



## THE CORPORATION OF THE CITY OF BRAMPTON

### BY-LAW

**Number** \_\_\_\_\_ - 2025

To Attachment 3 - Draft Rental Housing Conversion and Demolition By-law.docx

#### Residential Rental Conversion and Demolition By-law

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WHEREAS subsection 8(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended ("Municipal Act, 2001") provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on a municipality to enable it to govern its affairs as it considers appropriate;

AND WHEREAS subsection 11(2) of the Municipal Act, 2001 provides that a local municipality may adopt by-laws for the economic, social and environmental well-being of the municipality and for the health, safety and well-being of persons;

AND WHEREAS under sections 20 to 24 of the Municipal Act, 2001 the City may delegate its powers and duties under the Act to an officer or employee of the City;

AND WHEREAS, without limiting the broad municipal powers, section 99.1 of the Municipal Act, 2001 provides municipalities with the authority to prohibit and regulate the demolition of residential rental properties and the conversion of residential rental properties to a purpose other than the purpose of a residential rental property;

AND WHEREAS the City wishes to exercise its powers under section 99.1 of the Municipal Act, 2001 to protect residential rental housing of six units or more in order to meet the needs of current and future residents;

AND WHEREAS under sections 425 and 429 of the Municipal Act, 2001 the City may pass by-laws to create offences and a system of fines for offences, that are designed to eliminate or reduce any economic advantage or gain from contravening the by-law;

AND WHEREAS section 436 of the Municipal Act, 2001 provides that a municipality may pass by-laws to authorize inspections to determine compliance with a by-law;

AND WHEREAS subsection 391(1) (a) of the Municipal Act, 2001 provides that the City may pass by-laws imposing fees or charges on persons for services or activities provided or done by or on behalf of it;

NOW THEREFORE the Council of the Corporation of the City of Brampton ENACTS as follows:

#### **PART I – DEFINITIONS**

1. For the purposes of this By-law:
  - (1) "**Agent**" means a **Person** authorized by the registered **Owner** to act on their behalf in a form acceptable to the Commissioner.
  - (2) "**Applicant**" means the registered **Owner** of the **Residential Rental Property** subject to the **Section 99.1 Permit Application** or their **Agent**.
  - (3) "**Application**" means the application referred to in Section 9 of this By-law.

- (4) “**Average Market Rent**” or “**AMR**” means, in respect of a **Rental Unit**, rent that is at or below the average market rent by type of unit in the City of Brampton as established annually by the **CMHC**.
- (5) “**Building Code Act**” means the **Building Code Act**, 1992 S.O. 1992, c.23 as may be amended.
- (6) “**Chief Building Official**” means the **Person** appointed under subsection 3(2) of the **Building Code Act**, 1992, as the Chief Building Official for the City of Brampton.
- (7) “**City**” means The Corporation of the City of Brampton.
- (8) “**CMHC**” means the Canadian Mortgages and Housing Corporation.
- (9) “**Commissioner**” means the Commissioner of Planning, Building and Economic Development for the City or his or her designate.
- (10) “**Comparable Affordability**” means the last monthly rent amount paid by the most recent tenant of the **Dwelling Unit** proposed for Conversion or Demolition with an increase no higher than the annual Provincial Guideline.
- (11) “**Condominium Act**” means the *Condominium Act*, 1998, S.O. 1998, c. 19 as may be amended.
- (12) “**Conversion**” or “**Convert**” means converting a **Residential Rental Property** to a Purpose other than a **Residential Rental Property** and includes:
  - (a) Conversion as a result of a consent to sever land under section 53 of the *Planning Act*.
  - (b) Conversion to:
    - i. A non-residential use.
    - ii. Living Accommodation other than **Dwelling Units**
    - iii. A **Co-ownership**, a condominium, or a building organized as a **Life Lease Project**.
    - iv. Freehold or other form of ownership of Dwelling Units.
  - (c) Conversion to **Co-ownership** occurs when the first lease or sale of an interest in **Residential Rental Property** or of a share in a corporation owning or leasing any interest in **Residential Rental Property** takes place that carries with it the right to occupy a specific unit in the **Residential Rental Property**.
- (13) “**Co-ownership**” means an equity co-operative or other co-ownership form of housing where the residential property is ultimately owned or leased or otherwise held, directly or indirectly by more than one **Person** where any such **Person**, or a **Person** claiming under such **Person**, has the right to present or future exclusive possession of a **Dwelling Unit** in the residential property. For certainty, **Co-ownership** does not include a condominium, a residential building that is organized as a Life Lease Project, or a non-profit housing co-operative under the *Co-operative Corporations Act*, R.S.O. 1990, c. C. 35.
- (14) “**Designated Staff Person**” means a **Person** employed by the City of Brampton and designated to perform a function of this By-law.
- (15) “**Demolition**” or “**Demolish**” means to do anything in the removal of a building or any material part thereof; that will result in a change to the number of:
  - (a) **Dwelling Units** or
  - (b) **Dwelling Units** by dwelling type.

