

**Date:** 2023-11-02

**Subject:** **Proposed Residential Rental Licensing Pilot Program for Wards 1,3, 4, 5 and 7(RM 23/2023 and 25/2023)**

**Contact:** Jeffrey Humble, Manager, Integrated City Planning

**Report Number:** Planning, Bld & Growth Mgt-2023-921

**Recommendations:**

1. That the report from Integrated City Planning to the Committee of Council Meeting of November 29, 2023, re: **Proposed Residential Rental Licensing Pilot Program for Wards 1, 3, 4, 5 and 7 (RM 23/2023 and 25/2023)**, be received;
2. That the attached business licensing by-law (attachment 1) for the residential rental pilot program be approved and the program be launched on January 1, 2024;
3. That the following licensing fee structure be implemented for applications submitted in 2024, as part of the initial launch of the pilot program: 0 to 3 months one hundred percent (100%) licensing fee waived; 3 to 6 months fifty percent (50%) of the licensing fee waived; and 6 months onward zero percent (0%) of the licensing fee waived;
4. That for the two-year term of the RRL pilot program commencing on January 1, 2024, a licensing fee renewal be required on January 1, 2025
5. That the dedicated task force for the Residential Rental Licensing Pilot Program commence in Q4 2023 and continue for the term of the pilot; and,
6. That staff bring forward a mid-term and final report to Council evaluating the RRL pilot program and seek further direction from Council.

**Overview:**

- **The Residential Rental Licensing (RRL) Pilot Program is being established for Wards 1,3,4,5 and 7 to protect tenant health, safety and character of neighbourhoods.**
- **The two-year RRL pilot program is expected to be launched in Q1 2024 with the target date of January 1, 2024.**
- **The RRL will apply to Additional Residential Units (ARU) and single housekeeping units (defined as a unit in which an occupant has exclusive possession of any part of the unit) that are being rented within the applicable wards of the pilot.**
- **The RRL pilot program will apply to properties renting a maximum of four (4) or less dwelling units, dwelling units intended or used for rental housing, and owners or operators of rental housing.**
- **Applies to four units within a single housekeeping unit or principal dwelling plus two ARUs.**
- **The RRL pilot program will include between 150 to 225 random inspections per year.**
- **The proposed licensing fee, as part of the pilot program, is \$300.**
- **Staff have included a 2024 budget request of \$625,000 and a subsequent 2025 budget request of \$750,000 to fund the resources needed to launch and run the program, pending Council approval.**

**Background:**

On September 20, 2023, [staff presented a proposed framework](#) for the Residential Rental Licensing (RRL) pilot program based on Council's direction in late March 2023. The report included a request for additional staff resources to support the launch of the program. The RRL program is being established as a two-year pilot commencing in Q1 2024 in Wards 1, 3, 4, 5 and 7 as identified by Council, and implemented as a measure to address the escalating number of housing-related complaints in the area.

[Council supported](#) the preliminary framework presented by staff and requested that the final implementation plan – including the licensing by-law, application form, and process of the RRL pilot program – be presented in late Q4 2023, with a target launch date of January 1, 2024. Staff submitted a budget request for funding in 2024 to hire additional staff needed to commence the program and incorporate a strategic communications strategy.

## Residential Rental Licensing (RRL) Task Force

A Residential Rental Licensing (RRL) Task Force has been created with representation from key divisions including Enforcement and By-Law Service, Fire and Emergency Services, and Building, as well as area Ward Councillors (Councillor Keenan, Councillor Santos and Councillor Power). Once the pilot program commences into the first quarter the RRL Task Force will meet on a regular basis and address any challenges over the course of the two-year program.

## Lodging Houses

Staff presented the framework of the RRL pilot program at a town hall meeting for Wards 3 and 4 held at City Hall on October 17, 2023. Approximately sixty (60) residents attended the session noting concerns with the illegal lodging houses pertaining to safety, parking, property standard issues, compliance with Building and Fire Codes, and the need to address problem properties. They also inquired about the uptake of the program and enforcement measures that can be taken to improve their neighbourhoods.

The city currently licenses lodging houses and enforces illegal lodging houses through business licensing by-law [184-2023](#). The intent of the RRL pilot program is to require owner's of ARUs and single housekeeping rental units to obtain a business licence in order to operate within the applicable wards, and not to address the issue of illegal lodging houses.

## **Current Situation:**

Staff have met with the area Ward Councillors on the RRL Task Force to further discuss the items brought forward (see table below) at the September 20, 2023, Committee of Council meeting, and have included them in the pilot program.

<b>Committee of Council Discussion</b>	<b>Opportunities</b>	<b>Considerations</b>
<p><u>Proposed licensing fee structure for applications submitted in 2024 (1<sup>st</sup> year of the pilot program)</u></p> <ul style="list-style-type: none"><li>• <b>0 to 3 months:</b> One hundred percent (100%)</li></ul>	<p>Incentivizing more individuals to sign-up at the initial phase of the pilot program.</p>	<p>What will be the status of the application submission to qualify for the waiver? Staff recommend a complete application, including all supporting documentation be submitted and ARU registration. This may present a challenge as many applicants will require assistance with their application</p>

<p>of the licensing fee waived.</p> <ul style="list-style-type: none"> <li>• <b>3 to 6 months:</b> Fifty percent (50%) of the licensing fee waived.</li> <li>• <b>6 months and beyond:</b> Zero percent (0%) of the licensing fee waived.</li> </ul>		<p>submission requiring additional resource time, potentially impacting the applicant's submission.</p> <p>May lead to a potential loss of revenue in the first year of the program depending on the number of applications submitted within the first six months of the program, which could impact the program's capital budget depending on how the pilot program is structured.</p> <p>It's anticipated awareness of the RRL pilot program will take over 4 months to educate landlords of the program and applicants may not qualify for the licensing fee waiver.</p>
<p><u>Annual renewal for the pilot program preferred</u></p>	<p>Landlords are operating a business and an annual renewal should be required.</p>	<p>Education and enforcement are key to promoting the program and having landlords apply for the RRL, which may take six (6) to nine (9) months from the program launch date. Therefore, having individuals renew when a licence is obtained close to the end of year may not be seen as reasonable to the applicant.</p> <p>There will be an impact on the resources required to administer renewals which may require additional staff time to follow-up with each applicant.</p> <p>Staff recommend keeping the pilot program as a one-time fee and evaluate the annual renewal option if the program is continued beyond the two-year pilot.</p>

<u>Single housekeeping unit being included in the RRL pilot program</u>	Capturing number and incorporated companies that are operating in the City to require a business licence similar to the ARUs.	Staff have included single housekeeping units into the program and will evaluate whether the RRL pilot program is effective dealing with property standard complaints.
<u>Not exempting the licensing fee for ARUs that have registered in the past two years (since 2021) as recommended by staff</u>	Should pay the fee as well since the landlords are operating as a business.	Staff continue to support the fee exemption for ARUs that have registered in the past two years as each applicant has paid the required fees and inspections, and the additional fee may hinder applying for a business license. These recently registered ARUs will be required to obtain a licence.
<u>Providing adequate parking</u>	Ensuring adequate parking is provided for the tenants.	A parking plan will be required as part of the online application form.

Previous Committee of Council discussion included the possibility of licensing exemptions based on immediate familial relationships between the tenant and landlord. In Ontario, prevailing law and human rights duties would preclude establishing a licensing system based on such relationship distinctions. As per the Ontario Human Rights Code, licensing bylaws seek to regulate rental housing by requiring that landlords operate their properties according to certain standards such as, provisions related to garbage and snow removal, maintenance, health and safety standards, and parking.

Instead, the pilot program will include a property owner declaration that the dwelling unit is not being rented to anyone for monetary consideration for registered the ARU or single housekeeping unit within the applicable wards and may still be subject to inspection by the City.

## Corporate Implications:

### Financial Implications:

As noted in the [previous report](#) (refer to attachment 3) to Committee of Council on September 20, 2023, staff estimate the cost of the two-year pilot program will be \$625,000 in 2024 and \$750,000 in 2025 and the total revenue is estimated to be \$225,000 in 2024 and \$225,000 in 2025, resulting in a total shortfall of \$925,000.

Should Council proceed with the license fee waiver for 2024 and annual licensing fee, this will impact the projected revenues, as follows:

Item	Estimated Revenue Impact	Comments
Fee Waiver	\$225,000 Revenue Loss	Assuming all projected licenses in the year 2024 will be deemed complete in 0-3 months, this would result in a lost revenue of \$225,000 over the two-year pilot
Annual Licensing Fee	\$225,000 Additional Revenue	Assuming the licenses registered in 2024 will be up for renewal in 2025, this would result in an additional \$225,000 of revenue over the two-year pilot program
Net Total	\$0	

### Communications Strategy

Since September 2023, staff have moved forward with preparing a web page for the program and property tax buck slips that will be mailed out to all residential households in the City in December 2023/January 2024 to notify the public of the pilot program and which wards are affected. After Council endorses the by-law for RRL pilot program, staff will update the webpage and continue to implement other communication measures to educate residents and inform industry stakeholders of the pilot program.

The communications strategy will focus on the health and safety aspects of the RRL pilot program, the overall benefits for renters and operators alike, as well as, helping to maintain continuity within city neighbourhoods.

### **Strategic Focus Area:**

This report aligns with the City's Strategic Focus on Healthy and Well-being by supporting the City's Community Safety and Action Plan by introducing a Residential

Rental Licensing Pilot Program and Code of Conduct that protects the health and safety of individuals in the rental housing market and outlines the responsibilities of landlords.

**Conclusion:**

This report outlines the requirements of implementing a RRL two-year pilot program commencing on January 1, 2024, within Wards 1,3,4,5 and 7, as directed by Council. The RRL pilot program will focus on registered ARUs and single housekeeping units to obtain a business license through education and outreach within the applicable wards. The RRL Task Force will meet on a regular basis to addresses any challenges and evolve the pilot program as needed during the two-years.

The objectives of the pilot program are to protect the health, safety and well-being of residents. The intent of the two-year pilot is to evaluate whether implementing a business licensing program for residential rental properties is an effective measure to reduce the number of property standard complaints and preserve the character of neighbourhoods.

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**Attachments:**

- Attachment 1 – Proposed Residential Rental Licensing By-Law
- Attachment 2 – On-line RRL Application Form Template
- Attachment 3 – Staff report to Committee of Council on September 20, 2023
- Attachment 4 – Infographics of Permitted and Non-Permitted Units



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number \_\_\_\_\_ - 2023

## Attachment 1\_Proposed RRL By-Law.docx

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**WHEREAS** Section 8(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, (the “Municipal Act”) provides that the powers of a municipality shall be interpreted broadly as to confer broad authority on a municipality to (a) enable it to govern its affairs as it considers appropriate, and (b) enhance its ability to respond to municipal issues;

**AND WHEREAS** Section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under any Act;

**AND WHEREAS** Subsection 11(1) of the *Municipal Act, 2001*, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

**AND WHEREAS** Subsection 11(2) of the *Municipal Act, 2001*, provides that a municipality may pass by-laws respecting: in paragraph 5, Economic, social and environmental well-being of the municipality; in paragraph 6, Health, safety and well-being of persons; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1); and in paragraph 8, Protection of persons and property, including consumer protection;

**AND WHEREAS** Section 23.2 of the *Municipal Act, 2001*, permits a municipality to delegate legislative and quasi-judicial powers where the council of the municipality is of the opinion that the power being delegated is of a minor nature;

**AND WHEREAS** pursuant to the provisions of Part IV – Licences of the *Municipal Act, 2001*, a municipality may pass by-laws for licensing, regulating and governing any business wholly or partly carried on within a municipality even if the business is being carried on from a location outside the municipality;

**AND WHEREAS** Subsection 151(1) of the *Municipal Act, 2001*, provides that a municipality may establish a system of licences with respect to a business and may prohibit the carrying on or engaging in the business without a licence, refusing, revoking or suspending a licence, imposing conditions on a licence, regulating property used for a business that requires a licence and regulating persons carrying on a business that requires a licence;

**AND WHEREAS** Section 391 (1) of the *Municipal Act, 2001*, provides for the municipality to impose fees or charges on persons for services or activities provided or done by or on behalf of it;

**AND WHEREAS** Subsection 429(1) of the *Municipal Act, 2001*, provides that a municipality may establish a system of fines for a by-law passed under the Act;



**AND WHEREAS** Subsection 436(1) of the *Municipal Act, 2001*, provides that a municipality may pass by-laws providing for the entry onto land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law;

**AND WHEREAS** Section 425 of the *Municipal Act, 2001*, provides for a municipality to pass by-laws providing that a person who contravenes a by-law of the municipality passed under the Act is guilty of an offence;

**AND WHEREAS** Section 426 of the *Municipal Act, 2001*, provides that no person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under the Municipal Act or under a by-law passed under the Municipal Act;

**AND WHEREAS** Section 429 of the *Municipal Act, 2001*, provides for the municipality to establish a system of fines for offences under a by-law of the municipality passed under the Municipal Act;

**AND WHEREAS** Section 431 of the *Municipal Act, 2001*, provides that if any by-law of the municipality is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by the by-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order to prohibit the continuation or repetition of the offence by the person convicted;

**AND WHEREAS** Sections 444 and 445 of the *Municipal Act, 2001*, respectively, provide for the municipality to make an order requiring a person who contravenes a By-law or who causes or permits the contravention or the owner or occupier of land on which a contravention occurs to discontinue the contravening activity or do work to correct a contravention;

**AND WHEREAS** the Council for The Corporation of the City of Brampton considers it necessary and desirable for the public to regulate the renting of residential premises for the purpose of protecting the health and safety of the persons residing in residential rental premises by ensuring that certain regulations are met, that the required essentials such as plumbing, heating and water are provided, for ensuring that the residential rental premises do not create a nuisance to the surrounding properties and neighbourhood and to protect the residential amenity, character and stability of residential areas;

**NOW THEREFORE** the Council of The Corporation of the City of Brampton enacts this by-law to license residential rental housing within the jurisdictional boundaries of Wards 1, 3, 4, 5 and 7 in the City of Brampton as follows:

## **PART I - SHORT TITLE**

1. This By-law may be cited as the Residential Rental Licensing By-law (RRLB).

## **PART II - DEFINITIONS**

2. In this By-law:

“Applicant” means a person seeking to become licensed under this By-law; and who, either in person or through an Authorized Agent, makes such an application;

“Application” means an application for a new Licence or a Licence renewal in the form provided by the Licence Issuer that must be accompanied by the appropriate documentation and fee;

“Authorized Agent” means a person authorized in writing by an Applicant or Licensee to act on behalf of such Applicant or Licensee, for the identified purpose of making an application, renewing a Licence, or otherwise complying with the provisions of this By-law;

“Building” shall mean any structure, whether temporary or permanent, used or erected for the shelter, accommodation or enclosure of persons, animals, materials or equipment, but shall not include a house trailer or mobile home;

“Building Code” means Ontario Regulation 332/12, as amended, enacted under the *Building Code Act, 1992*, S.O. 1992, c.23, as amended;

“Business Licensing By-law” means the City’s Business Licensing By-law 184-2023 as amended, or any successor by-law;

“City” means The Corporation of the City of Brampton or the land within the municipal boundaries of the City of Brampton, as context requires;

“Clerk” means the Clerk of the City or the Clerk’s duly appointed Deputy;

“Contact Information” means, but is not limited to: (a) current mailing address; (b) current telephone number(s); (c) current E-mail address; and (d) Emergency contact;

“Council” means the Council of The Corporation of the City of Brampton;

“Dwelling Unit” means one or more habitable rooms designed or capable of being used together as a single and separate housekeeping unit by one person or jointly by two (2) or more persons, containing its own kitchen and sanitary facilities, with a private entrance from outside of the unit itself;

“Fire Code” means Ontario Regulation 213/07, as amended, under the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c .4, as amended;

“Inspector” means any one of the following:

- (a) Municipal Law Enforcement Officer;
- (b) Peel Regional Health Inspector; or
- (c) Police Officer.

