

**VILLAGE OF HAINES JUNCTION
BYLAW #436-25**

SHORT-TERM RENTAL ACCOMMODATION MORATORIUM BYLAW

A BYLAW OF THE VILLAGE OF HAINES JUNCTION TO ESTABLISH A MORATORIUM ON NEW SHORT-TERM RENTAL ACCOMMODATIONS, TO REQUIRE BUSINESS LICENSES FOR EXISTING OPERATIONS, AND TO PROVIDE FOR ADMINISTRATIVE PENALTIES.

WHEREAS

WHEREAS the Council of the Village of Haines Junction has adopted Official Community Plan Bylaw No. 382-21 and Zoning Bylaw #411-24 to guide and regulate land use and development within the municipality;

AND WHEREAS Short-Term Rental Accommodations are a defined land use in Zoning Bylaw #411-24 and may be permitted in several residential and commercial zones;

AND WHEREAS Council wishes to undertake a review of the regulation of Short-Term Rental Accommodations, including their impacts on the supply of long-term housing;

AND WHEREAS, pursuant to the Municipal Act, Council may pass bylaws for municipal purposes, including in relation to the safety, health and welfare of people, the protection of persons and property, the regulation of businesses, business activities and persons engaged in business, and the imposition of fees and penalties;

AND WHEREAS Council wishes to temporarily prohibit the establishment of new Short-Term Rental Accommodations using online booking platforms, to require that existing Short-Term Rental Accommodations be licensed as businesses, and to provide for administrative penalties in respect of certain contraventions of Short-Term rental requirements;

NOW THEREFORE the Council of the Village of Haines Junction, in open meeting duly assembled, ENACTS AS FOLLOWS:

1. TITLE

1.1 This bylaw may be cited as the **“Short-Term Rental Accommodation Moratorium Bylaw # 436-25”**.

2. DEFINITIONS

2.1 In this bylaw, unless the context otherwise requires:

(a) **“CAO”** means the Chief Administrative Officer of the Village of Haines Junction or their designate.

(b) **“Council”** means the Municipal Council of the Village of Haines Junction.

(c) **“Existing Short-Term Rental Accommodation”** means a Short-Term Rental Accommodation that:

(i) was in operation within a dwelling unit or one or more bedrooms in a dwelling unit located in the Village of Haines Junction on or before December 1, 2025; and

(ii) was advertised for booking as temporary accommodation on at least one Platform on or before December 1, 2025; and

(iii) is identified on **Schedule “A” – Existing Short-Term Rental Accommodations**, as that Schedule may be amended from time to time in accordance with this bylaw.

(d) “**Municipal Business License Bylaw**” means **Municipal Business License Bylaw #105-96**, as amended or replaced from time to time.

(e) “**Municipality**” and “**Village**” both mean the Village of Haines Junction.

(f) “**Platform**” means an online website, application, or digital service operated by a third party through which Short-Term Rental Accommodations may be advertised, booked, or paid for, and includes, without limitation, Airbnb, VRBO, Booking.com, Expedia, and any similar third-party online Short-Term rental booking platform.

(g) “**Housing Zones**” means a Real Property with a zoning designation of: Urban Residential (R-1), Multiple Unit Residential (R-2), Country Residential (RC), Agricultural Residential (AR), and Agricultural General (AG) as defined in the Zoning Bylaw #411-24 as amended from time to time.

(h) “**Short-Term Rental Accommodation**” has the same meaning as in Village of Haines Junction Zoning Bylaw #411-24, as amended from time to time.

2.2 Unless otherwise defined in this bylaw, words and phrases shall have the same meaning as in Zoning Bylaw #411-24 and the Municipal Act.

3. APPLICATION AND RELATIONSHIP TO OTHER BYLAWS

3.1 This bylaw applies to all lands within the boundaries of the Village of Haines Junction.

3.2 Nothing in this bylaw has the effect of permitting a use of land, buildings, or structures that is otherwise prohibited by Zoning Bylaw #411-24 or any other applicable bylaw.

3.3 Where there is a conflict between this bylaw and any other bylaw of the Village, the provision that is more restrictive or that imposes the higher standard shall prevail to the extent of the conflict.

4. MORATORIUM ON NEW SHORT-TERM RENTAL ACCOMMODATIONS

4.1 On and after the effective date of this bylaw, **no person shall establish, operate, or permit the operation of a Short-Term Rental Accommodation using a Platform** at any Dwelling located in a Housing Zone, in the Village of Haines Junction unless that property is an Existing Short-Term Rental Accommodation listed on Schedule “A”.

