

Municipality of Chatham-Kent

Community Development

Municipal Governance

To: Mayor and Members of Council

From: Nancy Havens, Manager, Licensing Services

Date: May 9, 2018

Subject: Amendments to the Consolidated Business Licensing By-law
– Rental Dwelling Unit

Recommendations

It is recommended that:

1. The Consolidated Business Licensing By-law #178-2015 being a by-law respecting the licensing, regulating, and governing of certain businesses be amended as set out in the proposed Amending By-law;
2. User Fee By-law #27-2018 be amended to include an initial licence fee for Rental Dwelling Unit Large in the amount of \$201 and renewal fee in the amount of \$157, and removal of Lodging House initial and renewal fees.

Background

At the December 11, 2017 Council meeting, a report on the Regulatory Review of Housing and Room Rentals was considered by Council. At that meeting Council approved the following recommendation: “The proposed amendments to Consolidated Business Licensing By-law #178-2015 presented in this report be brought before Council once a decision has been made with respect to the amendments to the Zoning By-law.”

The Zoning By-law amendment was approved by Council on February 12, 2018, and no appeals were received. Therefore, the zoning revisions are in full force.

Comments

In an effort to coordinate the new proposed regulations for business licensing with the provisions of the Zoning By-law, an amendment (Attachment A) to the Consolidated Business Licensing By-law #178-2015 is required. User Fee By-law #27-2018 also requires amendments to reflect fees for Rental Dwelling Unit, Large and removal of Lodging House. The amendment to the User Fee By-law is attached as Attachment B.

As a result of the proposed amendments to the Consolidated Business Licensing By-law a 5 bedroom house with only one or more rooms rented to individuals would require a Rental Dwelling Unit, Large Business Licence.

Definitions in Consolidated Business Licensing By-law #78-2015

The Consolidated Business Licensing By-law #78-2015 definitions require updating including removal of Lodger and Lodging House definitions from the By-law and the addition of the following definitions:

“Bedroom” shall mean a room, or area in a dwelling unit, or small or large rental dwelling unit, equipped, used or designed with the intended use for sleeping.

“Lodger” shall mean a tenant who rents a bedroom in a small or large rental dwelling unit.

“Rent” shall mean the remuneration or the provision of services, or both, paid or required to be paid by a Tenant or Lodger.

“Rental Dwelling Unit, Large” shall mean a dwelling unit containing five or more Bedrooms, which is rented either as a single housekeeping unit or where individual Bedrooms are offered for Rent. None of a Bed and Breakfast, Group Home, Hotel, Lodge, Residential Care Facility or nursing home shall be considered a large rental dwelling unit.

Schedule L in Consolidated Business Licensing By-law #78-2015

Schedule L of the Consolidated Business Licensing By-law #78-2015 requires amending to reflect the change from Lodging House to Rental Dwelling Unit, Large.

User Fee By-law Amendment

To be consistent with the cost recovery fees that were implemented for business licensing fees during the service review for business licensing fees, the fees for Rental Dwelling Unit Large would be:

New business licence type	2018 Fee
Rental Dwelling Unit, Large – Initial	\$402
Rental Dwelling Unit, Large - Renewal	\$314

However, to encourage compliance administration is proposing a phased in approach as follows:

Year	2018	2019	2020
Percentage of cost recovery fee	50%	75%	100%
Rental Dwelling Unit, Large – Initial	\$ 201	\$ 302	\$ 402
Rental Dwelling Unit, Large - Renewal	\$ 157	\$ 236	\$ 314
Years 2019 and 2020 subject to CPI Increase			

Administration recommends the 2018 User Fee By-law be updated to reflect the 2018 fees noted in the chart above.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

- Economic Prosperity:
Chatham-Kent is an innovative and thriving community with a diversified economy
- A Healthy and Safe Community:
Chatham-Kent is a healthy and safe community with sustainable population growth
- People and Culture:
Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community
- Environmental Sustainability:
Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

- Financial Sustainability:
The Corporation of the Municipality of Chatham-Kent is financially sustainable
- Open, Transparent and Effective Governance:
The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership
- Has the potential to support all areas of strategic focus & critical success factors
- Neutral issues (does not support negatively or positively)

Consultation

Two public consultation sessions (September 6, 2017 in Chatham and September 7, 2017 in Ridgetown) and an on-line survey were conducted.

The Director of Planning Services was consulted with respect to the Zoning By-law amendment.

Financial Implications

There are no financial implications resulting from this report at this time.

Prepared by:

Reviewed by:

Nancy Havens
Manager, Licensing Services

Judy Smith, CMO
Director Municipal Governance/Clerk

Reviewed by:

John Norton
General Manager, Community Development

Consulted and confirmed the content of the consultation section of the report by:

Bruce McAllister, Director, Planning Services

Attachments: A: By-law to Amend Consolidated Business Licensing By-law
B: By-law to Amend User Fee By-law

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Amendments to the Consolidated Business Licensing By-law – Rental Dwelling Unit

By-Law Number _____
of the Corporation of the
Municipality of Chatham-Kent

A By-law to amend the Consolidated Business Licensing By-law No. 178-2015, being a by-law respecting the licensing, regulating, and governing of certain businesses in the Municipality of Chatham-Kent.

