

THE CITY OF TIMMINS
BY-LAW No. 2025-9085

***BEING A BY-LAW to License, Regulate and Govern Short-Term Rental
Accommodation Uses and amend by-law 2020-8488, Schedule 'M' to add
fees***

WHEREAS Pursuant to the provisions of Part IV of the Municipal Act, 2001 S.O. 2001, c.25 ("Municipal Act") the Council of the Corporation of the City of Timmins ("Council") may provide for a system of licences with respect to businesses;

AND WHEREAS Pursuant to Section 11 of the Municipal Act, Council is exercising its authority with respect to business licensing in the interest of health and safety, well-being of persons, consumer protection and nuisance control;

AND WHEREAS Section 436 of the Municipal Act, authorizes a municipality to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not there is compliance with a by-law, a direction or order, or a condition of a licence;

AND WHEREAS Sections 390 to 400 of the Municipal Act authorizes a municipality to pass by-laws imposing fees or charges for services or activities provided or done by it or on behalf of it;

AND WHEREAS Pursuant to Section 434.1 of the Municipal Act, Council considers it desirable to provide for a system of administrative penalties and fees as an additional means of encouraging compliance with this by-law.

NOW THEREFORE the Council of the City of Timmins hereby enacts as follows:

1. Definitions

In this By-law:

- a. "Action" means a proceeding under Part I or Part III of the Provincial Offences Act;
- b. "Agencies" means those agencies, authorities, boards, commissions, departments and ministries that are involved in the review of an application; commenting on an application; or, where applicable, the inspection of premises;
- c. "Agent" means a person duly appointed by the owner to act on their behalf;
- d. "Applicant" includes a person seeking a licence or renewal of a licence or a person whose licence is being considered for revocation or suspension;
- e. "Bedroom" means a room or area used, designed, equipped or intended for sleeping;

- f. "By-law Enforcement Officer" means the person appointed by Council to enforce City by-laws;
- g. "City" means the Corporation of the City of Timmins;
- h. "Committee" means the Appeals Committee to which Council has delegated the responsibility of handling appeals, suspensions and revocations;
- i. "Council" means Council of the Corporation of the City of Timmins;
- j. "Disturbance" means an event where an action has commenced with respect to nuisance, noise or other disturbance;
- k. "By-law" means the By-law and Licensing Services;
- l. "Fee" means those fees as set out in By-law No. 2016-7778, as amended, or re-enacted from time to time;
- m. "Fire Chief" means the individual appointed to this position by Council or their designate, pursuant to the Fire Protection and Prevention Act, 2007;
- n. "Licence" means the certificate issued under this By-law as proof of licensing under this By-law;
- o. "Licensee" means a person licensed under this By-law or a person required to be licensed under this By-law;
- p. "Licensing Officer" means the person or persons appointed by Council to issue licenses;
- q. "Manager" means the Director of Community Services & City Clerk or, in the event of organizational changes, another unit designated by Council to carry out responsibilities for the administration and enforcement of this by-law;
- r. "MAT" means the Municipal Transient Accommodation Tax;
- s. "Medical Officer of Health" means the Medical Officer of Health of the Northeastern Public Health or their designate;
- t. "Officer" means the person, or persons, who have been appointed to enforce the provisions of this by-law and includes a provincial offences officer as defined by the Provincial Offences Act, R.S.O. 1990, c.P.33.;
- u. "Owner" means the person holding title to the lands on which the Short-term rental accommodation premises is located;
- v. "Premises" means any place, premises or location, or part thereof, in which a trade, business or occupation of Short-term rental accommodation is carried on;

- w. "Property Standards By-law" means the Property Standards By-law of the City enacted under s. 15.1 of the Building Code Act, 1992 that prescribes standards for the maintenance and occupancy of property;
- x. "Renter" means the person responsible for the rental of the premises by way of concession, permit, lease, licence, rental agreement or similar commercial arrangement;
- y. "Renter's Code of Conduct" means a document that has been prepared by the Applicant that has been approved by the City that is agreed to, in writing by a renter that sets out the roles and responsibilities of the renter, including behavioral expectations as they relate to non-disturbance; which provides a warning related to the making of a disturbance; and, which identifies applicable City by-laws that the renter must comply with including the provisions of this by-law as they relate to, amongst other things, the Site Plan;
- z. "Responsible person" means the person assigned by the owner or operator of Short-term rental accommodation premises to ensure the premises are operated in accordance with the provisions of this by-law, the licence and the relevant provisions of the Fire Code;
- aa. "Short-term rental accommodation" (STA) means a building or structure or any part thereof that operates or offers a place of temporary residence, lodging or occupancy by way of concession, permit, lease, licence, rental agreement or similar commercial arrangement for any period less than twenty-eight (28) consecutive calendar days, throughout all or any part of a calendar year. Short-term rental accommodation uses shall not mean or include a motel, hotel, bed and breakfast establishment, hospital, commercial resort unit, or similar commercial or institutional use;
- bb. "Site Plan" means a plan that identifies those measures the owner will implement so as to ensure compliance with the City's Property Standards By-law, Waste Collection By-law and any other By-laws related to property maintenance and/or management to allow for the sleeping of the maximum number of guests;
- cc. "Zoning by-law" means a by-law enacted under s. 34 of the Planning Act that restricts and/or regulates the use of land.