“Licence” means a licence issued under this By-law, or predecessor by-law;

“Licence Fee” means the fee set out in Schedule 2 of this By-law that is required to be paid to the City for a new Licence or a Licence renewal;

“Licence Issuer” means the person appointed under the City’s Licensing By-Law and includes their designate;

“Licensee” means a person, corporation or partnership who has been issued, and maintains, a valid Licence pursuant to the terms of this By-law;

“Market”, “Marketed” or “Marketing” means offering, facilitating, or causing or permitting to offer or facilitate, directly or indirectly, the sale, promotion, canvassing, solicitation, advertising, or marketing of part or all of a Rental Housing Unit, and includes placing, posting or erecting advertisements physically or online;

“Medical Officer of Health” means the Medical Officer of Health for the Region of Peel and includes any Peel Region Health Inspector acting on their behalf;

“Municipal Law Enforcement Officer” means a person employed by the City and appointed as a Municipal Law Enforcement Officer by the City;

“Noise By-law” means the City’s Noise By-Law 93-84, as amended, or any successor by-law;

“Operate”, “Operated” or “Operating” means to rent, provide, offer to rent or provide, or cause to be Marketed the offer or rental, whether directly or indirectly, including, without limitation, via the internet or other electronic platform, of a Rental Housing Unit and shall include a person collecting a fee or handling payments in respect of a Rental Housing Unit;

“Operator” means any person who operates, maintains, or is otherwise responsible for managing or addressing issues in relation to a Rental Housing Unit but is not necessarily an Owner;

“Order” means a written direction issued by the City under statutory authority, including but not limited to orders under the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, including section 9.5 of this By-law, the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, and the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4, as amended;

“Owner” includes:

- (a) each registered owner of a Rental Housing Unit;
- (b) each person who permits occupancy of a Rental Housing Unit; and
- (c) the heirs, assigns, personal representatives and successors in title of a person referred to in articles (a) and (b);

“Person” means an individual person, a partnership, or a corporation (including any of such corporation’s affiliates, subsidiaries or parent corporations, as the case may be to which the context can apply and “Person” shall also include multiple persons who, acting together, operate or offer to operate a Rental Housing Unit, despite the fact that no single one of those persons carries on the activity in its entirety;

“Police Officer” means a member of a police service who is appointed as a police officer and, for greater certainty, does not include a municipal by-law enforcement officer, a police cadet or an auxiliary member of a police service.

“Premises” means land and includes the structures on the land, such as buildings, fences and shed, and includes vacant property;

“Prohibited Ground” means the prohibited grounds of discrimination as provided for under the Ontario Human Rights Code, R.S.O. 1990, c. H.19;

“Property Standards By-law” means the City’s Property Standards By-law 165-2022, as amended, or any successor by-law;

“Public Nuisance By-law” means the City’s Public Nuisance By-law 136-2018, as amended, or any successor by-law;

“Refuse and Dumping By-law” means the City’s Refuse and Dumping By-law 381-2005, as amended, or any successor by-law;

“Rent” includes the amount of any consideration paid or given or required to be paid or given by or on behalf of a Tenant to an Owner for the right to occupy a Rental Housing Unit and for any services and facilities and any privilege, accommodation or thing that the Owner provides for the Tenant in respect of the occupancy of the Rental Housing Unit, whether or not a separate charge is made for services and facilities or for the privilege, accommodation or thing;

“Rental Housing Unit” means a Dwelling Unit which is occupied or offered for occupancy in exchange for Rent or services in lieu of paying Rent;

“Short-Term Rental (STR)” means all or part of a residence offered or advertised to be used to provide sleeping accommodations for any rental period that is less than twenty eight (28) consecutive days in exchange for payment, but does not include bed and breakfast, hotels, motels, or hospital, or other short-term rentals where there is no payment;”

“Snow and Ice Removal By-law” means the City’s Ice and Snow Removal By-law 242-76, as amended, or any successor by-law;

“Tenant” includes a person who pays Rent or provides services in lieu of paying Rent in return for the right to occupy a Rental Housing Unit and includes the person’s heirs, assigns, subtenants and personal representatives;

“Tribunal” means the Brampton Appeal Tribunal appointed by Council to conduct hearings under the Brampton Appeal Tribunal By-law No.138-2023, as amended, or any successor by-law;

“Zoning By-law” means the City’s Zoning By-law 270-2004, as amended, or any successor by-law.

**PART III - APPLICABILITY AND SCOPE**

3. This by-law applies to all of the following within Wards 1, 3, 4, 5 and 7 of the City of Brampton as shown in Schedule 1 of this By-law:
  - (a) Owners of a Rental Housing Unit;
  - (b) Operators of a Rental Housing Unit; and
  - (c) Dwelling Units used or intended to be used as a Rental Housing Unit.
  
4. This By-law does not apply to:
  - (a) Premises containing five (5) or more Dwelling Units;
  - (b) a Dwelling Unit whose occupant or occupants are required to share a bathroom or kitchen facility with the owner, the owner’s spouse, child or parent or the spouse’s child or parent, and where the owner, spouse, child or parent lives in the Building in which the living accommodation is located;
  - (c) a hotel, motel, or inn;
  - (d) a Lodging Home licensed under the City’s Business Licensing By-law 332-2013, as amended;
  - (e) Short Term Rental licensed under the City’s Business Licensing By-law 165-2021, as amended;
  - (f) Supportive Housing Residence Type 1 or Supportive Housing Residence Type 2 as defined in By-Law 254-2021, as amended;
  - (g) a Dwelling Unit to which any of the following statutes, or their regulations, apply:
    - (i) the *Homes for Special Care Act*, R.S.O. 1990, c H. 12, as amended;
    - (ii) the *Innkeeper’s Act*, R.S.O. 1990, c 17, as amended;
    - (iii) the *Long-Term Care Homes Act*, 2010, S.O. 2010, c. 11, as amended;
    - (iv) the *Retirement Homes Act, 2000*, S.O. 2010, c. 11, as amended;
    - (v) the *Social Housing Reform Act, 2000*, S.O. 2000, c. 27, as amended; and
  - (h) social housing or affordable housing that is not subject to the *Social Housing Reform Act, 2000*, S.O. 2000, c. 27, as amended, but which is subject to an agreement with the City and which has been approved for exemption by the Licence Issuer.

**PART IV - PROHIBITIONS**

5. No person shall do any of the following, except in accordance with a Licence issued under this By-law:
  - (a) Operate a Rental Housing Unit;

- (b) Permit a person to operate a Rental Housing Unit;
  - (c) Collect Rent, or permit Rent to be collected, for a Rental Housing Unit;
  - (d) Market, or permit to be Marketed, a Rental Housing Unit; or
  - (e) Hold a Rental Housing Unit out as being licensed when it is not.
6. No person shall do any of the following, other than at a location for which a Licence has been issued under this By-law:
- (a) Operate a Rental Housing Unit;
  - (b) Permit a person to operate a Rental Housing Unit;
  - (c) Collect Rent, or permit Rent to be collected, for a Rental Housing Unit;
  - (d) Market, or permit to be Marketed, a Rental Housing Unit; or
  - (e) Hold a Rental Housing Unit out as being licensed when it is not.
7. No person shall do any of the following under a name other than the name under which a Licence has been issued under this By-law:
- (a) Operate a Rental Housing Unit;
  - (b) Permit a person to operate a Rental Housing Unit;
  - (c) Collect Rent, or permit Rent to be collected, for a Rental Housing Unit;
  - (d) Market, or permit to be Marketed, a Rental Housing Unit; or
  - (e) Hold a Rental Housing Unit out as being licensed when it is not.
8. No person shall provide false or misleading information to the City or Inspector at any time, including when applying for a Licence or renewing a Licence.
9. No person shall operate, or permit to operate, a Rental Housing Unit in contravention of any City by-law including the Zoning By-law 270-2004, or in contravention of the Building Code, the Fire Code, or any other applicable law.
10. Every person Licensed under the provisions of this By-law shall maintain, on a continuous basis, the standards and requirements necessary to obtain the original approval of the Licence application, or that have been imposed since the issuance of the Licence.
11. No person shall hinder or obstruct, or attempt to hinder or obstruct, or advise, instruct, or encourage others to hinder or obstruct, an Inspector who is exercising a power or performing a duty under this By-law.
12. Every Person shall keep any and all of the records required to be kept under the provisions of this By-law.
13. No Licence issued under this By-law may be sold or transferred.
14. No Person licensed or required to be licensed under this By-law shall charge any Person, or provide services to any Person, or deny service to any Person, in a manner that in the opinion of the Licence Issuer discriminates on the basis of a prohibited ground under the Ontario Human Rights Code, R.S.O. 1990, c. H.19, as amended, or is deemed by the Licence Issuer to have the same or similar effect.

## **PART V - POWERS AND DUTIES OF THE LICENCE ISSUER**

15. The Licence Issuer:
- (a) The Clerk is appointed as the Licence Issuer for the purposes of this By-law.
  - (b) Council delegates to the Licence Issuer the power to issue or renew, refuse to issue or renew, to cancel, revoke or suspend, reinstate or impose conditions on a Licence under this By-law.
16. The Licence Issuer shall:
- (a) receive and process all Applications for new Licences and for Licence renewal;
  - (b) issue a new Licence or renew a Licence when,
    - i. an Application is made in accordance with the provisions of this By-law;
    - ii. the Application is complete;
    - iii. the applicable Licence Fee is paid; and
    - iv. the Application meets all of the requirements under this By-law, unless there are grounds to refuse to issue a new Licence or renew a Licence as set out in this By-law;
  - (c) impose terms and conditions on a new Licence or Licence renewal when the Licence Issuer is of the opinion that a term or condition of a Licence should be imposed under this By-law;
  - (d) maintain records showing all Applications received and Licences issued;
  - (e) enforce or cause to be enforced, the provisions of this By-law;
  - (f) prepare or cause to be prepared all notices, forms and any other document, including any amendments thereto, that are necessary for the administration of this By-law; and,
  - (g) perform all the administrative functions that may be required by this By-law.

## **PART VI - GROUNDS FOR REFUSAL TO ISSUE OR RENEW A LICENCE**

17. The Licence Issuer may refuse to issue or renew a Licence, if the Licence Issuer is of the opinion that any one or more of the following has occurred, or may occur:
- (a) the issuance of or the holding of a Licence or its renewal, would:
    - i. be contrary to the public interest;
    - ii. adversely affect the health and safety of any person,
    - iii. create a public nuisance affecting any land or person in the City, or
    - iv. be required for the protection of any consumer;
  - (b) there are reasonable grounds for belief that the Applicant has not carried on or will not carry on business in accordance with this By-law or any other law or with integrity and honesty;
  - (c) the conduct of the Applicant or Licensee or other circumstances afford reasonable grounds for belief that carrying on the business has infringed, or would infringe, the rights of other members of the public;
  - (d) the Licence was issued on false, mistaken, or incorrect information;
  - (e) the business of the Applicant or Licensee is carried on or intended to be carried on in an area where it is prohibited;

- (f) the business for which the Licence has been issued has not been carried on for a continuous period of sixty (60) days or more, except if the Licence Issuer has been informed in writing that the licensed premises is undergoing renovations;
  - (g) the Applicant is indebted to the City in respect of fines, penalties, judgments, outstanding property taxes, or any other amounts owing, including an administrative penalty;
  - (h) the building, Premises, place or part thereof in which the business is carried on does not comply with the provisions of this By-law, or with any other law, regulation or City By-law, including the Zoning By-law, the Building Code and the Fire Code, or any successor regulations;
  - (i) the Premises in which the business is carried on is in an unsafe or dangerous condition;
  - (j) there are reasonable grounds for belief that the carrying on of the business or occupation by the Applicant or Licensee has resulted or will result in a breach of this By-law or any other law;
  - (k) the Licence Fee payable has not been paid;
  - (l) any Additional Fee imposed on an Applicant or Licensee remains unpaid after the due date as indicated in a notice of Additional Fee sent to the Applicant or Licensee; or
  - (m) the Applicant has received three (3) or more penalty notices, orders to comply or convictions under this By-law within one year.
18. Where the Applicant is a corporation or a partnership, the grounds for refusing registration or its renewal shall apply to any of the officers or directors of the corporation or partners in the partnership.
19. In addition to the grounds for refusing a Licence or its renewal, an Applicant shall not be entitled to hold a Licence, and the Licence Issuer shall refuse to issue or renew Licence where, in the twelve (12) month period from the date of the Application, the Applicant has:
- (a) applied for and been finally refused a Licence; or
  - (b) had her or his Licence finally revoked.