- (16) “**Dwelling Unit**” means one (1) or more habitable rooms designed, occupied or intended to be occupied as living quarters as a self-contained unit and shall, as a minimum contain sanitary facilities, accommodation for sleeping and one (1) kitchen.
- (17) “**Guidelines**” means guidelines for applications to permit **Conversion** or **Demolition** approval under this by-law.
- (18) “**Heritage Act**” means *Ontario Heritage Act*, R.S.O. 1990, c. O. 18 as may be amended.
- (19) “**Life Lease Project**” means a life lease project as described in paragraph 1 of subsection 3(1) of Ontario Regulation 282/98, under the *Assessment Act*, 1990, c. A. 31.
- (20) “**Owner**” means:
- (a) The registered **Owner** of a **Residential Rental Property**, including any heirs, assigns, **Personal** representatives and successors in title;
  - (b) Mortgagee in possession of the **Residential Rental Property**; or
  - (c) The **Person** for the time being managing or receiving the rent of the **Residential Rental Property** or premises in connection with which the word is sued whether on their account or as agent or trustee of any other **Person**, or whoever would so receive the rent if such land and premises were let. “**Planning Act**” means the *Planning Act*, R.S.O. 1990, c. P.13 as may be amended.
- (21) “**Person**” or any expression referring to a **Person**, means an individual, sole proprietor, partnership, limited partnership, trust, or body corporate, or an individual in his or her capacity as a trustee, executor, administrator or other legal representative.
- (22) “**Planning and Development Committee**” means the Standing Committee of Council as constituted and governed by the City’s Council Procedure By-law 160-2004, as may be amended or its successor.
- (23) “**Related Planning Application**” means
- (a) An application that provides for the **Conversion** of **Residential Rental Property** or the **Demolition** of **Residential Rental Property** to a purpose other than a **Residential Rental Property**, expressly or by necessary implication.
  - (b) For greater certainty, paragraph (a) includes but is not limited to an application for the following:
    - i. A permit under section 8 or 10 of the *Building Code Act*, 1992.
    - ii. A consent or permit to alter part of a property or to demolish or remove a building or structure under section 33, 34, 34.5, or 42 of the *Heritage Act*.
    - iii. Approval or registration of a description of a proposed condominium or exemption from approval for a condominium, under section of the *Condominium Act*.
    - iv. An amendment to the Official Plan under section 22 of the *Planning Act*.
    - v. A zoning by-law amendment under section 34 of the *Planning Act*.
    - vi. A minor variance under section 45 of the *Planning Act*.
    - vii. Approval of plans and drawings under subsection 41(4) of the *Planning Act*.

