

## OFFICE CONSOLIDATION

This consolidation is prepared for convenience only; for accurate reference see by-laws as adopted by Council.

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### THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE

#### BY-LAW 99-107

#### **A By-law to provide for the Registration of Two-Unit Houses and Appointing a Registrar to Register Two-Unit Houses in a Public Register**

WHEREAS Section 207.3 of the Municipal Act, R.S.O.1990, c. M.45, as amended, authorizes the Municipality to pass By-laws,

- a) providing for the registration of Two-unit Houses or such classes of them as may be set out in the By-law, and the refusal or revocation of registrations; and
- b) appointing a registrar to register Two-unit Houses in a public register, to refuse or revoke registrations and to perform such other duties related thereto as may be set out in the By-law;

NOW, THEREFORE, THE COUNCIL FOR THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE ENACTS AS FOLLOWS:

#### **DEFINITIONS**

1. In this By-law,
  - a) "Applicant" means a person applying for the registration of a Two-unit House;
  - b) "Application" means an application for registration of a Two-unit House;
  - c) "Council" means the Council of The Corporation of the Township of Uxbridge;
  - d) "Inspector" means an inspector authorized to conduct an inspection within the Township of Uxbridge pursuant to the provisions of the *Building Code Act, 1992, S.O.1992,c.23*, as amended, and the regulations thereunder; *The Fire Protection and Prevention Act, 1997,S.O.1997,c.4*, as amended, and the regulations thereunder, the Township of Uxbridge Zoning By-law No. 81-19, as amended, and the Township of Uxbridge Property Maintenance and Occupancy Standards By-law No. 98-151, as amended, from time to time
  - e) "Operate" means to rent, lease, license or endorse an occupancy, and includes arrangements in the nature of sub-rentals and sub-leases;
  - f) "Owner" means the owner of a Two-unit House which is the subject matter of an Application;
  - g) "Person" includes a corporation, partnership, proprietorship or association;
  - h) "Registrar" means the Clerk of the Township of Uxbridge his designate, or any person appointed as such by Council from time to time.
  - i) "Registration" means the registration of a Two-unit House pursuant to the provisions of this By-law;
  - j) "Residential Unit" means a unit that,
    - i) consists of a self-contained set of rooms located in a building or structure;
    - ii) is used as a residential premises;

- iii) contains kitchen and bathroom facilities that are used by the occupants of the unit;
  - iv) is used as a single housekeeping unit, which includes a unit in which an occupant has exclusive possession of any part of the unit; and
  - v) has a means of egress to the outside of the building or structure in which it is located, which may be a means of egress through another residential unit; and
- k) "Two-unit House- Municipal Services" means a detached house, a semi-detached house or a row house which contains two residential units on Municipal Services and which is located within the geographical boundaries of the Township of Uxbridge"
  - l) "Two-unit House – Private Services" means a detached house which contains two residential units on Private Services and which is located within the geographical boundaries of the Township of Uxbridge
  - m) "Two-unit House" means a residential structure containing two residential units and being further defined by subsection 1(k) or 1(1) of this by-law.
  - n) "Municipal Services" means the provision of water and/or sewer services by a municipal corporation;
  - o) "Private Services" means privately or communally owned and operated water and/or sewage services;"

## **TITLE**

- 2. This By-law may be cited as the "Two-unit House Registration By-law."

## **PROHIBITION**

- 3. No person shall Operate or permit the occupancy of more than one Residential Unit in a Two-unit House unless the house is registered by this By-law.

## **ADMINISTRATION**

- 4. 1) The Registrar shall,
  - a) receive and process all Applications;
  - b) administer the registration of Two-unit Houses pursuant to the provisions of this By-law;
  - c) maintain and keep records of all Applications and Registrations, including a public registrar of Two-unit Houses in the Township of Uxbridge;
  - d) refuse any Application which does not comply with the requirements of this By-law;
  - e) revoke the Registration of any Two-unit House which ceases to meet the requirements of this By-law;
  - f) revoke any Registrations which was obtained on mistaken, false or incorrect information;
  - g) refuse to register any Two-unit House for which application has been mad if, after four months of the acceptance of an Application, the necessary inspections have revealed non-compliance with any of the applicable standards listed in Section 6(1) hereof and the rectification of that non-compliance either has not been completed or, in the opinion of the Registrar, has not been seriously pursued, and;
  - h) revoke any Registration that was completed in error.

2. Any Inspector(s) shall be responsible for inspecting Two-unit Houses in respect of which an Application has been received, in order to determine, before Registration, if they comply with the standards specified in this By-law.

