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New Rules on Short-Term Rentals in the Borough of Ville-Marie

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The council of the Borough of Ville-Marie in the City of Montréal (Borough) adopted on June 12, 2018, the final version of the *Règlement modifiant le Règlement d'urbanisme de l'arrondissement de Ville-Marie (01-282) afin de modifier les conditions d'autorisation de l'usage conditionnel « résidence de tourisme »* (By-law). The By-law is available only in French.

The By-law modifies the zones within the Borough's territory in which it is possible to obtain a conditional use authorization (Authorization) to operate a "tourist home." The By-law targets rentals for a period of less than 31 days, including those made online.

As a result of the amendments, from now on, only owners (with the authorization of the co-ownership syndicate, where applicable) and lessees (duly authorized by their landlord) whose property is located within the green zones on the [2018 carte des secteurs \(sector map\)](#) (in French) will be able to obtain an Authorization. These zones are situated along Rue Sainte-Catherine, between Rue Saint-Mathieu and Rue Amherst.

The By-law also prescribes that two tourist homes cannot be located within 150 metres of each other.

In the authorized zones, the granting of an Authorization will be subject to a discretionary analysis by the Borough council. The analysis will consider criteria such as the compatibility of use as a tourist home with the area within which the proposed tourist home is located, the external appearance of the tourist home and respect for the tranquility of the neighbourhood.

The Borough announced that owners who obtained an authorization from the Borough prior to the adoption of the By-law will be entitled to continue to use their property for short-term rentals.

It should be noted that an Authorization from the Borough council is necessary in order to obtain a certificate from the Corporation de l'industrie touristique du Québec. This certificate is required by the *Act respecting tourist accommodation establishments* in order to operate a tourist accommodation establishment "on a regular basis" in Québec. The statute does not specify what constitutes a "regular basis," and the Borough has expressed the hope that the statute will be amended to provide details in this regard.

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