4.2 Without limiting section 4.1, a person contravenes this bylaw if they, in relation to a property that is not an Existing Short-Term Rental Accommodation:

(a) create or maintain a listing for that property on a Platform for stays of less than 30 consecutive days; or

(b) accept or confirm a booking, reservation, or contract for temporary accommodation made through a Platform; or

(c) receive or attempt to receive financial compensation for temporary accommodation arranged through a Platform.

4.3 An Existing Short-Term Rental Accommodation shall not, after the effective date of this bylaw, expand the number of bedrooms or dwelling units offered as Short-Term Rental Accommodation on a Platform beyond the number in operation as of December 1, 2025, unless approved by Council.

4.4 The moratorium established by this bylaw shall remain in effect until this bylaw is amended or repealed by Council.

5. EXISTING SHORT-TERM RENTAL ACCOMMODATIONS – SCHEDULE “A”

5.1 **Schedule “A” – Existing Short-Term Rental Accommodations** forms part of this bylaw and lists the properties that are exempt from the moratorium under section 4.

5.2 Schedule “A” shall include, for each property, to the extent known:

- (a) civic address;
- (b) legal description;
- (c) name of owner or operator; and
- (d) Platform(s) on which the property was advertised on December 1, 2025.

5.3 The CAO shall compile a draft of Schedule “A” based on active listings of Short-Term Rental Accommodations on Platforms that identify properties located within the Municipality as of December 1, 2025, and shall present the draft Schedule “A” to Council for approval by resolution.

5.4 An owner or operator who asserts that their property was operating as a Short-Term Rental Accommodation on or before December 1, 2025, and that it has been omitted from Schedule “A”, may request that Council add the property to Schedule “A”.

5.5 A person may also request a correction to information relating to a property already listed on Schedule “A”.

5.6 Requests under sections 5.4 and 5.5 shall be made in writing to the CAO and shall include documentary **proof of operation prior to December 1, 2025**, which may include, without limitation, platform booking or payout records, tax filings or financial records showing Short-Term rental income, dated advertising or promotional materials, or other evidence satisfactory to Council.

5.7 The CAO shall review any request submitted under sections 5.4 or 5.5, may request additional information, and shall forward the request, together with a recommendation, to Council for decision. Council may, by resolution, add a property to, remove a property from, or correct information on Schedule “A”. Council’s decision is final.

5.8 Council may exercise its judgment approving or denying any request for a properties addition to Appendix A. Council’s decision may be informed by the:

- a. Historical continuity of operation, including seasonal rentals.
- b. Impact on neighbours, neighbourhood, noise, parking nuisance.
- c. If the proposed rental is a Full home, versus a Mortgage Helper (primary residence).
- d. Precedent setting

5.9 A change in ownership of a property that is listed on Schedule “A” does not, by itself, remove that property from Schedule “A”, provided the use of the property as a Short-Term Rental Accommodation continues to comply with this bylaw and all other applicable bylaws.

6. BUSINESS LICENSE REQUIREMENT

6.1 Every person who **carries on or operates** a Short-Term Rental Accommodation within the Village shall first apply for, obtain and maintain a valid business license issued by the Village under its **Municipal Business License Bylaw**.

6.2 The CAO, or the License Inspector acting under the Municipal Business License Bylaw, shall not issue or renew a business license for the operation of a Short-Term Rental Accommodation unless:

- (a) the property for which the license is sought is listed on Schedule "A" as an Existing Short-Term Rental Accommodation; and
- (b) the operation complies with this bylaw and all other applicable bylaws of the Village.

6.3 Every business license issued for a Short-Term Rental Accommodation shall state that it is conditional upon continuing compliance with:

- (a) this bylaw;
- (b) Municipal Business License Bylaw #105-96; and
- (c) the Village's Zoning Bylaw.

7. ADMINISTRATIVE PENALTIES

7.1 In addition to any other enforcement mechanism available at law, the CAO may issue an administrative penalty to a person in relation to matters governed by the Short-Term Rental Accommodations Act, its regulations, or this bylaw, where permitted by that Act and its regulations.

7.2 Without limiting section 7.1, an administrative penalty may be issued if the CAO is satisfied that a person has:

- (a) contravened a provision of the Short-Term Rental Accommodations Act or its regulations relating to the operation of a Short-Term Rental Accommodation; or
- (b) failed to comply with a compliance order, direction, or similar requirement issued under the Short-Term Rental Accommodations Act, its regulations, or this bylaw; or
- (c) failed to comply with a requirement to provide records, information, or other documentation in connection with an investigation relating to a Short-Term Rental Accommodation; or
- (d) provided false or misleading information in an application, report, record, or during an inspection, investigation relating to a Short-Term Rental Accommodation.

