportation;

Farm help dwellings are required to provide access to an improved pedestrian network to be utilized for active transportation. This may involve installing sidewalks/paths for a development, insuring the farm help dwellings are located in close proximity to a County Wide Active Transportation (CWAT) trail and/or installing bike lanes in the general vicinity of the development.

III. Section 2.10 relating to sewage and water systems;

The use of private communal sewage services is permitted when municipal sewage services are not available. Most farm help dwellings will utilize a septic system. The septic system will be required to comply with all Ministry of Environment, Conservation and Parks standards.

IV. Section 3.3, relating to lands designated as agricultural;

The vision for land designated agricultural is ‘one which includes a viable agricultural community comprised of many types of agriculture such as cash crop farming, greenhouse farming, orchard farming, vineyard farming, mushroom farming and livestock farming’ (Section 3.3.1). The COP encourages farm operators to engage in a wide range of agricultural activities but discourages non-farm development in the Agricultural designation and recommends that non-farm uses locate in existing settlement areas. Farm help dwellings are

permitted as an agricultural use in the lands designated as Agricultural. The COP states that the farm labour accommodation is to be located in on-farm buildings and structures. Accessory farm accommodation is permitted where the size and nature of the farm operation makes the employment of such help necessary, the additional dwellings do not have a significant effect on the tillable area of the farm or its viability, the use is permitted in the Official Plan and the lands are appropriately zoned. On-site farm help dwellings for farm help workers are permitted in by the COP in lands designated as Agricultural.

3.2.3 Farm Help Dwellings – Off-site

The COP encourages farm operators to engage in a wide range of agricultural activities but discourages non-farm development in the Agricultural designation and recommends that non-farm uses locate in existing settlement areas. Farm help dwellings are permitted as an agricultural use in the lands designated Agriculture. The COP states that the farm labour accommodation is to be located in on-farm buildings and structures. Farm help dwellings located off-site, off-farm for farm labour accommodation are not explicitly contemplated in the COP. In order to be fully consistent with the COP, a farm help dwelling would need to be located on the same site as the farm or greenhouse that requires the additional employment. However, accommodation for farm workers is permitted in the Agricultural designation and would support an agricultural use. Greenhouse owners appear to be utilizing land other than the greenhouse sites to house greenhouse workers throughout the Municipality of Leamington. It may be beneficial for the County to consider adding provisions for off-site farm accommodation, through an Official Plan Amendment, to be more inclusive of farm accommodation proposals in the area.

3.3 Municipality of Leamington Official Plan

The Municipality of Leamington Official Plan (OP) sets general directions for the future pattern of development envisioned for the municipality for a twenty year planning period. The Municipality is currently in the process of reviewing and updating its OP, with a draft of the updated document currently posted for public review. For purposes of this Study update, both the existing OP (2008) and the Draft OP (February 2020) was reviewed in order to represent the latest policy direction for Leamington.

3.3.1 Boarding Houses in the Urban Settlement Area

Boarding houses in the urban settlement area would be permitted as a type of residential intensification and also an opportunity for affordable housing. Our analysis suggests that boarding houses in the urban settlement area would conform to the applicable policies of the OP including:

- I. Section 2.1.1, relating to planning principles;

Boarding houses within the settlement area would be developed on appropriately designated and fully serviced lands. Boarding houses would add to the diversity of housing options, increasing the range of housing. The boarding houses would also create an improved balance

between residential and employment growth by providing housing for the employees of the greenhouses in the Municipality.

II. Section 2.2 relating to site suitability;

Sites would need to be w assessed prior to development to ensure they are suitable for the size and scale of the development. Large boarding house sites would be required to apply for Site Plan Control prior to the issuance of building permits. Site Plan Control would address issues relating to servicing, soil and drainage conditions, traffic and any negative impact on neighbouring properties.

III. Section 2.4 relating to buffering;

Buffering may be required between boarding houses and sensitive land uses. Site specific buffering requirements could be determined at the time of Site Plan Control.

IV. Section 3.2, relating to lands designated as residential;

Boarding houses are not mentioned in the existing 2008 Official Plan. The OP supports providing opportunities to increase the housing supply through residential intensification and encourages developments that provide affordable rental and ownership accommodations. Various types of housing are permitted in the residential designation including *'single unit detached dwellings, two unit dwellings, three unit dwellings, single unit attached dwellings, townhouses, apartments and seniors' housing including retirement homes, nursing homes and private senior care facilities and other housing designed to accommodate special needs or interests'*. Boarding houses could be considered *'other housing designed to accommodate special needs or interests'* and could be considered a permitted use in lands that are designated as residential.

