

The Corporation of the City of Guelph

By-law Number (2026) – 21274

A By-law to establish a Rental Renovation Licensing System in the City of Guelph.

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

AND WHEREAS section 10 of the *Municipal Act, 2001* provides a single-tier municipality with the broad authority to pass by-laws respecting the economic, social and environmental well-being of the municipality, the health, safety and well-being of persons, the protection of persons and property and business licensing;

AND WHEREAS subsection 151(1) of the *Municipal Act, 2001* authorizes a municipality to provide for a system of licences with respect to a business;

AND WHEREAS subsection 151(1) of the *Municipal Act, 2001* applies with necessary modifications to a system of licences with respect to any activity, matter or thing for which a by-law may be passed under sections 9, 10 and 11 of the *Municipal Act, 2001* as if it were a system of licences with respect to a business;

AND WHEREAS, in accordance with subsection 23.2(4) of the *Municipal Act, 2001*, Council for the City of Guelph is of the opinion that the delegation of the legislative powers under this by-law to the General Manager including, without limitation, the power to issue and impose conditions on a licence are powers of a minor nature having regard to the number of people, the size of the geographic area and the time period affected by the exercise of the power;

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

AND WHEREAS subsections 425(1) and 429(1) of the *Municipal Act, 2001* authorize a municipality to pass by-laws providing that a person who contravenes a municipal by-law is guilty of an offence and to establish a system of fines for offences under a by-law;

AND WHEREAS sections 444 and 445 of the *Municipal Act, 2001* provides that municipality may make an order requiring a person who contravened a by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity and do work to correct the contravention;

AND WHEREAS pursuant to subsection 50(1)(c) of the *Residential Tenancies Act, 2006*, S.O. 2006, c. 17 (as amended, the *Residential Tenancies Act*) a landlord shall serve a tenant with a notice of termination of tenancy if the landlord requires vacant possession of the rental unit for the purpose of performing repairs or

renovations;

AND WHEREAS, as required by subsection 50(3) of the *Residential Tenancies Act, 2006*, the notice of termination served pursuant to subsection 50(1)(c) of the *Residential Tenancies Act, 2006* shall inform the tenant that if they wish a right of first refusal to occupy the premises as a tenant after the repairs or renovations are complete, they must give the Landlord notice of this fact before vacating the rental unit;

AND WHEREAS section 53 of the *Residential Tenancies Act, 2006*, establishes that a tenant who receives notice of termination of a tenancy for the purpose of repairs or renovations may have a right of first refusal to occupy the rental unit as a tenant when the repairs or renovations are complete at a rental rate that is no more than what the landlord could have lawfully charged if there had been no interruption in the tenant's tenancy;

AND WHEREAS the Council of the Corporation of The City of Guelph deems it desirable for the protection of tenants to regulate by way of licensing, any Landlord who intends to perform repairs and renovations that requires vacant possession and notice of termination pursuant to section 50(1)(c) of the *Residential Tenancies Act, 2006*;

The Council of The Corporation of the City of Guelph hereby enacts as follows:

1. Title

- 1.1 This By-law shall be known and cited as the "Rental Renovation By-law".

2. Definitions

- 2.1 A term not defined in section 2.2 of this By-law shall have the same meaning as the term in the Building Code Act, 1992, S.O. 1992, c.23 or the City's Property Standards By-law (2000) – 16454 as amended or any successor thereto.