#### **PART VII - GROUNDS FOR REVOKING OR SUSPENDING A LICENCE**

20. The Licence Issuer may revoke or suspend a Licence for any one or more of the grounds listed in Section 17.
21. Any Licence issued under this By-law may be cancelled at any time upon the written request of the Licensee.
22. If the Licence Issuer is satisfied that the continuation of a business of Rental Housing poses immediate danger to the health or safety of any Person or property, the Licence Issuer may, without a hearing, suspend a Licence for a maximum period of fourteen (14) days and on such conditions as the Licence Issuer considers appropriate, and shall provide the Licence holder with written reasons for the suspension and allow the Licence holder an opportunity to respond before the Licence Issuer makes a decision to revoke or suspend a Licence pursuant to Section 20.
23. After a decision is made by the Licence Issuer to refuse, revoke, suspend, or cancel a Licence or Licence renewal, written notice of that decision shall be given within ten (10) days to the Applicant or Licence holder.
24. The written reasons may be given in any of the following ways and is effective:

- (a) on the date when a copy is delivered personally to the Person to whom it is addressed;
  - (b) on the date when a copy is emailed or faxed to the Person to whom it is addressed;
  - (c) on the 5th day after a copy is sent by registered mail to the Person's last known address; or
  - (d) where service is unable to be done under subsections (a) or (b) or (c), notice may be given by placing a placard containing the terms of the document or written reasons in a conspicuous place on the Premises to which the document or written reasons relate and shall be deemed to be sufficient service on the Person.
25. Where any written notice is mailed under this By-law, it is sufficient to use the Applicant's or Licensee's last known business or residential address.

### **PART VIII – RETURN OF LICENCE**

26. Where a Licence has been revoked or suspended, and written notification is provided and deemed received, the Licensee shall immediately return the Licence to the Licence Issuer.
27. A Person whose Licence has been revoked or suspended shall not refuse to deliver the Licence to the Licence Issuer or Inspector in any way obstruct or prevent the Licence Issuer or Inspector from receiving or taking the Licence.
28. Where a Licence has been revoked or suspended, the Licence Issuer or Inspector may enter upon the business premises or the Person to whom the Licence was issued for the purpose of receiving, taking or removing the Licence.

### **PART IX - APPEAL OF DECISION OF LICENCE ISSUER**

29. The Applicant or Licensee may appeal a decision of the Licence Issuer to refuse to issue or renew, revoke, suspend, or to impose any condition on a Licence, to the Tribunal by filing a written notice of appeal with the Clerk, with reasons in support of the appeal, accompanied by the appropriate appeal fee as set out in the City's User Fee By-law.
30. On receipt of a written request for an appeal from the Applicant or Licensee, the Clerk shall schedule a hearing of the Tribunal and shall give the Applicant or Licensee and the Licence Issuer reasonable written notice of the date, time and place of the hearing in accordance with the Brampton Appeal Tribunal By-law, No. 48-2008, as amended, or any successor by-law.
31. The decision of the Tribunal shall be final.
32. No member of the Tribunal, Council, or any employee for the City is personally liable for anything done under authority of this By-law.
33. Where the Tribunal has ordered that a Licence be granted, reinstated, a suspension to a Licence ended or a change to the condition(s) of a Licence, the Applicant or Licensee shall fulfill any outstanding requirements for the Licence under this By-law.
34. The filing of an appeal does not operate to suspend the decision of the Licence Issuer.
35. The decision of the Licence Issuer shall be final if the Clerk does not receive an appeal by the fifteenth day following the receipt of written notice of the Licence Issuer's decision.



36. The provisions of the Brampton Appeal Tribunal By-law, No. 138-2023, as amended, or any successor by-law, apply to any appeal that is made under this By-law.

## **PART X - GENERAL REQUIREMENTS OF LICENCES**

37. Every Licensee shall at all times:
- (a) comply with the provisions of this By-law, including any applicable Schedule;
  - (b) notify the Licence Issuer within seven (7) days of any changes related to any particulars required to be filed as part of the Application for a Licence or Licence renewal; and,
  - (c) notify the Licence Issuer immediately of the nature and extent of any violation, where the Person registered or holding a permit ceases to comply with the requirements of this By-law.
38. Every Applicant holding a Licence under this By-law shall ensure that every document issued by the landlord, such as invoice, contract, receipt, or similar document, contains the Licence number.
39. Every Applicant holding a Licence under this By-law shall include their Licence number in any advertisements soliciting Rental Guests.
40. Every landlord is liable for the conduct of each tenant and is responsible for ensuring that all tenants comply with all applicable laws, including municipal by-laws.
41. Any Licence issued under this By-law shall be posted on the Premises of the business of the Rental, to which the Licence relates in a conspicuous place that is clearly visible to the renter(s).
42. Any Licence that is invalidated for any reasons pursuant to this By-law remains the property of the City and shall be returned to the Licence Issuer forthwith.
43. An Applicant or Licensee whose Licence has been refused or revoked, shall not be entitled to make a new Application for the same or similar type of Licence for a period of at least twelve (12) months from the date of the refusal or revocation.
44. The Licence Issuer shall reinstate any Licence that has been suspended upon satisfactory proof that the administrative requirements have been met.
45. Any Licence issued under this By-law may be cancelled at any time upon the written request of the Licensee.
46. A Person shall not enjoy a vested right in the continuation of a Licence and upon the issuance, renewal, transfer, cancellation or suspension thereof, the value of a Licence shall be the property of the City.
47. A Licensee carrying on business under this By-law shall not advertise, promote or carry on the business under any name other than the name endorsed upon the Licence, without the written approval of the Licence Issuer.

## **PART XI – INSURANCE**

48. Every Person shall, before the issuance of a Licence to him or her, provide proof of General Liability insurance against all claims for personal injury including bodily injury resulting in death, and property damage with an inclusive limit of not less than Two Million Dollars (\$2,000,000.00) per occurrence insuring them against

liability imposed by law for any loss or damage resulting from the carrying on of the business to which the Licence relates.

49. Every Person who obtains a Licence shall ensure that the insurance policy in Subsection 61(1) is maintained in good standing while the Licence is valid and the business to which the Licence applies is in operation.
50. Every Person shall provide the Licence Issuer with at least ten (10) days' notice in writing, by regular mail, personal delivery, e-mail or fax delivery, of cancellation, expiration or variation in the amount or conditions of the policy required by Subsection 61(1).
51. A certificate of insurance issued in respect of the insurance policy in Subsection 61(1) shall be provided to the Licence Issuer, before the issuance of the Licence that it applies to, in the form of proof set out in Schedule B to this By-law.

#### **PART XVI – INSPECTION**

53. The Licence Issuer or Inspector may enter on any land and building or structure thereon, at any reasonable time for the purpose of carrying out an inspection to determine whether any one or more of the following are being complied with:
  - (a) the provisions of this By-law;
  - (b) an order made under this By-law;
  - (c) a condition of a Licence issued under this By-law; or
  - (d) an order made under section 431 of the *Municipal Act, 2001*.
54. For the purposes of an inspection under Section 53 the person carrying out the inspection may do any one or more of the following:
  - (a) require the production for inspection of any goods, articles, books, records and other documents of or relating to any trade, business or occupation licensed under this By-law.
  - (b) inspect and remove documents or things relevant to the inspection, including anything listed in Subsection 62. (2) (a), for the purpose of making copies or extracts.
  - (c) require information from any Person concerning a matter related to the inspection.
  - (d) alone or in conjunction with a person possessing special or expert knowledge make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
55. No Person shall obstruct or hinder, or cause to be obstructed or hindered, an Inspector in the performance of their duties under this By-law.
56. Upon request of the Licence Issuer or Inspector, the Licensee shall produce the Licence and any other requested documents forthwith.
57. Failure to accommodate an inspection as requested by the City may result in additional fees at the discretion of the City.

#### **PART XIII – ORDER TO COMPLY**

58. Where the Licence Issuer or Inspector believes that a contravention of this By-law has occurred they may issue:
  - (a) an order to discontinue the contravening activity;

- (b) an order to correct the contravention; or
  - (c) an order to discontinue the contravening activity and correct the contravention.
59. The orders contemplated in Subsection 63.(1) shall set out:
- (a) the name of the Person who is believed to have contravened this By-law and the municipal address or the legal description of the land to which the contravention or Licence applies;
  - (b) reasonable particulars of the contravention;
  - (c) the date by which there must be compliance with the order;
  - (d) if applicable, the work to be done and the date by which the work must be done; and,
  - (e) if applicable, a statement that the City may have the work done at the expense of the owner of the Premises if the work is not done in compliance with the order.
60. An order issued under this By-law may be served personally or served by mail to the last known address of the Person and such other persons affected by it as determined by the Licence Issuer or Inspector and a copy of the order may be posted on any Premises to which the contravention or Licence applies.
61. If an order is served by registered mail, the service shall be deemed to have been made five (5) days after mailing.
62. Where service cannot be carried out in accordance with subsection 63. (3), the Inspector may place a placard containing the terms of the order in a conspicuous place on the Premises to which the contravention or Licence applies, and the placing of the placard shall be deemed to be sufficient service of the order on the Person or persons to whom the order is directed.
63. Every Person who fails to comply with an order made under this section is guilty of an offence.

#### **PART XIV – OFFENCES AND PENALTIES**

64. Every Person who contravenes any provision of this By-law, and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and is liable to a fine, and such other penalties, as provided 15 for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended (the “Provincial Offences Act”) and the *Municipal Act, 2001*, S.O. 2001, c. 25.
65. In addition to Section 64, any Person who is charged with an offence under this By-law by the laying of an information under Part III of the *Provincial Offences Act* and is found guilty of the offence is liable, pursuant to the fine provisions of the *Municipal Act, 2001*, to the following fines:
- (a) the minimum fine for an offence is \$500 and the maximum fine for an offence is \$100,000;
  - (b) in the case of a continuing offence, for each day or part of a day that the offence continues the minimum fine shall be \$500 and the maximum fine shall be \$10,000, and the total of all daily fines for the offence is not limited to \$100,000;
  - (c) in the case of a multiple offence, for each offence included in the multiple offence the minimum fine shall be \$500 and the maximum fine shall be \$10,000 and the total of all fines for each included offence is not limited to \$100,000.

66. In addition to the fine provisions in Section 65, if a Person is convicted of an offence under this By-law, any economic advantage or gain obtained by the Person from operating a business without a Licence may be considered an aggravating factor for sentencing purposes which may attract a special fine, which shall be equal to or greater than the economic advantage or gain obtained by the Person from operating the business without a Licence.
67. The maximum amount for a special fine in Section 66 may exceed \$100,000.
68. If a Person is convicted of an offence under this By-law, in addition to any other remedy or any penalty imposed, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order:
  - (a) prohibiting the continuation or repetition of the offence by the Person convicted; and,
  - (b) requiring the Person convicted to correct the contravention in the manner and within the period that the court considers appropriate.
69. Where a Person fails to pay any part of a fine for a contravention of this By-law and the fine is due and payable under Section 66 of the *Provincial Offences Act*, including any extension of time to pay the fine provided under that section, the City Treasurer, or the Treasurer's delegate may give the Person a written notice specifying the amount of the fine payable and the final date on which it is payable, which date shall not be less than twenty-one (21) days after the date of the notice.
70. If any part of a fine for a contravention of this By-law remains unpaid after the final date specified in the notice provided under Section 69, the outstanding fine is deemed to be unpaid taxes pursuant to Section 351 of the *Municipal Act, 2001*.
71. Administrative Penalties (Non-Parking) By-law 218-2019, as amended, applies to this By-law.
72. Every Person who contravenes a provision of this By-law designated in Schedule A of the Administrative Penalties (Non-Parking) By-law 218-2019, as amended, shall upon issuance of a Penalty Notice be and is liable to pay to the City of Brampton an administrative penalty in the amount set out in the Administrative Penalties (Non-Parking) By-law 218-2019, as amended.

#### **PART XV – TITLE, INTERPRETATION AND SEVERABILITY**

73. Wherever a word is used in this By-law with its first letter capitalized, the term is being used as it is defined in this By-law. Where any word appears in ordinary case, the commonly applied English language meaning is intended.
74. Wherever a word defined in this By-law is used in the form of a noun, verb, adverb or adjective, it shall be interpreted as having a corresponding defined meaning even if it is in ordinary case.
75. All words importing the singular shall include the plural, and words imparting the masculine gender shall include the feminine, and the converse of the foregoing also applies, unless the context of the By-law requires otherwise.
76. In the event of a conflict between any of the general provisions of this By-law and any provisions set out in the Schedule attached to this By-law, the provisions of the Schedule shall prevail.
77. If a court of competent jurisdiction declares any provision or part of a provision of this By-law to be invalid or to be of no force and effect, it is the intention of Council in enacting this By-law that the remainder of this By-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

**PART XVI – DISCRIMINATION**

- 78. No Person, in carrying out a business Licensed under this By-law, shall discriminate against any member of the public on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.
- 79. No Person, in carrying out a business Licensed under this By-law, shall with respect to any person being guided or assisted by a service animal:
  - (a) refuse to service the person;
  - (b) refuse to permit the person to enter with the animal into or upon any place or premises to which the Licence relates; or,
  - (c) refuse to permit the person and such animal to remain in or upon such place or premises by reason only of the presence of such animal.

**PART XVII – SCHEDULES**

- 80. All Schedules attached to this By-law shall form part of this By-law.
- 81. The expiry dates of Licences issued under this By-law, except for those issued per day or per event, are set out in Schedule A to this By-law.

**PART XVIII – TRANSITIONAL PROVISIONS**

- 82. Any business or person operating a Residential Rental Unit in Wards 1,3, 4, 5 and 7 of the City must obtain a Licence issued under this By-law and pay the applicable fees as outlined in Schedule 2

**PART XIX – EFFECTIVE DATE**

- 83. This By-law comes into effect on January 1, 2024.

**PART XX – EXPIRY DATE**

- 84. This By-Law will expiry on December 31, 2025 unless otherwise extended.

ENACTED and PASSED this    day of                    , 2023.