2. Application

- a. The requirements of this by-law apply to the trade, business or occupation of providing Short-term rental accommodation within the geographic limits of the City as of the date this by-law comes into effect.
- b. Persons who own, operate or offer premises for Short-term rental accommodation as of the effective date of this by-law must file an application for a licence under this by-law:
 - i. for existing premises located within the geographic limits of the City.

- c. The determination of whether a licence application is "complete" in accordance with the requirements of this by-law shall be within the sole discretion of the Manager.
- d. For greater certainty, the requirements of this by-law do not apply to a hotel, motel, bed and breakfast establishment, hospital, or similar commercial or institutional use as defined by the applicable zoning by-law.

3. Licensing Requirements

- a. No person shall carry on any trade, business or occupation of Short-term rental accommodation unless that person has first obtained a licence from the City.
- b. A person who obtains a licence shall comply with the regulations set out in this by-law for such licence. Failure to comply with the regulations constitutes an offence.
- c. An agent of persons who own, operate or offer premises for Short-term rental accommodation purposes without a licence shall also be personally liable for the compliance of their principal, beneficiary or persons they represent. Failure by such a person to comply with this by-law constitutes an offence.
- d. Licenses issued pursuant to this by-law are conditional upon compliance by the licensee with all municipal by-laws and compliance with all provincial and federal laws and regulations and any conditions imposed to the holding of the licence.
- e. No person shall transfer or assign a license issued under this By-law.
- f. No person shall enjoy a vested right in the continuance of a license and upon the issue, renewal, transfer, cancellation or suspension thereof, the license shall be the property of The Corporation of the City of Timmins.
- g. A person who posts a short-term rental listing on a short-term rental platform, shall include the licence number as set out on the licence issued under this by-law.
- h. No person shall advertise a Short-term rental accommodation without a licence.

4. Administration

- a. The Manager is responsible for the administration and enforcement of this by-law, or their designate.
- b. Every application for a new licence or a renewal or extension of an existing licence shall be submitted to the City on the forms prescribed.

- c. Every application for a new licence or a renewal or extension of an existing licence shall include:
- i. each owner, applicant and/or agent's name, address, telephone number and e-mail address;
 - ii. a copy of the transfer/deed evidencing the ownership of the premises, if required;
 - iii. in the instance of an applicant or agent acting on behalf of the owner, an owner's written authorization permitting the applicant or agent to act on their behalf;
 - iv. the rental agent's or agency's name, address and telephone number;
 - v. the rental agent's or agency's name, address and telephone number;
 - vi. in the instance of a corporation or partnership; the name, address and telephone number of each director and officer or partner of the owner and/or rental agent or agency;
 - vii. the name, address, telephone number and e-mail address of a person who has been assigned by the owner or operator to be the responsible person for the operation and conduct of the inhabitants of the licensed Short-term rental accommodation premises;
 - viii. a statement from the owner certifying the accuracy, truthfulness, and completeness of the application;
 - ix. proof of placement of insurance specific to the rental nature of the property that includes a limit of liability of not less than TWO MILLION DOLLARS (\$2,000,000.00) per occurrence for property damage and bodily injury and includes provisions that the City will be notified of any intended cancellation by the insurer no fewer than fifteen (15) days prior to such cancellation;
 - x. floor plans and a site plan, drawn to scale and fully dimensioned, of the Short-term rental accommodation premises depicting the use of the premises including the proposed occupancy of each room; occupant load for sleeping purposes of each room; location of smoke detection and early warning devices; location of fire extinguishers, and, related site amenities including parking, landscaping and other buildings or structures on the land, septic and well locations, if applicable;
 - xi. a Site Plan that complies with the applicable City zoning by-law;
 - xii. a Site Plan identifying measures the owner will implement for the purpose of complying with the City's Property Standards By-law and any other by-law related to property maintenance and/or management;

- xiii. a Renter's Code of Conduct;
 - xiv. the prescribed fees; and
 - xv. any outstanding fees or fines owed to the City by the owner respecting any Short-term rental accommodation premises.
- d. A licensee shall inform the Manager of any changes to the information provided in subsection (3) within a period of 10 days.
 - e. In addition to the requirements of subsection (3), an applicant shall provide, if requested, evidence that the use of the Short-term rental accommodation premises is protected by virtue of s. 34(9)(b) of the Planning Act, R.S.O. 1990, c.P.13, as amended, with such evidence including, but not be limited to, a sworn Statutory Declaration confirming the continued use of the premises for Short-term rental accommodation purposes from prior to the enactment of a by-law that prohibited such use through to the present; rental receipts, advertisements and any other records that may be relevant that are supportive of the establishment and continued use of the premises for Short-term rental accommodation purposes; and, an opinion, from a solicitor licensed to practice in Ontario, as to whether the premises is protected by virtue of s. 34(9)(b) of the Planning Act, R.S.O. 1990, c.P.13, as amended, and, in support of that opinion, the reasons why.
 - f. Every application for a licence will be reviewed by the Manager to determine whether it meets the requirements of this By-law.
 - g. As part of the application review, the applicant will arrange sign offs and/or inspections from agencies deemed necessary and/or relevant by the Manager, including but is not limited to, Fire Prevention Department, Building and Zoning Departments, HVAC inspection conducted by fully licensed tradesperson, electrical inspection conducted by a fully licensed electrician, Northeastern Public Health for septic system if applicable.
 - h. Agencies may require an inspection of the premises prior to the provision of comments and prior to the consideration of the application by the Manager. The applicant shall cooperate and facilitate in arranging the inspection of the premises in a timely manner and shall be in attendance during the inspection. In the instance of the requirement of the payment of fees for such an inspection, the applicant shall pay the fees as required prior to the inspection.
 - i. If it is determined that an application meets the requirements of this by-law and all agencies, the Manager shall issue the licence.
 - j. If it is determined that an application does not meet the requirements of this by-law and the requirements of all of the agencies, the Manager shall refuse the issuance of the licence.
 - k. A licence shall be issued to the owner of the Short-term rental accommodation premises.

