



# Niagara-on-the-Lake

April Smith – By-Law Enforcement Officer  
Short Term Rentals

Short Term Rental – Appeal Hearing  
972 Line 3 Road – April 30, 2024

# Short Term Rental By-Law No. 4634-13

A [by-law](#) for licensing, regulating and governing of Short Term Rentals in the Town of Niagara-on-the-Lake

## Overview Of the Short Term Rental Application Process

1. Applicant applies for a Short Term Rental License and submits all required documentation.
2. Short Term Rental Officer reviews application and distributes the application to the various departments for review.
3. If the application is denied, a denial letter is sent and the applicant may request an appeal of the decision.
4. Appeal hearing is scheduled, and the details are presented to Council.
5. Council may then make the decision to;
  - Rescind the refusal or revocation action
  - Confirm the refusal of revocation actions, or
  - Modify the action and create requirements of compliance

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## Section 2 : General Provisions

### Subsection 10:

No Short Term Rental shall be used for the hosting of weddings and receptions or any other similar commercial activity. In the event that a Licensee wishes to host a Special Event, such as a family wedding or a not-for-profit charitable function, the Licensee shall provide prior notification to the Town by submitting a Special Events Notification Form as set out in Schedule “B” to this by-law.

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## Section 4.05: Pre-License Inspection

### Subsection 1:

It is the responsibility of any person applying for a license to coordinate with the Town Clerk, to arrange for an inspection of the property as a condition to and prior to receiving a license to ensure compliance with the following:

- (a) provisions of this by-law;
- (b) Ontario Fire Code;
- (c) Ontario Building Code;
- (d) Property Standards By-law;
- (e) Clean Yards By-law;
- (f) Zoning By-laws; and
- (g) Ontario Electrical Safety Code; and -4634C-20
- (h) any other Town by-laws that may affect the status of the application.

# Property: 972 Line 3 Road

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This property is zoned as Rural (A) as per Section 4 of Zoning By-Law, as amended.

The area of the property is one (1) acre.



# Reason For Denial of Application

- **Short Term Rental By-Law 4634-13, Section 2(10) states:**

*No Short Term Rental shall be used for the hosting of weddings and receptions or any other similar commercial activity. In the event that a Licensee wishes to host a Special Event, such as a family wedding or a not-for-profit charitable function, the Licensee shall provide prior notification to the Town by submitting a Special Events Notification Form as set out in Schedule "B" to this by-law.*

- **Not a permitted use in accordance to the Zoning By-Law 500A-74, Section 4 – Rural (A) Zone**

This section only permits the following uses for lots of that size:

(b) Residential Uses

- a one ( 1) family dwelling
- a small scale tourist accommodation as defined in Section 2.73A (*By-law 500LJ-97*)
- a group home as in Section 2.36B and 3.35 (*By-law 500MT-99*)

# Reason For Denial of Application Con't

- Evidence of weddings taking place on property as recent as October 2023 (see handout for full details)
- No record of Special Event / Occasion permit or Special Events Notification Form submitted to the Town between January 2023 – December 2023 to request a wedding to take place (see handout for full details)
- Previous letters from the Town Clerk in 2019 and 2022 notifying Ms. Gallyot that she was in contravention of the Short Term Rental By-Law No. 4634-13, as amended Section 2(10) (see handout for full details)

# Supporting Evidence

\*See hand-out for full details



Image taken from  
WeddingWire.com

**C** Crystal P.  
Married on 14/10/2023  
★★★★★ 5.0

#### Fairy Tail

Marlene was over the top amazing! We waited so long to get married (27 years) and she made our day 100% magical. The property was absolutely gorgeous!! Would recommend a his vendor to EVERYONE!!

Sent on 06/11/2023

Request pricing



Image taken from Ms. Gallyot's website  
littlechapelweddings.ca

Welcome to the Little Chapel in NIAGARA-ON-THE-LAKE.

Specializing in micro-weddings, the Little Chapel is a great spot to do your marriage ceremony, elopement or renew your vows with an officiant "chaplain Marlene Gallyot" who lives on the property and ready to help you.

With the convenience of a B&B on site, it makes it super convenient to have the wedding ceremony and stay at the same time. Enjoy our lovely vineyard setting for your bridal party, reception or full wedding event. Please see more information on Niagara vineyard view guest house.

We do weddings rentals as well.

Please [contact](#) Chaplain/Officiant Marlene Gallyot or [learn more about the chapel and the site](#).

Phone: 416-725-0076



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Chapel located on Ms. Gallyot's property.  
Image taken from Ms. Gallyot's website  
officiantonthego.ca



# Concerns

- No past inspections have been carried out by the Town of Niagara-on-the-Lake Fire Department to ensure the Fire Safety in accordance to the Ontario Fire Code for hosted Weddings
  - In the event of a fire:
    - Are there enough U.L.C rated fire extinguishers available and the right rating?
    - Are there two forms of egress in the barn that is used for receptions?
    - Do the tents being used meet the flame-resistant rating requirements?
    - What is the emergency plan in the event of a fire?
- Traffic issues:
  - Vehicles parked on Line 3 Road would impede traffic and cause hazardous conditions during night fall
  - Cars parking on the Town boulevard could cause damage to the property by tearing up the grass

# Concerns Con't

- No insurance provided
  - In the event that an accident occurs during the non-permitted wedding event, the Town could be held liable
- Food being served without the approval from Niagara Region Public Health, Environmental Health Division
  - Food poisoning could occur
- Property uses a septic system
  - The current septic system does not have the capacity to support the number of guests in attendance at the hosted weddings

# Steps for Compliance:

- **Apply for a Special Event / Occasion Permit through the Town not less than six (6) weeks prior to a wedding is being held for an immediate family member on the property.**
- **Apply for a Zoning Amendment through Community and Development**



**Thank you.  
Any Questions?**