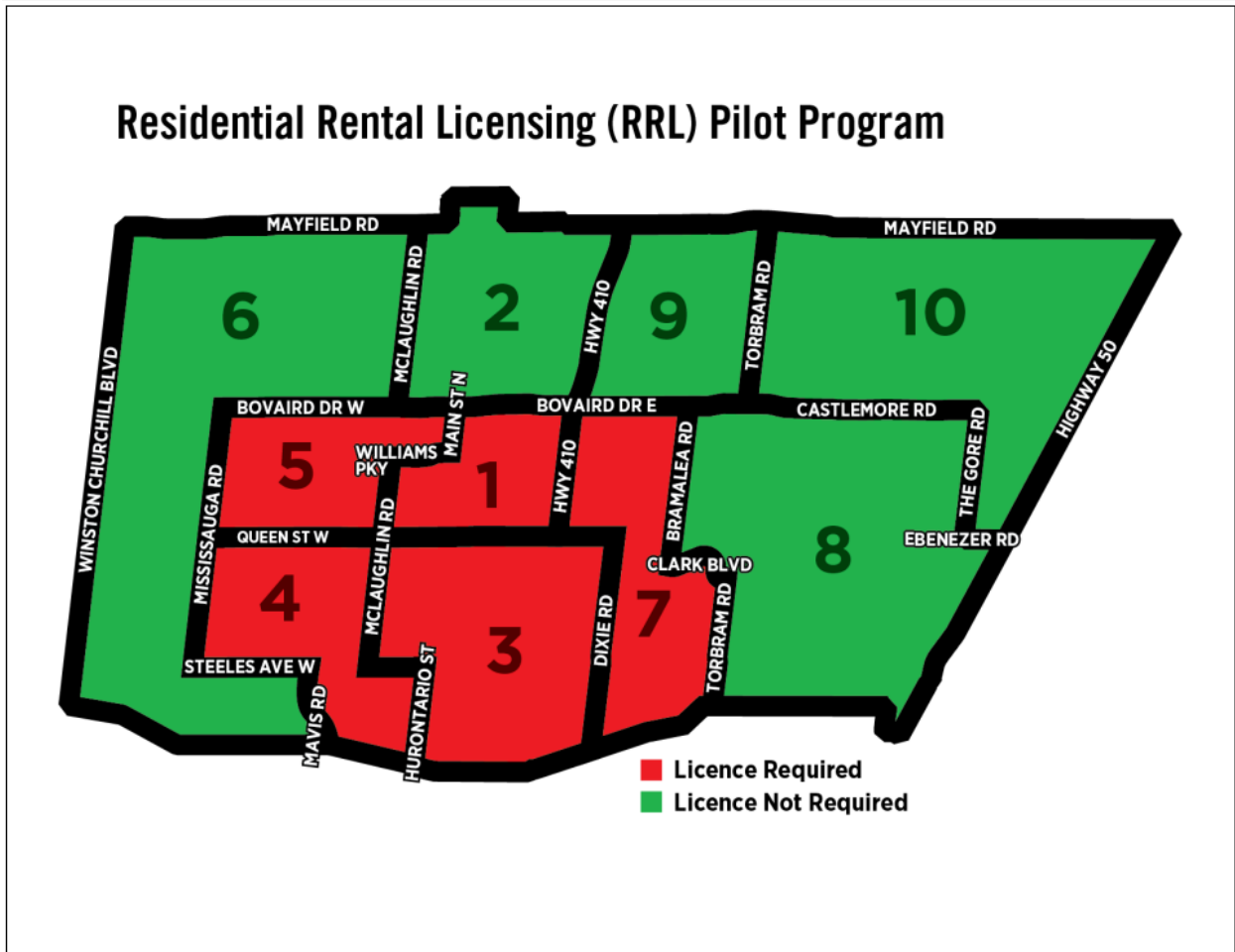
Approved as to form.
2023/ /
[insert name]

\_\_\_\_\_  
Patrick Brown, Mayor

Approved as to content.
2023/ /
[insert name]

\_\_\_\_\_  
Peter Fay, City Clerk

Schedule 1 – Applicable Wards for the RRL Pilot Program



**Schedule 2 – Proposed Residential Rental Licence Fee Breakdown**

<b>Process</b>	<b>Time</b>	<b>Individual Fees</b>	<b>RRL Fee</b>
Clerks (time to process applications)	2 hours	\$90	\$90
PS Inspection		\$144	\$85
Fire Inspection		\$227	
Enforcement	2 hours	\$125	\$125
<b>Total</b>			<b>\$300</b>

### Form A Application

#### Property, Ownership & Applicant Information

Property Rental Address: \_\_\_\_\_ Unit(s) #: \_\_\_\_\_

City: **Brampton** Province: **ON** Postal Code: \_\_\_\_\_

Type of Dwelling:

- Single Detached  
  Semi Detached  
  Townhouse  
  Duplex  
 Triplex  
  Second or Third Unit  
  Accessory Apartment / Garden Suite  
 Other (please specify) \_\_\_\_\_

**Application Type:**

**New**  
  **Renewal/Transfer** – current business license #: \_\_\_\_\_

**Is the entire residential dwelling being rented as one self-contained rental property?**

**Yes**    **No**

*If **Yes**, please proceed to completing the Owner, Applicant and/or Property Manager contact information.*

*If **No**, an Additional Residential Unit (ARU) Registration may be required (see below).*

**Note:** Any new Residential Rental Licence Application without a City-issued ARU Registration Number will be required to complete the ARU Registration process before applying for a Residential Rental Housing Licence for each additional residential dwelling unit.

If applicable, **City Additional Residential Unit (ARU) Registration #** \_\_\_\_\_

Has there been any change to the layout/configuration of the ARU since it was registered with the City?  
 Yes  
 No  
 Don't Know

Number of all Dwelling Units contained on subject property: _____ (include owner-occupied and vacant units)	Number of Dwelling Units subject to Rent / Licence			
	Unit 1	Unit 2	Unit 3	More than 3 Units: ____ Units
Number of sleeping areas (bedrooms or other areas used for sleeping)				
Number of food preparation areas (kitchens)				
Number of washrooms				
Unit purpose (rental unit or principal residence)				
Unit status (occupied or unoccupied)				



**Property Owner**

Owner's Name: \_\_\_\_\_

Business Name (if applicable): \_\_\_\_\_

Corporate Number (if applicable): \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Unit: \_\_\_\_\_

City: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone (Home/Business): \_\_\_\_\_ Phone (Mobile): \_\_\_\_\_

E-mail: \_\_\_\_\_

**Applicant** (if different from owner)

(Owner's Authorization Form **[Form C]** must be completed)

Applicant's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Unit: \_\_\_\_\_

City: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone (Home/Business): \_\_\_\_\_ Phone (Mobile): \_\_\_\_\_

E-mail: \_\_\_\_\_

**Property Manager** (if applicable)

Property Manager's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Unit: \_\_\_\_\_

City: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone (Home/Business): \_\_\_\_\_ Phone (Mobile): \_\_\_\_\_

E-mail: \_\_\_\_\_

## **Property Maintenance Information**

As an operator of a rental business you are responsible for the maintenance and standards at the property. As part of your rental licence application you are required to ensure existing and continued compliance with all relevant by-laws. This includes, but is not limited to the *Rental Housing Licensing By-law*, [Property Standards By-law](#), [Grass and Weed Cutting By-law](#), [Refuse and Dumping By-law](#), [Boulevard Maintenance and Highway Obstruction By-law](#), and [Snow & Ice Removal By-law](#).

**Grass cutting:** Grass must be cut to less than 20.00 cm in the front, side and rear yard. It is the property owner's responsibility to ensure that this standard is met.

**Litter and debris:** The property must be kept clear of litter and debris at all times, including proper disposal of cigarette butts. It is the property owner's responsibility to ensure that this standard is met.

**Garbage, recycling & green bins:** Garbage, recycling, and green bins must be stored in a garage, side yard between houses, or in a rear yard. In cases where a property cannot reasonably store waste carts and containers at an interior side yard, rear yard or garage, the City may allow a reasonable alternate method of storage. Garbage and recycling collection is bi-weekly, and organics collection is weekly. Please confirm the collection schedule with the [Region of Peel](#). Tenants should be informed of the collection standards and frequency.

**Snow clearing/salting/sanding:** Snow and ice on all sidewalks adjacent to the property must be removed by 11:00 a.m. the day after the end of a snowfall or icing event. It is the property owner's responsibility to ensure that this standard is met.

### **Acknowledgement:**

- I have reviewed and understand the property standards requirements for this rental property.

## Declarations

- I hereby declare that I am the applicant for this application form and the owner(s) of the property currently (or intend to) operate this address as a residential rental unit. I hereby certify that I have reviewed the completed rental housing licence application, supporting documentation and declarations, confirm them to be true and correct, and agree to be bound thereby.
- I further declare that I understand that it is my responsibility to ensure that this property is in compliance with all applicable laws at all times, including, but not limit to, the [Building Code Act, 1992](#), the [Fire Protection and Prevention Act, 1997](#), the [Electricity Act, 1998](#), and any regulations made under them.
- I am aware of all relevant federal and provincial legislation, including the [Residential Tenancies Act, 2006](#), and [Human Rights Code, R.S.O. 1990, c. H.19](#), as amended, and will maintain compliance with all such legislation.
- I am aware of the following City of Brampton By-laws, as amended, or their successor by-laws, and will comply with them:  

<a href="#">Zoning By-law...</a>	<a href="#">Refuse and Dumping By-law...</a>
<a href="#">Noise By-law...</a>	<a href="#">Snow and Ice Removal By-law...</a>
<a href="#">Public Nuisance By-law...</a>	<a href="#">Grass and Weed Cutting By-law</a>
<a href="#">Residential Rental Licensing By-law...</a>	<a href="#">Boulevard Maintenance and Highway Obstruction By-law</a>
<a href="#">Property Standards By-law...</a>	
- I am aware of the City's Landlord Code of Conduct and will abide by the Code's provisions as a condition of any issued license.

Without limiting these obligations, I also specifically declare the following regulation requirements:

- Smoke alarms are installed, tested, and maintained as required by the *Ontario Building Code* and the [Ontario Fire Code](#).
- Carbon monoxide alarms are installed, tested, and maintained as required by the *Ontario Building Code* and the *Ontario Fire Code*.
- In accordance with the *Ontario Fire Code*, tenants have been instructed to notify the landlord if smoke alarms or carbon monoxide alarms have been disconnected, are not operating, or have been impaired.

For further information regarding these requirements, please visit the following websites and applicable legislation:

Ontario Fire Code: <https://www.ontario.ca/laws/regulation/070213>

Ontario Building Code: <https://www.ontario.ca/laws/regulation/120332>

### **Additional Resources:**

Smoke alarms: <https://www.ontario.ca/page/fire-safety-home>

Carbon monoxide alarms: <https://www.ontario.ca/page/carbon-monoxide-safety>

**\* These resources are for information purposes only and do not constitute legal advice. For specific questions relating to your property, please consult a professional.**

- I declare the subject property is not operating as a Lodging House, as defined by [Business Licensing By-law 332-2013](#), where a “Lodging House” means a dwelling in which residential accommodation is provided, with or without meals, for hire or gain, to more than 4 lodgers, in which each lodger does not have access to all of the habitable areas of the building.
- I agree to permit inspections of the Rental Housing Unit by City staff (Fire, Building Division, Enforcement) as a condition of this Application, and additionally agree to random inspections (with or without notice).
- I understand that it is an offence pursuant to **By-law XXXX** to provide false or misleading information to the City when applying for a residential rental housing licence, renewing a residential rental housing licence, or at any other time. I further understand that the City may revoke or suspend a licence issued, in accordance with the By-law, including for reasons related to providing the City with false or misleading information.

---

Applicant's Name (Print)

Applicant's Signature

Date

**Note:**

Without limitation, this application is subject to zoning and fire prevention approval. You may be contacted by these departments if further information is required during the application review process. Application fees are non-refundable.\*

**Personal Information Collection Statement**

All personal information on this form is collected under authority of the *Municipal Act, SO 2001, c.25* and City of Brampton **By-law XXX**. The information collected on this form will be used to administer the Residential Rental Licensing process, and for other related administrative City processes. Questions about this collection should be directed to the Licensing Issuer at [licensing@brampton.ca](mailto:licensing@brampton.ca).

# Application Checklist

A copy of all of the following documents must be submitted and accepted by the City before an application can be deemed complete for processing at the time of submission:

- Application Form [Form A]**
  - All owner/applicant (and corporate information) completed in full
- Property Standards and Safety Self-Certification Checklist [Form B]**
- Property Owner Authorization and Declaration (if the applicant is not the owner) [Form C]**
- Insurance Declaration [Form D]**
- Electrical System Inspection Form [Form E]**
  - To be completed by a licensed electrician
- Emergency Information Package [Form F]**
- Gas or Oil Fueled Appliance Inspection Form [Form G1]**
  - To be completed by a licensed gas fitter, or
- Declaration No Gas or Oil Fueled Appliance Form [Form G2]**

## Other Documents to be Provided:

- Proof of Ownership (Transfer or Deed of Land – Long Form)**
  - Normally received at the time of purchase or available at the Land Registry Office ([www.onland.ca](http://www.onland.ca))
- Corporate Ownership (if the property owner is a corporation)**
  - Certificate of Status or Corporate Profile Report (Provincial Corporation)
  - Certificate of Compliance or Corporate Profile Report (Federal Corporation)
- Criminal Record Check (required for each owner and applicant – not for tenants)**
  - If the owner is a corporation, a record check is required for all shareholders owning more than 30% of the corporation, each director and officer of the corporation
- Floor Plans – Each floor of the building, including basements, must have all of the following:**
  - Accurate measurements and labeling of **ALL** dwelling units, rooms, hallways, common spaces, and windows, including sleeping areas, food preparation/eating areas, washroom areas
  - Photographs are also recommended to accompany the floor plans
  - See sample floor plan form
- Parking & Storage Plan – Must include the following:**
  - A drawing with measurements of garages, driveways and other parking areas on the property
  - Must depict the location of recycling/organics/garbage storage and any snow storage area

