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ISSUE: A STUDENT IN THE NEIGHBOURHOOD

Judge's ruling could shut down lodging houses

Decision finds 28 homes violate City bylaw; as many as 150 students may have to move out

By Jillian Follert
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OSHAWA -- A precedent-setting court ruling has found 37 landlords guilty of operating illegal lodging houses near the Durham College/UOIT campus.

Justice Peter Howden handed down his decision on Tuesday, ending a year-long legal showdown that pitted the City of Oshawa and the Neighbourhoods of Windfields against a group of landlords that rents homes to students.

John Gray

"This outcome is going to be very helpful to the City of Oshawa in managing the development of land and restoring a decent quality of life to the neighbourhoods that have been overrun by these investor landlords," said Jonathan Lisus, the lawyer representing Windfields.

He couldn't predict exactly how things will unfold from here, but said Windfields will "take steps to ensure the decision is complied with."

That could potentially result in the affected landlords evicting some or all of their tenants with a new school year on the horizon.

Also pleased with the ruling was City of Oshawa solicitor David Potts, who called it "sound and reasoned," and Mayor John Gray, who said it will make it easier for the City to regulate the area.

"We recognize that we have to have housing for students, but this is all about striking a balance," the mayor said. "If you have nine students in a home, is that safe? Is that a good environment for them to study or have privacy? We want to have appropriate student housing."

At issue was whether 30 properties in the Windfields neighbourhood are operating in violation of the City bylaw that says commercial lodging houses are not permitted in neighbourhoods zoned for single family residential use. These specific properties are not licensed under the municipal bylaw. Justice Howden heard the case in a Whitby courtroom between March 17 and 19. His 50-page ruling looks at each property on an individual basis and finds 28 violate the bylaw.

This comes at a time when students are already concerned about the availability of housing near campus. The City's controversial new rental housing bylaw, which took effect May 30, limits the number of bedrooms in rental homes to

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Showing a steady hand

Jason Liebregts / Metroland

OSHAWA -- Cathy Crocker concentrates on the details of her painting while at the Northview Community Centre. She says she enjoys painting because it is relaxing.

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