



Short-term
accommodation
establishments –
New provincial
legislation

Information session
August 10th 2021

1. THE DIFFERENT CATEGORIES OF ACCOMMODATION ESTABLISHMENTS

PRINCIPAL RESIDENCE ESTABLISHMENTS

- Operator (physical person) lives in that location on a regular basis
- His family and social activities are centralized in that location
- The address is consistent with the address provided to government departments and agencies
- The residence is offered as accommodation to one person or a single group of related persons through a single reservation
- The reservation does not include meal services
- If the unit rented as accommodation is within a main building, access must be shared with the main residence

OTHER CATEGORIES OF TOURIST ACCOMMODATION ESTABLISHMENTS:

OTHER CATEGORIES OF ESTABLISHMENTS:

(ex : secondary residence)

- Furnished appartement
- Furnished house
- Cottage
- Permanent camping setup

PRINCIPAL RESIDENCE IN CASES WHERE :

on-site meal service is included with the reservation; OR
there is more than one reservation per day; OR

the reservation is made for more than one person who is not part of a related group of people (e.g. bed and breakfast)

2. OBLIGATIONS AND CONSTRAINTS

PRINCIPAL RESIDENCE ESTABLISHMENTS

- Be granted a classification certificate from the Ministry of Tourism through the CITQ (*Corporation de l'industrie touristique du Québec*).
- The rental unit must be offered
 - to tourists;
 - for periods of 31 days or less (by night, week or weekend);
 - For a fee;
 - On a media, whatever its form (website, social networks, bulletin board, newspaper, poster, etc.). (When publishing on a media, the establishment number assigned by the CITQ must be displayed)
 - The operator must collect the taxes on the accommodation. The holder of a classification certificate must ensure that he or she respects the municipal by-laws regarding nuisance, safety and sanitation.
- The operator must collect the taxes on the accommodation.
- The holder of a classification certificate must ensure that he or she respects the municipal by-laws regarding nuisance, safety and sanitation.

OTHER CATEGORIES OF TOURIST ACCOMMODATION ESTABLISHMENTS:

- Be granted a classification certificate from the Ministry of Tourism.
- Signage must indicate the establishment number
- The operator must collect taxes on the accommodation.
- The operator must display the sign with the establishment's classification
- The holder of a classification certificate must ensure that he or she respects the municipal by-laws regarding nuisance, safety and sanitation.



3. MUNICIPAL AUTHORITY AND ITS LIMITS

PRINCIPAL RESIDENCE ESTABLISHMENTS

- The Municipality is not consulted by the CITQ before granting a licence.
- Starting on March 25, 2023, if the Municipality does not adopt a regulatory amendment, that must be followed by the a registry, it will not be able to prohibit this type of accommodation in its municipal by-laws.
- The municipality may, however, ask the Minister to suspend or cancel a classification certificate when the holder has committed, during the last year, at least two offences under any municipal by-law relating to nuisance, sanitation or safety, for which he or she has been found guilty.
- The Municipality shall not charge commercial taxes (INR)

OTHER CATEGORIES OF TOURIST accommodation ESTABLISHMENTS:

- The Municipality is consulted by the CITQ to validate if the use is in compliance with the zoning by-law.
- The Municipality can establish in its municipal by-laws where the use is authorized, can set quota standards
- the municipality can charge commercial taxes (INR)

4. PRINCIPAL RESIDENCE ESTABLISHMENT CATEGORY

CURRENT PROVISIONS:

How they are defined in the Zoning Bylaw: :

- As a commercial use C4 – Food services and lodging
- As a commercial use C5 – Food services with discotheque and entertainment venue

Where are they allowed:

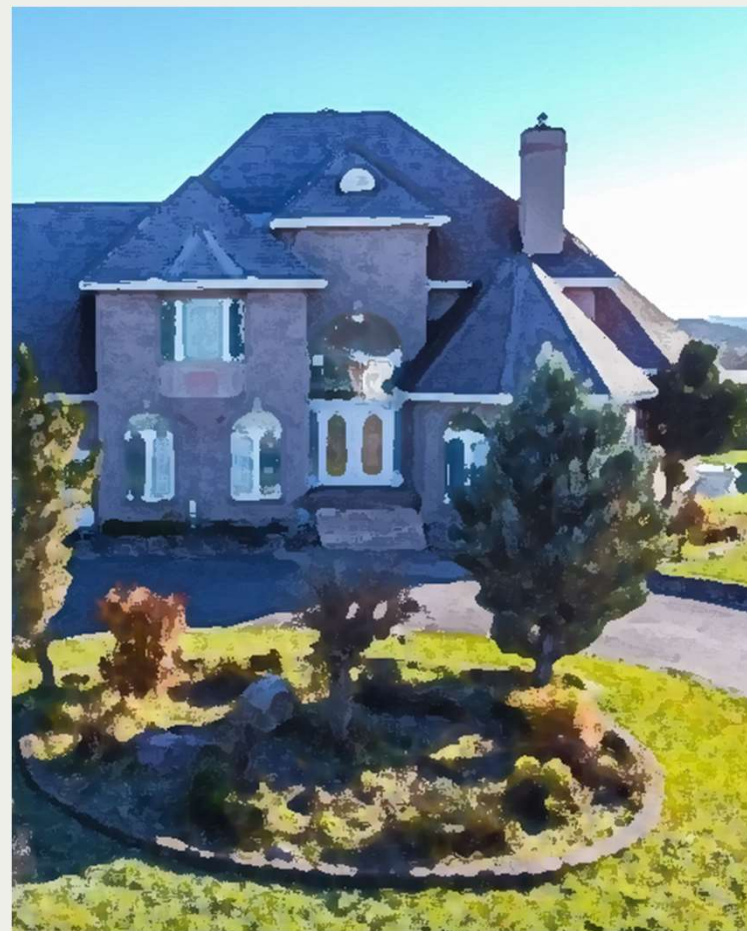
- In commercial zones only, where C4 and/or C5 are allowed.

Status since the new bill 67:

- The municipality may continue to prohibit the use as long as its current by-law remains in force or if a by-law amendment with mandatory registry is passed.

NEW REGULATIONS:

- Status quo in compliance with provincial provisions
- Introduce a clear definition of “principal residence establishment” in the zoning by-law
- Adopt a by-law that does not allow principal residence establishments in residential zones, using the mandatory by-law amendment procedure followed by a registry.



5. OTHER CATEGORIES OF TOURISM ACCOMMODATION ESTABLISHMENTS

CURRENT PROVISIONS:

How they are defined in the Zoning Bylaw :

- As a commercial use C4 – Food services and lodging
- As a commercial use C5 – Food services with discotheque and entertainment venue

Where are they allowed:

- In commercial zones only, where C4 and/or C5 are allowed.