- viii. Approval of a plan of subdivision under section 51 of the **Planning Act**.
  - ix. A consent under section 53 of the **Planning Act**.
  - x. A demolition control permit under section 33 of the **Planning Act**.
  - (c) Despite subparagraph (b)v., paragraph (a) does not include a City-initiated general zoning by-law amendment to implement area land use studies and other general policies, except for any site specific exemptions or other site specific provisions at the request of a land owner.
- (24) **“Related Buildings”** means
- (a) Buildings that are under the same **Ownership** and on the same parcel of land as defined in section 46 of the **Planning Act**, or
  - (b) Buildings that form part of the same **Application** under this By-law or under a **Related Planning Application**.
- (25) **“Rental Unit”** means
- (a) A **Dwelling Unit** used, or intended for use, for residential rental purposes, including
    - i. A **Dwelling Unit** that has been used for residential rental purposes and is vacant.
    - ii. A **Dwelling Unit** in a **Co-ownership** that is or was last used for residential rental purposes.
  - (b) Does not include a **Dwelling Unit** that is:
    - i. In a condominium registered under section 2 of the **Condominium Act, 1998** or a predecessor of that section.
    - ii. In a building organized as a **Life Lease Project** where the right to occupy the **Dwelling Unit** is based on a life lease interest.
- (26) **“Residential Rental Property”** means a building or **Related Buildings** containing six or more **Rental Units** and includes all common areas and services and facilities available for the use of its residents.
- (27) **“Residential Tenancies Act”** means the **Residential Tenancies Act**, 2006, S.O. 2006, c. 17 as may be amended.
- (28) **“Section 99.1 Permit”** means the permit issues by the **Commissioner** or his or her designate after the approval of an application under this By-law.
- (29) **“Tenant”** includes a **Person** who pays rent in return for the right to occupy a **Rental Unit** and includes the **Tenant’s** lawfully authorized assignees, but does not include a **Person** who has the right to occupy a **Rental Unit** by virtue of being,
- (a) A co-owner of the **Residential Rental Property** in which the **Rental Unit** is located, or
  - (b) A shareholder of a corporation that owns the **Residential Rental Property**.
- (30) **“Vacancy Rate”** means the Private Row (Townhouse) and Apartment Vacancy Rate for the City of Brampton, as reported by the **CMHC** in the most current annual survey.

## **PART II – SCOPE**

2. This By-law shall apply to all **Residential Rental Properties** in the City containing six or more **Dwelling Units** and all **Related Planning Applications**.
3. Notwithstanding section 2, this By-law does not apply to a **Residential Rental Property** that is:
  - (1) A condominium governed by the **Condominium Act, 1998**; or
  - (2) Organized as a **Life Lease Project**; or
  - (3) Described in section 5 (Exemption from Act) of the **Residential Tenancies Act, 2006** other than subsection 5(c), a member unit of a non-profit housing co-operative;

## **PART III – CONVERSION & DEMOLITION PROHIBITED WITHOUT A PERMIT**

### **Conversion**

4. No **Person** shall **Convert** a **Residential Rental Property**, or cause a **Residential Rental Property** to be converted, to a purpose other than a **Residential Rental Property** unless the **Person** has received a **Section 99.1 Permit** and except in accordance with the terms and conditions of the **Section 99.1 Permit**.

### **Demolition**

5. No **Person** shall **Demolish**, or cause to be demolished, the whole or any part of a **Residential Rental Property** unless the **Person** has received a **Section 99.1 Permit** and except in accordance with the terms and conditions of the **Section 99.1 Permit**.

### **When Permit is Not Required**

6. Notwithstanding Sections 4 and 5, a **Section 99.1 Permit** is not required if only part of a **Residential Property** is proposed for **Conversion** or **Demolition** and that part does not contain any part of a **Dwelling Unit**.
7. Notwithstanding Section 5, a **Section 99.1 Permit** is not required if a **Residential Rental Property** is subject to an application for a consent to sever under section 53 of the **Planning Act** and if after the proposed conveyance:
  - (1) Each Parcel of land resulting from the severance will have six (6) or more **Rental Units**; or
  - (2) One (1) or more parcels of land resulting from the severance will have six (6) or more **Rental Units** and all other parcels of land at the time of the application contained no **Dwelling Units**.

## **PART IV – APPLICATION FOR SECTION 99.1 PERMIT**

8. (1) An **Owner**, or their **Agent**, who wishes to **Convert** or **Demolish** a **Residential Rental Property** shall submit an **Application** for approval in writing on a form prescribed by the **Commissioner**, and shall supply any additional information or documentation relating to the **Application** as required by the **Commissioner**.

- (2) The **Commissioner** is delegated authority to develop **Guidelines** for the application process and requirements.
9. An **Application** under Section 8 shall include the following information:
- (1) description of the proposed **Conversion** or **Demolition**.
  - (2) the number of existing **Dwelling Units**;
  - (3) the number of existing and proposed **Rental Units** by unit type, including number of bedrooms and floor area;
  - (4) the rent roll(s) including utilities for the **Residential Rental Property**, categorized by unit type;
  - (5) a list containing the names and mailing addresses of the **Tenants** of the **Residential Rental Property** proposed for **Conversion** or **Demolition**;
  - (6) identification of any **Related Planning Applications**;
  - (7) where applicable, a proposal for the replacement and retention of the **Rental Units** proposed for **Conversion** or **Demolition**;
  - (8) a proposal for **Tenant** engagement by the **Owner**, or their **Agent**, including consultation and education;
  - (9) any additional information or documentation required to evaluate the **Application**, as specified by the **Commissioner**; and
  - (10) the applicable fees.
10. The **Commissioner** may seek to verify the application information.
11. No **Person** shall knowingly furnish false or misleading information in any **Application** under this By-law.

