



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-090024-23

In the matter of: 58 Bayshore Drive, Nepean, Ontario, K2B 6M9

Between: Ferguslea Properties Landlord

And

Refer to attached Schedule 2 Tenants

Ferguslea Properties (the 'Landlord') filed an L5 application for an order permitting the rent charged to be increased by more than the guideline for one or more of the rental units in the residential complex.

The application was heard by videoconference on December 15, 2025.

The following parties attended the Case Management Hearing: The Landlord's Legal Representative at the hearing was David Lyman who attended with the Landlord's Agent Darren Pedersen. The Tenants at the hearing were Eric Rodrigue and Ahmed Hachani.

The Certificate of Service filed by the Landlord on November 18, 2025, indicates that some rental units listed in the application were not served with the application and notice of hearing. The Board shall therefore amend the application by removing these rental units. As a result, this order for a rent increase above the guideline under section 126 of the Act does not apply to the following unit: 602

At the Case Management hearing the parties agreed to the following:

1. The Landlord justified a rent increase above the guideline because of capital expenditures.
2. The maximum rent increase above the guideline because of a capital expenditure is 4.00%. The Landlord's application is for the following capital expenditures:
 - a. Roof Replacement;
 - b. Pathways and Roadways;
 - c. Backflow Preventer; and
 - d. Outdoor Pool Repairs

3. Where the Landlord's application requests an increase of 4.37%, the maximum increase above the guideline is 4.00%. This increase is to be taken as follows: 3.00% in the first year, and 1.00% in the second year.
4. Where the Landlord's application requests an increase of 4.14%, the maximum increase above the guideline is 3.79%. This increase is to be taken as follows: 3.00% in the first year, and 0.79% in the second year.
5. Where the Landlord's application requests an increase of 1.38%, the maximum increase above the guideline is 1.26%. This increase is to be taken as follows: 1.26% in the first year.
6. The weighted useful life for the capital expenditures is 15 years.
7. The first effective date of the rent increase above the guideline is February 1, 2024.
8. The Landlord or the Tenants shall pay to the other any sum of money that is owed as a result of this order within 120 days of the date of this order.

On consent of the parties, it is ordered that:

1. The Landlord may increase the rents charged by the percentage increases and within the time periods set out in Schedule 3.
2. The percentage increase set out in Schedule 3 may be taken in addition to the annual guideline in effect on the increase date for the unit.
3. The Landlord or the Tenants shall pay to the other any sum of money that is owed as a result of this order within 120 days of the date of this order.

January 20, 2026
Date Issued

Chris Jackson
Hearing Officer, Landlord and Tenant Board
15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

Important Notes:

1. The Landlord may increase the rent charged by the ordered increase within the time period specified if at least 12 months have passed since the last rent increase or since the tenant moved in, and if the landlord has given the Tenant at least 90 days proper Notice of Rent Increase.
2. If the Landlord has given a Notice of Rent Increase for a rent increase that is less than the ordered increase, the Landlord may only take the rent increase set out in the Notice.
3. If the Tenant's rent is increased pursuant to the percentage increase ordered for capital expenditures and the same Tenant remains in the unit after the expiration of the weighted useful life for capital expenditures, then the rent will be reduced. Refer to Schedule 4 for information about the date and amount of the rent reduction.
4. The annual guideline for 2024 is 2.50%, for 2025 is 2.50% and for 2026 is 2.10%.

Schedule 1 - Units affected by this Order:

58 Bayshore Drive, Nepean, Ontario, K2B 6M9

101	308	511
102	309	512
103	310	513
104	311	514
105	312	601
106	313	603
107	314	604
108	401	605
109	402	606
110	403	607
111	404	608
112	405	609
113	406	610
114	407	611
201	408	612
202	409	613
203	410	614
204	411	701
205	412	702
206	413	703
207	414	704
208	501	705
209	502	706
211	503	707
212	504	708
213	505	709
302	506	710
303	507	712
304	508	713
305	509	714
307	510	

Schedule 2 - Tenants who are Affected by this Order:

Abdi, Fatima	Ghazal, Hanan	Patil, Suyog
Adeniyi, Nofisat Abimbola	Greer, Diane	Pullela, Sneha
Aggarwal, Saurabh	Hachani, Ahmed	Quinton, Troy
Ahmed, Fida	Hemlow, Nicole Christine A	Rahimi, Torpekai
Albert, Roland	Howland, Sarah	Rashid, Karima
Al-Qurish, Hussain	Ibrahim, Safia Abdi	Ravichandran, Vasudha
Aneys Ajagunna, Adenike	Jalil, Mujtaba Abdul	Robert, Joan
Abiodun	Jariwala, Jaimin	Rodrigue, Eric
Azam, Rokshana	John Douma, Caleb Michael	Ross, Eric
Baltazar, Merly	Kalynych, Bohdan	Saravanan, Senthilkumar
Bamwe, Archange	Katsikaris, Wayne	Shaji, Ashwin
Beaupre, Taylor Joanne	Kelly, Nikilee	Sharma, Himani
Beleh, Abdikarim	Kerkhoven, Jason Van	Sharma, Yadav
Bhardwaj, Love	Kolli, Sri Krishna	Shaughnessy, Dennis
Blanco, Marigold	Korolus, Sabrina	Robert
Blenkin, Dennis	Kra, Denis	Siri, Farid
Boyce, Monique	Lee, William (Kelvin)	Smiley, Ian
Caetano, Vinicius Gonzalez	Louis-Charles, Venel	So, Ry
Calamno, Rizzel	Manoharan, Naveena	Stoate, Jeffrey
Cersit, Burak	Manoharan, Rohini	Subramanian, Vinoth
Chouinard, Mathieu	Mansell, Adam	Sulaiman, Anies Shaik
Clermont, Ravah	McGregor, Janet	Sullivan, Brian
Craig, Daniel	Mohammed Abdul, Tanvir	Tandon, Ankush
Dabbour, Yaser	Hussain	Tarzwel, Megan
Daley, Anne Marie	Murshed, S. M Monzur	Toft, Julian
Defreitas, Michael	Mutaiya, Rajkumar	Trivedi, Abhinay
Ega, Muralidhar	Balasubramanian	Uwera, Naomi
Elder, James W.	Muzigala, Anudeep	Vijayakumar, Nishanth
Flansbury, Kyle	Navaro, Maria Luisa	Waili, Tuerxun
Gadamsetty, Sai	Nobar, Sina Khoshabi	Williamson, Malcolm
Galano, Rosemarie	Nurijanyan, Babken	Yousaf, Mohammad
Garritt Dorland, Sydney	Osivand, Anahita	
George	Patel, Keyur	