The OP does not designate lands as medium or high density residential (rather lands within the Municipality's settlement area are identified as Residential, allowing for a broad range of permissions). The OP relies on the Zoning By-law to provide more detailed guidance on permitted uses. Accordingly, any new medium or high density residential development or redevelopment proposal may require an amendment to the Zoning By-law. The policies of Section 3.2.2(g)/(h) provides general criteria to be considered when rezoning a property to permit a medium or high density use. Since boarding houses are not specifically permitted in the Zoning By-law, any proposed boarding house (large or small) would need comply with the general criteria provided in the OP and would be considered through the Zoning By-law amendment process.

It is worth noting that the Draft OP permits boarding houses in the residential designation, and states that large boarding houses are residences with more than four (4), six (6) or ten (10) occupants, (to be determined by Council) which may require a site specific Zoning By-law Amendment. The Draft OP also states that small boarding houses will generally be permitted as-of-right within the Primary Settlement Area.

3.3.2 Farm Help Dwellings – On-site

Farm help dwellings can be located within lands designated as Agricultural in the OP. The Agricultural designation in the Leamington OP aims *‘to preserve prime agricultural land for agricultural purposes, to allow farm operators to engage in a wide range of agricultural activities including greenhouse farming, and to restrict the type and amount of non-farm development in the area designated “Agricultural” ’*. The policy analysis suggests that farm help dwellings on the same site as greenhouses would conform to the applicable policies of the OP, including:

I. Section 2.1.1, relating to planning principles;

The OP states that protecting prime agricultural areas for agricultural use is a planning principle for the Municipality. The PPS states that farm helper accommodation is considered an agricultural use. Therefore, farm help dwelling would be supported by the planning principles.

II. Section 2.2 relating to site suitability;

All sites will be assessed prior to development to ensure they are suitable for any proposed uses. All farm help dwellings would be required to apply for Site Plan Control prior to the



issuance of building permits. Site Plan Control addresses issues relating to servicing, soil and drainage conditions, traffic and any negative impact on neighbouring properties.

III. Section 2.4 relating to buffering;

Buffering may be required between farm help dwellings and sensitive land uses. Site specific buffering requirements could be determined at the time of Site Plan Control.

IV. Section 3.1, relating to lands designated agricultural;

The OP restricts residential uses in lands designated as agricultural to one residence per lot. However, additional residences are permitted for farm help accommodation where *'the need for such housing has been adequately demonstrated, the farm help assists on the subject farm on a regular basis, and the farm operation is of such a size and nature that this assistance is required and needs to be located close by the farm'*. Farm help dwellings are permitted under existing the OP.

The Draft OP permits accommodation for full-time farm labour when the size and nature of the operation requires additional employment. The accommodation must be within an on-farm building. The new policies in the Draft OP state that lots that contain an agricultural use and are 0.8 hectares or larger are permitted to contain one single detached dwelling and farm help dwellings. Lots that are 0.8 hectares or

smaller and/or do not contain an agricultural use, are permitted to have one single detached dwelling or one farm help dwelling. The Draft OP appears to support on-site farm help accommodation and also provides opportunities for off-site boarding houses within the agricultural designation.

3.3.3 Farm Help Dwellings – Off-site

Similar to on-site farm help dwellings, off-site farm help dwellings would be sited on lands designated as Agricultural in the OP however, with exceptions. Off-site farm help dwellings provide accommodation to house workers from neighbouring farms. The policy analysis suggests that off-site farm help dwellings located would require changes to the current Official Plan:

I. Section 2.1.1, relating to planning principles;

The existing OP states that protecting prime agricultural areas for agricultural use is a planning principle for the Municipality. The PPS states that farm helper accommodation is considered an agricultural use. Off-site farm help dwellings is supported by the PPS, as long as they are located on land that is actively used for agricultural production and within the farm building cluster, or alternatively within existing residential buildings on rural residential lots. The PPS does not support farm accommodation that takes prime agricultural land out of production. Therefore, it is a best practice that if a farm help dwelling is proposed on a parcel of land that does not have an active agricultural use, it should be proposed within an existing residential structure and limited to one boarding house per subject lot.