**Notice of Application to Tenant**

12. An **Applicant** for a **Section 99.1 Permit** shall provide proof of notice of the **Application** to the **Tenant** of the **Residential Rental Property** to the satisfaction of the **Commissioner** within 14 days after the **Commissioner** has advised that the **Application** is complete or within such other time period as determined by the **Commissioner**. Such notice shall include:
- (1) the date that the notice was delivered to the **Tenant**; and
  - (2) a notification to the **Tenant** of the rights of the **Tenant** under the **Residential Tenancies Act, 2006** in connection with the **Conversion** or **Demolition**, as the case may be.

**Related Planning Application**

13. If a **Person** makes a **Related Planning Application**, the **Person** shall also file an application under this By-law for the same property without delay.

14. (1) if a **Related Planning Application** is made with respect to a **Residential Rental Property** for which a **Section 99.1 Permit** is required, the **Owner**, or their **Agent**, shall provide written notice to the applicable approval authority and, in the case of an appeal or referral, to the Ontario Land Tribunal or court.
- (2) The notice required under subsection 14(1) shall be filed at the time the application for a **Section 99.1 Permit** is filed with the approval authority, or at the same time the referral or appeal of a **Related Planning Application** is filed with the Ontario Land Tribunal or the court, as the case may be.
15. The Notice required under section 14 shall include a statement that the **Conversion** or **Demolition** is not permitted unless a **Section 99.1 permit** has been given for the **Conversion** or **Demolition**.

#### **Withdrawal of an Application**

16. If all the required documentation for a **Section 99.1 Permit** is not provided to the **Commissioner** within two (2) years from the date the **Application** is received by the **City**, the **Applicant** shall be deemed to have withdrawn the **Application** and shall not be entitled to any refunds of any payments made in respect of such **Application**.
17. Despite Section 16, the **Commissioner** may extend the timeframe for an application where the **Commissioner** determines that appropriate steps are being taken to advance the **Application**.
18. If the **Application** is withdrawn or deemed to have been withdrawn under Section 16 before the **Commissioner** or Council makes a decision, no further **Application** under this By-law to approve the **Conversion** or **Demolition** of the **Residential Rental Property** may be made within two (2) years after the withdrawal, unless Council give its consent.

#### **PART V – ELIGIBILITY FOR SECTION 99.1 PERMIT**

19. A **Section 99.1 Permit** shall be approved where:
  - (1) the average **Vacancy Rate** for the preceding three (3) years is equal to or above 3.0 per cent; or
  - (2) the rents for all **Rental Units** proposed to be **Converted** or **Demolished** are equal to or more than 1.75 times the **Average Market Rent** by unit type.
20. Where an **Application** fails to satisfy either Subsection 19(1) or 19(2) of this by-law, a **Section 99.1 Permit** may be approved in accordance with Part IV and subject to such conditions as are appropriate in the **Commissioner's** or Council's discretion, as the case may be.
21. Conditions imposed on a **Section 99.1 Permit** may include:
  - (1) requirements to replace the **Rental Units** proposed for **Demolition** or retention of converted units as **Rental Units**, at **Comparable Affordability** and for a defined term;
  - (2) requirements that the **Owner**, or their **Agent**, of the **Residential Rental Property** notify any **Tenant** who reside in **Rental Units**

affected by the approval of the relevant provisions in the **Residential Tenancies Act, 2006**;