- l. A licence is valid for a period of one (1) year from January 1 of each year. (The yearly amount will be pro-rated if a new application is received throughout the year).
- m. Delayed renewals may result in non-issuance of license by Manager and or an applicable late fee may be applied.
- n. A licensee is not eligible for the renewal of an existing licence unless the licensee has provided an applicable documentation and payment.
- o. A license is not transferable.
- p. No person shall enjoy a vested right in the continuance of a licence.
- q. Licenses shall remain the property of the City.
- r. If at any time the Manager determines as a result of evidence that is provided that the operation of a licensed Short-term rental accommodation premises does not conform to the requirements of this by-law, the Manager may impose an Administrative fee.
- s. If at any time the Manager determines as a result of evidence that is provided that the operation of a licensed Short-term rental accommodation premises does not conform to the requirements of this by-law, the Manager may commence with proceedings pursuant to the Provincial Offences Act, R.S.O. 1990, c.P.33.
- t. A person whose application for a new licence or a renewal of a licence has been refused may, within fifteen (15) days of being notified of the Manager's decision, apply to the Committee for a review of the decision. If an application for review has not been applied for within fifteen (15) days, the licence application will be deemed to be closed. An application for a review of a decision is not complete until the fee as prescribed is paid.
- u. A person who has applied for a review to the Committee of the Manager's decision noted in subsection (r) or (s) will be given an opportunity to make written representations to or to appear before the Committee when it reviews the matter.
- v. The Committee will review the matter and may affirm, modify or rescind the decision of the Manager or, in the instance of a licence refusal, direct that the licence be issued with such terms and/or conditions deemed appropriate by the Committee or, suspend or revoke a licence.
- w. The Appeals Committee decisions in all matters pertaining to this By-law shall be final.
- x. Matters considered by the Committee and/or Council, including the information and the location, date and time of the Hearing shall be posted to the City's website as well as in the local newspaper.

5. General Regulations

- a. Applicants Shall, in accordance with the City's Municipal Transient Accommodation Tax (MAT) By-Law, collect the municipal accommodation tax on behalf of any dwelling unit licenced in their or its name in accordance with making application for a STR licence under this By-Law.
- b. No person shall carry on any trade, business or occupation of Short-term rental accommodation for which a licence is required under this by-law unless that person has first obtained a licence.
- c. No person shall carry on any trade, business or occupation of Short-term rental accommodation for which a licence is required under this by-law if the licence has expired or been revoked; or, while the licence is under suspension.
- d. No person shall carry on any trade business or occupation of Short-term rental accommodation for which a licence is required under this by-law where proof of consent from condo corporation/strata and property owners for a unit to be used as short-term rental has not been obtained.
- e. No person shall provide false information or give a false statement to an officer, employee and/or agent of the Municipality in the lawful exercise of a power or duty under this by-law.
- f. A person is not eligible to hold a licence if the proposed use of the land, building or structure is not permitted by the zoning by-law that applies to the property.
- g. A person is not eligible to hold a licence unless the person has provided a statement prepared by the Chief Fire Prevention Officer dated within a period of six (6) months of the date of application for licence indicating that the premises conforms to the Fire Protection and Prevention Act, 2007 and its regulations as they relate to the operation and use of the premises for Short-term rental accommodation purposes with such statement indicating the occupant load for sleeping purposes for the premises.
- h. For any short-term rental on a septic system, the applicant will be required to obtain a signature from the Northeastern Public health Unit regarding an installed septic system and its capacity that will support the STR premises.
- i. A person is not eligible to hold a licence if the person is indebted to the City in respect of fines, penalties, judgments or any other amounts owing, including awarding of legal costs and disbursements and outstanding property taxes and late payment charges against all properties owned by the owner.
- j. A person is not eligible to hold a licence if the property to be used for carrying on the trade, business or occupation does not conform with applicable federal and provincial law and regulations or municipal by-laws, including, but not limited to, the Zoning By-law; the Property Standards By-law; the Building Code Act, 1992; the Building Code; the Fire Protection and Prevention Act, 2007; the Fire Code; the Ontario Electrical Safety Code; or an order of the Medical Officer of Health.