II. Section 2.2 relating to site suitability;

All sites would be assessed prior to development to ensure they are suitable for any proposed uses. All off site farm help dwelling would be required to apply for Site Plan Control prior to the issuance of building permits. Site Plan Control would address issues relating to servicing, soil and drainage conditions, traffic and any negative impact on neighbouring properties.

III. Section 2.4 relating to buffering;

Buffering may be required between off site farm help dwellings and sensitive land uses. Site specific buffering requirements could be determined at the time of Site Plan Control.

IV. Section 3.1, relating to lands designated agricultural;

The OP restricts residential uses in lands designated as agricultural to one residence per lot. However, additional residences are permitted for farm help accommodation where *‘the need for such housing has been adequately demonstrated, the farm help assists on the subject farm on a regular basis, and the farm operation is of such a size and nature that this assistance is required and needs to be located close by the farm’*. Off-site boarding houses for farm help accommodation would not meet the intent of the above provisions, as the boarders of the accommodation would not assist on the subject site on a regular basis. Therefore, if desired, new policies are required to permit off-site farm help dwellings in the agricultural designation.

Attention should be given to the description of off-site farm help dwellings to ensure they are intended for farm help accommodation only, in order to remain consistent with the agricultural policies in the PPS.

The Draft OP permits accommodation for full-time farm labour when the size and nature of the operation requires additional employment. The new proposed policies in the Draft OP state that lots that contain an agricultural use and are 0.8 hectares or larger are permitted to contain one single detached dwelling and farm help dwellings. Lots that are 0.8 hectares or smaller and/or do not contain an agricultural use are permitted to have one single detached dwelling or one farm help dwelling. The Draft OP provides opportunities for off-site farm help dwellings. The proposed policies require some additional refining to ensure that issues such as traffic, safety, compatibility and the preservation of prime agriculture are addressed.

3.4 Municipality of Leamington Zoning By-law 890-09

The Municipality of Leamington Zoning By-law 890-09 implements the policies of the Municipality of Leamington Official Plan by regulating built form and land uses throughout the Municipality. It is anticipated that amendments to the Zoning By-law would be required at the completion of the OP Review, and in order to implement the recommendations of this Study. Historically, the Municipality has relied on its Zoning By-law to provide guidance for Temporary Foreign Worker housing. The in-force and effect Zoning By-law 890-09 provides definitions for boarding houses and farm help dwellings. Boarding Houses are typically found in the urban settlement area and farm help dwellings are located in the agricultural area and also on lands designated as residential but located outside the urban settlement area⁵. The definitions are as follows:

- *Boarding House or Lodging House or Rooming House:* shall mean any building or portion thereof in which the proprietor supplies for hire or gain to more than three (3) other persons, lodging, meals, or both but shall not include a hotel, hospital, group home dwellings, home for the young or the aged or institution if the hotel, hospital, home or institution is licenced, approved or supervised under any general or special Act.
- *Dwelling, Farm Help:* shall mean a dwelling that is used for the housing of on-site farm labour where the workers assists on the subject farm on a regular basis.

⁵ In Leamington, there are lands located to the north of the urban settlement area along Highway 77 and also to the west along Seacliff Drive/Highway 20 which are partially serviced and identified in the County's Official Plan as Secondary Settlement Area. These are not intended to be the focus of urban development but do have a mix of historic residential uses.

3.4.1 Boarding Houses in the Urban Settlement Area

The Zoning By-law provides a definition for boarding houses, however boarding houses are not permitted as-of-right in any zone. The current definition of a boarding house is as follows:

- *Boarding House or Lodging House or Rooming House:* shall mean any building or portion thereof in which the proprietor supplies for hire or gain to more than three (3) other persons, lodging, meals, or both but shall not include a hotel, hospital, group home dwellings, home for the young or the aged or institution if the hotel, hospital, home or institution is licenced, approved or supervised under any general or special Act.

The 2018 Boarding House Study provides draft zoning provisions for boarding houses located within the settlement area including limiting them to residentially zoned areas, providing definitions for small and large boarding houses, and providing density maximums. The 2018 Boarding House Study recommends that small boarding houses (boarding houses with four (4), six (6) or ten (10) occupants or less) be permitted as-of-right in all residential zones. For large boarding houses (boarding houses with four (4), six (6) or ten (10) occupants or more), the 2018 Boarding House Study recommends the large boarding houses be permitted through a site specific Zoning By-law Amendment.