- (3) requirements that the **Owner**, or their **Agent**, of the **Residential Rental Property** provide information from time to time sufficient to verify that the terms of an agreement are being met;
  - (4) requirements securing **Tenant** rights to return to the replaced or retained rental units at **Comparable Affordability**, and associated notification requirements;
  - (5) provisions concerning the **Applicant's** entitlement to claim or act under any of the following until the conditions imposed have been satisfied or secured, to the satisfaction of the **Commissioner**:
    - (a) A permit under subsection 8(1) or section 10 of the **Building Code Act, 1992** for construction, **Conversion** or **Demolition** of a building.
    - (b) A consent or permit to alter part of a property or to demolish or remove a building or structure under section 34, 34.5, or 42 of the **Heritage Act**.
    - (c) Approval or registration of a description for a proposed condominium under section 51 of the **Planning Act**, or an exemption from approval for a condominium, under section 9 of the **Condominium Act, 1998**.
    - (d) A consent under section 53 of the **Planning Act**, except for provisional consent that is conditional on receiving a **Section 99.1 Permit** under this By-law.
  - (6) Such other conditions, requirements, or provisions reasonably related to minimizing the impact of the **Conversion** or **Demolition** on the City's rental housing supply as determined by the **Commissioner**.
22. Where conditions are imposed under Section 21, the **Owner**, or their **Agent**, of the **Residential Rental Property** to which the application for **Section 99.1 Permit** relates shall, as a condition of obtaining a **Section 99.1 Permit**, enter into an agreement with the City securing conditions to the approval of the **Section 99.1 Permit**.
23. The agreement referred to in Section 22 shall be registered on title to each property to which the agreement applies and may be enforced against the **Owner** and any subsequent **Owner** of the **Residential Rental Property**. The registration of the agreement shall be to the satisfaction of the City Solicitor and with such priority as may be required to ensure its proper enforcement by the **City**.
24. Conditions imposed under Subsection 21(1) may require the **Rental Units** proposed for **Demolition** to be replaced:
- (1) On-site;
  - (2) In comparable off-site location to the **Residential Rental Property**;



- (3) By cash-in-lieu for the replacement value of the units; or
  - (4) A combination thereof at the discretion of Commissioner or Council as applicable.
25. For the purposes of Subsection 24, a comparable off-site location may include but is not limited to consideration of the following factors:
- (1) Type of residential rental property (apartment or townhouse);
  - (2) Proximity to existing and proposed transportation options, including transit service;
  - (3) Proximity to community infrastructure such as recreational facilities, libraries, police stations, schools, and places of religious assembly; and
  - (4) Proximity to commercial services and amenities.
26. Conditions imposed under Section 21(1) requiring off-site replacement units may also specify a timeframe within which those units must be constructed.

## **PART VI – APPROVAL AND ISSUANCE OF SECTION 99.1 PERMIT**

### **Approval by Commissioner under Delegated Authority**

27. The **Commissioner** is authorized to approve an application for a **Section 99.1 Permit** when:
- (1) The **Application** meets the requirements of Section 19;
  - (2) The **Residential Rental Property** at the time of the **Application** has six (6) or more **Dwelling Units**, but less than six (6) **Rental Units**; or
  - (3) The **Residential Rental Property** at the time of the **Application** has six (6) or more **Rental Units**, and:
    - (a) The combined number of existing **Rental Units** affected by the proposed **Conversion** or **Demolition** and any previous **Conversion** or **Demolition** activities within the preceding five-year period is less than six (6); and
    - (b) The proposed **Conversion** or **Demolition** will not reduce the number of **Rental Units** to less than six (6).
28. For the purposes of Subsection 27(3)(a), the “preceding five-year period” is deemed to be the earlier of the date all the required **Application** material is provided to the **City** under Part IV for a **Section 99.1 Permit** or the complete **Application** date of a **Related Planning Application** as determined in accordance with the **Planning Act**.
29. The **Commissioner** shall consider the application not earlier than 14 days after the notice has been given to the **Tenant** under Section 12.

30. Notwithstanding Section 21, the **Commissioner** may only impose conditions to the approval that relate to the following matters:
- (1) A requirement that the **Owner**, or their **Agent**, of the **Residential Rental Property** notify any **Tenant** who reside in the **Rental Units** affected by the changes permitted under the approval of the relevant provisions in the **Residential Tenancies Act, 2006**.
  - (2) A requirement that the notification required under Subsection 29(1) be given in a form and at a time satisfactory to the **Commissioner**.
  - (3) A requirement that **Owner**, or their **Agent**, of the **Residential Rental Property** provide information from time to time sufficient to verify that the terms of the agreement are being met.
  - (4) The lapsing of the approval by the **Commissioner** in accordance with any guidelines.
31. Notwithstanding Section 22, the **Commissioner** may require that the **Owner** of the **Residential Rental Property** to which the **Application** for a **Section 99.1 Permit** relates enter into an agreement with the **City** securing conditions imposed on the approval of the **Section 99.1 Permit**.
32. Where the provisions of Sections 27-31 have been met, the **Commissioner** shall approve a **Section 99.1 Permit**.