**Form B**
**Property Standards and Safety Self-Certification Checklist**

Rental Housing Property Address: \_\_\_\_\_

 City: Brampton Postal Code: \_\_\_\_\_

Unit(s) #: \_\_\_\_\_

<b>Property and Grounds</b>		
<i>Outdoor spaces including front, side, and rear yards as well as parking areas.</i>		
<b>OK</b>	<b>N/A</b>	<b>Condition</b>
<input type="checkbox"/>	<input type="checkbox"/>	Municipal address number is clearly visible from the road.
<input type="checkbox"/>	<input type="checkbox"/>	Yards are appropriately graded and free of holes, rubbish, standing water, or other safety hazards.
<input type="checkbox"/>	<input type="checkbox"/>	Suitable groundcover is kept no more than 12" tall and all noxious weeds or dead, damaged, or decaying trees are removed.
<input type="checkbox"/>	<input type="checkbox"/>	Walkways are reasonably smooth, slip-free, and safe for pedestrian traffic.
<input type="checkbox"/>	<input type="checkbox"/>	Outdoor lighting is in good visual condition and safe working order.
<input type="checkbox"/>	<input type="checkbox"/>	Garbage receptacles are stored in the garage, side yard between houses, or back yard.
<input type="checkbox"/>	<input type="checkbox"/>	Required sound barriers are safe, well maintained and structurally sound.
<input type="checkbox"/>	<input type="checkbox"/>	Fences, gates, retaining walls, and other fixtures are safe, well maintained, and function as designed.
<input type="checkbox"/>	<input type="checkbox"/>	Swimming pool is kept in seasonal good working order and is appropriately enclosed and secured.
<input type="checkbox"/>	<input type="checkbox"/>	Parking areas are appropriately constructed, lit, and maintained.
<input type="checkbox"/>	<input type="checkbox"/>	No damaged or inoperative vehicles on the property.
<input type="checkbox"/>	<input type="checkbox"/>	No dilapidated or collapsed structures on the property.
<input type="checkbox"/>	<input type="checkbox"/>	No graffiti, stains, or other defacement on the property.
<b>Building Exterior</b>		
<i>Structural components that are exposed to outdoor spaces.</i>		
<b>OK</b>	<b>N/A</b>	<b>Condition</b>
<input type="checkbox"/>	<input type="checkbox"/>	Roofs and components (fascia, soffits, flashings, solar panels, etc.) are in good repair, water tight, and structurally sound.
<input type="checkbox"/>	<input type="checkbox"/>	Chimneys, vent pipes, or flues are safe, appropriate, and clear of obstructions.
<input type="checkbox"/>	<input type="checkbox"/>	Eaves troughs, gutters, and downpipes are present, in good repair, and free of obstructions.
<input type="checkbox"/>	<input type="checkbox"/>	Storm water runoff is appropriately controlled to prevent flooding and nuisance to neighbouring properties.
<input type="checkbox"/>	<input type="checkbox"/>	Doors, windows, and skylights are in good repair and weather tight.
<input type="checkbox"/>	<input type="checkbox"/>	Porches, landings, balconies, canopies, awnings, and fire escapes are safe, structurally sound, and in good repair.
<input type="checkbox"/>	<input type="checkbox"/>	Guards, balustrades, railings, or screens are safe, structurally sound, and kept in good repair.
<input type="checkbox"/>	<input type="checkbox"/>	Exterior staircases are appropriately constructed, including required guards or handrails, and kept in good repair.
<input type="checkbox"/>	<input type="checkbox"/>	Walls are watertight and in good repair with no damaged, defective, unsecured, or deteriorating materials.

<input type="checkbox"/>	<input type="checkbox"/>	Walls and foundations are free from any conditions that may result in pest infestation.
<input type="checkbox"/>	<input type="checkbox"/>	Foundations, piers, posts, or supports are appropriately constructed, structurally sound, and in good repair.

### Occupancy, Passageways and Fire Safety

*Equipment and structural elements that manage safety risks related to emergency exiting and fire spread.*

OK	N/A	Condition
<input type="checkbox"/>	<input type="checkbox"/>	Smoke detection and carbon monoxide alarms are located correctly, in good condition, and fewer than 10 years old.
<input type="checkbox"/>	<input type="checkbox"/>	Fire detection, alarm, and sprinkler systems are in working condition and routinely tested and/or serviced.
<input type="checkbox"/>	<input type="checkbox"/>	All required fire separations, smoke seals, and fire stopping systems are present and well maintained.
<input type="checkbox"/>	<input type="checkbox"/>	Interior stairs are appropriately constructed and in good repair.
<input type="checkbox"/>	<input type="checkbox"/>	Number of unit residents complies with habitable floor area minimums prescribed in the Property Standards By-law.
<input type="checkbox"/>	<input type="checkbox"/>	Number of unit residents in each bedroom complies with floor area minimums prescribed in the Property Standards By-law.
<input type="checkbox"/>	<input type="checkbox"/>	Ceiling heights over any means of egress meet or exceed prescribed minimums in the Property Standards By-law.
<input type="checkbox"/>	<input type="checkbox"/>	All means of egress are well maintained and free of obstructions, including garbage, refuse, appliances, or furniture.
<input type="checkbox"/>	<input type="checkbox"/>	Safe, continuous, unobstructed passage from inside the unit to the building exterior at or near grade level is present.
<input type="checkbox"/>	<input type="checkbox"/>	No required means of egress passes through an attached garage or an enclosed part of another dwelling unit.

### Building Interior

*General standards for all rooms used or capable of being used for living, sleeping, cooking, or eating purposes.*

OK	N/A	Condition
<input type="checkbox"/>	<input type="checkbox"/>	Walls and ceilings in good condition and free from large holes, cracks, leaks, loose material, or visible mold and mildew.
<input type="checkbox"/>	<input type="checkbox"/>	Ceiling heights over required floor areas meet or exceed prescribed minimums in the Property Standards By-law.
<input type="checkbox"/>	<input type="checkbox"/>	Habitable spaces, common areas, corridors, and exits have adequate artificial lighting available at all times.
<input type="checkbox"/>	<input type="checkbox"/>	Electrical switches and outlets are secured with cover plates.
<input type="checkbox"/>	<input type="checkbox"/>	Doors, windows, and skylights are in good working condition and free from cracks or broken glass.
<input type="checkbox"/>	<input type="checkbox"/>	Door and window screens, hardware, and locking or safety devices are present as required and in good working order.
<input type="checkbox"/>	<input type="checkbox"/>	Doors and operable windows can be opened from the inside without using specialized tools.
<input type="checkbox"/>	<input type="checkbox"/>	Required windows for each room meet or exceed prescribed minimums in the Property Standards By-law.
<input type="checkbox"/>	<input type="checkbox"/>	Adequate airflow, either from an operable window or mechanical ventilation, provided.
<input type="checkbox"/>	<input type="checkbox"/>	Floors and finished flooring is in good condition and free of trip hazards, holes, cracks, or visible mold and mildew.

<input type="checkbox"/>	<input type="checkbox"/>	Heating systems and filtration equipment are kept in a good state of repair and in a safely operable condition.
<input type="checkbox"/>	<input type="checkbox"/>	Fuel-burning heating equipment (furnaces, stoves, etc.) is correctly installed and kept in a good state of repair.
<input type="checkbox"/>	<input type="checkbox"/>	Habitable spaces are able to maintain a room temperature of at least 22 degrees Celsius.
<input type="checkbox"/>	<input type="checkbox"/>	No habitable area is equipped with portable heating equipment as a primary source of heat.
<input type="checkbox"/>	<input type="checkbox"/>	Plumbing, including drains, supply pipes, and fixtures, is free of leaks and defects and protected from freezing.
<input type="checkbox"/>	<input type="checkbox"/>	Sewage discharges directly into the municipal sewage system or an acceptable alternative maintained in good repair.
<b>Kitchens and Bathrooms</b>		
<i>Interior spaces or rooms primarily intended for either preparing and cooking food or personal washing and sanitation.</i>		
<b>OK</b>	<b>N/A</b>	<b>Condition</b>
<input type="checkbox"/>	<input type="checkbox"/>	Cabinets, cupboards, shelves and countertops are structurally sound and free from cracks and deterioration.
<input type="checkbox"/>	<input type="checkbox"/>	Sinks, bathtubs, showers, and toilets receive sufficient water flow, drain properly, and are free from leaks.
<input type="checkbox"/>	<input type="checkbox"/>	Bathroom door can be secured from the inside and opened from outside the room in an emergency.
<input type="checkbox"/>	<input type="checkbox"/>	Hot water provided by fixtures is at least 49 degrees Celsius.
<input type="checkbox"/>	<input type="checkbox"/>	No toilets located in rooms used or intended for use for sleeping or preparing, consuming, or storing food.
<b>Basements</b>		
<i>Specific additional requirements for spaces located partly or entirely below ground level.</i>		
<b>OK</b>	<b>N/A</b>	<b>Condition</b>
<input type="checkbox"/>	<input type="checkbox"/>	Habitable rooms are accessible without passing through a service room (furnace room, boiler room, storage room, etc.).
<input type="checkbox"/>	<input type="checkbox"/>	Habitable rooms are separated from service rooms by a suitable fire separation.
<input type="checkbox"/>	<input type="checkbox"/>	Window size, location, and function meet or exceed the minimum requirements of the Building Code.
<input type="checkbox"/>	<input type="checkbox"/>	Unfinished basements, crawl spaces, or cellars are provided with adequate ventilation to the outdoors.

The information collected in this application includes personal information as defined in the [Municipal Freedom of Information and Protection of Privacy Act](#), a statute of the Province of Ontario. The information will be used only for the administration and enforcement of the licence that is being applied for and will not be used for any other reason. I consent to the City of Brampton collecting the personal information for the reasons stated herein.

I am aware that the following City of Brampton by-laws may apply to the Residential Housing Unit identified in this licence application and that these by-laws can be found on the City of Brampton's website or can be provided for me to review upon request and I have either reviewed these by-laws or have had a reasonable opportunity to do so:

[Zoning By-law...](#)

[Noise By-law...](#)

[Public Nuisance By-law...](#)



*Residential Rental Licensing By-law...*

[Property Standards By-law...](#)

[Refuse and Dumping By-law...](#)

[Snow and Ice Removal By-law...](#)

[Grass and Weed Cutting By-law](#)

[Boulevard Maintenance and Highway Obstruction By-law](#)

I understand that this document does not contain a comprehensive list of all specific conditions to be evaluated in determining whether the licence will be issued.

In completing this form, I evaluated the dwelling unit described in Section A and the property on which it is located for compliance with City by-laws and all other applicable laws. By signing below, I declare and affirm that the information provided by this list is a true and accurate representation of the condition of said unit.

Property Owner/Application Name (Print):

\_\_\_\_\_

Property Owner/Application Signature:

\_\_\_\_\_

Date:

\_\_\_\_\_

DRAFT

**Form C****Property Owner Authorization and Declaration**

Rental Housing Property Address: \_\_\_\_\_

City: Brampton Postal Code: \_\_\_\_\_ Unit(s) #: \_\_\_\_\_

I hereby authorize \_\_\_\_\_ (*applicant/property manager name*) to submit a residential rental housing license application pursuant to City of Brampton by-laws, for the above-noted address and/or dwelling units, along with any required supporting documentation, to the City of Brampton, on my behalf.

I further declare that I understand that it is my responsibility to ensure that this property is in compliance with all applicable laws at all times, including but not limit to the *Building Code Act, 1992*, the *Fire Protection and Prevention Act, 1997*, the *Electricity Act, 1998*, and any regulations made under them.

I hereby certify that I have reviewed the completed the residential rental housing license application, supporting documentation and declarations, confirm them to be true and correct, and agree to be bound thereby.

Without limiting these obligations, I also specifically declare the following regulation requirements:

- Smoke alarms** are installed, tested, and maintained as required by the *Ontario Building Code* and the *Ontario Fire Code*.
- Carbon monoxide alarms** are installed, tested, and maintained as required by the *Ontario Building Code* and the *Ontario Fire Code*.
- In accordance with the *Ontario Fire Code*, **tenants have been instructed** to notify the landlord if smoke alarms or carbon monoxide alarms have been disconnected, are not operating, or have been impaired.

For further information regarding these requirements, please visit the following websites and applicable legislation:

*Ontario Fire Code*: <https://www.ontario.ca/laws/regulation/070213>

*Ontario Building Code*: <https://www.ontario.ca/laws/regulation/120332>

*Additional Resources*:

Smoke Alarms: <https://www.ontario.ca/page/fire-safety-home>

Carbon Monoxide Alarms: <https://www.ontario.ca/page/carbon-monoxide-safety>

\* These resources are for information purposes only and do not constitute legal advice. For specific questions relating to your property, please consult a professional.

- I declare the subject property is not operating as a Lodging House, as defined by [Business Licensing By-law 332-2013](#), where a “Lodging House” means a dwelling in which residential accommodation is provided, with or without meals, for hire or gain, to more than 4 lodgers, in which each lodger does not have access to all of the habitable areas of the building.
  
- I agree to permit inspections of the Rental Housing Unit by City staff (Fire, Building Division, Enforcement) as a condition of this Application, and additionally agree to random inspections during the license validation period.
  
- I understand that it is an offence pursuant to the Residential Rental Licensing By-law to provide false or misleading information to the City when applying for a rental housing license, renewing a rental housing license, or at any other time. I further understand that the City may revoke or suspend a license issued because false or misleading information was provided to the City.

Applicant/Property Manager Name (Print): \_\_\_\_\_

Applicant/Property Manager Signature: \_\_\_\_\_

Property Owner Name (Print): \_\_\_\_\_

Property Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

DRAFT

**Form D****Insurance Declaration**

Rental Housing Property Address: \_\_\_\_\_

City: Brampton Postal Code: \_\_\_\_\_

Unit(s) #: \_\_\_\_\_

**Declaration**

I, as the property owner and/or authorized applicant, solemnly declare, that I have confirmed that the property is insured for liability insurance of no less than **\$2,000,000** per occurrence for property damage and bodily injury, that the insurance identifies that a residential rental unit is being operated on the property on which the rental unit(s) is situated, and that this coverage will remain valid for the entire duration that the above-listed property is rented with a valid rental licence obtained from the City of Brampton.

I, as the applicant, agree to provide to the city satisfactory proof of such insurance, at any time, upon request. Should the insurance at any time be cancelled or otherwise become void, in whole or in part, I agree to notify the city immediately, and acknowledge that the licence may be revoked or suspended as a result.