The Municipality of Leamington has the option to define boarding houses as small and large, with the distinction being the number of occupants, for example small boarding houses could be 6 persons or fewer and large boarding house regulations would apply to more than 6 persons. A minimum of six (6) people appears to provide the appropriate balance between flexibility and regulation, as houses that have less than six (6) individuals will likely not have as large of an impact on neighbouring residences, municipal services and traffic. Houses with more than six (6) individuals could have larger reaching impacts than smaller households and may require additional studies to examine and address servicing, traffic and urban design considerations. Boarding house definitions from other municipalities were reviewed and six (6) occupants appears to be the reasonable upper limit for regulation. For example, the City of Toronto defines rooming houses as three (3) or more occupants; the City of Guelph defines lodging houses as five (5) or more occupants; the City of Barrie defines small boarding, lodging, rooming houses as less than six (6) occupants and large boarding, lodging, rooming houses as more than six (6) occupants. In the City of Barrie, single detached dwellings are permitted to be rented to no more than six (6) occupants.

The current Zoning By-law provides a parking ratio for boarding houses of 1 parking space per two beds. The 2018 Boarding House Study states that a minimum parking ratio should be 1 parking space per 5-10 beds. Given the unique situation of Leamington's boarding houses occupants and possible locations, the parking requirement could be reduced in the Zoning By-law to accommodate larger units or amenity space, which cater to the needs of the community. The parking requirement may be assessed based on the size of the proposed boarding house, location to amenities, and access to transit. As it is understood that a number of boarding house residents would be relying on active transportation as a primary mode, additional secured bicycle parking may be included in the By-law to support this need.



3.4.2 Farm Help Dwellings – On-site

Farm help dwellings are permitted in agricultural zones on the same properties as agricultural operations. The Zoning By-law permits this use as-of-right on all agricultural properties and is defined as a ‘farm help dwelling’. The current definition is as follows:

- *Dwelling, Farm Help:* shall mean a dwelling that is used for the housing of on-site farm labour where the workers assist on the subject farm on a regular basis.

There is an opportunity to distinguish between on site and off site permissions in the by-law definition.

3.4.3 Farm Help Dwellings – Off-site

Off-site farm help dwellings are not recognized in the current Zoning By-law. To facilitate this form of development, a number of revisions to the by-law would be required to address issues related to traffic, road safety, servicing and other issues typically associated with the site plan approval process.

4.0 CANADIAN EXAMPLES

The following section provides a snap-shot of how other jurisdictions in Canada have addressed farm help dwellings and explores several municipal approaches in British Columbia and Ontario. This review is

intended to provide insight on the industry practices and explore different approaches in communities which have relatively higher numbers of Temporary Foreign Workers.

4.1 British Columbia

In British Columbia (BC), specifically on the South Coast and Okanagan Valley regions, housing for temporary farm workers has become an issue as the demand for temporary migrant farm workers grows. The definition and terms used to describe the housing varies, but is generally along the lines of migrant farm worker accommodation, migrant farm worker housing or seasonal farm accommodation. Although each definition is specific to the region, noticeable similarities include reference to agricultural farm work, the location of the farm or dwelling in relation and the temporary or permanency of the dwelling allowed. In BC, the farmland where temporary migrant farm workers are employed is predominantly in the Agricultural Land Reserve. The housing challenges and policies applied offer insight into different on-farm and off-farm housing options.

The objectives of most local policies are similar to those in Ontario, as they are intended to meet the needs of the agriculture industry, minimize impact of housing in the agricultural area, minimize the loss and/or fragmentation of agricultural lands, and minimize the risk of temporary foreign worker housing being used for non-farm purposes. Additionally, community concerns include unwarranted development, increased demands on infrastructure, and changes to the agricultural landscape with higher densities.

In BC, on-farm accommodations are the most common form of housing permitted in local Official Plans and regulated in Zoning By-laws. The growing demand for temporary foreign worker housing is managed through policies specific to agricultural worker accommodations, limiting the number and size of the dwellings on one property, and other specific standards for development. Local governments in BC have set a standard through their Zoning By-law for the minimum farm size where farm worker housing is permitted, a minimum lot size, maximum and minimum floor areas per worker, maximum number of workers per farm, and setbacks for dwellings to other uses (Sustainable Agriculture Management Branch, 2009). These Zoning standards demonstrate a management of issues for housing temporary foreign workers on-farm.