Finally passed the _____ day of May, 2018.

Whereas the Council of the Corporation of the Municipality of Chatham-Kent passed By-law No. 178-2015 at its meeting on the 14th day of December, 2015;

And Whereas the Corporation of the Municipality of Chatham-Kent now deems it expedient to amend certain provisions of said By-law Number No.178-2015;

Now Therefore the Municipal Council of the Corporation of the Municipality of Chatham-Kent enacts as follows:

1. That the Consolidated Business Licensing By-law No. 178-2015 be amended as follows:

- a) the definitions of Lodger and Lodging House be deleted from the By-law and the following definitions be added to the By-law:

“**Bedroom**” shall mean a room, or area in a dwelling unit, or small or large rental dwelling unit, equipped, used or designed with the intended use for sleeping.

“**Lodger**” shall mean a tenant who rents a bedroom in a Rental Dwelling Unit, Large.

“**Rent**” shall mean the remuneration or the provision of services, or both, paid or required to be paid by a tenant or Lodger.

“**Rental Dwelling Unit, Large**” shall mean a dwelling unit containing five or more Bedrooms, which is rented either as a single housekeeping unit or where individual Bedrooms are offered for Rent. None of a Bed and Breakfast Establishment, Group Home, Hotel/Motel, or Residential Care Facility shall be considered a Rental Dwelling Unit, Large.

- b) Schedule L of the By-law be deleted from the By-Law and replaced with the following:

Schedule L

Rental Dwelling Unit, Large

1. The Premises shall have been, at the time of an initial application for a Licence, inspected by the Medical Officer of Health or designate before a Licence is issued. For renewals of a Licence, the Premises shall have been inspected within the calendar year in which the Licence renewal is applied for, or in the previous calendar year.
2. The Premises shall have been, at the time of an initial application for a Licence, inspected by the Fire Chief or designate before a Licence is issued. For renewals of a Licence, the Premises shall have been inspected within the calendar year in which the Licence renewal is applied for, or in the previous calendar year.
3. No Licensee shall operate a Rental Dwelling Unit, Large except in a clean and sanitary condition, and in compliance with all requirements of the Chatham-Kent Public Health Unit;

4. The Issuer of Licences may provide for a maximum number of permitted Lodgers in the Rental Dwelling Unit, Large, which may be indicated on the Licence. No Licensee Licensed under this Schedule and By-law shall permit more Lodgers to be housed in the Premises to which the Licence applies than is indicated on the said Licence.
 5. No Licensee shall permit any Lodger to occupy for sleeping purposes any space in a building used as a lobby, hallway, closet, bathroom, stairway or kitchen.
 6. No room within a Rental Dwelling Unit, Large shall be used as a bedroom, except where a bedroom has been depicted on the initial licence application which was submitted to the Municipality.
 7. Every Licensee shall post in a prominent location at the entrance to their place of business, a sign with the wording detailed in Appendix "1".
- c) Within Schedule A - Licence Types and Expiry Dates, Lodging House be deleted and replaced with Rental Dwelling Unit, Large;
 - d) Within the Table of Contents for Schedules, Lodging House be deleted and replaced with Rental Dwelling Unit, Large;
2. Said By-law No. 178-2015 of the Corporation of the Municipality of Chatham-Kent as heretofore amended from time to time is hereby ratified and confirmed in all respects save and except as amended hereby.
 3. This By-law shall come into full force and effect upon the final passing thereof.

Read a first, second and third time this day of May, 2018.

Mayor Randy R. Hope

Clerk Judy Smith

By-Law Number _____-2018

of the Corporation of the
Municipality of Chatham-Kent

A By-law to amend
By-Law Number 27-2018,
A By-law to Establish Certain User Fees

Finally passed the _____ day of May, 2018.

Whereas the Corporation of the Municipality of Chatham-Kent did enact By-law 27-2018 for the purpose of establishing certain user fees in the Municipality of Chatham-Kent.

And Whereas the Corporation of the Municipality of Chatham-Kent now deems it expedient to amend certain provisions contained in Schedule “A” of said By-law 27-2018.

NOW THEREFORE the Municipal Council of the Corporation of the Municipality of Chatham-Kent enacts as follows:

1. Schedule “A” 2018 Comprehensive User Fee/Deposits Review the following fees be and the same are hereby deleted:

Division	Business	Issue	2018 fee
Municipal Governance	Licensing	Lodging House - Initial	\$402.00
Municipal Governance	Licensing	Lodging House - Renewal	\$314.00

2. Schedule “A” 2018 Comprehensive User Fee/Deposits Review the following fees be and the same are hereby added:

Division	Business	Issue	2018 fee
Municipal Governance	Licensing	Rental Dwelling Unit, Large – Initial	\$201.00
Municipal Governance	Licensing	Rental Dwelling Unit, Large – Renewal	\$157.00

3. By-law 27-2018 of the Corporation of the Municipality of Chatham-Kent as heretofore amended from time to time is hereby ratified and confirmed in all respects save and except as amended hereby.

This By-law shall come into full force and effect upon the final passing thereof.

Read a first, second and third time this _____ day of May, 2018.

Mayor - Randy R. Hope

Clerk – Judy Smith