- 2.2 In this By-law, the following words have the following meanings:

"Applicant" means the Person applying for a Licence under this By-law;

"Application" means an application for a Licence under this By-law;

"Building" means a building as defined in the *Building Code Act, 1992*, as amended from time to time;

"Building Code" means Ontario Regulation 163/24 under the *Building Code Act, 1992*, as amended from time to time;

"Building Code Act, 1992" means the *Building Code Act, 1992*, S.O. 1992, c.23, as amended from time to time;

"Chief Building Official" means the Chief Building Official of the City or their designate;

"City" means The Corporation of the City of Guelph or the geographical area of the municipality, as the context requires;

"DCAO" means the Deputy Chief Administrative Officer of Public Services of the City;

"Dwelling Unit" means a self-contained unit, used or intended to be used

as a residence and usually containing cooking, eating, living, sanitary, and sleeping facilities;

"General Manager" means the General Manager of Operations of the City or their designate;

"Group Home" means a premises used for specialized or group accommodation for residents with 24-hour supervision that is licensed by the Province of Ontario under the *Child, Youth and Family Services Act, 2017, S.O. 2017, c. 14, Sched. 1* as amended, or any successor legislation;

"Land" includes buildings, structures and dwellings;

"Landlord" includes

- (a) the owner of a Rental Unit or any other person who permits occupancy of a Rental Unit, other than a Tenant who occupies a Rental unit in a residential complex and who permits another person to also occupy the unit or any part of the unit;
- (b) the heirs, assigns, personal representatives, and successors in title of a person referred to in clause (a); and,
- (c) a person, other than a Tenant occupying a Rental Unit in a residential complex, who is entitled to possession of the residential complex and who attempts to enforce any of the rights of a Landlord under a tenancy agreement or the *Residential Tenancies Act, 2006*, including the right to collect rent.

"Landlord and Tenant Board" means the board as established under Part XI of the *Residential Tenancies Act, 2006* or any successor board or tribunal established therefrom;

"Licence" means a licence issued under this By-law, and the term "licenced" shall have a corresponding meaning;

"Licenced Premises" means the Rental Unit referred to in a Licence;

"Licensee" means a Person who has been issued a Licence under this By-law;

"Municipal Act, 2001" means the *Municipal Act, 2001, S.O. 2001, c. 25, as amended* from time to time;

"N13 Notice" means a notice of termination of tenancy pursuant to section 50(1)(c) of the *Residential Tenancies Act, 2006*;

"Officer" means an officer, employee or agent of the City of Guelph whose responsibilities include the enforcement of by-laws;

"Person" means an individual, firm, corporation, association or partnership;

"Post-Secondary Institution" means a college or university and includes the University of Guelph;

"Power of Entry By-Law" means City of Guelph By-Law Number (2009) - 18776, as amended or any successor thereto;

"Qualified Person" means a person licensed by the Ontario Association of Architects or the Professional Engineers Ontario;

"Renewal Application" means a renewal application for a Licence under this By-law

"Renovation" means the repair or restoration of a residential building, or the removal of a portion of a residential building not including the main floor assembly that is so extensive that it requires vacant possession of the Rental Unit.

"Rent" includes the amount of any consideration paid or required to be paid

for the right to occupy a Rental Unit and for any services and facilities and any privilege, accommodation or thing provided by the Landlord in respect of the occupancy of the Rental Unit;

"Rental Unit(s)" means a Dwelling Unit used or intended for use as a rented residential premises;

"Residential Tenancies Act, 2006" means the *Residential Tenancies Act, 2006*, S.O. 2006 c.17, as amended from time to time;

"Tenant" means a person who pays Rent or is required to pay Rent in return for a right to occupy a Rental Unit;

"Tenant and Landlord Information Package" means a document provided by the City that includes information on the rights and responsibilities of Tenants and landlords under the *Residential Tenancies Act, 2006*, obligations under the City's by-Laws and any other program established by the City, available local resources to assist Tenants, and any additional information the General Manager deems necessary to update from time to time;

"Tenant Information Notice" means the notice that will be issued by the City upon application for a Licence;

"User Fees By-law" means a by-law passed by Council pursuant to section 391 of the Municipal Act, 2001 establishing the user fees for services or activities provided by or on behalf of the City, as amended or replaced from time to time; and

"Zoning By-law" means all by-laws passed by Council pursuant to section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, that restrict the use of Land in the City, as amended.

3. Application of this By-law

3.1 This By-law shall apply to all Rental Units in the City of Guelph for which an N13 Notice of termination of tenancy for Renovations of the Rental Unit has been given to a Tenant on or after the date that this By-Law comes into force.