Temporary foreign worker housing is widely, and strictly permitted only on-farm in many agriculturally rich areas of BC. The local policies provide rigid guidelines to preserve the agricultural lands and still attempt to accommodate the high demand for temporary foreign worker housing. By setting standards specific to farm size and operation capacity, this limits the amount of farms that can develop accommodations on-farm and therefore minimizing the loss of agricultural land and fragmentation.

- In Abbotsford, the Zoning By-law (S.210.10) states the temporary foreign worker housing must be on the same lot as the owner's home, and it must be removed if it is not needed.
- In Delta, the Zoning By-law (2750 Ap. 2008) states a maximum of 42 workers per farm operation with a restrictive covenant (a legal agreement completed according to the Land Title Act). Similarity in Langley Township, a maximum of 40 workers per farm operation is allowed.



- In Richmond, the Official Community Plan and By-law (By-law 7100 & Zoning By-law 5300) regarding Seasonal Farm Labour Accommodation states that a rezoning application is required for seasonal farm labour accommodations, with 1 building per farm operation.

In most regions, on-farm accommodations are encouraged in policy in comparison to off-site. A reference to accommodations located off of the farm property is apparent in the Cariboo Regional District. The policies reference the need for on-farm worker housing to be housed as close to the farm as possible, and that a limited number of dwellings should be permitted on agricultural land, as needed to support the agricultural operation. In this district, there is a limit of 4 dwellings in the Rural Residential 1 and the Resource Agricultural zones, and each dwelling is required to have 4 hectares per dwelling. In relation to Leamington, these policies speak to similar challenges in permitting accommodations off-farm and outside of the urban settlement area.

4.2 Ontario

In Ontario, there are many pockets of agricultural land with large scale farm operations and seasonal agricultural workers living and working in the area. Specifically, Bradford West Gwillimbury, Norfolk

County, and Niagara-on-the-Lake, are agriculturally rich areas producing a range of vegetables and seasonal fruits. The terminology used to describe employee accommodations, as seen in BC, commonly includes a reference to agricultural work and the proximity to the farm.

For accommodations on-farm, in Bradford West Gwillimbury the farm-help dwellings are permitted in the Protected Countryside, Oak Ridges Moraine Natural Core Area, and Oak Ridges Moraine Countryside Area designations. The policies are consistent with the idea of clustering farm-help dwellings on or near farm operations and other related dwellings. The policies promote keeping migrant worker housing on-farm, in an attempt to mitigate issues with housing farther away from the farm.



In Norfolk County, bunkhouses is the term used to describe farm-help dwellings. Bunkhouses are permitted in the Agricultural designation. The bunkhouses are encouraged to locate within close proximity to the farm building, using the same access point. They may be permitted on a separate lot with a farm building that is part of the farm operation and has a separate access. Seasonal or temporary farm accommodations must be meet all building code and health unit requirements. All new developments for accommodations are subject to Site Plan Control. The Norfolk policies provide insight on the application requirements options for Leamington and opportunities for allowing accommodations within various parts of the Agricultural designation.

In Niagara-on-the-Lake, farm help accommodation buildings may be permitted as an accessory building to an agricultural operation, provided that the floor area does not exceed that of the main farm dwelling, setbacks are in accordance with zone requirements, and the maximum building height is not greater than 9.76 metres. The definition stipulates that the accommodation must contain proper sanitation facilities for seasonal employees between the months of March 15th to November 15th, and is not used for year-round occupancy. A mobile home also may be permitted for this use. Similarly in St. Catharines the help house is permitted in agricultural zone and may be portable or mobile if it is located in the Escarpment Rural Area.

4.3 Summary of Key Findings

The examples above demonstrate the range of existing approaches for agricultural worker accommodations in force in agriculturally rich areas of BC and Ontario. The accommodations are each positioned in accordance with the unique policy objectives of the area but share the common characteristic of typically being limited to on-farm, clustered near other buildings, and when off-farm, they are located in an area related to the overall farm practices, such as storage or processing, where appropriate.

