

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2022 - 29

Being a By-law to establish a Registry for Additional Residential Unit(s).

WHEREAS the Council of the Corporation of the Township of Essa deems it desirable to establish a Registration By-law for Additional Residential Units in 'R1', 'R2', 'R3', 'RS1', 'RL' and 'A' Zones, subject to certain exclusions in the Zoning By-law;

NOW THEREFORE Council of the Corporation of the Township of Essa hereby enacts as follows:

1. DEFINITIONS

In this By-law, the following definitions apply:

- (a) "Single detached dwelling", "semi-detached dwelling", "row housing", "primary residence", and "accessory building/structure", shall have the meanings assigned to such terms as defined in the Zoning By-law;
- (b) "Inspector" means a Building Inspector, Municipal Law Enforcement Officer or Fire Prevention Officer;
- (c) "Registrar" means the Chief Building Official or his or her designate;
- (d) "Township" means The Corporation of the Township of Essa; and
- (e) "Two-unit lot" means a lot which contains a primary residence and one (1) additional unit.

2. PROHIBITION

No person shall operate or permit the occupancy of more than one (1) dwelling unit in a two-unit lot, unless the two-unit lot is registered as required by this By-law.

3. REGISTRATION

- (a) Every person who owns a two-unit lot shall register the two-unit lot with the Registrar as required by this Bylaw.
- (b) Prior to registration:
 - (i) the owner shall apply for and obtain the proper building permit and each dwelling unit in a two-unit lot shall be inspected to ensure that it complies with all relevant standards set out in the Building Code and the Fire Code;
 - (ii) the owner shall ensure that each unit is equipped with an operable smoke alarm and carbon monoxide detector to the satisfaction of the Inspector;

- (iii) the owner shall provide the Registrar with a letter of compliance from the Electrical Safety Authority;
- (iv) the owner shall pay a one-time, non-refundable registration fee, and where the Registrar deems it necessary a re-inspection fee may be required, as set out in Schedule "A" to this By-law;
- (v) Notwithstanding (iv) above, the registration application fee of \$150.00 shall be waived for existing ARU's until July 1, 2023;
- (vi) where a unit was constructed legally with a Building Permit prior to the enactment of this By-law, appropriate documentation is required to show the unit was built to meet all applicable requirements of the Zoning By-law, Building Code, and Fire Code; and
- (vii) the owner shall submit a completed application form provided by the Township.

4. REFUSAL AND REVOCATION

- (a) The Registrar may refuse to register any two-unit lot that does not meet the requirements set out in this By-law;
- (b) The Registrar may revoke the registration of any two-unit lot which, at any time after registration, ceases to meet the requirements set out in this By-law;
- (c) The onus of proving that each dwelling unit in a two-unit lot meets the requirements set out in this By-law is on the owner of the building;
- (d) Where the Registrar has revoked the registration of a two-unit lot, the owner may re-apply for registration in accordance with this By-law and will be required to pay the applicable fees.

5. NOTIFICATION OF REVOCATION

- (a) Prior to the revocation of the registration of a two-unit lot, the Registrar shall notify the owner of the two-unit lot of his or her "intent to revoke" and provide an explanation of the reasoning behind this intention;
- (b) Such notice shall be sent by registered mail to the owner of the two-unit lot, at the address of the two-unit lot and the address supplied on the application for registration;
- (c) The owner shall have a period of not more than sixty (60) days to comply with the requirements of registration as set out in this By-law. Where the owner fails to comply, the Registrar shall revoke the registration of the two-unit lot.

6. MUNICIPAL ADDRESSING

Upon registration of the two-unit lot, the Township shall assign a municipal address to indicate that the house contains two-units and the owner shall be required to display any/all applicable municipal address(s) in accordance with the Township's Sign By-law 2008-15, as amended.

7. OFFENCES

Any 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, R.S.O. 1990, c. P.33, as amended.

8. EXCEPTION

The owner of a two-unit lot that are existing and currently have a valid Temporary Use, Zoning By-law Amendment/Agreement that permits a two unit lot, shall not be required to register said two-unit lot as required by this By-law

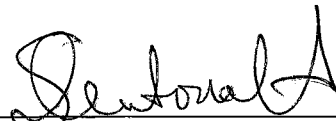
9. SEVERABILITY

If any section of this By-law, or parts thereof, are found by any court of law to be illegal or beyond the power of Council to enact, such section, sections, part, or parts shall be deemed to be severable, and all other sections or parts shall be deemed to be separate and independent therefrom and to be enacted as such.

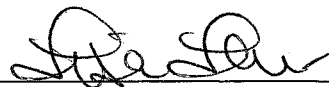
10. COMING INTO FORCE

The provisions of this By-law shall come into force and take effect upon third reading in conjunction with the accompanying Zoning By-law Amendment.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this 18th day of May, 2022.



Sandie Macdonald, Mayor



Lisa Lehr, Manager of Legislative Services

SCHEDULE "A" TO BY-LAW 2022-29
FEE SCHEDULE

1. REGISTRATION FEE: \$150.00
 - Upon Application (Non-refundable, includes one inspection)

2. RE-INSPECTIN FEE: \$75.00
 - Payable if more than one inspection is required and/or the works do not require a building permit (payment due prior to release of registration)

Note: Building permit fees and all other agency application or inspection fees are not included in the above and are payable by the applicant, as required.