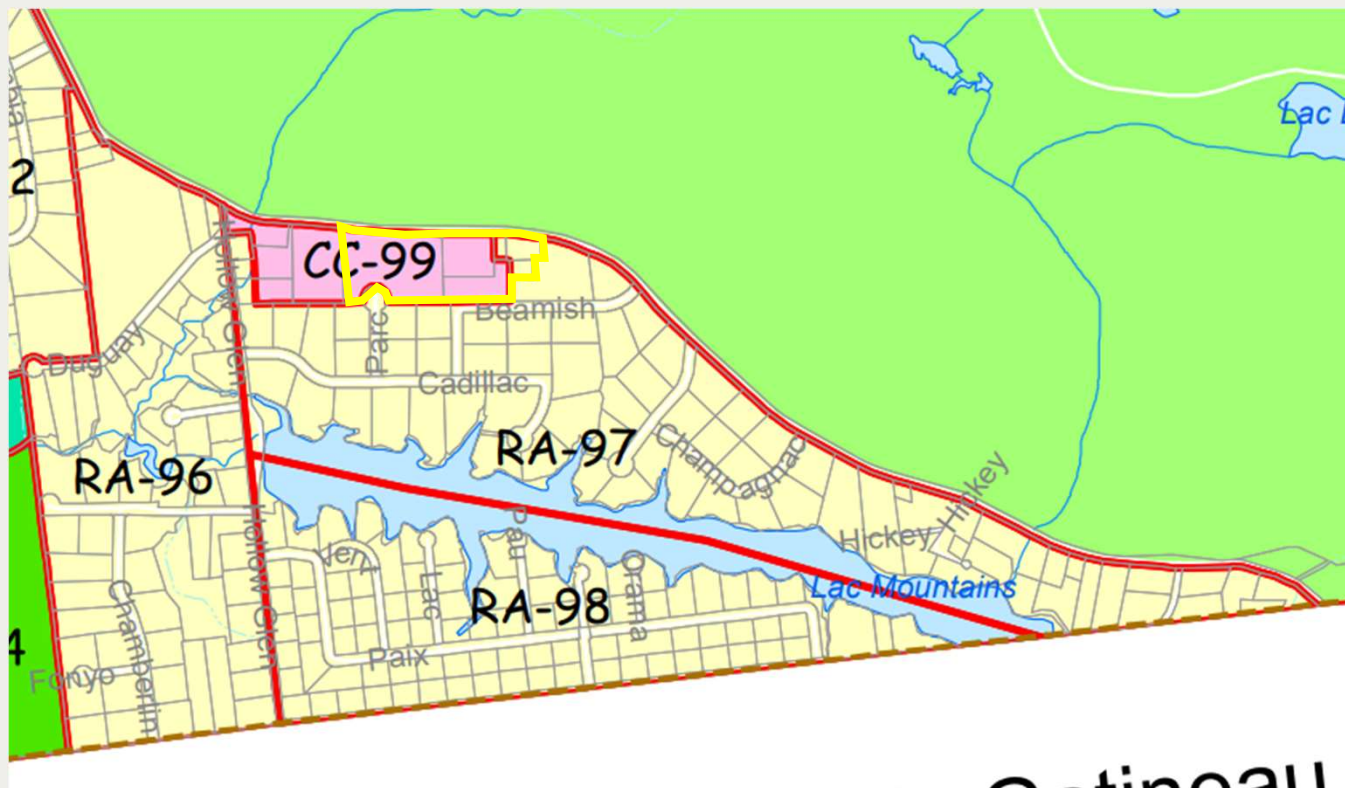
NEW REGULATIONS:

- Allow in commercial zones only
- Prohibit other categories of tourist accommodation establishments (such as tourist homes) in residential zones
- Keep other categories of tourist accommodation establishments in zones where they are currently permitted
- Clearly define the other categories of tourist accommodation establishments in the zoning by-law