Across Ontario and BC, the accommodations for agricultural workers is largely positioned in the policy to be on-farm. In general, the Official Plan policies direct accommodations to be efficiently positioned to serve the farms. The zone standards are commonly related to minimum farm size, setbacks and building coverage. These standards regulate the balance in the agricultural area between accommodations and agricultural uses. An option acknowledged in Niagara-on-the-Lake, St. Catharines and select regions in BC, is for the agricultural worker housing to be temporary and even mobile which works well where the work is seasonal but is less appropriate for larger-scale year round farm operations (such as greenhouse growers).

Other than housing agricultural workers on-farm which is most traditionally supported in the examples above, housing opportunities may exist in urban areas as well. Housing temporary foreign workers in the urban areas, in accordance with the Federal Seasonal Agricultural Worker Program (SAWP), has been shown to be very challenging in BC and some parts of Ontario. The SAWP requires employers to provide suitable accommodation and suitable affordable accommodations for occupants requiring less formal training. In BC particularly, the main challenge for finding housing in the urban area has been the lack of available affordable rental units, compounded by low vacancy rates and high costs for daily transportation (Hesje, 2010).



5.0 RECOMMENDATIONS AND NEXT STEPS

5.1 General Approach, Advantages and Disadvantages

The general approach is to allow boarding houses within the Leamington's Urban Settlement Area, where full services are available to accommodate growth and development. The policy framework should distinguish between Large (more than six people) and Small (six people or less) Boarding Houses. Within the agricultural area, the focus should be to prioritize farm help dwellings on site and in limited circumstances allow for some flexibility to accommodate farm help dwellings off site (within 800 metres of the place of work, where safe active transportation connections can be provided). *Table 5.1* below highlights the general advantages and disadvantages of each element:

Why 800 metres? In Ontario, 800 metres is used in a number of Provincial planning policies and guidelines to indicate a comfortable walking distance between two destinations (e.g. 10 minute walk).

Table 5.1: Comparing the Advantages and Disadvantages for Each Option

Options	Advantages	Disadvantages
<p>1. Boarding Houses, Small, Leamington Urban Area</p>	<ul style="list-style-type: none"> • Aligns with Provincial, County and local policy objectives • Helps to increase potential supply of affordable housing • Provides flexibility for smaller scale investors • Typically this form of development is not subject to site plan control and can provide “fast track” opportunities for housing • With a limit capped at 6 persons per unit the potential for servicing and transportation issues is limited 	<ul style="list-style-type: none"> • Requires updated Official Plan and Zoning By-Law regulations to implement • Difficult to enforce un-relegated conversions (unless paired with a licensing program) • May be site specific nuisance concerns where property standards are not maintained • In the absence of other approaches, affordable housing supply within Leamington’s urban settlement area may become constrained • Difficult to ensure that appropriate range of amenities are provided • May require additional investment in active transportation infrastructure
<p>2. Boarding Houses, Large, Leamington Urban Area</p>	<ul style="list-style-type: none"> • Aligns with Provincial, County and local policy objectives • Helps to increase supply of affordable housing • Provides flexibility for larger investors • Potential to satisfy large portion of demand • Site plan control offers ability to address site specific design issues/concerns (servicing, parking, amenities, etc.) 	<ul style="list-style-type: none"> • Requires updated Official Plan and Zoning By-Law regulations to implement • Larger scale development proposals have potential for various neighbourhood scale issues including traffic, circulation, servicing, compatibility, urban design, etc. • May require additional investment in active transportation infrastructure

Options	Advantages	Disadvantages
3. Farm Help Dwellings, On-Site	<ul style="list-style-type: none"> Aligns with Provincial, County and local policy objectives Housing is located in close proximity to place of work Helps to increase potential supply of affordable housing Where farm help dwellings are included as part of agricultural/greenhouse development, site specific issues can be addressed through site plan process 	<ul style="list-style-type: none"> Requires updated Zoning By-Law regulations to implement Investors are challenged to provide on-site servicing solutions in a timely manner (e.g. MOECP process takes time to secure approvals)
4. Farm Help Dwellings, Off-Site (within 800 metres)	<ul style="list-style-type: none"> Generally aligns with Provincial policy Helps to increase potential supply of affordable housing Provides additional flexibility for agricultural operators with multiple sites in the municipality 	<ul style="list-style-type: none"> Requires updated Official Plan and Zoning By-Law regulations to implement Investors are challenged to provide on-site servicing solutions in a timely manner (e.g. MOECP process takes time to secure approvals) Increased risk for road safety issues where internal privately owned connections are not maintained

5.2 Official Plan Amendment Recommendations

5.2.1 General Policy Recommendations

The following policy recommendations are intended to guide the preparation of an Official Plan Amendment. The Official Plan Amendment should recognize the following objectives:

- Support economic development;
- Increase the supply of affordable housing;
- Improve the quality of housing for farm workers; and,
- Provide a range of housing options to support the growth of agricultural sector, including options within the urban area and agricultural area.

