



**Report**  
**Staff Report**  
The Corporation of the City of Brampton  
8/12/2024

**Date:** 2025-01-27

**Subject:** **Additional Residential Unit (ARU) Registration Process – Electrical Safety Code Compliance – All Wards**

**Contact:** Ross Campbell, Manager, Zoning & Sign By-law Services, Building Division

**Report number:** Planning, Bld & Growth Mgt-2024-640

**RECOMMENDATIONS:**

1. That the report titled: Additional Residential Unit (ARU) Registration Process – Electrical Safety Code Compliance – All Wards, to the Planning and Development Committee Meeting of February 10, 2025 be received; and
2. That staff be directed to implement the proposed process change to streamline ARU registration and provide direct notification to the Electrical Safety Authority (as the approval authority for works undertaken under the Electrical Safety Code) of all registered additional residential units.

**OVERVIEW:**

- **The City of Brampton permits the creation of Additional Residential Units (ARUs) on the same lot as a single detached, semi-detached or townhouse dwelling.**
- **A building permit is required for the creation of any ARU. Through the review of a building permit application and inspection of associated construction, Building Division staff are responsible for ensuring that an ARU complies with the municipal Zoning By-law and Ontario Building Code.**
- **Since its inception in 2015, at the direction of Council, the ARU registration process has required that an applicant/owner submit an Electrical Safety Authority (ESA) Certificate of Inspection (or Certificate of Acceptance) to confirm compliance with the Electrical Safety Code after the Occupancy Permit has been issued by the City.**

- **Staff are proposing to revise the registration process to provide direct notification to the Electrical Safety Authority, as the agency responsible for verifying compliance with the Electrical Safety Code, of all ARUs following the issuance of the Occupancy Permit. This would negate the need for a follow-up submission to the City from the applicant and permits the ARU Registration Certificate to be issued simultaneously with granting of occupancy of the ARU.**
- **The ARU Registration By-law currently requires that all ARUs comply with specified municipal and provincial regulations and legislation, including the Electrical Safety Code. No change to the Registration By-law is proposed and all ARUs will continue to be required to comply with the Electrical Safety Code. Failure to comply with the Electrical Safety Code could result in the revocation of an ARU Registration Certificate.**
- **Building Division staff have consulted with staff at the ESA who are in agreement with the proposed process changes and have no concerns with the information to be shared directly from the City regarding ARU construction.**

#### **BACKGROUND:**

The City of Brampton Official Plan and Zoning By-Law were amended in 2015 to permit the secondary dwelling units in existing houses. A Registration By-law was also enacted at that time to ensure that all legal second units are registered with the City. The Registration By-law stipulates that all additional residential units must comply with relevant municipal and provincial regulations and legislation including the Electrical Safety Code.

At the time that the registration process for second units was initially developed, Council directed that staff include, as part of the registration process, a method of ensuring that all second units comply with the Electrical Safety Code. In response to that direction, staff have required that any applicant/owner submit a Certificate of Acceptance (or Certificate of Inspection) from the Electrical Safety Authority (ESA) prior to finalize the registration process and issuing a Registration Certificate.

#### **CURRENT SITUATION:**

The creation of an ARU requires that a building permit be issued under the Ontario Building Code (OBC). The OBC also prescribes a number of mandatory inspections and minimum standards for construction. All matters involving compliance with the OBC are reviewed and inspected by municipal Building Division staff as the approval authority under the Building Code Act.

Matters involving electrical systems, wiring and fixtures within a building are under the jurisdiction of the Electrical Safety Authority who has responsibility for enforcement of the Electrical Safety Code. Municipal staff have no involvement with the review or inspection of electrical works and systems within a building. Responsibility for verifying compliance with the Electrical Safety Code rests solely with the ESA.

Since the inception of the second unit registration process in 2015 (now the ARU registration process), staff have continued to monitor and make recommendations for improvement. Over the past several years, staff have identified an undesirable trend where owners of properties that have been granted occupancy under the Ontario Building Code are failing to finalize registration by submitting verification of compliance with the Electrical Safety Code. Failure to submit this documentation can be attributed to a number of factors including simple oversight, change of ownership, failure to obtain a permit from the ESA or lack of understanding of the requirements for registration. Residents often believe that once the Building Division issues an Occupancy Permit, their ARU is then fully registered and “legal” without realizing that further steps must be taken before a Registration Certificate can be issued.

To address this trend, Building Division staff have made numerous attempts to notify property owners of the requirement to submit an ESA Certificate and finalize registration. Direct mailings to applicants and property owners have been sent alerting them to the requirement to submit ESA compliance and finalize registration. In addition, Occupancy Permits also include a bold notation that further steps must be taken, specifically confirmation of ESA compliance, before a Registration Certificate can be issued. These efforts have proven to be moderately successful but often cause confusion for owners, particularly where ownership has changed since the time an application was submitted. That being said, the efforts have not assisted to reduce the overall number of outstanding registrations for properties that have been granted occupancy as the underlying issue (submission of an ESA certificate to the City) remains unresolved.

In an effort to eliminate this administrative issue, staff are proposing to modify the ARU registration process to remove the requirement for property owners/applicants to submit an ESA certificate following the issuance of an occupancy permit by the City. Instead, staff are proposing to notify the Electrical Safety Authority directly to ensure that they are aware of all ARUs for which occupancy is granted. The ESA can then undertake any further action they deem necessary and deal directly with the property owners. This also simplifies the registration process for residents as the final Registration Certificate could then be issued at the same time as occupancy is granted.

Building Division staff have consulted with staff at the ESA who are in agreement with the proposed process changes and have no concerns with the information to be shared directly from the City regarding ARU construction. This approach will assist in their activities to ensure compliance with the Electrical Safety Code. In addition, benchmarking of other municipalities throughout southern Ontario, including the cities of

Toronto, Mississauga, Guelph and the Town of Caledon has confirmed that Brampton is unique in its requirement for the submission of an ESA certificate to finalize registration. There is no requirement for applicants to submit documentation from the ESA when creating a legal ARU in other municipalities.

From an administrative perspective, the submission of ESA documentation to the City requires an additional 10 to 15 minutes of staff time to review, log and update records for each ARU. Based on an average of over 3000 ARUs being registered each year (over the past 5 years), eliminating this administrative process will amount to approximately 630 hours of staff time savings per year, not including the addition time that is spent monitoring, generating reports and notifying applicants when they have failed to submit the ESA certificate required to finalize registration.

There are no additional risks to the City as a result of this procedural change as there is no change in the requirement for compliance with the Building Code, the Electrical Safety Code or the ARU Registration By-law, which will continue to require compliance with the Electrical Safety Code, not only at the time of registration, but also on a continuing basis.

## **CORPORATE IMPLICATIONS:**

### **Financial Implications:**

There is no financial impact resulting from the adoption of the recommendations in this report.

### **STRATEGIC FOCUS AREA:**

The process improvement is consistent with the following Strategic Focus Area:

- **Government & Leadership:** Focusing on service excellence with equity, innovation, efficiency, effectiveness, accountability, and transparency

## **CONCLUSION:**

In an effort to improve the ARU registration process while continuing to ensure compliance with the Electrical Safety Code by providing direct notification to the Electrical Safety Authority, staff are seeking the support of Council to implement the proposed administrative process changes, effectively immediately. The ESA has confirmed their support for the proposed process change. No revisions to the ARU Registration By-law or requirement to maintain compliance with municipal and provincial regulations are proposed nor required to facilitate this process alternative.

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