- k. The owner shall operate the Short-term rental accommodation premises in accordance with the Site Plan that has been approved by the Manager/By-law.
- l. The owner shall keep a record of the renter with such record containing the date of entry, the length of stay and confirmation of receipt of the Renter's Code of Conduct with such record readily available for inspection at all times by an Officer for a period of two years.
- m. The owner shall display the licence permanently in a prominent place in the Short-term rental accommodation premises to which it applies.
- n. Each licence shall include the following:
 - i. building/site/location address/identifier (i.e., emergency or 91 1 number);
 - ii. licence number;
 - iii. effective date and expiry date of the licence;
 - iv. owner's name and contact information;
 - v. rental agent or agency's name and contact information;
 - vi. responsible person's name and contact information; and
 - vii. a plan, that is plaqued or framed, that depicts the location of each bedroom, smoke alarm, extinguisher and exit/egress door or window.
- o. The owner of Short-term rental accommodation premises shall ensure that there is a responsible person available to attend to the Short-term rental accommodation premises at all times within a period of no greater than one hour from the time of contact by way of telephone or e-mail.
- p. The owner and operator of a short-term rental shall ensure that an information package is available for guests containing the following:
 - i. copy of approved site plan and floor plan;
 - ii. Short-term Rental Code of Conduct as prepared by the City; and
 - iii. quick reference guide for applicable by-laws as prepared by the City.
- q. The owner of Short-term rental accommodation premises for which a licence is required under this by-law shall allow, at any reasonable time, an employee or agent of the City to inspect the premises used for the purposes of Short-term rental accommodation so as to determine compliance with the requirements of this by-law, Fire Code, Building Code, Property Standards By-law or other applicable law.
- r. No person shall obstruct, hinder or otherwise interfere with an Officer or agent of the City while carrying out an investigation, making inquiries, or

performing an inspection for the purposes of enforcing this by-law or any other municipal by-law or provincial legislation or regulation.

- s. No person shall construct or equip a place of business or premises used for the business so as to hinder the enforcement of this by-law.
- t. Every owner shall maintain the Short-term rental accommodation premises in a clean and sanitary condition, with adequate measures for the storage and disposal of garbage and waste and sufficient levels of illumination to permit the safe use of the premises. For the purposes of this subsection, adequate measures for the storage and disposal of waste shall mean a self-enclosed building, structure or container, located outside of the Short-term rental accommodation premises, which is of a sufficient size that will store the garbage and waste generated by the premises until such garbage and waste is disposed of.
- u. The owner and operator of a STR shall provide parking on the site in accordance with the parking requirements for the applicable zone and permitted use within the Zoning by-law. The applicant will be required to clearly indicate where parking spaces are to be located on an approved site plan.
- v. Every licensee shall ensure that the Short-term rental accommodation premises is operated and used in a fashion such that the operation or use will not cause a disturbance.
- w. Every licensee shall operate the Short-term rental accommodation premises in accordance with all City by-laws including, but not limited to, the City's Noise Control By-law, Property Standards By-law, Garbage Collection By-law, Snow on Street By-law.
- x. Every licensee shall ensure that any applicable provincial or federal laws or statutes including the Ontario Fire Code and laws related to the making of a disturbance are complied with. Further, every licensee shall include in such undertaking a confirmation that they will require that each renter enter into a Renter's Code.
- y. The Manager may revoke a licence if it was issued on mistaken, false or incorrect information.

6. Fees and Cost Recovery

- a. Fees shall be levied in accordance to the User Fee By-Law 2020-8488.
- b. Where an Officer conducts an inspection and determines that a STR is not in compliance with this By-Law, the Officer may impose an inspection fee in accordance with the User Fee By-Law.
- c. Every owner shall pay the fees as set out in the User Fee By-Law which becomes due and payable upon written notification by an Officer, or upon issuance of an invoice by the City.

- d. Where an owner is in default of payment of fees for more than 30 calendar days after due, the City may add the cost to the tax roll of the subject property and collect the amount in the same manner as property taxes.

7. Appeals Committee

- a. Council hereby appoints the Committee of Adjustment to Act as the Appeals committee.

8. Revocation and Suspension

- a. In accordance with Section 4(t)&(u), the Committee may affirm, modify or rescind the decision of the Manager or, in the instance of a licence refusal, direct that the licence be issued with such terms and/or conditions deemed appropriate by the Committee or, suspend or revoke a licence.
- b. Regard to the nature, severity and frequency of non-compliances related to the premises shall be considered by the Committee in considering the length of a suspension and/or a revocation.

9. Offence and Penalty Provisions

- a. Every person who contravenes any provision of this bylaw is guilty of an offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended*
- b. If this by-law is contravened and a conviction entered, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the person convicted.
- c. If this by-law is contravened and a conviction entered, the court may also order that the premises or part of the premises be closed to any use as Short-term rental accommodation.
- d. In addition to any other remedy it may have at law, the Municipality shall be entitled to enforce this By-law in accordance with Section 442 and 446 of the Municipal Act, 2001, as amended.

10. Delegation

Pursuant to Section 23.2 (1) Sections 9, 10 and 11 do not authorize a municipality to delegate legislative and quasi-judicial powers under any Act except those listed in subsection (2) and the legislative and quasi-judicial powers under the listed Acts may be delegated only to,

- (c) an individual who is an officer, employee or agent of the municipality.

This authority is hereby delegated to the Director of Community Services & City Clerk.

11. Validity

If a court of competent jurisdiction declares any provision, or any part of a provision, of this bylaw to be invalid, or to be of no force and effect, it is the intention of Council in enacting this bylaw that each and every provision of this by-law authorized by law be applied and enforced in accordance with its terms to the extent possible according to law.

12. Schedules

The following Schedules are attached hereto and form part of this Agreement:

- (a) Schedule "A" — User Fee By-Law
- (b) Schedule "B" — Set Fine Schedule

13. Short Title

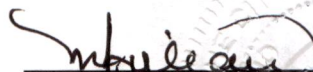
This By-law shall be known as the "Short-term rental accommodation Licensing By-law".

14. Effective Date

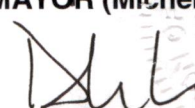
This By-law comes into effect on the date of passing.