The policies of the OPA should be organized around the following three different approaches:

1. **Urban Area Boarding Houses:** Boarding houses in the urban settlement area are intended to provide affordable housing options for residents in the urban area. The Official Plan should recognize two types of boarding houses in the Urban Area, Large (more than 6 persons) and Small (6 persons or less). Boarding houses would be considered a permitted use within the Residential designation, as well as within the Medium and High density designations. Within the policies, restrictions on density of boarding houses should be based on the density policies in Section 3.2.2(g) of the Official Plan. On lands designated Residential, boarding houses are to be limited to one boarding house per property. If a property owner wishes to develop a lot with multiple boarding houses, a site specific Zoning By-law Amendment will be required. The Official Plan policies for boarding houses should include some general criteria to address siting considerations, such as:
 - a. Availability of servicing capacity
 - b. Potential for transportation and traffic impacts
 - c. Proximity and connectivity to active transportation network
 - d. Land use compatibility

Small boarding houses would not be subject to site plan control. Large boarding houses would require site plan control.

2. **Agricultural Area, Farm Help Dwelling On-Site:** Farm help dwellings within the Agricultural Area are intended to provide housing options for temporary farm workers on the same site as their place of employment. On-Site Farm Help Dwellings are to be permitted as-of-right. Farm Help Dwellings on the same site as the greenhouses they service should not be limited with regards to a maximum number of boarding houses per site as regulations in the Zoning By-law will state the maximum floor area per farm operation, minimum farm size and minimum lot size. The expectation is that on-site farm help dwellings would be part of the broader site plan approval process for a greenhouse development.
3. **Agricultural Area, Farm Help Dwelling Off-Site:** Farm help dwellings within the Agricultural Area are intended to provide housing options for temporary farm workers in close proximity to their place of employment. The farm help dwellings should be placed within the cluster of farm buildings and limited to one boarding house per site. If the property does not have a primary agricultural use, a Zoning By-law Amendment to permit a boarding house within an existing residential dwelling, as a main use on the property, could be considered.

5.2.2 Definitions

The following definitions should be used as the basis for the Official Plan Amendments:

Small Boarding House: Shall mean any building or portion thereof in which the proprietor supplies for hire or gain to more than four (4) and less than (7) persons, lodging, meals, or both but shall not include a hotel, hospital, group home dwellings, home for the young or the aged or institution if the hotel, hospital, home or institution is licenced, approved or supervised under any general or special Act.

Large Boarding House: Shall mean any building or portion thereof in which the proprietor supplies for hire or gain to seven (7) or more other persons, lodging, meals, or both but shall not include a hotel, hospital, group home dwellings, home for the young or the aged or institution if the hotel, hospital, home or institution is licenced, approved or supervised under any general or special Act.

Farm Help Dwelling, On-Site: Shall mean a dwelling that is used for the housing of farm workers where those workers work on the farm upon which the dwelling is situated.

Farm Help Dwelling, Off-Site: shall mean a dwelling on a farm that is used for the housing of farm workers where those workers are employed on a different farm that is either:

- a) abutting the farm upon which the dwelling is situated and a Pedestrian Connecting Link between the farms is identified on an approved site plan; or
- b) attached by way of a Pedestrian Connecting Link to the farm upon which the dwelling is situated and identified on an approved site plan, such Pedestrian Connecting Link being a maximum length of 800 metres in either case.

Pedestrian Connecting Link: shall mean a pedestrian connecting link from the main pedestrian entrance of the farm help dwelling structure to the main pedestrian entrance of the work structure such as a Green House, or the work site such as a row-crop farm; and if such Pedestrian Connecting Link is not completely located on the subject farms it shall include a constructed Active Transportation route or a registered easement permitting pedestrian access over lands.

5.3 Zoning By-law Amendment Recommendations

The Zoning By-law Amendment is intended to detail the site development standards for all boarding houses in the Municipality of Leamington. Zoning Standards specifically intended to provide safe, quality housing for migrant workers is guided by the Health Canada standards.