7.3 An administrative penalty shall be imposed by way of a written **Notice of Administrative Penalty**, which shall set out, at minimum:

- (a) the name of the person subject to the penalty;
- (b) the nature of the contravention;
- (c) the amount of the penalty; and
- (d) the deadline and method for payment.

7.4 The amount of an administrative penalty imposed under this section shall not exceed the maximum amount prescribed for that type of contravention, and for the applicable number of prior contraventions, in the Consolidated Fee Schedule Bylaw #343-19 as amended from time to time.

7.5 In determining the amount of an administrative penalty within the applicable maximum, the CAO may consider factors including, without limitation:

- (a) the nature and gravity of the contravention;
- (b) the extent of harm or potential harm to the public or to housing availability;
- (c) whether the contravention is a first or subsequent occurrence; and
- (d) any efforts by the person to remedy the contravention.

7.6 The imposition of an administrative penalty under this section does not relieve a person from the obligation to comply with the Short-Term Rental Accommodations Act, its regulations, this bylaw, or any compliance order, and does not prevent the Village from pursuing any other remedy or enforcement action available at law.

8. OFFENCES AND ENFORCEMENT

8.1 Any person who contravenes, causes, or permits a contravention of this bylaw commits an offence.

8.2 Each day that a contravention of this bylaw continues constitutes a separate offence.

8.3 A person who commits an offence under this bylaw is liable, on summary conviction, to the fines and penalties prescribed under the Summary Convictions Act and any applicable enforcement or ticketing bylaw of the Village.

8.4 This bylaw may be enforced by any person designated by Council for that purpose, in accordance with the Municipal Act and any applicable enforcement bylaws of the Village.

9. SEVERABILITY

9.1 If any section, subsection, sentence, clause, or phrase of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, that portion shall be severed and the remainder of the bylaw shall remain in full force and effect.

10. EFFECTIVE DATE

10.1 This bylaw shall come into full force and effect on the day of its third reading and adoption.

READINGS

Read a first time the 10th day of December, 2025.

Read a second time the 10th day of December, 2025.

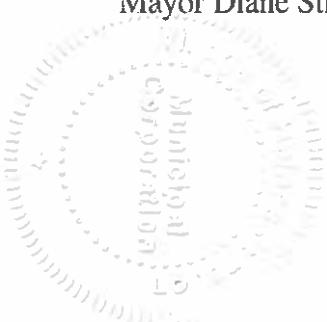
Read a third time and finally passed the 14th day of January, 2026.



Mayor Diane Strand



for CAO David Fairbank



SCHEDULE “A”

EXISTING SHORT-TERM RENTAL ACCOMMODATIONS

Requires Council resolution in accordance with section 5 of this bylaw

- (a) civic address; (Whole home, or room/s)
- (b) legal description;
- (c) name of owner or operator; and
- (d) Platform(s) on which the property was advertised on or before December 1, 2025.

A 131 Willow Acres Road (whole home)

- B Lot 19 Willow Acres Subdivision
- C Daniel and Donna Moore
- D VRBO, Airbnb

A 113 Wintergreen Way (whole home)

- B Lot 45 Willow Acres Subdivision
- C Scott Stewart and Laura Gorecki
- D VRBO, Airbnb

A 104 Rainbow Street (whole home)

- B Lot 24 Block 27
- C Mary and Gloria Nunez
- D VRBO, Airbnb

A 109 Bear Berry Lane (whole home)

- B Lot 10 Bear Berry Meadow Subdivision
- C Veronique Theriault and Justin Quigley
- D VRBO, Airbnb

A 113 Auriol Street (cabins, suite)

- B Lot 13 Block 7
- C Valerie and Daniel Drummond
- D VRBO, Airbnb

A 110 Lowell Street (whole home)

- B Lot 13 Block 21
- C Ray Gunness and Isobel Ness
- D VIRBO, Airbnb

A **122 Spruce Street (whole home)**

B Lot 11 Block 43

C John Alderson

D VRBO, Airbnb

A **202 Lucania Street (suite)**

B Lot 21 Block 9

C Roderick and Ernestine Watson

D Website

A **139 Spruce Street (suite)**

B Lot 8 Block 45

C Kathleen Moylan and George Van Sickle

D Airbnb

A **105 Spruce Street (whole home)**

B Lot 3 Block 47

C Francis Naud

D VRBO, Airbnb