



**OFFICE CONSOLIDATION
TWO-UNIT HOUSES BY-LAW
BY-LAW NUMBER 6399/04**

Passed by Council on November 1, 2004

Amendments:

none

THE CORPORATION OF THE CITY OF PICKERING

BY-LAW NO. 6399/04

Being a by-law to provide for the registration of two-unit houses in the City of Pickering.

WHEREAS pursuant to Section 167(2) of the *Municipal Act*, S.O. 2001, c.25, as amended, a municipality has the authority to pass a by-law:

- (a) providing for the registration of two-unit houses or classes of them as may be set out in the By-law and the revocation of registration; and
- (b) appointing a Registrar to register two-unit houses in a public register, to revoke registrations and to perform such other duties related thereto as may be set out in the By-law or other applicable law.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF PICKERING HEREBY ENACTS AS FOLLOWS:

1. **DEFINITIONS**

In this by-law,

- (a) “Inspector” means a Building Inspector, Municipal Law Enforcement Officer or Fire Inspector appointed by the City of Pickering;
- (b) “owner” means the registered owner of the land on which the two-unit house is situated;
- (c) “Registrar” means the Fire Chief of the City of Pickering;
- (d) “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 only by the occupants of the unit,
 - (iv) is used as a single housekeeping unit, which includes a unit in which no 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;
- (e) “two-unit house” means a detached house or a semi-detached house which contains two residential units.

2. **PROHIBITION**

No person shall operate or permit the occupancy of a two-unit house unless the owner obtains registration of the house as required by this By-law.

3. **REGISTRATION APPLICATIONS**

- (a) To obtain registration, the owner shall:
 - (i) submit a completed application on a form provided by the City of Pickering;
 - (ii) pay the prescribed fee in the amount set out in Schedule “A” to this by-law;
 - (iii) arrange for an inspection of both residential units by an Inspector, and demonstrate compliance with all relevant standards set out in the Ontario Fire Code, as amended from time to time; and
 - (iv) provide bona-fide evidence that the use of the house for the purposes of more than one residential unit meets the applicable zoning provisions, or are exempt from such provisions under the terms of the *Land Use Planning and Protection Act, 1996*.
- (b) A house which has received approval for an accessory dwelling unit through the issuance of a building permit or change of use permit under the *Building Code Act*, is exempt from the requirements of (a)(iii) and (iv) of this section where such permit explicitly authorized such use and satisfactory final inspections have been completed.
- (c) The Registrar shall issue a registration certificate for an accessory dwelling unit except where the house proposed for registration does not comply with this By-law or any other applicable law, as determined by the Registrar.

4. **REVOCATION OF REGISTRATION**

- (a) The Registrar may revoke the registration of a two-unit house which, at any time after registration, ceases to meet the requirements set out in this By-law or other applicable law, or where the Registrar determines that the registration certificate was issued based on false or misleading information.
- (b) Where the Registrar revokes the registration of accessory dwelling unit, notice stating the reason for the revocation shall be given to the owner of the accessory dwelling unit by regular mail.

5. **ADMINISTRATION OF THIS BY-LAW**

The Registrar may designate such persons as are necessary to administer this By-law.

6. **OFFENCES AND PENALTIES**

Every person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*.

BY-LAW read a first, second and third time and finally passed this 1st day of November, 2004.

(signed) David Ryan

David Ryan, Mayor

(signed) Bruce Taylor

Bruce Taylor, Clerk

Schedule "A" to By-law Number 6399/04

Registration Fee of Accessory Dwelling Units:

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|-------------------------|----------|
| Prior to March 31, 2005 | \$250.00 |
| After April 1, 2005 | \$500.00 |