Schedule 3 - Ordered Rent Increase Above the Guideline**First Effective Date of Rent Increase in this Order is February 1, 2024**

The Landlord may increase the rent charged for the units affected by this order by the total percentages set out below and within the time periods set out below. These percentage increases may be taken in addition to the annual guideline in effect on the increase date for the unit.

Rental Unit Address Name	Period of February 1, 2024 to January 31, 2025		Period of February 1, 2025 to January 31, 2026			
	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	Weighted Useful Life	Total % for Cap Exp
101, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
102, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
103, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
104, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
105, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
106, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
107, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
108, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
109, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
110, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
111, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
112, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
113, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
114, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
201, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
202, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
203, 58 Bayshore Drive	1.26%	1.26%	0.00%	0.00%	15	1.26%
204, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
205, 58 Bayshore Drive	1.26%	1.26%	0.00%	0.00%	15	1.26%
206, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
207, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
208, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
209, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
211, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
212, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
213, 58 Bayshore Drive	3.00%	3.00%	0.79%	0.79%	15	3.79%
302, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
303, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%

Rental Unit Address Name	Period of February 1, 2024 to January 31, 2025		Period of February 1, 2025 to January 31, 2026			
	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	Weighted Useful Life	Total % for Cap Exp
304, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
305, 58 Bayshore Drive	3.00%	3.00%	0.79%	0.79%	15	3.79%
307, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
308, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
309, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
310, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
311, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
312, 58 Bayshore Drive	1.26%	1.26%	0.00%	0.00%	15	1.26%
313, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
314, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
401, 58 Bayshore Drive	1.26%	1.26%	0.00%	0.00%	15	1.26%
402, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
403, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
404, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
405, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
406, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
407, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
408, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
409, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
410, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
411, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
412, 58 Bayshore Drive	3.00%	3.00%	0.79%	0.79%	15	3.79%
413, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
414, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
501, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
502, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
503, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
504, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
505, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
506, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
507, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
508, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
509, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
510, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
511, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%

Rental Unit Address Name	Period of February 1, 2024 to January 31, 2025		Period of February 1, 2025 to January 31, 2026			
	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	Weighted Useful Life	Total % for Cap Exp
512, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
513, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
514, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
601, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
603, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
604, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
605, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
606, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
607, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
608, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
609, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
610, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
611, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
612, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
613, 58 Bayshore Drive	1.26%	1.26%	0.00%	0.00%	15	1.26%
614, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
701, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
702, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
703, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
704, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
705, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
706, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
707, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
708, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
709, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
710, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
712, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
713, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%
714, 58 Bayshore Drive	3.00%	3.00%	1.00%	1.00%	15	4.00%

Schedule 4 - Rent Reduction related to Capital Expenditures

A. Date of Rent Reduction

If the Tenant's rent is increased based on capital expenditures during the period 2024 then:

The date of the rent reduction will be the day before:

- the date of the Tenant's first rent increase under this order, plus
- the number of years for the weighted useful life for capital expenditures for the unit (set out in Schedule 3).

Example:

If the Tenant's rent was increased on June 1, 2021 and the weighted useful life for capital expenditures is 10 years, then the rent will be reduced on May 31, 2031.

If the Tenant's rent was *not* increased based on capital expenditures during the period 2024 but was increased during the later periods set out in the order then:

The date of the rent reduction will be the day before:

- the First Effective Date of Rent Increase in this order, plus
- the number of years for the weighted useful life for capital expenditures for the unit (set out in Schedule 3).

Example:

If the first effective date of increase in this order is April 1, 2021 and the weighted useful life for capital expenditures is 10 years, then the rent will be reduced on March 31, 2031.

B. Amount of Rent Reduction

If the Tenant's rent is increased by the total percentage increase set out in this order then:

The rent must be reduced by the total percentage increase set out in this order for capital expenditures.

If the Tenant's rent is *not* increased by the total percentage increase set out in this order then:

The rent must be reduced by an amount determined in accordance with the prescribed rules which may be equal to or less than the total percentage increase set out in this order for capital expenditures.