



Licensing Appeal Procedures and Process

Date Approved: March 2, 2026

Department: By-law – Short-Term Accommodation Licensing

Purpose

The purpose of this process is to formally establish and affirm the authority of the Licensing Appeals Officer to determine, modify and enforce hearing processes and procedures to ensure hearings are conducted in a fair, orderly, efficient and legislatively compliant manner.

Application

This process applies to all licensing appeal hearings administered by the Town and presided over by the Licensing Appeals Officer, including matters arising under municipal licensing by-laws and related regulatory decisions.

This process is adopted pursuant to the *Statutory Powers and Procedure Act, R.S.O. 1990, c. S.22*, including section 25, which provides that hearings shall be open to the public unless otherwise provided by law, and that members of the public may attend but do not have the right to participate unless permitted by the presiding decision-maker.

Definitions

For the purposes of this policy:

“Act” means the *Statutory Powers and Procedure Act, R.S.O. 1990, c. S.22*, as amended.

“Hearing” means a proceeding conducted by the Licensing Appeals Officer to consider an appeal, review or matter under a municipal licensing by-law or related regulatory authority.

“Licensing Appeals Officer” means the individual appointed or designated by the Town to preside over licensing appeal hearings and exercise decision-making authority.

“Observer” means any member of the public attending a hearing who is not a party, representative or witness.

“Party” means a person or entity entitled by law or municipal by-law to participate in a hearing, including an applicant, licensee or the Town.

“Procedural Direction” means an instruction, order or ruling issued by the Licensing Appeals Officer respecting the conduct, format or management of a hearing.

Procedures

Authority of the Licensing Appeals Officer

The Licensing Appeals Officer has delegated authority to control and manage all procedural aspects of hearings, including but not limited to:

- Determining the format, order and scheduling of hearings;
- Establishing timelines for submissions and disclosure of evidence;
- Issuing procedural directions or rulings before or during hearings;
- Regulating the conduct of parties, representatives, witnesses and observers;
- Taking any steps necessary to maintain order, decorum, procedural fairness and efficiency.

Procedural decisions of the Licensing Appeals Officer are final unless otherwise provided by statute or municipal by-law.

Public Attendance and Participation

1. All hearings shall be open to the public except where permitted by law to be closed.
2. Members of the public may attend hearings solely for the purpose of observation.
3. Members of the public shall not speak, present submissions, question witnesses or otherwise participate unless expressly invited or authorized by the Licensing Appeals Officer.
4. The Licensing Appeals Officer may impose reasonable conditions on attendance, including limits relating to space, safety, confidentiality or orderly conduct.
5. Any person who disrupts a hearing may be removed or excluded at the direction of the Licensing Appeals Officer.

Interpretation

In the event of any conflict between this policy and applicable legislation, the legislation shall prevail.

Exclusions

None

References and Related Policies

The Statutory Powers and Procedures Act, R.S.O. *Statutory Powers and Procedures Act, R.S.O. 1990, c. S.22*

Consequences of Non-Compliance

All parties to a proceeding must comply with procedural directions issued by the Licensing Appeals Officer. Failure to comply may result in procedural consequences, including but not limited to:

- exclusion of evidence,
- adjournment,
- proceeding in the party's absence or
- any other order necessary to ensure fairness and efficiency.

Review Cycle

This procedure shall be reviewed as required by the Town and may be amended to ensure continued compliance with statutory requirements and administrative law best practices.

Debbie Young
Manager of By-law and Licensing