Property Owner/Application Name (Print): \_\_\_\_\_

Property Owner/Application Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Form E****Electrical System Inspection****\*Must be completed by a Licensed Electrician**

Rental Housing Property Address: \_\_\_\_\_

City: Brampton Postal Code: \_\_\_\_\_ Unit(s) #: \_\_\_\_\_

\*A separate form must be completed for each unit at the property.

**Electrical Contractor Information**

Electrical Contractor's Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

ECRA Licence Number: \_\_\_\_\_

Master Electrician's Name: \_\_\_\_\_

Electrician's Name: \_\_\_\_\_

Electrician's OCOT Number: \_\_\_\_\_

**Declaration****I certify that this dwelling unit has been inspected and that there are no visible fire or shock hazards associated with the electrical system.**

Electrician's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\*Defects with the electrical system must be repaired before this form is completed. All electrical installation, repair and replacement work in Ontario needs to be done in compliance with the Ontario Electrical Safety Code and typically requires a permit from the Electrical Safety Authority.

**Form F****Emergency Information**

Rental Housing Property Address: \_\_\_\_\_

City: Brampton Postal Code: \_\_\_\_\_ Unit(s) #: \_\_\_\_\_

Property Owner/Property Manager Name: \_\_\_\_\_

Property Owner/Property Manager Phone #: \_\_\_\_\_

**In case of Emergency:****Call 9-1-1****Non-Emergency:****Peel Regional Police – 905.453.3311****Brampton Fire – 905.874.2700****City of Brampton - 311****Nearest Hospital or Medical Centre****Brampton Civic Hospital - 905.494.2120  
2100 Bovaird Drive East, Brampton****Parking:****Number of Cars Permitted:** \_\_\_\_\_**Location of Parking in Driveway:** \_\_\_\_\_**Garbage/Recycling/Organics:****Location of Containers:** \_\_\_\_\_**Collection Days:** \_\_\_\_\_**Location of Safety Amenities in Unit:****Fire Extinguisher:** \_\_\_\_\_**First Aid Kit:** \_\_\_\_\_**Emergency Evacuation Plan:****What to do/Where to go:** \_\_\_\_\_

**Form G1****Gas or Oil Fueled Appliance Inspection Form**

**\*Form must be completed by a Class 1 or Class 2 Gas Fitter or Oil Burner Technician**

Rental Housing Property Address: \_\_\_\_\_

City: Brampton Postal Code: \_\_\_\_\_ Unit(s) #: \_\_\_\_\_

\*A separate form must be completed for each unit at the property.

**Heating Contractor Information**

Heating Contractor's Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

TSSA Registration Number: \_\_\_\_\_

Gas Fitter or Oil Burner Technician's Name: \_\_\_\_\_

**Declaration**

I, a licensed Class 1 or 2 Gas Fitter or Oil Burner Technician, certify that this unit has been inspected and that **ALL gas and/or oil fueled heating appliances** (including, but not limited to: furnace, water heater, gas fireplace, gas stove) have passed this inspection.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Form G2****Declaration of No Gas or Fueled Appliances**

**\*This form is to be completed by the applicant if no gas or oil fueled heating appliances are present in the dwelling unit.**

Rental Housing Property Address: \_\_\_\_\_

City: Brampton      Postal Code: \_\_\_\_\_      Unit(s) #: \_\_\_\_\_

\*A separate form must be completed for each unit at the property.

**Declaration**

**I declare, as the applicant for the rental unit, that the unit does not contain any gas or oil fueled appliances, including, but not limited to, furnace, water heater, fireplace, or stove.**

Property Owner/Application Name (Print): \_\_\_\_\_

Property Owner/Application Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**DRAFT**

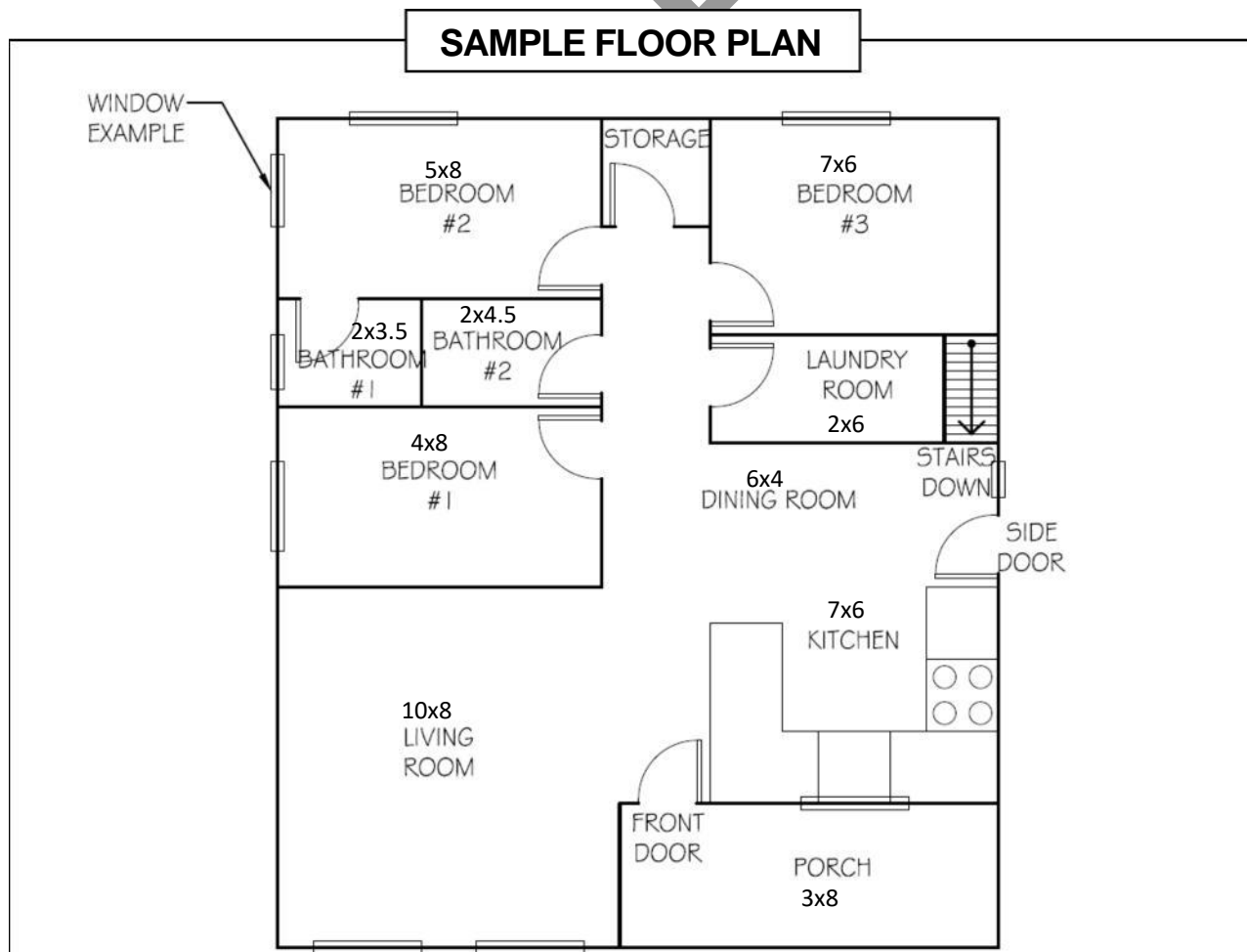


## Floor Plan Guide for Rental Housing Unit Licence Application Submissions

When providing associated floors plans with a Rental Housing Unit Licence Application form, please ensure the following requirements are met:

1. All floor plans if hand drawn must be completed in pen, with a ruler and be legible. Be advised digitally created floor plans are preferred but not required;
2. Every floor/unit (including unfinished/unoccupied basements) in the building must be on a separate page and include the address of property, the floor and/or unit number corresponding with the Application Form (e.g., 123 Main Street – Main floor - Unit #1);
3. Each room must be clearly shown and labelled (e.g. bedroom, living room, kitchen, fireplaces) including dimensions (photographs are also recommended to accompany the floor plans);
4. All windows, doors, stairs (internal and external), and all other forms of egress must be clearly shown and labelled, and;
5. All external structures attached to the building must be clearly shown and labelled (e.g. deck, front porch).

Please note: Floor plans are required to be submitted at the time of application. If the floor plans do not meet the requirements above, the Residential Rental Housing Unit Licence Application may not be accepted or delayed in processing.



**123 Main St – Main floor – Unit #1**



**Report**  
**Staff Report**  
**The Corporation of the City of Brampton**  
**9/20/2023**

**Date:** 2023-08-25

**Subject:** **Residential Rental Licensing Pilot Program for Wards 1, 3, 4, 5 and 7 (RM 23/2023 and 25/2023)**

**Contact:** Mirella Palermo, Policy Planner, Integrated City Planning  
Jeffrey Humble, Manager, Integrated City Planning

**Report Number:** Planning, Bld & Growth Mgt-2023-629

**Recommendations:**

1. That the report from Mirella Palermo, Policy Planner, Integrated City Planning, to the Committee of Council Meeting of September 20, 2023, re: **Residential Rental Licensing Pilot Programs for Wards 1,3,4,5 and 7 (RM 23/2023 and 25/2023)**, be received;
2. That the proposed Residential Rental Licensing (RRL) Pilot Program Framework, as outlined in this report, be approved in principle for the two-year pilot program, with target implementation as of January 1, 2024;
3. That City staff proceed with a stakeholder and public engagement plan as outlined in the report to obtain feedback and comment on the RRL Pilot Program for inclusion in the final recommendation;
4. That staff be requested to report back to Council with the final recommended Residential Rental Licensing (RRL) Pilot Program, including appropriate by-laws, application forms, process and implementation steps in Q4 2023;
5. That staff move forward to create a Residential Rental Licensing Task Force once the program commences in Q1 2024; and,
6. That staff include the cost of the pilot program in the 2024-2026 Capital Budget Submission.

**Overview:**

- **This report addresses Referred Matters (RM) 23/2023 and 25/2023 to report back to Committee of Council on a two-year Residential Rental Licensing (RRL) pilot program.**
- **The objective of the RRL Pilot Program is to protect the health, safety, and human rights of persons, and preserve the character and stability of residential areas.**
- **The pilot program will be launched in Wards 1,3,4,5 and 7, and assessed to determine if the safety of rental housing has improved and if the number of housing related complaints has decreased.**
- **The RRL pilot program is scheduled to commence in Q1 2024.**
- **Staff will conduct stakeholder and public engagement with various groups to educate them about the upcoming RRL two-year pilot program.**
- **Staff recommend that a Residential Rental Licensing Task Force be created to administer and monitor the pilot program.**
- **That Council support the request to hire additional contract staff (two Property Standard Officers, one Business Analyst, two Business Licensing Clerks, one Plans Examiner) to administer the RRL pilot program, in a phased approach depending on the uptake of the program. The request for funding will be included in the 2024 – 2026 capital budget.**
- **The Non-Parking Administrative Monetary Penalties System (AMPS) By-Law 218-2019 shall apply to properties that do not obtain a business license within the prescribed period of time and/or fail to comply with the City's existing by-laws.**
- **The Fire Protection and Prevention Act (1997) penalties shall apply for properties that have Fire Code violations such as, smoke and carbon monoxide alarms.**

**Background:**

In late March 2023, [staff prepared a report to Committee of Council highlighting the City's current registration/licensing programs, Landlord Code of Conduct, and overview of rental licensing programs adopted by other municipalities](#). Following that report, staff were directed to prepare a two-year residential rental pilot program in Wards 1,3,4,5, and 7, starting in Q1 of 2024, to include an implementation strategy and the resources required (refer to Attachment 1 – Staff's response to Council Resolution C077-2023 / CW113-2023).

Staff reviewed eleven municipalities in the Greater Toronto Area and found the majority have implemented a rental licensing program in the past few years to deal with rental housing complaints. In June/July 2023, staff interviewed the cities of Waterloo, Windsor and Hamilton to understand strengths and challenges of their rental housing licensing programs. Each municipality emphasized the importance of having dedicated staff, meeting on a regular basis to deal with issues, reporting back to Council on a periodic basis, and creating a flexible pilot program to address unforeseen challenges. Refer to Attachment 2 for the details of each interview.

## **Current Situation:**

### Proposed Residential Rental Licensing (RRL) Pilot Program Framework

Staff are recommending the following framework for the City's Residential Rental Licensing Pilot Program over the two-year period, commencing in Q1 2024. As directed by Council, the objective of the RRL pilot program is "to protect the health and safety, human rights of persons to protect the residential amenity, character and stability of residential areas. To proactively mitigate potential risks that may exist within a particular business sector and provide enforcement mechanism to respond to complaints relating to that sector."

For the purpose of this pilot program, a residential rental unit is to be defined as a Dwelling Unit which is occupied or offered for occupancy in exchange for Rent or services in lieu of paying Rent, with "Dwelling Unit" meaning one or more habitable rooms designed or capable of being used together as a single and separate housekeeping unit by one person or jointly by two (2) or more persons, containing its own kitchen and sanitary facilities, with a private entrance from outside of the unit itself.

### ***Who is required to obtain a RRL?***

1. Rental properties that are operating in Wards 1,3,4,5 and 7 (during the pilot program)
2. Properties that are renting five (5) or less units
3. Owners of a Rental Housing Unit
4. Operators of a Rental Housing Unit
5. Dwelling units used or intended to be used for a Rental Housing Unit

### ***Exemptions from the RRL Pilot Program?***

1. Properties containing 5 or more units
2. Hotels/Motels
3. Lodging House (subject to Business Licensing By-law 332-2013)

4. Supportive Residential Housing Types 1 and 2 (subject to Supportive Housing Residences Registration By-law 254-2021)
5. Home for Special Care
6. Long-Term Care Homes
7. Residential Care Homes
8. Senior Care Residence
9. Short-Term Rentals (subject to Short-term Rental By-law 165-2021)

***What are the application requirements?***

1. Application Form, including:
  - a. property owner/applicant information
  - b. number of dwelling units, number of bedrooms for each unit, and status (rental unit or principal address)
  - c. ARU registration information
  - d. Declaration of compliance with applicable law, including Building Code, Fire Code, City by-laws
  - e. consent for dwelling unit inspection and/or random inspection during license period
2. Floor Plans
3. Property Standards and Safety Self-Certification Checklist
4. Proof of Property Ownership (including Corporate Ownership, if applicable)
5. Criminal Records Check
6. Parking and Storage Plan with property details such as, garbage disposal, snow removal, grass cutting, disposal of cigarettes, parking etc.
7. Owner Authorization (if applicant is not the property owner)
8. Insurance Coverage Declaration
9. Electrical System Inspection
10. Gas or Fueled Appliance Inspection
11. Emergency Information Package

***Special exemptions to the RRL pilot program***

1. A property that has registered for an Additional Residential Unit (ARU) or Second Unit with the City in the past two (2) years (i.e. Registered within 2022 or 2023). A RRL will be issued for the property however, a license fee will not be required.
2. Residential unit(s) not for rent by the property owner.
3. Sale of property (new property owner does not continue with the residential rental unit).