#### **Referral to Council by Commissioner**

33. The **Commissioner** may refer an **Application** the **Planning and Development Committee** for Council's approval if, in the **Commissioner's** opinion, the **Application** should be considered by Council with a **Related Planning Application**, or that the **Application** has implications for more than one Ward, or is of **City-wide** interest.

#### **Approval by Council**

34. If there is a referral pursuant to Section 33, the **Commissioner** shall submit a report respecting the **Application** to the **Planning and Development Committee**.
35. The **Planning and Development Committee** shall recommend to Council whether to refuse or approve the **Application**, including any conditions.
36. Council may refuse the **Application** or approve the **Application**, and may impose any of the conditions set out in Section 21 and 30 on the approval.

#### **Section 99.1 Permit Issuance**

37. Subject to Section 38, if Council or the **Commissioner** approves a **Section 99.1 Permit**, the **Commissioner** is authorized to issue the **Section 99.1 Permit** after all the condition have been satisfied or secured to the satisfaction of the **Commissioner**.
38. Where **Applications** for **Conversion** or **Demolition** are also subject to section 8 or 10 of the **Building Code Act, 1992** or to a demolition control by-law under section 33 of the **Planning Act**, the **Commissioner** may

designate the **Chief Building Official** to issue the **Section 99.1 Permit**, which shall only be issued once approval for the **Section 99.1 Permit** is given and together with all other applicable requirements related to the **Demolition**.

#### **Application for Revision to Conditions**

39. If the **Owner**, or their **Agent**, of a **Residential Rental Property** applies for revisions to the conditions on a **Section 99.1 Permit**, the **Commissioner** may treat request as a new **Application** under this By-law.
40. The **Planning and Development Committee** will consider and make recommendations to Council on the proposed revisions only after a report has been submitted to the **Planning and Development Committee** by the **Commissioner**.

#### **Revocation of Section 99.1 Permit**

41. The **Commissioner** may revoke a **Section 99.1 Permit** if:
  - (1) The **Section 99.1 Permit** was issued on mistaken, false or incorrect information;
  - (2) The conditions of the **Section 99.1 Permit** are not complied with; or
  - (3) The **Owner**, or their **Agent**, of the **Residential Rental Property** or other holder of a **Section 99.1 Permit** has contravened this By-law.
42. Where a **Section 99.1 Permit** for **Demolition** has been issued under this By-law and the building permit for the new construction is revoked under the **Building Code Act, 1992**, the **Section 99.1 Permit** shall be deemed to be revoked and this By-law shall apply to any subsequent **Application** for a **Demolition** or the **Residential Rental Property** for which the original **Section 99.1 Permit** was issued.
43. Section 42 does not apply if the **Residential Rental Property** has been demolished under a **Section 99.1 Permit** before the building permit for the new construction was revoked.

#### **Council or Commissioner Decision Final**

44. Council's or the **Commissioner's** decision to approve, refuse, or revoke a **Section 99.1 Permit**, or impose or revise conditions on a **Section 99.1 Permit** in accordance with this By-law is final, without any further right of appeal.

### **PART VII – ENFORCEMENT**

#### **Harassment of Tenant**

45. No **Owner** of **Residential Rental Property** or **Person** acting on the **Owner's** behalf shall interfere with a **Tenant's** reasonable enjoyment of a **Rental Unit** in the **Residential Rental Property** with the intent of discouraging the participation of the **Tenant** in the **Application** or approval process described herein or with the intent of otherwise

facilitating the obtaining of the approval of Council or the **Commissioner** on an application made under this By-law.