## **APPLICATION FOR REGISTRATION**

5. (1) Every owner of a Two-unit house shall make application on the forms provided by the Township of Uxbridge or, An application may be made by an agent for the property owner provided he has an original letter of authorization bearing the property owner's signature and the said application shall be accompanied by;

- a) the prescribed fee as set out in Schedule "A" to this By-law;
  - b) where the Applicant is;
    - i) a corporation, a copy of the first page of the Articles of the corporation and the most recent Form 1 filed with the Ministry of Consumer and Commercial Relations;
    - ii) a partnership or a proprietorship, a copy of the Registration/Declaration filed with the Ministry of Consumer and Commercial Relations;
    - iii) an association, a copy of the resolution endorsed by the members of the association, authorizing the Application to be submitted; and
- 2) When applying for Two Unit Houses – Private Services, the applicant must provide evidence to the satisfaction of the Registrar that pre-consultation with the Regional Health Unit has been undertaken
- 3) The applicant shall ensure that the inspections required under Section 6 (1) are conducted within fourteen (14) days of application being made.
- 4) The Registrar shall accept an Application unless:
- a) the Application is incomplete;
  - b) the Application contains mistaken, false or incorrect information;
  - c) the fees due in respect of the Application have not been paid; or
  - d) the Two-unit House disclosed in the Application contravenes any of the provisions of this By-law, any other By-law of the Township of Uxbridge, or any applicable statute or regulation.

## **6. Prior to Registration:**

- 1) Every Residential Unit in a Two-unit House - Municipal Services shall be inspected to ensure that it complies with all relevant standards set out in:
- a) The Ontario Building Code, as amended;
  - b) The Fire Code, as amended;
  - c) By-law No. 81-19, as amended; and
  - d) By-law No. 98-151, as amended (Property Standards By-law); and
  - e) Ontario Regulation 384/94 under the Planning Act.
- 2) Every Residential Unit in a Two-unit House - Private Services shall be inspected to ensure that it complies with all relevant standards set out in:
- a) The Ontario Building Code, as amended;
  - b) The Fire Code, as amended;
  - c) By-law No. 81-19, as amended; and

- d) By-law No. 98-151, as amended (Property Standards By-law);
- e) Ontario Regulation 384/94 under the *Planning Act*;
- f) The Health Protection and Promotion Act, R.S.O. 1990, c.H.7 and the Regulations thereunder;
- g) Ontario Regulation 166/06 and Ontario Regulation 179/06 under the *Conservation Authorities Act*, where applicable; and,

Provide documentation to the satisfaction of the Registrar that one of the two units is owner-occupied.

- 3) The Owner of every Two-unit House being registered shall pay a one-time, non-refundable fee together with the applicable inspection fees as set out in Schedule "A" at the time of initial application.

## **7. INSPECTIONS**

- 1) Upon acceptance of an Application, the Registrar shall direct Inspectors to conduct such inspections of the Two-unit House as are necessary to determine if the Two-unit House complies with the applicable standards set out in Section 6(1) hereof;
- 2) Upon acceptance of an Application, an Inspector may, at all reasonable times and upon producing proper identification, enter upon land and into buildings without a warrant to inspect a building for compliance under Section 6(1) hereof;
- 3) No Person shall obstruct or attempt to obstruct an Inspector carrying out an inspection hereunder.
- 4) The inspector(s) shall, upon completing the inspection, notify the applicant in writing as to any works required to bring the Two-unit House into compliance with the standards set out in Section 6(1) hereof.
- 5) In the event that all necessary inspections disclose that the Two-unit House complies with the applicable standards set out in Section 6(1) of this By-law, the Registrar shall register the Two-unit House in a public register of Two-unit Houses.
- 6) After Registration, the Registrar may, from time to time, direct Inspectors to conduct re-inspections of the Two-Unit Houses as are deemed reasonably necessary to investigate and determine compliance with the provisions of this by-law."

## **8. NOTIFICATION OF REFUSAL AND/OR REVOCATION**

- 1) Where the Registrar refuses an Application or revokes a Registration, he shall notify the Applicant in writing and provide reason for the refusal/revocation.
- 2) The notice which is required to be given under Subsection (1) may be sent by regular mail addressed to the Applicant at the address disclosed on the Application.
- 3) The notice shall be deemed to have been served upon the Applicant on the seventh day after the date of mailing.
- 4) The decision of the Registrar to refuse an Application or to revoke a Registration is subject to an appeal to the Ontario Court (General Division) and the decision of the
- 9) Every Person who contravenes any provision of this By-law is guilty of an offense and upon conviction is liable to a penalty as provided under the Provincial Offences Act, R.S.O. 1990, c. P. 33.
- 10) That By-law 97-093, as amended is hereby repealed.

By-law read a first, second and third time and finally passed and enacted this 14<sup>th</sup> day of June, 1999

**SCHEDULE "A"**  
**TO BY-LAW NO. 99-107, AS AMENDED TOWNSHIP OF UXBRIDGE**

**FEE SCHEDULE**

**Registration Fee:**

|          |   |           |
|----------|---|-----------|
| Part I   | Application processing (due upon initial application)                           | \$ 125.00 |
| Part II  | Initial and Final Inspection and Registration<br>(due upon initial Application) | \$ 125.00 |
| Part III | Each Additional Inspection required over and<br>above the initial and final     | \$ 50.00  |