

2006-

A BY-LAW TO AMEND BY-LAW NO. 308-97, BEING A BY-LAW TO PROVIDE FOR THE REGISTRATION OF TWO-UNIT RESIDENTIAL OCCUPANCIES

WHEREAS Section 167 of the *Municipal Act, 2001* provides that a municipality may pass by-laws providing for the registration of residential units in houses;

AND WHEREAS The Corporation of the Town of Markham wishes to amend the by-law definitions, the by-law application, and the inspection requirements prior to registration, to maintain consistency with provincial legislation, including the *Municipal Act, 2001*;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM HEREBY ENACTS AS FOLLOWS:

1. That By-law 308-97 be amended to delete the definitions of "dwelling unit" and "two unit house" and replace with the following:

"(b)"residential unit" means a unit which,

- (i) consists of a self contained set of rooms located in a building or structure;
- (ii) is used as a residential premise;
- (iii) contains kitchen and bathroom facilities that are intended for the use of the unit only;
- (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, semi-detached house or a rowhouse which contains two residential units."

2. That By-law 308-97 be amended to replace section 2 with the following:

"2. This by-law applies to a detached house, two unit house, semi-detached house or rowhouse, containing two residential units where permitted by Section 76 of the *Planning Act*, as amended."

3. That By-law 308-97 be amended to replace subsection 4(1) with the following:

"4.(1) every residential unit in a two unit house shall be inspected to ensure that it complies with all relevant standards determined to be applicable, as set out in:

- (a) the Ontario Building Code;
- (b) the Ontario Fire Code;
- (c) the Fire Protection & Prevention Act;
- (d) the applicable Zoning By-law; and
- (e) the Property Standards By-law

all as amended from time to time."

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS DAY
OF , 2006.

TOWN CLERK

MAYOR