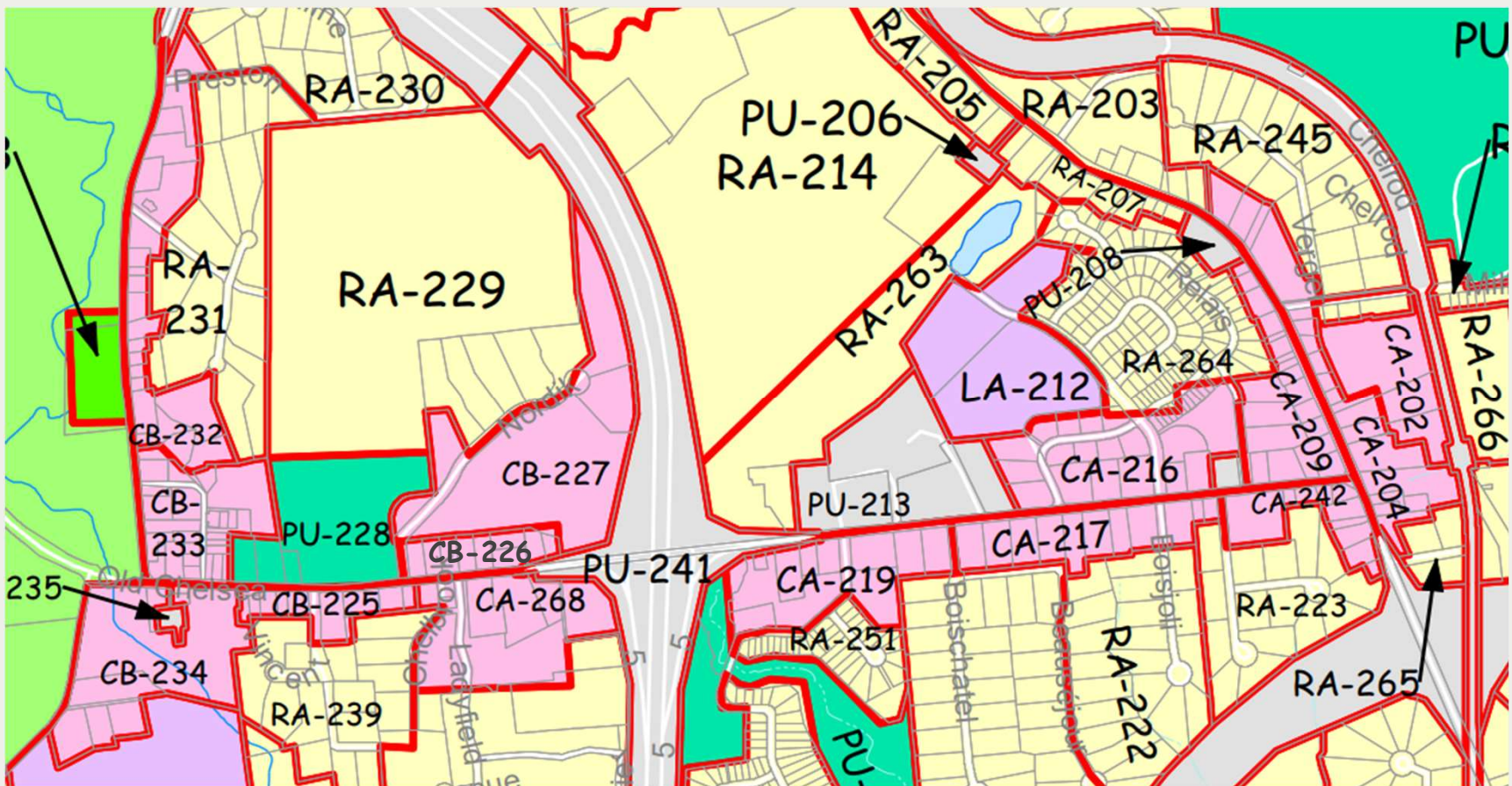
6. ZONES WHERE USE C4 AND/OR C5 ARE ALLOWED

Hollow-Glen : Zone CC-99 (this zone is being modified in the new zoning plan)