The following documentation will be needed to obtain a special exemption from the RRL program:

- a. Proof of property sale/ownership;
- b. Confirmation of the ARU registration date;
- c. Declaration signed by the new property owner stating the property/unit is no longer being rented;
- d. A follow-up inspection from Property Standards or Fire to confirm the unit is not occupied; and,
- e. If the property transfer occurs during the pilot program. The applicant who obtained the license may qualify for a partial refund provided all required documentation is provided to the satisfaction of the License Issuer (City Clerk's Office).

### ***Random Inspections***

Staff are recommending that random inspections be conducted for the pilot program targeting units that have registered for a second unit in 2021 or earlier, and units that may have been modified or received multiple complaints to the City over the past two (2) years.

Staff are suggesting between two and three percent (2-3%) of the total number of ARU be randomly inspected. This would equate between 150 to 225 annual inspections from Fire, Property Standards and potentially the Building Division. The City of Waterloo conducts between 100 to 120 inspections annually through their rental licensing program with one Fire Prevention Officer, spending less time reviewing applications.

It is recommended that City departments conduct joint inspections, as it would be more convenient for the property owners. Staff suggest applying an inspection cancellation or no show fee for inspections as needed, in accordance with existing by-law provisions available to Fire, Property Standards and Building Division.

### ***What are the penalties if a rental property is not licensed or comply with existing Property Standards By-Laws?***

Similar to other municipalities and business licensing programs implemented by the City many individuals may not see the value in obtaining a license to operate, especially properties that do not comply with Property Standards By-laws, Fire and Building Codes by modifying the additional residential unit.

The City's Enforcement and By-Law Services Division will apply the Non-Parking Administrative Monetary Penalty System (AMPS) By-Law [218-2019](#) to properties that fail to comply with the RRL program following the grace period (between 6 to 9 months) to obtain a license, or have other violations. The following table highlights the fines that

will be applied for various violations. Failure to pay the fines after fifteen (15) days will be deemed as unpaid taxes, as outlined in the Non-Parking AMPS By-Law.

**Table 1 – Non-Parking AMPS Violations**

<b>Violations</b>	<b>Fines (First Offence)</b>	<b>Second Offence</b>	<b>Subsequent Offence</b>
Operating without a RRL license (fine amounts to be confirmed in the Residential Rental Licensing By-Law)	\$600 (TBC)	\$900 (TBC)	\$1200 (TBC)
Additional Residential Units (ARU) Registration By-Law 157-2022 – Fail to register	\$750	\$1,000	\$1,250
ARU – Fail to comply with an order	\$250	N/A	N/A
ARU – Did obstruct or hinder inspection	\$750	\$1,000	\$1,250
Grass and Weed Cutting By-Law 166-2011	\$250		
Property Standards (PS) By-Law 165-2022 – Fail to comply with an order	\$500		
PS By-Law 165-2022 – Fail to provide adequate garbage containers for patrons	\$250		
PS By-Law 165-2022 – Cause or permit the conversion of a room into a bedroom without a building permit	\$250		
PS By-Law 165-2022 – Cause or permit a person to occupy a cellar, lobby, hallway, closet, bathroom, laundry, stairway, kitchen or any accessory building or shed for sleeping purposes	\$250		
Snow and Ice Removal By-Law 242-76 – failure to remove snow, ice or slush from sidewalk/building	\$250		
Fire Protection and Prevention Act 1997 (FPPA) Sec 30 – Failing to comply with an inspection order	\$20,000 per day		
Part 1 Ticket (FPPA) – Failing to install a smoke or carbon monoxide alarm	\$360		

***What is the proposed fee of the RRL pilot program and is an annual renewal required?***

Staff are proposing a fee of approximately \$300 (refer to Attachment 3 for proposed fee breakdown) per dwelling unit to obtain a RRL for the two-year pilot program. Given the program is only a pilot with a short duration period; an annual licensing requirement does not make sense at this time. If the residential rental license program continues on a permanent basis after the pilot program, annual and/or multi-year license renewals will be considered.

***Anticipated Uptake for RRL Business License***

Similar to past registration and business license programs implemented by the City, staff anticipate a slow uptake in the program. To implement a strong licensing program staff recommend that a dedicated team be assigned to the RRL program, including a dedicated Residential Rental Licensing Task Force, with representation from various departments across the City. Since the program is cross departmental it is recommended that a project manager /supervisor role be created in the future should the program expand City-wide permanently.

Our most recent Short-Term Rental Business Licensing Program saw a response rate of approximately twelve (12%) percent. Staff are anticipating a higher compliance rate for the STR program after Council endorses staff's house-keeping by-law amendments, which will strengthen Enforcement and By-Law Services ability to apply the Non-Parking AMPS By-Law.

The Second Unit Registration Program launched in 2015 experienced a slow uptake in the initial phases. This changed in 2019 onwards when strong enforcement measures were put in place and a dedicated Second Unit Task Force was created resulting in a dramatic increase in registrations.

Based on the Short-Term Rental program implemented staff anticipate that approximately, 15 to 20 percent (1,110 to 1,500 RRL applications) of the registered ARUs will apply for a RRL after receiving notification. Approximately, 2,400 of the recently registered (past two years) ARUs would be exempt from the licensing fee as part of the RRL pilot program special exemption, with the remaining 5,000 ARU registrations requiring a business licence. Therefore, the program would require over 4,550 (90%) of the ARU to apply for a licence (\$300) to recover the estimated expenses for the pilot program over the two years. Based on staff's expectation of receiving 1,500 licence applications, there would be a potential shortfall of approximately \$925,000 in the budget over the two years of the pilot program, as discussed in the Financial Implications section of this report.



**Table 2**  
**Existing Registered Additional Residential Units (ARUs) within Residential Rental Licensing (RRL) Pilot Program Area (as of July 2023)**

<b>Ward</b>	<b>Total Registered ARUs</b>	<b>Registered ARUs in 2022 and 2023 (proposed for exemption from RRL License Fee)</b>	<b>Registered ARUs before 2022 subject to RRL License Fee</b>
1	1293	311	982
3	641	158	483
4	2258	721	1537
5	2254	946	1308
7	1096	335	761
<b>Total</b>	<b>7542</b>	<b>2471</b>	<b>5071</b>

***What are the City resources needed to administer the RRL Pilot Program?***

To administer the RRL Pilot Program it is recommended that additional staff be hired, dedicated to the program. This approach was recommended by the other municipalities to increase the program’s compliance rates.

Over the two-year RRL pilot program, staff will be phased in depending on the current department needs. The City Clerk’s Office is requesting two (2) full-time contract staff to assist with processing the licensing applications. They plan to phase in the hiring of these two positions in 2024 based on the application intake.

The Enforcement and By-Law Services Division plans to bring on three (3) additional staff at the start of the RRL pilot program: two (2) full-time contract Property Standards Officers and one (1) Business Analyst full-time contact position. The Property Standards Officers will be involved in the compliance piece of the program. The Business Analyst will support their division, the RRL Task Force, monitor the program and recommend improvements for compliance. The division notes that without the additional staff, it will be very challenging to maintain the level of existing services as resources are currently being reallocated to deal with Proactive Property Standards Enforcement Pilot Programs, illegal Truck Yard investigations, and significant increase in requests for service. The reallocation of existing staff will impact existing services and will lead to a decrease in overall compliance to property standards violations.

The Building Division is requesting one (1) Plans Examiner be hired in the second year of the program if needed.

The Fire Prevention Division, Fire and Emergency Services, cannot hire contract staff and will utilize existing staff for the pilot program and assess the resource requirements should the RRL program continue permanently.

### Dedicated Task Force for the Residential Rental Licensing Program

In July 2018 the Second Unit Task Force pilot project was launched to assist with the investigation of illegal second units, multiple unit houses and lodging houses to ensure they comply with the Zoning By-law. The Task Force is a collaboration between the Enforcement and By-Law Services Division, the Building Division and Fire Prevention Division. The goal of this coordinated effort is to ensure safety standards are met and the well-being of the occupants who reside in these houses. Currently, the Second Unit Task Force operates under Enforcement, By-Law Services, and Property Standards sections to manage illegal units.

It is recommended that a separate Task Force be created for the RRL Pilot Program to monitor the uptake of residential rental licenses and by-law violations occurring in the applicable wards. Similar to the original task force created for the Second Units, this will be a collaboration between the Building Department, Enforcement and By-Law Services, Clerk's Office and Fire Prevention Division.

### ***Stakeholder Partnership***

To incentivize the RRL program for landlords, staff suggest exploring opportunities to work with existing post-secondary institutions to develop a rental house find program in the City. Google reviews from past tenants, education of tenant responsibilities, rental Code of Conduct, landlord responsibilities may be included as part of the program.

### **Corporate Implications:**

#### Fire Division

When the RRL pilot program commences, Fire Prevention Officers (FPO) will be involved in the random inspections of rental units to ensure Fire code compliance with safety standards for smoke and carbon monoxide in accordance with the Fire Code. With current inspections, Fire Prevention Officers (FPO) have noted the following challenges:

1. Access to units to gain entry – many times individuals residing in the home will not answer or FPO are not able to contact the property owner to schedule an inspection.
2. Multiple visits to a property due to no entry or non-compliance.

3. Property owners not complying with orders issued by the Fire Department that leads to legal action which can be a lengthy process through the court system.
4. Appeals with the Fire Marshal's Office. Under the Fire Protection and Prevention Act owners/occupants have the right to review the order with the Ontario Office of the Fire Marshal, which can account for extra time.
5. Any non-compliance issues reviewed by FPO will be addressed under our jurisdiction of the Fire Code.

These challenges will continue with the launch of the RRL pilot program.

### Enforcement and By-Law Services

When the RRL pilot program commences, Property Standards Officers (PSO) will be involved in the random inspections of rental units to ensure compliance with safety standards under the Property Standards By-Law and Zoning By-Law. With current inspections PSO have noted the following challenges:

1. Access to units to gain entry – many times individuals residing in the home will not answer or respond to PSO notices or orders issued by the PSO.
2. Non-compliance leads to legal action which can be a lengthy process through the court system.
3. Appeals to the Property Standards Appeals Committee, to be known as the New Administrative Tribunal under the Building Code, owners/occupants have the right to appeal the order with the Property Standards Appeals Committee which can account for extra time.
4. Any non-compliance issues identified by the PSO requiring building permits will be referred to the Building Department.
5. If additional resources are not provide for this program, other initiatives will be impacted depending on the scope of work and other inspections may be delayed such as;
  - a. Proactive Property Standards Enforcement Pilot Project;
  - b. Illegal Truck Yards and Unauthorized Land Use Initiative; and,
  - c. Proactive Heritage Pilot Project.

### Building Division

The Building Division will coordinate with Fire and Property Standards on an as need basis for inspections. If modifications to the dwelling unit have occurred the applicant will be directed to re-apply for the Additional Residential Unit registry, which may impact the number of applications being reviewed by a Plans Examiner.

## Financial Implications:

Staff estimate the cost of the two-year pilot program will be \$625,000 in 2024 and \$750,000 in 2025 and the total revenue is estimated to be \$225,000 in 2024 and \$225,000 in 2025, resulting in a total shortfall of \$925,000, as follows:

<b>Item</b>	<b>2024</b>	<b>2025</b>	<b>Total</b>
Property Standards Officer (2 F/T Contract)*	\$ 287,424	\$ 293,172	\$ 580,596
Business Analyst (1 F/T Contract)*	\$ 123,412	\$ 125,880	\$ 249,292
Business Licensing Clerk (2 F/T Contract)*	\$ 167,048	\$ 170,389	\$ 337,437
Plans Examiner (1 F/T Contract)*	\$ -	\$ 127,316	\$ 127,316
Communications/Other Costs	\$ 47,116	\$ 33,243	\$ 80,359
<b>Total Cost</b>	<b>\$ 625,000</b>	<b>\$ 750,000</b>	<b>\$ 1,375,000</b>
Estimated Revenue	\$ 225,000	\$ 225,000	\$ 450,000
<b>Net Cost</b>	<b>\$ 400,000</b>	<b>\$ 525,000</b>	<b>\$ 925,000</b>

\*Inclusive of salary, benefits, WSIB and other staff related costs

The Residential Rental Licensing Pilot Program will be included in the 2024-2026 capital budget submission, pending Council approval.

Staff will monitor the deployment of the program so that these funds are used most efficiently and opportunities for cost-savings may be realized. Staff will also look to potential funding opportunities from the Province with the dissolution of Peel Region, which may result in a revised budget request in 2025.

## Communications Strategy

After Council endorses the framework of the RRL pilot program, staff will move forward with the following communication to educate residents within the applicable wards of the upcoming pilot program. The communications strategy will focus on the health and safety aspects of the RRL pilot program, the overall benefits for renters and operators alike, as well as, helping to maintain continuity within city neighbourhoods.

Following this report, staff will engage with various stakeholder groups such as, ACORN of Peel, Real Estate Board, BILD (Building Industry and Land Development Association), landlord association, etc., about the upcoming RRL Pilot Program. The City Clerk's Office will conduct a mailing to all the registered ARUs within the applicable wards in December 2023/January 2024, advising of the program's requirements to obtain a licence within 9 to 12 weeks from receiving the letter.

During this time, staff will coordinate with Strategic Communications and develop a staged approach for outreach beginning in late Q4 2023/early Q1 2024 that will include

traditional media (print and digital), social media, a project page on the City’s website, digital tiles at various community spaces and property tax 'buckslips' to drive awareness. Other tactics carried out from Q2 2024 onwards will include mobile signage at strategic locations, advertisements through ethnic media and radio series interviews, direct mailings and transit shelters.