3.2 This By-law shall not apply to:

- (a) Rental Units owned, operated, or managed by a Post-Secondary Institution, where the accommodations are located on-campus and provided to students, staff, or faculty as part of the institution's housing;
- (b) Rental Units operated by the City;
- (c) a licensed hotel, motel, inn or bed and breakfast, tourist home, licensed lodging house, licensed short-term rental or licensed residential care facilities;
- (d) a Rental 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, or any successor legislation;
 - ii. the *Fixing Long-Term Care Act, 2021*, S.O. 2021, c. 39, sch 1., as amended, or any successor legislation;

- iii. the *Retirement Homes Act, 2010*, S.O. 2010, c. 11, as amended, or any successor legislation; and,
 - iv. the *Housing Services Act, 2011*, S.O. 2011, c. 6, Sch 1. as amended, or any successor legislation;
- (e) social housing or affordable housing that is not subject to *Housing Services Act, 2011*, S.O. 2011 c.6, Sch 1, as amended, but which is subject to an agreement with the City and which has been approved for exemption from this By-law by the General Manager; and,
- (f) a Group Home.

4. Submitting an Application

- 4.1 Every Landlord of a Rental Unit who has delivered an N13 Notice to a Tenant for vacant possession of the Rental Unit shall apply for a Licence within seven (7) calendar days of delivery the N13 Notice.
- 4.2 Every Landlord of multiple Rental Units within the same Building shall apply for a separate Licence for each Rental Unit for which an N13 Notice is being served.
- 4.3 Any Landlord of a Rental Unit shall not be entitled to a Licence if they do not have all necessary permits required to carry out the repair or Renovation, including a building permit issued by the Chief Building Official.

5. Application Requirements

- 5.1 To apply for a Licence, an Applicant shall submit the following to the General Manager:
 - (a) a complete Application in the form prescribed by the General Manager, which shall include:
 - i. the Landlord's name;
 - ii. the Landlord's residential mailing address;
 - iii. the address for the Rental Unit and the total number of Rental Units that are associated with that address, including any that have been previously removed;
 - iv. the estimated date by which the Rental Unit is expected to be ready for occupancy following the repairs or Renovations; and
 - v. the telephone number, and e-mail address for the Landlord;
 - (b) proof of contractual or proprietary interest in the Rental Unit;
 - (c) the applicable fees in accordance with the User Fees By-law;

- (d) where the Landlord is a corporation, articles of incorporation or a copy of a corporate profile/entity report and a list of the names and addresses of the current directors and officers of the corporation;
- (e) where the Landlord is a partnership, a list of the names and addresses of the partners and, if a registered partnership, a copy of the registered declaration of partnership, and any changes or corrections thereto;
- (f) where the Landlord is an individual, a copy of a piece of government issued photo identification for each Landlord listed on title;
- (g) a copy of the N13 Notice given to each individual Tenant for the Rental Unit;
- (h) a certified statement from the person who gave the N13 Notice to the Tenant, which sets out the date on which the N13 Notice was given to the Tenant, the manner in which it was given to the Tenant, and by whom;
- (i) a certified statement from the person who gave the Tenant the Tenant and Landlord Information Package which sets out the date that the Tenant and Landlord Information Package was given to the Tenant, the manner it was given to the Tenant, and by whom;
- (j) a copy of the building permit issued in relation to repairs or Renovations requiring vacant possession of the Rental Unit by the Chief Building Official;
- (k) a copy of the report prepared by a Qualified Person, stating that the repairs or Renovations are so extensive or present such a danger to the health and safety of the occupant(s) that vacant possession of the Rental Unit is required; and
- (l) Any other information as may be required by the General Manager .

5.2 Within seven (7) calendar days of submitting the Application for a Licence under this By-law the City will issue a Tenant Information Notice.