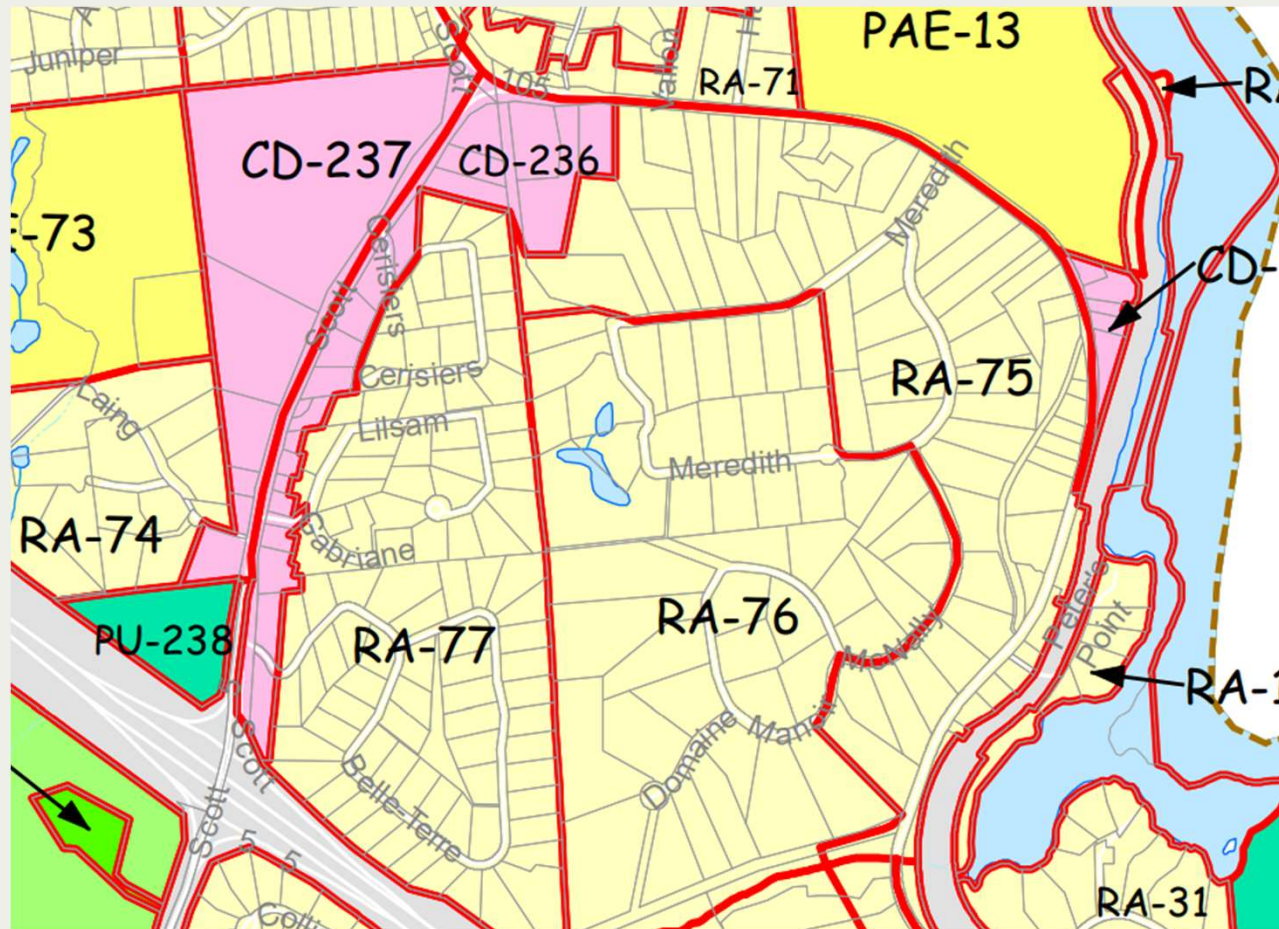
6. ZONES WHERE USE C4 AND/OR C5 ARE ALLOWED

Centre-Village: Zones CA-202, CA-204, CA-209, CA-216, CA-217, CA-219, CB-232, CB-233, CB-234, CB-225, CB-226, CB-227, CA-242, CA-268



