



**TOWN OF
GEORGINA**

ACCESSORY APARTMENTS

**PROCEDURES TO LEGALIZE
ACCESSORY APARTMENTS
CREATED PRIOR TO
NOVEMBER 16, 1995**

September, 2012

Planning and Building Department

PROCEDURAL GUIDE - FACT SHEET

ACCESSORY APARTMENTS CREATED BEFORE NOVEMBER 16, 1995

ACCESSORY APARTMENT DEFINED

An "accessory apartment" is a completely self sufficient and separately contained residential dwelling unit located entirely within a single detached, dwelling, semi-detached dwelling or townhouse dwelling. Accessory apartments are often referred to as basement apartments, second residential units or second suites, but the Town of Georgina has decided to use the term 'accessory apartments'.

IMPORTANT DATES

The procedures outlined below, deal with (1) accessory apartments that were created prior to November 16, 1995 within a dwelling serviced by municipal water and sewers under the authority of the Residents' Rights Act, 1994; or, (2) accessory apartments created within a dwelling prior to May 9, 1977, (being the date of passing of Zoning By-law No. 911, as amended), and that was serviced by a private well and septic up to November 16, 1995.

DOCUMENTS REQUIRED FOR REGISTRATION

On August 20, 2012, Council passed By-law No. 2012-0076 (PWE-1) requiring that all accessory apartments be "registered" with the Town. In order to register an apartment created prior to November 16, 1995 (as outlined above), the following documentation must be submitted and accepted to the satisfaction of the Town's Zoning Examiner(s) – (refer to attached Checklist):

1. Completed "Accessory Apartment Registration Application"; and,
2. The written approval from the Town of Georgina Fire Department, that inspections have been completed and that the building complies with the Ontario Fire Code; (The Fire Prevention Division is located in the Keswick Fire Station only and may be contacted by phone at (905)-476-5167); and,
3. The written approval from the Electrical Safety Authority (ESA) that inspections have been completed and that the building complies with the Electrical Safety Code (The Customer Service Centre of the ESA can be contacted by mail at P.O. Box 24143, Pinebush Postal Outlet, Cambridge, ON, N1R 8E6; by phone at 1-877-372-7233 or by fax at 1-800-749-2016);
(Please Note: if the inspections required in Items 1 and 2, necessitate structural alterations, a building permit may also be required from the Town); and,
4. An executed "Sworn Declaration of Date Established" (PART A) from (1) the current or previous owner who originally established the accessory apartment; or, (2) the owner or tenant who owned/occupied the accessory apartment prior to November 16, 1995; or, (3) a neighbour who has resided in the area since prior November 16, 1995 and who has direct knowledge of the existence and occupancy of the accessory apartment; (Note: the Sworn Declaration of Date Established must be signed in the presence of A Commissioner); and,
5. An executed "Sworn Declaration of Date Established" (PART B) (signed in the presence of a Commissioner) by the current property owner agreeing to bring the subject property into compliance with the relevant provisions of The Fire Code, The Electrical Safety Code (and if required) The Ontario Building Code; and,
6. One additional piece of supporting documentation (i.e. rental agreement, utility receipts, income tax forms, mail with postal address, etc.) that helps to confirm the continued existence of the accessory apartment prior to November 16, 1995

CONFIRMATION OF REGISTRATION

Upon submission of the required information outlined above, a Letter of Registration will be sent to the owner. The Clerk's Division will maintain an inventory of all registered accessory apartments in the Town and such information is available to the public upon request.

(Date Prepared: September 2012)

ACCESSORY APARTMENT – SWORN DECLARATION OF DATE ESTABLISHED

CANADA)
PROVINCE OF ONTARIO)
TO WIT:)

ON THE MATTER of the compliance of the
accessory apartment located within the residence
described in the paragraph below, in the Town of Georgina

PART A

**TO BE COMPLETED BY THE CURRENT PROPERTY OWNER, THE PREVIOUS PROPERTY OWNER,
TENANT, OR NEIGHBOUR**

I, _____ of the _____ of _____ in the
_____ of _____, do solemnly DECLARE THAT:

1. (a) I am the current owner of the property municipally known as (please insert address):

and established the second dwelling unit/apartment at this address prior to November 16, 1995,
specifically on: _____; OR,
- (b) I am the previous owner of the property municipally known as (please insert address):

and established the second dwelling unit/apartment at this address prior to November 16, 1995,
specifically on: _____; OR,
- (c) I am the current owner of the property municipally known as (please insert address):

and confirm that the second dwelling unit was in existence on the date I purchased the property,
being _____; OR,
- (d) I am a tenant who lives/lived within the second dwelling/apartment in the residence located on
property municipally known as (please insert address): _____
_____ and affirm that the unit existed prior to November 16,
1995; OR,
- (e) I am a neighbour who has lived at (please insert address) _____ since
(date) _____ and confirm that the second dwelling unit mentioned
above existed prior to November 16, 1995, specifically since (date if known)

AFFIDAVIT

I, _____ of the _____ of _____ in the _____ of _____, do solemnly declare that the information contained in this document is true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of The Canada Evidence Act.

DECLARED at the _____ of _____ in the _____ of _____, this _____ day of _____, 20__.

A Commissioner, etc.

Owner/Tenant/Neighbour

PART B

TO BE COMPLETED BY THE CURRENT PROPERTY OWNER

I, _____ of the _____ of _____ in the _____ of _____, do solemnly DECLARE THAT:

(a) I am the current owner of the property municipally known as (please insert address):

(b) Having established the legality of the accessory apartment at the above-noted address pursuant to the PART A above, I hereby agree to bring the subject property into compliance with the relevant provisions of The Fire Code, The Electrical Safety Code and if required, The Building Code..

AFFIDAVIT

I, _____ of the _____ of _____ in the _____ of _____, do solemnly declare that the information contained in this document is true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of The Canada Evidence Act.

DECLARED at the _____ of _____ in the _____ of _____, this _____ day of _____, 20__.

A Commissioner, etc.

Owner