5.3 Every Applicant/Licensee shall:

- (a) within seven (7) calendar days of receipt of Tenant Information Notice, post a notice on the door of the Rental Unit for which the Application applies, stating that the Application has been made to the City for a Rental Renovation Licence;
- (b) within seven (7) calendar days of receiving the Licence, post a copy of the Licence on the door of the Rental Unit for which it applies;
- (c) produce the Licence for inspection upon request of the City;
- (d) notify the General Manager within seven (7) calendar days of any

change in their phone number, residential address, or email address provided on the Application;

- (e) notify the General Manager of any challenge, change in status, or court action with respect to the N13 Notice;
- (f) notify the General Manager, after becoming aware of any change in a previously-estimated date by which the Rental Unit is expected to be ready for occupancy following the repairs or Renovations, of the new estimated date;
- (g) notify the General Manager when the Rental Unit is ready for occupancy;
- (h) comply with the provisions of this By-law and all applicable laws, including, but not limited to, the Zoning By-law; and
- (i) comply with the conditions and restrictions placed on the Licence.

6. Issuing Licences

- 6.1 The General Manager shall receive and process all completed Applications for Licences.
- 6.2 The General Manager shall generally perform all administrative functions conferred upon them by this By-law.
- 6.3 The General Manager may, at any time, when issuing or renewing a Licence, impose such terms or conditions on the Licence as the General Manager considers appropriate.
- 6.4 Should the General Manager impose terms or conditions on a Licence, the General Manager shall provide written reasons thereafter.
- 6.5 Licences issued pursuant to this By-law are conditional on compliance by the Licensee with all municipal by-laws and other applicable laws.

7. Grounds of Refusal of Licences

- 7.1 The General Manager shall issue a Licence to any Person who meets the requirements of this By-law, except where:
 - (a) a decision or order of the Landlord and Tenant Board has rendered the N13 Notice in connection with the Licence null and void, or otherwise unenforceable;
 - (b) a decision of a court of competent jurisdiction has rendered the N13 Notice in connection with the Licence null and void, or otherwise unenforceable;
 - (c) the Applicant or Licensee has past convictions under this By-law, or

any other By-law, statute or regulation relating to the Rental Unit associated with the Application or any other Rental Unit that is owned by the Applicant;

- (d) the Rental Unit associated with the Application or any other Rental Unit that is owned by the Applicant is subject to an order, or orders, made pursuant to any governmental authority;
- (e) the Applicant or Licensee is carrying on an activity in relation to the Rental Unit associated with the Application or any other Rental Unit that is owned by the Applicant that is, or will be, if the Applicant is licensed, in contravention of this By-law or any other By-law, statute or regulation.

7.2 In the case where a decision of the Landlord and Tenant Board, or decision of another court of competent jurisdiction, has rendered the N13 Notice in connection with a Licence issued under this By-Law null and void or otherwise unenforceable, the Licence shall automatically be terminated.

8. Term Of Licence

8.1 A Licence issued under this By-law shall be valid until the earlier of (a) one (1) year from the date of issuance; or (b) the estimated date by which the Rental Unit is expected to be ready for occupancy following the repairs or Renovations, subject to renewal in accordance with section 10.

9. Closing the Licence

9.1 A Licence issued under this By-law is considered closed when the repairs or Renovations authorized by the Licence have been completed, the Licence term has expired without renewal, or the Licence has been revoked.

9.2 The Landlord's obligation to post the Licence ends upon completion of the repairs or Renovations or upon expiry or revocation of the Licence, whichever is later. No separate close-out application is required.

9.3 A Landlord may request revocation of a Licence in writing to the General Manager, and the General Manager may also revoke a Licence in accordance with this By-law, at which point the Licence is formally closed.

10. Renewing the Licence

10.1 Where repairs or Renovations to a Rental Unit are anticipated to take more than twelve (12) months to complete, the Licensee shall submit a Renewal Application prior to the expiry of the existing Licence.

10.2 A Renewal Application shall not require a full reapplication under Section 5, provided there are no material changes to the information that was submitted with the original Application.