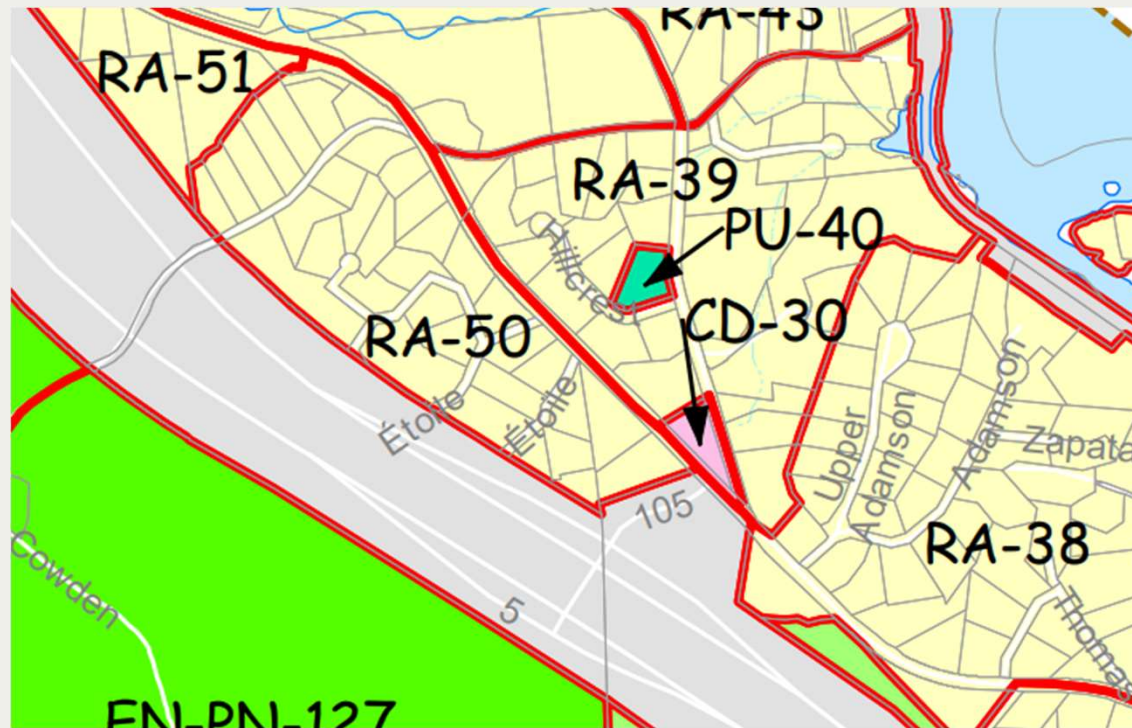
6. ZONES WHERE USE C4 AND/OR C5 ARE ALLOWED

Northern part of Scott road: Zone CD-236 (this zone is being modified in the new zoning plan)



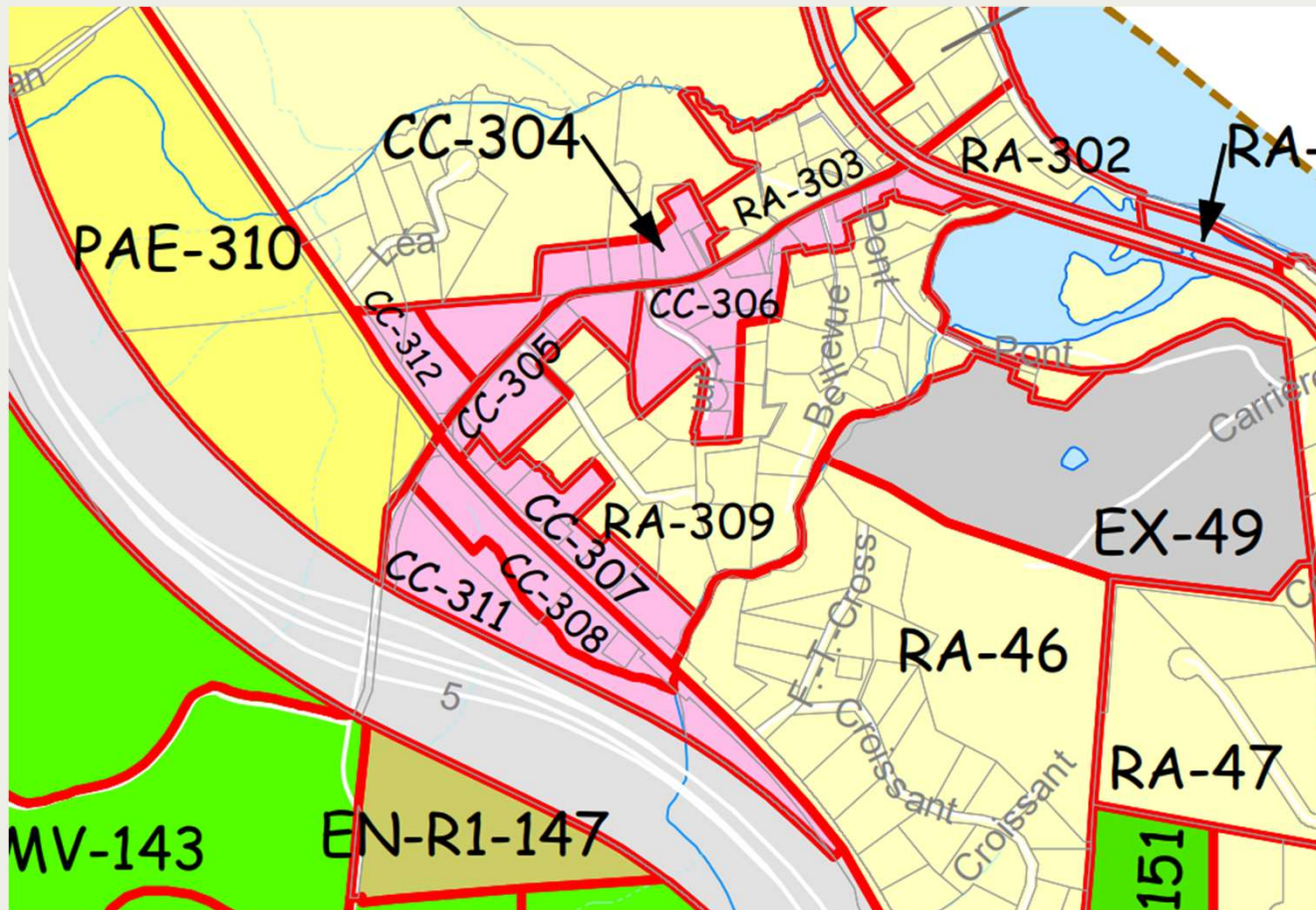
6. ZONES WHERE USE C4 AND/OR C5 ARE ALLOWED