READ a first and second time this 14th day of January, 2025.

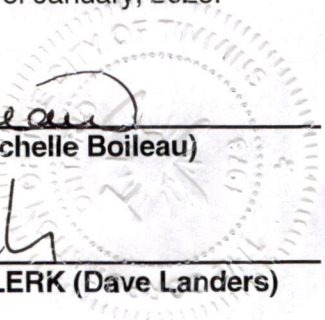
READ a third and final time and enacted and passed this 14th day of January, 2025.



MAYOR (Michelle Boileau)



DEPUTY CLERK (Dave Landers)





SCHEDULE "A"
CITY OF TIMMINS
BY-LAW 2025-9085
CLERK'S DEPARTMENT USER FEES

By-law 2020-8488, Schedule 'M':

Fee invoiced to property owner when an investigation confirms that their property does not comply with the City's Short-Term Rental's By-law	
Registration fee	\$1500
Renewal fee	\$1000
Upon issuance of first warning letter/notice	\$75
Upon issuance of second warning letter/notice	\$150
Late renewal fee	\$100
Inspection fee	\$100
Upon issuance of a summons	\$500 + Legal Fees

SCHEDULE "B"
CITY OF TIMMINS
BY-LAW 2025-9085

PART I Provincial Offences Act

BY-LAW 2025-9085: Short Term Rental BY-LAW SET FINES

BY-LAW NO. 2025-9085: *Being a by-law to Regulate Short Term Rentals in the City of Timmins.*

ITEM	Short Form Wording	Provision creating or defining offence	Set Fine
1	Fail to register Short Term Rental	Section 5(b)	\$500.00
2	Fail to produce records of Short-Term Rental	Section 5(l)	\$500.00
3	Obstruct Officer	Section 5(r)	\$500.00
3	Fail to maintain premise in a clean and sanitary condition	Section 5(t)	\$500.00
5	Allow disturbance	Section 5(v)	\$500.00

NOTE: The penalty provision for the offences indicated above is section 9(a) of by-law no. 2025-9085, a certified copy of which has been filed.

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Accommodation Uses and amend by-law 2020-8488, Schedule 'M' to add
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- y. "Renter's Code of Conduct" means a document that has been prepared by the Applicant that has been approved by the City that is agreed to, in writing by a renter that sets out the roles and responsibilities of the renter, including behavioral expectations as they relate to non-disturbance; which provides a warning related to the making of a disturbance; and, which identifies applicable City by-laws that the renter must comply with including the provisions of this by-law as they relate to, amongst other things, the Site Plan;
- z. "Responsible person" means the person assigned by the owner or operator of Short-term rental accommodation premises to ensure the premises are operated in accordance with the provisions of this by-law, the licence and the relevant provisions of the Fire Code;
- aa. "Short-term rental accommodation" (STA) means a building or structure or any part thereof that operates or offers a place of temporary residence, lodging or occupancy by way of concession, permit, lease, licence, rental agreement or similar commercial arrangement for any period less than twenty-eight (28) consecutive calendar days, throughout all or any part of a calendar year. Short-term rental accommodation uses shall not mean or include a motel, hotel, bed and breakfast establishment, hospital, commercial resort unit, or similar commercial or institutional use;
- bb. "Site Plan" means a plan that identifies those measures the owner will implement so as to ensure compliance with the City's Property Standards By-law, Waste Collection By-law and any other By-laws related to property maintenance and/or management to allow for the sleeping of the maximum number of guests;
- cc. "Zoning by-law" means a by-law enacted under s. 34 of the Planning Act that restricts and/or regulates the use of land.

2. Application

- a. The requirements of this by-law apply to the trade, business or occupation of providing Short-term rental accommodation within the geographic limits of the City as of the date this by-law comes into effect.
- b. Persons who own, operate or offer premises for Short-term rental accommodation as of the effective date of this by-law must file an application for a licence under this by-law:
 - i. for existing premises located within the geographic limits of the City.

- c. The determination of whether a licence application is "complete" in accordance with the requirements of this by-law shall be within the sole discretion of the Manager.
- d. For greater certainty, the requirements of this by-law do not apply to a hotel, motel, bed and breakfast establishment, hospital, or similar commercial or institutional use as defined by the applicable zoning by-law.

3. Licensing Requirements

- a. No person shall carry on any trade, business or occupation of Short-term rental accommodation unless that person has first obtained a licence from the City.
- b. A person who obtains a licence shall comply with the regulations set out in this by-law for such licence. Failure to comply with the regulations constitutes an offence.
- c. An agent of persons who own, operate or offer premises for Short-term rental accommodation purposes without a licence shall also be personally liable for the compliance of their principal, beneficiary or persons they represent. Failure by such a person to comply with this by-law constitutes an offence.
- d. Licenses issued pursuant to this by-law are conditional upon compliance by the licensee with all municipal by-laws and compliance with all provincial and federal laws and regulations and any conditions imposed to the holding of the licence.
- e. No person shall transfer or assign a license issued under this By-law.
- f. No person shall enjoy a vested right in the continuance of a license and upon the issue, renewal, transfer, cancellation or suspension thereof, the license shall be the property of The Corporation of the City of Timmins.
- g. A person who posts a short-term rental listing on a short-term rental platform, shall include the licence number as set out on the licence issued under this by-law.
- h. No person shall advertise a Short-term rental accommodation without a licence.