10.3 A Renewal Application shall be made in a form prescribed by the General Manager and shall include:

- (a) the Licence number and address of the Licenced Premises;
- (b) a written statement identifying what has changed since the original Application, including any changes to timelines, scope of work, permits, or tenant arrangements;
- (c) a written explanation of the reason for the renewal, including why the repairs or Renovations have not been completed within the original Licence term;
- (d) updated documentation only where changes have occurred that would otherwise be required under Section 5;
- (e) payment of the applicable renewal fee in accordance with the User Fees By-law; and
- (f) Any other information as may be required by the General Manager.

10.4 Failure to make a Renewal Application prior to the expiry of a Licence shall result in the Licence lapsing, and no Renovations requiring vacant possession may continue unless a valid Licence or renewal is in effect.

11. Revocation and Suspension

11.1 The General Manager may revoke or suspend a Licence at any time where:

- (a) the Licensee has violated any of the provisions of this By-law or any other applicable laws;
- (b) the Licence was issued because false or misleading information was provided to the City;
- (c) a Licence was issued in error;
- (d) the Chief Building Official is satisfied that the carrying on of the Renovations at the Rental Unit for which the Licence was issued poses an immediate danger to the health or safety of any Person or to any property;
- (e) the conduct of the Licensee, including the conduct of any officer, director, employee or agent of a Licensee affords reasonable cause to believe that the Person will not carry on or engage in the Renovation in accordance with the law or with honesty and integrity or,
- (f) as otherwise authorized in accordance with this By-law.

12. Objection to DCAO

12.1 Where the General Manager refuses to issue a Licence, or revokes or suspends a Licence:

- or
- a) the General Manager shall send written notice advising the Applicant Licensee of the refusal, suspension, or revocation of the Licence;
 - b) the written notice shall be sent to the Applicant or Licensee at the address of the Applicant or Licensee provided on the Application, or where a change of information has been provided by the Applicant or Licensee regarding address, at the address reflecting that change of information;
 - c) the written notice shall:
 - i. set out the grounds for the refusal, revocation, or suspension;
 - ii. give reasonable particulars of the grounds;
 - iii. be signed by the General Manager; and
 - iv. indicate the final date and time by which the Applicant or Licensee may object to the decision to refuse to issue, suspend or revoke the Licence and the method for doing so, as set out in subsection 12.1(d) ;and
 - d) the Applicant or Licensee may object to the decision to refuse to issue, suspend or revoke a Licence by filing a written notice of objection with the DCAO, which notice must set out the grounds or basis for the request, and must be received no later than 4:00p.m. on the twentieth (20th) calendar day from the date on the notice described in

12.2 If no written notice of objection is received from the Applicant(s) or Licensee(s) before the deadline as set out in Section 12.1(d):

- and
- a) no extension of the time to give notice of objection will be granted;
 - b) the decision of the General Manager will be final.

12.3 Upon receipt of the notice of objection, the DCAO shall, within fourteen (14) calendar days of receipt the notice, affirm, affirm with such conditions the DCAO considers to be appropriate, or reject the decision of the General Manager.

12.4 The DCAO shall send written notice advising the Applicant or Licensee of the decision affirm, affirm with such conditions the DCAO considers to be appropriate, or reject the decision of the General Manager.

12.5 The decision of the DCAO to affirm, affirm with such conditions the DCAO

considers to be appropriate or reject the decision of the General Manager shall be final.

13. Orders

13.1 Where the General Manager has reasonable grounds to believe that a contravention of this By-law has occurred, the General Manager may make an order requiring the Person who contravened this By-law, or who has caused or permitted the contravention, or the Landlord or occupier of the Land on which the contravention occurred, to discontinue the contravening activity.

13.2 An order under section 13.1 of this By-law shall set out:

- (a) reasonable particulars of the contravention adequate to identify the contravention and the location of the Land on which the contravention occurred; and
- (b) the date by which there must be compliance with the order.