Tulip Valley: Zone CD-30 (this zone is being modified in the new zoning plan)



6. ZONES WHERE USE C4 AND/OR C5 ARE ALLOWED

Farm Point: Zone CC-306, CC-307, CC-308, CC-311, CC-312



8. NEXT STEPS

- **Fall 2021:** Municipality will publish a call-out to all residents of Chelsea inviting them to state whether they wish to *allow* principal residence establishments in their residential zone.
- **Winter 2022:** Municipality will present to Council a draft by-law prohibiting principal residence establishments in selected residential zones.
- **Winter 2022:** Registries will be open for signature, zone by zone.
- **May 2022:** The by-law prohibiting principal residence establishments in selected residential zones is adopted.
- **May 2022:** New definitions introduced by the provincial legislation will be included in the zoning by-law as part of the current zoning bylaw review process. This new version is planned to be adopted in May 2022.
- **March 25, 2023:** Principal residence establishments will become authorized in residential zones where the Municipality has not adopted a regulatory amendment to prohibit them.



Pour obtenir plus d'information:

For more information:



MUNICIPALITÉ DE CHELSEA

100, chemin d'Old Chelsea, Chelsea (Québec) J9B 1C1

819 827-1124

urbanisme@chelsea.ca

www.chelsea.ca

Pour obtenir plus d'information:

For more information:

- Regulation respecting tourist accommodation establishments:
<http://legisquebec.gouv.qc.ca/fr/ShowDoc/cr/E-14.2,%20r.%201>
- Press release summarizing the highlights: <https://www.quebec.ca/nouvelles/actualites/details/adoption-du-projet-de-loi-67-hebergement-collaboratif-dans-les-residences-principales-mieux-encadre-et-plus-accessible>
- An Act to establish a new development regime in flood-prone areas of lakes and watercourses, to grant temporary powers to municipalities to meet certain needs and to amend various provisions (in French only):
<http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=5&file=2021C7F.PDF>
- MAMH's public document to this effect (in French only):
https://www.mamh.gouv.qc.ca/fileadmin/publications/ministere/legislation/pl_67_omnibus_document_public.pdf
- Act respecting tourist accommodation establishments: <http://legisquebec.gouv.qc.ca/fr/showdoc/cs/E-14.2>
- CITQ: <https://citq.qc.ca/en/>