4. Administration

- a. The Manager is responsible for the administration and enforcement of this by-law, or their designate.
- b. Every application for a new licence or a renewal or extension of an existing licence shall be submitted to the City on the forms prescribed.

- c. Every application for a new licence or a renewal or extension of an existing licence shall include:
- i. each owner, applicant and/or agent's name, address, telephone number and e-mail address;
 - ii. a copy of the transfer/deed evidencing the ownership of the premises, if required;
 - iii. in the instance of an applicant or agent acting on behalf of the owner, an owner's written authorization permitting the applicant or agent to act on their behalf;
 - iv. the rental agent's or agency's name, address and telephone number;
 - v. the rental agent's or agency's name, address and telephone number;
 - vi. in the instance of a corporation or partnership; the name, address and telephone number of each director and officer or partner of the owner and/or rental agent or agency;
 - vii. the name, address, telephone number and e-mail address of a person who has been assigned by the owner or operator to be the responsible person for the operation and conduct of the inhabitants of the licensed Short-term rental accommodation premises;
 - viii. a statement from the owner certifying the accuracy, truthfulness, and completeness of the application;
 - ix. proof of placement of insurance specific to the rental nature of the property that includes a limit of liability of not less than TWO MILLION DOLLARS (\$2,000,000.00) per occurrence for property damage and bodily injury and includes provisions that the City will be notified of any intended cancellation by the insurer no fewer than fifteen (15) days prior to such cancellation;
 - x. floor plans and a site plan, drawn to scale and fully dimensioned, of the Short-term rental accommodation premises depicting the use of the premises including the proposed occupancy of each room; occupant load for sleeping purposes of each room; location of smoke detection and early warning devices; location of fire extinguishers, and, related site amenities including parking, landscaping and other buildings or structures on the land, septic and well locations, if applicable;
 - xi. a Site Plan that complies with the applicable City zoning by-law;
 - xii. a Site Plan identifying measures the owner will implement for the purpose of complying with the City's Property Standards By-law and any other by-law related to property maintenance and/or management;

- xiii. a Renter's Code of Conduct;
 - xiv. the prescribed fees; and
 - xv. any outstanding fees or fines owed to the City by the owner respecting any Short-term rental accommodation premises.
- d. A licensee shall inform the Manager of any changes to the information provided in subsection (3) within a period of 10 days.
 - e. In addition to the requirements of subsection (3), an applicant shall provide, if requested, evidence that the use of the Short-term rental accommodation premises is protected by virtue of s. 34(9)(b) of the Planning Act, R.S.O. 1990, c.P.13, as amended, with such evidence including, but not be limited to, a sworn Statutory Declaration confirming the continued use of the premises for Short-term rental accommodation purposes from prior to the enactment of a by-law that prohibited such use through to the present; rental receipts, advertisements and any other records that may be relevant that are supportive of the establishment and continued use of the premises for Short-term rental accommodation purposes; and, an opinion, from a solicitor licensed to practice in Ontario, as to whether the premises is protected by virtue of s. 34(9)(b) of the Planning Act, R.S.O. 1990, c.P.13, as amended, and, in support of that opinion, the reasons why.
 - f. Every application for a licence will be reviewed by the Manager to determine whether it meets the requirements of this By-law.
 - g. As part of the application review, the applicant will arrange sign offs and/or inspections from agencies deemed necessary and/or relevant by the Manager, including but is not limited to, Fire Prevention Department, Building and Zoning Departments, HVAC inspection conducted by fully licensed tradesperson, electrical inspection conducted by a fully licensed electrician, Northeastern Public Health for septic system if applicable.
 - h. Agencies may require an inspection of the premises prior to the provision of comments and prior to the consideration of the application by the Manager. The applicant shall cooperate and facilitate in arranging the inspection of the premises in a timely manner and shall be in attendance during the inspection. In the instance of the requirement of the payment of fees for such an inspection, the applicant shall pay the fees as required prior to the inspection.
 - i. If it is determined that an application meets the requirements of this by-law and all agencies, the Manager shall issue the licence.
 - j. If it is determined that an application does not meet the requirements of this by-law and the requirements of all of the agencies, the Manager shall refuse the issuance of the licence.
 - k. A licence shall be issued to the owner of the Short-term rental accommodation premises.

- l. A licence is valid for a period of one (1) year from January 1 of each year. (The yearly amount will be pro-rated if a new application is received throughout the year).
- m. Delayed renewals may result in non-issuance of license by Manager and or an applicable late fee may be applied.
- n. A licensee is not eligible for the renewal of an existing licence unless the licensee has provided an applicable documentation and payment.
- o. A license is not transferable.
- p. No person shall enjoy a vested right in the continuance of a licence.
- q. Licenses shall remain the property of the City.
- r. If at any time the Manager determines as a result of evidence that is provided that the operation of a licensed Short-term rental accommodation premises does not conform to the requirements of this by-law, the Manager may impose an Administrative fee.
- s. If at any time the Manager determines as a result of evidence that is provided that the operation of a licensed Short-term rental accommodation premises does not conform to the requirements of this by-law, the Manager may commence with proceedings pursuant to the Provincial Offences Act, R.S.O. 1990, c.P.33.
- t. A person whose application for a new licence or a renewal of a licence has been refused may, within fifteen (15) days of being notified of the Manager's decision, apply to the Committee for a review of the decision. If an application for review has not been applied for within fifteen (15) days, the licence application will be deemed to be closed. An application for a review of a decision is not complete until the fee as prescribed is paid.
- u. A person who has applied for a review to the Committee of the Manager's decision noted in subsection (r) or (s) will be given an opportunity to make written representations to or to appear before the Committee when it reviews the matter.
- v. The Committee will review the matter and may affirm, modify or rescind the decision of the Manager or, in the instance of a licence refusal, direct that the licence be issued with such terms and/or conditions deemed appropriate by the Committee or, suspend or revoke a licence.
- w. The Appeals Committee decisions in all matters pertaining to this By-law shall be final.
- x. Matters considered by the Committee and/or Council, including the information and the location, date and time of the Hearing shall be posted to the City's website as well as in the local newspaper.