**Powers of Entry and Inspection**

46. Any **Designated Staff Person** may at any reasonable time enter upon any land for the purpose of carrying out an inspection to determine whether the following are being complied with:
- (1) this By-law;
  - (2) any direction or order issued under this By-law;
  - (3) any **Section 99.1 Permit** condition imposed under this By-law;
  - (4) an order issued section 431 of the ***Municipal Act, 2001***.
47. Subject to the requirements under section 437 of the **Municipal Act, 2001** related to entry to dwellings, submission of an **Application** for a **Section 99.1 Permit** is deemed to be the consent of the **Owner** for any **Designated Staff Person** to enter at any reasonable time onto the **Residential Rental Property** for the purpose of carrying out an inspection.
48. When an inspection is conducted under this By-law, any **Designated Staff Person** may:
- (1) require the production of documents and things that may be relevant to the inspection;
  - (2) inspect and remove documents or things which may be relevant to the inspection for the purpose of making copies;
  - (3) require information from any **Person** concerning a matter related to the inspection, including but not limited to name(s), address(es), contact information, and proof of identity or other identification; and
  - (4) alone or in conjunction with a **Person** possessing special or expert knowledge, make examinations.
49. No **Person** shall hinder or obstruct, or attempt to hinder or obstruct, any **Designated Staff Person** from exercising any power or authority, or performing a duty as permitted under this By-law.
50. No **Person** shall decline or neglect to give, produce or deliver any access, information, document or other thing is requested by any **Designated Staff Person** pursuant to this By-law.
51. Every **Person** from whom information, or any other thing, has been requested in relation to an inspection conducted under this By-law shall identify themselves to any **Designated Staff Person** and failure to identify shall constitute hindering and/or obstructing under Section 45.

### **Offences**

52. Every **Person** who contravenes any section of this By-law, including an Order issued pursuant to this By-law or sections 444 or 445 of the ***Municipal Act, 2001*** is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the ***Provincial Offences Act, R.S.O. 1990, c. P.33***, as amended and the ***Municipal Act, 2001***.
53. Every director or officer of a corporation who knowingly concurs in a contravention of this By-law by the corporation is guilty of an offence.
54. Every **Person** who fails to comply with a term of condition of a **Section 99.1 Permit** under this By-law is guilty of an offence.
55. All contraventions of this By-law or an Order issued pursuant to this By-law are designated multiple and continuing offences pursuant to subsection 429(2) of the ***Municipal Act, 2001***.

### **Penalty**

56. Every **Person** who is charged with an offence under this By-law upon conviction is liable as follows:
  - (1) the maximum fine for an offence is \$100,000;
  - (2) in the case of a continuing offence, in addition to the penalty mentioned in subsection 56(1), for each day or part of a day that the offences continues, the maximum fine shall be \$10,000, and the total of all daily fines for the offence is not limited to \$100,000;
  - (3) in the case of a multiple offence, for each offence included in the multiple offence, the maximum fine shall be \$10,000 and the total of all fines for each included offence is not limited to \$100,000;
  - (4) if a **Person** is convicted of an offence under this By-law, the potential for economic advantage acquired by or that accrued to the **Person** as a result of the commission of the offence may be considered an aggravating factor for sentencing purposes which may attract a special fine and the maximum amount of the special fine may exceed \$100,000 or such other maximum amount permitted by the ***Municipal Act, 2001***.
57. If any section of this By-law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by this By-law, the Court in which the conviction has been entered and any Court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the **Person** convicted.

## **PART VIII – TRANSITION**

### **Effective Date**

58. The By-law will come into force January 1, 2026.

### **Applicability**

59. This By-law applies to a proposal for **Conversion** or **Demolition** of **Residential Rental Property** made on or after January 1, 2026, except

where an approval on the **Related Planning Application** is made by the applicable approving authority before the Effective Date.

- 60. In the case of applications under section 8 of the **Building Code Act, 1992**, for interior renovation as described in the definition of **Demolition** in subsection 1(7), this By-law applies to any **Application** made after the Effective Date.

**PART VII – ENFORCEMENT**

- 61. Any section of this By-law, or any part thereof, that is found by a court of competent jurisdiction to be invalid shall be severable, and the remainder of the By-law shall continue to be valid.
- 62. In this By-law, unless the context otherwise requires, words imparting the singular number shall include the plural, and words imparting the masculine gender shall include the feminine and further, the converse of the foregoing also applies where the context so requires.
- 63. References in this By-law to any legislation (including but not limited to regulations and bylaws) or any provision thereof include such legislation or provision thereof as amended, revised, re-enacted and/or consolidated from time to time and any successor legislation thereto.
- 64. This By-law may be referred to as the “Residential Rental Conversion and Demolition By-law”.

ENACTED and PASSED this \_\_\_\_ day of \_\_\_\_\_ 2025.

Approved by Legal Services:

Approved as to  
form.  
20 \_\_/month/day  
[insert name]

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

Approved by the Division Head/Director:

Approved as to  
content.  
20 \_\_/month/day  
[insert name]

\_\_\_\_\_  
Genevieve Scharback, City Clerk