**Strategic Focus Area:**

This report aligns with the City’s Strategic Focus on Healthy and Well-being by supporting the City’s Community Safety and Action Plan by introducing a Residential Rental Licensing Pilot Program and Code of Conduct that protects the health and safety of individuals in the rental housing market and outlines the responsibilities of landlords.

**Conclusion:**

This report outlines the requirements for implementing a RRL two-year pilot program commencing in Q1 2024 within Wards 1,3,4,5 and 7, as directed by Council with the objective of protecting the health, safety and well-being of residents. The RRL pilot program will focus on registered ARUs to obtain a business license through education and outreach, and then on entire rental homes within the applicable wards. To achieve a 15 to 20 percent uptake in the RRL pilot program, it’s recommend that staff hire the full-time contract positions as noted in this report and create a dedicated RRL Task Force. Staff will report back with the final RRL pilot program before the end of Q4 2023, with implementation commencing in Q1 2024.

Authored by:

Reviewed by:

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Approved by:

Approved by:

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Marlon Kallideen  
Chief Administrative Officer

**Attachments:**

- Attachment 1 – Council Resolution C077-2023 / CW113-2023
- Attachment 2 – Municipalities Interviewed on Residential Rental Licensing Programs as of June/July 2023
- Attachment 3 – Proposed Residential Rental License Pilot Program Breakdown Fee Breakdown

**Attachment 1 - Resolution C077-2023 / CW113-2023**

Resolution Clause	Implementation Action
<p>1. The report from Mirella Palermo titled, 'Information Report: Current City Licensing and Registration Programs of Rental Housing, Overview of Potential Landlord Licensing Programs and Landlord Code of Conduct (RM 40-2022 and 52/2022)' to the Committee of Council Meeting of March 29, 2023, be received;</p>	<p>N/A</p>
<p>2. Staff be directed to report back in Q3 2023, on an implementation plan for a two-year pilot (beginning Q1 2024), of a Brampton Rental Landlord Registration/Licensing Program based on the City of Waterloo and other benchmarked municipalities from Attachment 1 of the Report with the following objective:</p> <p style="padding-left: 40px;">Objectives of the Residential Rental Licensing Program – to protect the health and safety, and human rights of persons to protect the residential amenity, character and stability of residential areas. To proactively mitigate potential risks that may exist within a particular business sector and provide enforcement mechanism to respond to complaints relating to that sector.</p>	<p>To be included in Residential Rental Licensing By-law preamble</p>
<p>3. In the report regarding the implementation of a two-year pilot, staff include (but not be limited to) the following best practices from other municipal licensing programs:</p> <p style="padding-left: 40px;">a) Set a cap or process to regulate the number of rental units allowed in ARUs per housing type (single</p>	<p>1. Contrary to prevailing provincial legislation</p>

<p>detached, semi-detached, row townhouse)</p> <ul style="list-style-type: none"> <li>b) Set a cap on the number of residents permitted in a lodging home and update licensing requirements accordingly</li> <li>c) That licensing for short-term rentals be amended to include random inspections and that this be applied for new applications or renewals of such licenses moving forward</li> <li>d) Landlord Registration/Licensing program (applications and renewals) include annual and/or random inspections related to the Ontario Building, Electrical and Fire Codes</li> <li>e) Explore establishing a Landlord Code of Conduct</li> <li>f) Application and renewal fees to help offset the cost of the program</li> <li>g) Include fines and escalating fines for rental units (ARUs, garden suites, or lodging homes) without a license or for those who continue to operate but fail to renew</li> <li>h) Develop and implement a demerit point system for landlords (similar to Oshawa) to encourage compliance with the City's by-laws beyond fines</li> <li>i) Develop a checklist or protocol to help bylaw enforcement determine if a property may be operating as a business /Landlord (rental of ARUs, garden suites, and/or lodging home) without a license</li> <li>j) Develop a list of tenant and owner responsibilities regarding property standards and bylaw enforcement, snow cleaning, and it be provided to landlords in an accessible manner either as a handbook or as</li> </ul>	<ul style="list-style-type: none"> <li>2. To be addressed in review of lodging homes business licencing</li> <li>3. Addressed in staff report on September 20 Committee of Council agenda (amendments to STR Business Licensing By-Law)</li> <li>4. Inspections to be incorporated into RRL program, including random inspections</li> <li>5. To be presented to Council with draft by-law in final implementation report</li> <li>6. Licensing fees to be established to offset some pilot program costs</li> <li>7. Escalating financial penalties through Administrative Penalty System, and other legal enforcement, to be include din by-law</li> <li>8. Demerit point system not recommended for reasons set out in staff report</li> <li>9. City staff checklist for by-law enforcement in development</li> <li>10. Rental Housing landlord and Tenant responsibilities re. property standards in development</li> <li>11. Online directory of approved residential rental licenses to be implemented, part of the ARU online information tool</li> </ul>
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<p>an online resource and if possible include pertinent regional information such as waste collection. Licensed landlords would be required to provide this information to tenants</p> <p>k) Create a directory or interactive online map of all registered licensed properties similar to the current registered second units that is accessible on Geohub to all residents</p>	
<p>4. The implementation of the pilot be applied to rental properties (registered or not currently registered as an ARU or garden suite) identified in the top four hotspot areas (as per Attachment 3, figure 8 of the Information Report on Proactive Property Standards Exterior Enforcement (RM 42/2022 and RM 55/2022)), identified as Wards 1, 3, 4, 5 and 7 which represent the highest concentrations of property standard issues across the city;</p>	<p>Proposed by-law and residential rental licensing program to be applied to pilot program areas of Wards 1, 3, 4, 5 and 7</p>
<p>5. That as per Action Item 8.1.4.1 of the Housing Brampton Plan staff be directed to provide a report to Council on a work-plan to update Lodging Houses for city-wide application;</p>	<p>To be addressed in separate report as part of lodging homes policy review</p>
<p>6. That staff report back in Q3 of 2023 on the work plan for implementing the two-year Brampton Rental Landlord Registration Licensing Program, beginning in Q1 2024, including funding required from the 2024 and 2025 Budgets; and,</p>	<p>Accomplished through this staff report</p>

7. That this motion and corresponding/mentioned reports with appendices, be forwarded to Sheridan College, Algoma University, Toronto Metropolitan University, and identified private colleges for consideration as part of the work being completed on the Brampton Charter for International Students.

Correspondence to be sent and coordinated with the City's Clerks Office

## **Attachment 2 – Municipalities Interviewed on Residential Rental Licensing Programs as of June/July 2023**

Below is an overview of the rental licensing approach from a few municipalities and key challenges:

1. Waterloo – established their rental licensing program in 2012, and has one (1) full-time enforcement officer dedicated to the program to search all rental properties and issue orders for non-complaint properties. The program currently has approximately four thousand (4,000) units registered. They have one Fire Prevention Officer (FPO) conducting one to two hundred (100-200) random inspections annually to review fire code compliance. A new application takes approximately six to nine (6-9) months to process. The success of Waterloo's program can be attributed to having dedicated staff, aggressive enforcement and utilizing the Non-Parking AMPS (Administrative Monetary Penalty System).
2. Windsor – recently established (2023) their residential licensing pilot program in two (2) wards with higher concentrations of student rental housing. The City hired a Zoning Coordinator, Licensing Administrator and a By-Law Enforcement Officer to manage the program. Since the launch of the pilot program in early June the City has issued forty-six (46) licences. Inspections are required for new applications and renewals. The pilot program aligns with the Ontario Residential Tenancies Act and is currently focused on education versus enforcement. Staff noted the importance of having dedicated staff to run a successful program.
3. Hamilton - established a two-year rental housing licensing pilot program in April 2022 in Wards 1, 8 and part of 14 to improve the condition of rental housing. The pilot program was rolled out in zones allotting three-months for each area. Each zone has approximately 160-270 licensing applications. A team of one (1) licensing administrator and two (2) licensing compliance officers have been assigned to the program. The team dedicates most of their time to education versus enforcement and each application requires inspection from Fire and Property Standards. As of early July 2023, the City processed 348 licensing applications and issued 109 licences with five (5) of the seven (7) zones completed.
4. Oshawa – in January 2013, the City of Oshawa established a demerit point system (DPS) for their Residential Rental Housing Licensing program. The objectives of the demerit point system included:
  - a. To track and manage 'repeat offenders';
  - b. To manage licensees compliance with municipal by-laws and other health and safety standards; and,
  - c. To create an objective measure for the purpose of determining the suitability of issuing a licence to an applicant.

After two-years of implementing the program the City recommended discontinuing the demerit point system because there was insufficient evidence that the system was the best approach to manage repeat offenders.

Approximately 768 of staff hours was utilized to administer the demerit point system annually, equating to an estimated cost of \$28,300. The demerit point system required a significant amount of staff resources to administer the manual process and would require considerable resources if the rental area was expanded and included different dwelling types. The system was also vulnerable to error because of the manual input.

In 2015, staff recommended the DPS be discontinued and move forward with assessing the suitability of issuing a licence based on the applicant's history of by-law infractions. Staff could issue a conditional licence requiring the licensee to comply with additional standards or could deny a licence if there was a high number of infractions.

**Attachment 3 – Proposed Residential Rental Licence Pilot Fee Breakdown  
(subject to review)**

<b>Process</b>	<b>Time</b>	<b>Individual Fees</b>	<b>RRL Fee</b>
Clerks (time to process applications)	2 hours	\$90	\$90
PS Inspection		\$144	\$85
Fire Inspection		\$227	
Enforcement	2 hours	\$125	\$125
<b>Total</b>			<b>\$300</b>

## Attachment 4 - Infographics of Permitted/Non-Permitted Units

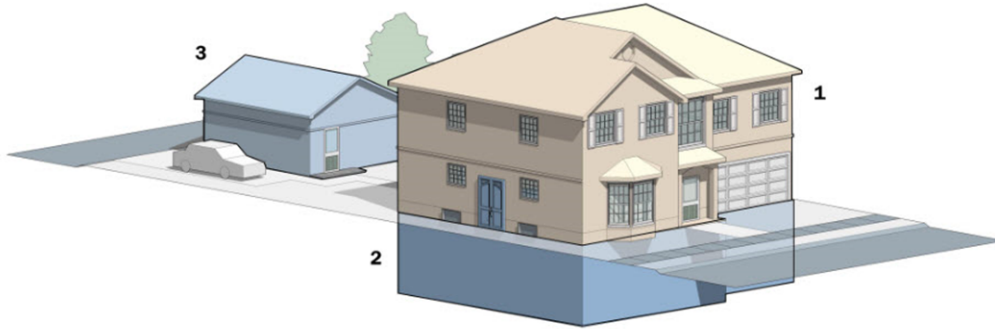


Diagram 1: Permitted - Principal residence, plus one Additional Residential Unit (ARU) attached to the principal residence and garden suite (detached ARU) with no shared space between the three units

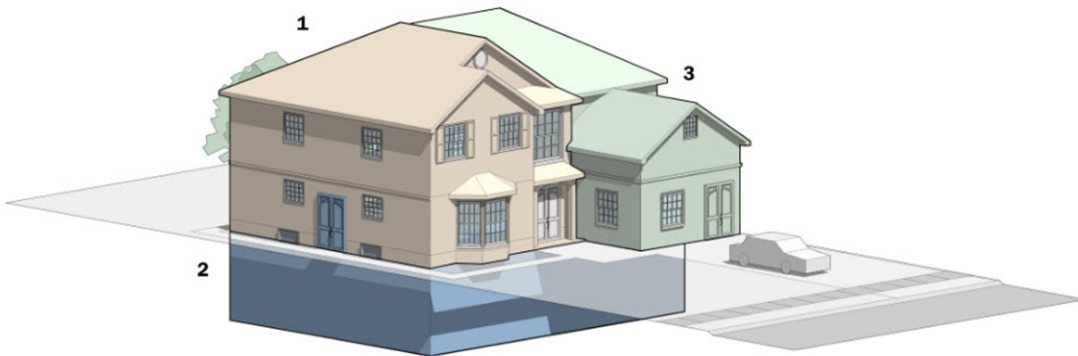


Diagram 2: Permitted - Principal residence, plus two Additional Residential Units (ARUs) attached to the principal residence with no shared space between the three units

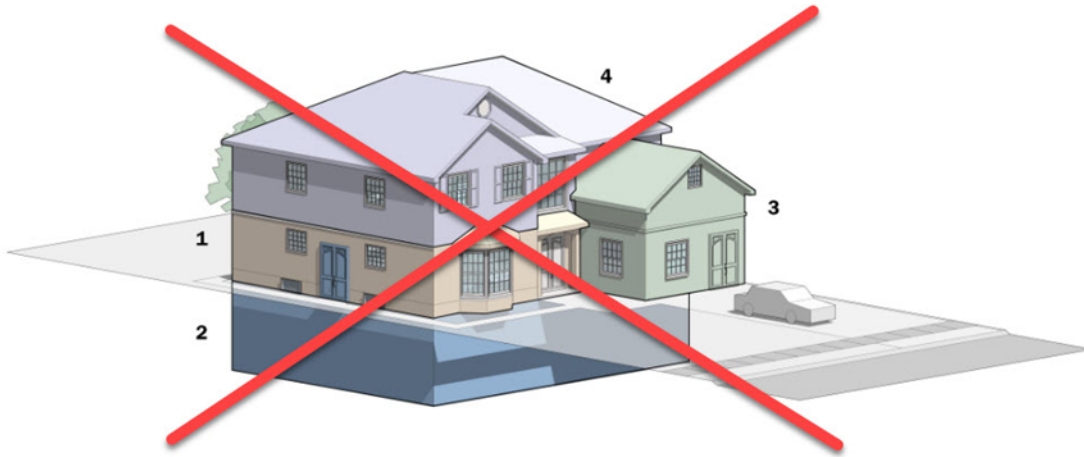


Diagram 3: Not Permitted - Principal residence, plus three Additional Residential Unit (ARU) attached to the principal residence or three ARUs attached to the principal residence plus detached ARU (garden suite)



Source of image: <https://www.toronto.ca/community-people/housing-shelter/multi-tenant-rooming-houses/new-framework-for-multi-tenant-rooming-houses/>

Diagram 4: Permitted - Single housekeeping unit with four bedrooms being rented and shared common space