5. General Regulations

- a. Applicants Shall, in accordance with the City's Municipal Transient Accommodation Tax (MAT) By-Law, collect the municipal accommodation tax on behalf of any dwelling unit licenced in their or its name in accordance with making application for a STR licence under this By-Law.
- b. No person shall carry on any trade, business or occupation of Short-term rental accommodation for which a licence is required under this by-law unless that person has first obtained a licence.
- c. No person shall carry on any trade, business or occupation of Short-term rental accommodation for which a licence is required under this by-law if the licence has expired or been revoked; or, while the licence is under suspension.
- d. No person shall carry on any trade business or occupation of Short-term rental accommodation for which a licence is required under this by-law where proof of consent from condo corporation/strata and property owners for a unit to be used as short-term rental has not been obtained.
- e. No person shall provide false information or give a false statement to an officer, employee and/or agent of the Municipality in the lawful exercise of a power or duty under this by-law.
- f. A person is not eligible to hold a licence if the proposed use of the land, building or structure is not permitted by the zoning by-law that applies to the property.
- g. A person is not eligible to hold a licence unless the person has provided a statement prepared by the Chief Fire Prevention Officer dated within a period of six (6) months of the date of application for licence indicating that the premises conforms to the Fire Protection and Prevention Act, 2007 and its regulations as they relate to the operation and use of the premises for Short-term rental accommodation purposes with such statement indicating the occupant load for sleeping purposes for the premises.
- h. For any short-term rental on a septic system, the applicant will be required to obtain a signature from the Northeastern Public health Unit regarding an installed septic system and its capacity that will support the STR premises.
- i. A person is not eligible to hold a licence if the person is indebted to the City in respect of fines, penalties, judgments or any other amounts owing, including awarding of legal costs and disbursements and outstanding property taxes and late payment charges against all properties owned by the owner.
- j. A person is not eligible to hold a licence if the property to be used for carrying on the trade, business or occupation does not conform with applicable federal and provincial law and regulations or municipal by-laws, including, but not limited to, the Zoning By-law; the Property Standards By-law; the Building Code Act, 1992; the Building Code; the Fire Protection and Prevention Act, 2007; the Fire Code; the Ontario Electrical Safety Code; or an order of the Medical Officer of Health.

- k. The owner shall operate the Short-term rental accommodation premises in accordance with the Site Plan that has been approved by the Manager/By-law.
- l. The owner shall keep a record of the renter with such record containing the date of entry, the length of stay and confirmation of receipt of the Renter's Code of Conduct with such record readily available for inspection at all times by an Officer for a period of two years.
- m. The owner shall display the licence permanently in a prominent place in the Short-term rental accommodation premises to which it applies.
- n. Each licence shall include the following:
 - i. building/site/location address/identifier (i.e., emergency or 911 number);
 - ii. licence number;
 - iii. effective date and expiry date of the licence;
 - iv. owner's name and contact information;
 - v. rental agent or agency's name and contact information;
 - vi. responsible person's name and contact information; and
 - vii. a plan, that is plaqued or framed, that depicts the location of each bedroom, smoke alarm, extinguisher and exit/egress door or window.
- o. The owner of Short-term rental accommodation premises shall ensure that there is a responsible person available to attend to the Short-term rental accommodation premises at all times within a period of no greater than one hour from the time of contact by way of telephone or e-mail.
- p. The owner and operator of a short-term rental shall ensure that an information package is available for guests containing the following:
 - i. copy of approved site plan and floor plan;
 - ii. Short-term Rental Code of Conduct as prepared by the City; and
 - iii. quick reference guide for applicable by-laws as prepared by the City.
- q. The owner of Short-term rental accommodation premises for which a licence is required under this by-law shall allow, at any reasonable time, an employee or agent of the City to inspect the premises used for the purposes of Short-term rental accommodation so as to determine compliance with the requirements of this by-law, Fire Code, Building Code, Property Standards By-law or other applicable law.
- r. No person shall obstruct, hinder or otherwise interfere with an Officer or agent of the City while carrying out an investigation, making inquiries, or

performing an inspection for the purposes of enforcing this by-law or any other municipal by-law or provincial legislation or regulation.

