

Appendix 1 – Regulatory History

- Permissions around Secondary Units in Ontario have been enacted and repealed several times.
- In 1994, 400 secondary units were legally established in Mississauga through Bill 120 which only required health and safety compliance (Ontario Fire Code and the City's Property Standards By-law). In 1996, the next provincial government passed Bill 20 which repealed the sections in Bill 120, thereby prohibiting Secondary Units in houses.
- Secondary Units were later permitted as-of-right in 2013 when Mississauga adopted By-law 157-2013 and Zoning By-law 0158-2013 as required by *Bill 140 - the Strong Communities Through Affordable Housing Act* in 2011.
- The City required an annual Municipal License which was enacted in 2014 to:
 - Create a mechanism for compliance with applicable laws (Zoning By-law, Ontario Building Code (OBC), Property Standards, Noise By-law),
 - Facilitate enforcement through right-of-entry permissions for inspections.
 - Enabled prospective tenants to confirm if the basement apartment met health and safety codes and provided all residents an opportunity to report a suspected illegal second unit after checking the public registry.
- The *Second Unit Licensing By-law 204-13* provided for two classes of licensing for Secondary Units - one for *owner-occupied units* and the other for *investment dwellings*. The two streams were implemented to help manage issues that were specific to absentee landlords.
- 1.5 years into the program, Council passed Resolution 0149-2015 which asked staff to reconsider the licensing process for a less onerous registration process. The City only approved 67 Second Units during this time which was attributed to the added cost of upgrading the units to meet the OBC, Electrical Safety Code (ESC) and Fire Code.
- The low licencing numbers could also be attributed to the lack of right-of-entry permissions for municipal enforcement officers who were restricted by legislation.
- The City was instructed by Council to advocate for additional tools, funding and mechanisms for enforcement such as making changes to admissible evidence to the Minister of Municipal Affairs and Housing
- All Secondary Units established through these various legislations were grandfathered and therefore there are a variety of regulations that are specific to different properties.