

APPENDIX C

ROOMING HOUSE BY-LAW SUBCOMMITTEE CONSIDERATIONS

WHERE SHOULD LICENSING BY-LAW APPLY?

There are two options for consideration in regard to where a residential licensing by-law could be applied. One option would be in medium density residential zonings where rooming houses would be allowed. The new CGS Zoning by-law would dictate in what areas these types of residential rental units would be acceptable and the licensing system would complement the zoning by-law.

The second option for consideration would be that both low and medium residential zonings would be subject to the licensing of the non-owner occupied rental properties. The CGS Zoning by-law would allow for two accessory guests uses in an R1 or R2 zoning. Any residential rental property which is not owner occupied and is recognized as a rental business would fall under the guidelines of the licensing by-law. Owner occupied rental properties could be exempt from holding a license where no more than two bedrooms are rented out and the owner continues to reside in the premise as their sole residence. This would be recognized on the assumption that the owner occupied rental properties have minimal impacts on a neighbourhood as the property is “managed” by the owner who resides on site as their sole residence and the occupancy for rental purposes is limited to one or two bedrooms (Zoning By-law).

HOW SHOULD A FEE BE APPLIED TO OBTAIN A LICENSING?

There are a number of options for the calculation of licensing fees incurred by the CGS for the administration and enforcement of the licensing system:

- A flat fee per rental property
- A fee based on the number of rental units on a property
- A fee based on the number of bedrooms in a rental unit

It would be suggested that the licensing fee should be based on the principal of recovering all or most of the costs of operating the licensing program. Staff could report on the potential fees and costs of a licensing program depending on which option Council wishes to investigate.

ENFORCEMENT AND PENALTIES

The Municipal Act has expanded the enforcement mechanisms available to municipalities which includes penalties that could be applied where failure to comply with any provisions of a licensing by-law are evident. The CGS could establish a system of fines, or consider suspending or revoking a license due to inaction on ORDERS or causing a nuisance to neighbouring properties. Procedures would need to be developed with respect to any system of

penalties Council decides upon. These would include penalty, notification procedure, and an appeal process.

A Licensing Appeal Committee could be implemented as part of the overall process. The Committee would be established to conduct hearings of appeals under the Licensing By-law. These appeals would relate to license suspensions, revocations, refusals, and renewals. The Committee would be responsible for making the final and binding decision respecting such appeals.

LICENSE APPLICATION REQUIREMENTS

The CGS may impose conditions as a requirement to obtain, renew or continue to hold a Residential Rental license. The following information could be included as part of the licensing by-law:

1. Ownership information

Property ownership could be required in order to maintain a comprehensive registry of rental units and facilitate contact with the owner to address any property maintenance issue that may arise (full name, municipal address, mailing address, contact phone number).

2. Property Information

Information about the rental property could include the following:

- Municipal address and legal description
- Current zoning
- Number of rental units and number of bedrooms
- Sketch indicating location of each rental unit or bedroom

3. Tenancy

The owner of the rental property could be required to provide proof that each tenant is party to a rental or lease agreement. This information will include names of each tenant and duration of the tenancy which will assist in addressing any issues of occupancy of a building (By-law, Fire Dept., Police)

4. Parking Plan

A parking plan showing the location and dimensions of all required parking spaces on the rental property could be required as part of the rental business license. This information will ensure that there will be an adequate amount of parking spaces in compliance with the zoning by-law and help alleviate illegal parking on both the rental property and the adjacent street area.

5. Floor Plan

A floor plan could be required as part of the business license. The floor plan would illustrate the rental unit dimensions, bathroom locations, window sizes, ceiling heights (basement), and egress. No room could be used as a bedroom unless shown on the floor plan and approved and no new bedroom(s) could be added without the consent of the CGS.

6. Waste Management Plan

Neighbourhood issues arise as a result of a lack of a property waste management plan to ensure proper removal of garbage from the rental property. The rental license could require a dedicated location for garbage holding area for the tenants of the rental units.

7. Insurance

The owner of a residential rental property could provide proof of insurance which recognizes the use of said property as residential rental property and which would include liability insurance coverage for any property damaged and/or bodily injury.

8 Other Requirements

The owner of the rental property could also be required to include the following:

- Posting of CGS Residential Rental License in plain view inside the building