13.3 Any Person who contravenes an order under section 13.1 of this By-law is guilty of an offence.

14. Enforcement

14.1 This By-law may be enforced by the General Manager and Officers.

14.2 The City's Power of Entry By-law applies to enforcement of this By-law by every Officer and every Applicant and Licensee shall have the obligations of an "occupier" under the Power of Entry By-Law

14.3 Every Person shall, upon request by an Officer, for the purpose of commencing a proceeding pursuant to this By-law, provide identification, including full name and address, to the Officer.

14.4 No Person shall provide false, misleading, incomplete or inaccurate identification to an Officer.

14.5 No Person shall hinder or obstruct an Officer performing their duties under this By-law.

14.6 No Person required to obtain a Licence shall:

- (a) Hold themselves out to be licensed under this By-Law if they are not licensed;
- (b) Provide false or misleading information to the General Manager when applying for or renewing a Licence, or to an Officer while they are exercising a power or performing a duty under this By-law;

(c) Hinder or obstruct, or attempt to hinder or obstruct, an Officer or any

- other person exercising a power or performing a duty under this By-Law;
- (d) Fail to comply with any of the terms and conditions of their Licence;
 - (e) Fail to apply for a Licence within seven (7) calendar days of giving an N13 Notice indicating repairs or Renovations requiring vacant possession of the Rental Unit to a Tenant;
 - (f) Fail to post a notice of Application per section 5.3(a);
 - (g) Fail to post a copy of the Licence per section 5.3(b);
 - (h) Fail to produce copy of licence for inspection upon request of the City;
 - (i) Fail to comply with an order made under this By-law;
 - (j) Perform, or cause to be performed, Renovations or repairs requiring vacant possession of a Residential Rental Unit(s) pursuant to section 50(1)(c) of the *Residential Tenancies Act*, without first being issued a Licence; or,
 - (k) Transfer or assign a Licence to any other Person or to any other location other than the Licenced Premises.

15. Offence and Fine

- 15.1 Any Person who contravenes an order under section 13.1 of this By-law is guilty of an offence.
- 15.2 Every Person who contravenes any of the provisions of this By-law is guilty of an offence pursuant to section 429 of the *Municipal Act* and all contraventions of this By-law are designated continuing offences.
- 15.3 Every Person, excluding a corporation, who is convicted of an offence, is liable to a maximum fine of Twenty-Five Thousand Dollars (\$25,000.00) for the first offence and a maximum fine of Fifty Thousand Dollars (\$50,000.00) for each subsequent offence.
- 15.4 Every corporation who is convicted of an offence is liable to a maximum fine of Fifty Thousand Dollars (\$50,000.00) for the first offence and a maximum fine of One Hundred Thousand Dollars (\$100,000.00) for each subsequent offence.
- 15.5 In addition to the fine amounts set out in sections 15.2 and 15.3 above, for each day or part of a day that an offence continues, the maximum fine shall be Ten Thousand Dollars (\$10,000.00). The total of all daily fines for the offence is not limited to One Hundred Thousand Dollars (\$100,000.00).

16. Collection of unpaid fines

- 16.1 Pursuant to section 441 of the *Municipal Act*, if any part of a fine for a contravention of this By-law remains unpaid after the fine becomes due and

payable under section 66 of the *Provincial Offences Act* including any extension of time for payment ordered under that section, the General Manager may give the Person against whom the fine was imposed a written notice specifying the amount of the fine payable and the final date on which it is payable, which shall be not less than twenty one (21) days after the date of the notice.

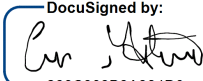
17. Severability

17.1 If a Court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this By-law and it is hereby declared that the remainder of this By-law shall be valid and shall remain in full force and effect.

18. Coming into Force

18.1 This By-law shall come into force and effect on _____.

Passed this 23 day of June, 2026.

DocuSigned by:

266C903B3A384D0...
Cam Guthrie, Mayor

DocuSigned by:

18348AAE689C4E8...
Dylan McMahon, City Clerk