5.3.1 Zone Standards Recommendations

Table 5.2 on the following page summarizes the recommended zone standards for boarding houses and farm help dwellings.

Table 5.2: Proposed Zone Provisions for Boarding House based on location

Zone Provisions for Boarding Houses	Large Boarding House (Urban Area only)	Small Boarding House (Urban Area only)	Farm Help Dwelling Unit, On-site	Farm Help Dwelling Unit, Off-site
Location	R3, R4, R5, R6	R1, R2	Agriculture Zones (A1, A2, A3)	Agriculture Zones (A1, A2, A3)
Maximum Occupants	N/A	6	N/A	N/A
Minimum Useable Floor Space per Occupant	7.44m ² (80 sq. ft)	7.44m ² (80 sq. ft)	7.44m ² (80 sq. ft)	7.44m ² (80 sq. ft)
Parking Requirement	1 space per 3 occupants	1 space per 5 occupants	As per current by-law requirements for applicable zone	As per current by-law requirements for applicable zone
Bicycle Parking Requirement	1 per occupant	1 per occupant	1 per occupant	1 per occupant
Number of dwelling units per property	Multiple (as per by law requirements for applicable zone)	1	2	2
Site Plan Control	Required	Not Required	Required as part broader site plan control submission for greenhouses	Required

5.4 Additional Considerations

The following summarizes additional considerations for the Municipality:

- Council may wish to consider implementing a licencing regime in connection with those boarding houses that are not subject to the inspections required pursuant to the Seasonal Agricultural Worker Program or the Temporary Foreign Worker Program. Administration will provide Council with a further report in this regard at a later date.
- The Municipality of Leamington is in the process of modelling the sanitary sewer network. Once completed, this model will highlight the constraints for sewage treatment, pumping, piping size, and the availability of water and sewage connections within the existing system. In the interim, proposals to construct large boarding houses in the serviced area and conversion of existing dwellings to boarding houses will be reviewed on a case by case basis, through the Site Plan Control process, to determine servicing availability based on location.
- Through a collaborative effort with the County of Essex and the Ministry of Transportation it is recommended that a review of options to improve road safety be undertaken, including Highway

77. The safety improvements may include increased street lighting and an increased road width to accommodate a bike lane or wider shoulder for cyclists.
- Through a collaborative effort with the County of Essex, it is recommended that the trail network connections throughout the Municipality of Leamington be improved to include an increased number of strategic connection points, and possible extensions to existing trails.
 - It is recommended to complete a Housing Needs Assessment that includes an Affordable Housing Study. This study would provide details on the supply and demand of the housing throughout the Municipality of Leamington. This study may provide greater direction to future Boarding House policy and guidelines.
 - It is recommended to prepare Urban Design Guidelines and/or Infill Development Guidelines. These guidelines would be applied to development applications within the urban area for boarding houses.
 - If Council approves the proposed amendments to the Official Plan and Zoning By-law as contained in this report, Council will need to consider how to address those existing Off-Site Farm Help Dwellings which are located in unserviced Agricultural Zones and those existing Boarding Houses which are located in serviced Urban Areas that do will not comply with the proposed planning policies and regulations.

5.5 Implementation Overview

5.5.1 Next Steps

With direction from Council, the Municipality will be in a position to draft corresponding Official Plan Amendment and Zoning By-law regulations. To move the Official Plan Amendment and Zoning By-law Amendment forward, the following process represents the key steps that would need to be taken. Based on the increasing growth pressures and need to safely and sustainably house agricultural workers, it is recommended moving forward with an Official Plan Amendment to the Municipality of Leamington Official Plan currently in force and effect. Understanding the first draft Official Plan has been released, the Official Plan Amendment as approved by Council will be integrated into the final version of the updated Official Plan. The Official Plan and Zoning By-law Amendment are recommended to be processed concurrently for timing and cost efficiency. The general steps that will need to be taken to complete the Official Plan and Zoning By-law Amendment are summarized in **Figure 5-1**.



Figure 4-1 Key Steps to Implement the Study Recommendations

5.5.2 Anticipated Timeline

The timeline for the Official Plan Amendment and Zoning By-law Amendment to be in-force and effort may take approximately three to six months. The timeline is subject to a number of variables, including delays in receiving comments from applicable agencies, placement on a Council agenda for a public meeting, consideration of application by approval authority and/or third party appeals.