- s. No person shall construct or equip a place of business or premises used for the business so as to hinder the enforcement of this by-law.
- t. Every owner shall maintain the Short-term rental accommodation premises in a clean and sanitary condition, with adequate measures for the storage and disposal of garbage and waste and sufficient levels of illumination to permit the safe use of the premises. For the purposes of this subsection, adequate measures for the storage and disposal of waste shall mean a self-enclosed building, structure or container, located outside of the Short-term rental accommodation premises, which is of a sufficient size that will store the garbage and waste generated by the premises until such garbage and waste is disposed of.
- u. The owner and operator of a STR shall provide parking on the site in accordance with the parking requirements for the applicable zone and permitted use within the Zoning by-law. The applicant will be required to clearly indicate where parking spaces are to be located on an approved site plan.
- v. Every licensee shall ensure that the Short-term rental accommodation premises is operated and used in a fashion such that the operation or use will not cause a disturbance.
- w. Every licensee shall operate the Short-term rental accommodation premises in accordance with all City by-laws including, but not limited to, the City's Noise Control By-law, Property Standards By-law, Garbage Collection By-law, Snow on Street By-law.
- x. Every licensee shall ensure that any applicable provincial or federal laws or statutes including the Ontario Fire Code and laws related to the making of a disturbance are complied with. Further, every licensee shall include in such undertaking a confirmation that they will require that each renter enter into a Renter's Code.
- y. The Manager may revoke a licence if it was issued on mistaken, false or incorrect information.

6. Fees and Cost Recovery

- a. Fees shall be levied in accordance to the User Fee By-Law 2020-8488.
- b. Where an Officer conducts an inspection and determines that a STR is not in compliance with this By-Law, the Officer may impose an inspection fee in accordance with the User Fee By-Law.
- c. Every owner shall pay the fees as set out in the User Fee By-Law which becomes due and payable upon written notification by an Officer, or upon issuance of an invoice by the City.

- d. Where an owner is in default of payment of fees for more than 30 calendar days after due, the City may add the cost to the tax roll of the subject property and collect the amount in the same manner as property taxes.

7. Appeals Committee

- a. Council hereby appoints the Committee of Adjustment to Act as the Appeals committee.

8. Revocation and Suspension

- a. In accordance with Section 4(t)&(u), the Committee may affirm, modify or rescind the decision of the Manager or, in the instance of a licence refusal, direct that the licence be issued with such terms and/or conditions deemed appropriate by the Committee or, suspend or revoke a licence.
- b. Regard to the nature, severity and frequency of non-compliances related to the premises shall be considered by the Committee in considering the length of a suspension and/or a revocation.

9. Offence and Penalty Provisions

- a. Every person who contravenes any provision of this bylaw is guilty of an offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended*
- b. If this by-law is contravened and a conviction entered, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the person convicted.
- c. If this by-law is contravened and a conviction entered, the court may also order that the premises or part of the premises be closed to any use as Short-term rental accommodation.
- d. In addition to any other remedy it may have at law, the Municipality shall be entitled to enforce this By-law in accordance with Section 442 and 446 of the Municipal Act, 2001, as amended.

10. Delegation

Pursuant to Section 23.2 (1) Sections 9, 10 and 11 do not authorize a municipality to delegate legislative and quasi-judicial powers under any Act except those listed in subsection (2) and the legislative and quasi-judicial powers under the listed Acts may be delegated only to,

- (c) an individual who is an officer, employee or agent of the municipality.

This authority is hereby delegated to the Director of Community Services & City Clerk.

11. Validity

If a court of competent jurisdiction declares any provision, or any part of a provision, of this bylaw to be invalid, or to be of no force and effect, it is the intention of Council in enacting this bylaw that each and every provision of this by-law authorized by law be applied and enforced in accordance with its terms to the extent possible according to law.

12. Schedules

The following Schedules are attached hereto and form part of this Agreement:

(c) Schedule "A" — User Fee By-Law

(d) Schedule "B" — Set Fine Schedule

13. Short Title

This By-law shall be known as the "Short-term rental accommodation Licensing By-law".

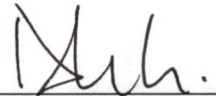
14. Effective Date

This By-law comes into effect on the date of passing.

READ a first and second time this 14th day of January, 2025.

READ a third and final time and enacted and passed this 14th day of January, 2025.

**CERTIFIED TRUE COPY
OF BY-LAW NO. 2025-9085**



DEPUTY CLERK

(SGD) MICHELLE BOILEAU
MAYOR

(SGD) DAVE LANDERS
DEPUTY CLERK

SCHEDULE "A"
CITY OF TIMMINS
BY-LAW 2025-9085
CLERK'S DEPARTMENT USER FEES

By-law 2020-8488, Schedule 'M':

Fee invoiced to property owner when an investigation confirms that their property does not comply with the City's Short-Term Rental's By-law	
Registration fee	\$1500
Renewal fee	\$1000
Upon issuance of first warning letter/notice	\$75
Upon issuance of second warning letter/notice	\$150
Late renewal fee	\$100
Inspection fee	\$100
Upon issuance of a summons	\$500 + Legal Fees

SCHEDULE "B"
CITY OF TIMMINS
BY-LAW 2025-9085

PART I Provincial Offences Act

BY-LAW 2025-9085: Short Term Rental BY-LAW SET FINES

BY-LAW NO. 2025-9085: *Being a by-law to Regulate Short Term Rentals in the City of Timmins.*

ITEM	Short Form Wording	Provision creating or defining offence	Set Fine
1	Fail to register Short Term Rental	Section 5(b)	\$500.00
2	Fail to produce records of Short-Term Rental	Section 5(l)	\$500.00
3	Obstruct Officer	Section 5(r)	\$500.00
3	Fail to maintain premise in a clean and sanitary condition	Section 5(t)	\$500.00
5	Allow disturbance	Section 5(v)	\$500.00

NOTE: The penalty provision for the offences indicated above is section 9(a) of by-law no. 2025-9085, a certified copy of which has been filed.