

Delegation Request Form

This form must be completed and submitted to the Clerk of the Town of Kingsville by all persons wishing to address Council at a scheduled meeting of Council. Please refer to the Delegation Information Sheet for additional information about appearing before Council.

Please note that personal information collected in this form may be included in the Council Agenda package and/or the Council Meeting Minutes, both of which are part of the public record and posted on the Municipal website.

Please read the following carefully before proceeding to submit a request.

Applications to appear as a delegation before the Town of Kingsville Council are to be received no later than 11:00 a.m. the day of the scheduled Council or Committee Meeting in which you would like to appear. Your application will be reviewed and you will be notified by the Clerk if your request to appear as a delegation has been approved. Alternatively, if you do not wish to appear as a delegation but would like your comments to be considered by Council, you may make a written submission using this form.

Notes: If you wish to simply attend the meeting, you can do so by accessing our live stream at <https://calendar.kingsville.ca/council>

General Guidelines

- Members of the Public must register by completing the Delegation Request Form in order to provide verbal comments to Council or a Committee.
- Delegation requests and written submissions must be received by 11:00 a.m. the day of a scheduled Council or Committee Meeting.
- A delegation will not be registered to address members of Kingsville Council at a Council meeting unless this specific item is listed on the Agenda. Delegations related to items not listed on the Agenda must be received 14 days in advance of a future Council Meeting.
- Delegations are limited to 10 minutes.
- Both verbal and written comments will be given equal consideration.
- It is the responsibility of the public to indicate when an accommodation is required. The Clerk will determine the best method to address this accommodation in consultation with the individual in advance of the meeting.

First Name *

Emily

Last Name *

Acheson

Address *

City *

Kingsville

Phone number *

Email address *

Are you representing a group? *

Yes

No

What is the name of your group? *

McCracken Road Residents

Who do you wish to speak to? *

Committee

Date of Meeting *

5/15/2023



Is this item on the Agenda? *

Yes

No

Agenda Item Number and/or Topic *

Short Term Rental Units in Kingsville

Have you appeared before Council on this issue before?

Yes

No

Have you been in contact with staff on this issue before?

Yes

No

If yes, please provide name of staff member(s) *

Mayor, Rogers and CAO John Norton

Please provide the approximate date you were in contact with the staff person

3/22/2023



Presentation Materials

Any speaking notes, supporting documentation, presentation materials, and/or audio visual aids must be provided to the Clerk with this delegation request for review, approval, and circulation to Council and Administration. Materials will be made public and shall be compliant with AODA legislation.

Will you have presentation materials and/or any audio-visual aids? *

Yes

No

Please select your presentation material type *

Handouts (PDF document)

Please upload your presentation material so that it may be reviewed.

Privacy Statement

This meeting will be broadcast live via eScribe and Delegates participating virtually will form part of the recording. Be advised that all Council and Committee meeting presentations become part of the public record and you will be listed as a presenter on the Agenda and Minutes of the meeting. Agendas and Minutes are published online, so the listing of your name in connection with the Agenda or Minutes may be indexed by search engines like Google. Further, personal information contained in your correspondence, to Town of Kingsville Council, is collected under the authority of the *Municipal Act, 2001*, as amended. Any personal information you choose to disclose in your correspondence will be used to receive your views on the relevant issue(s) to enable Town of Kingsville Council to make its decision on the matter. Questions about the collection of this information can be directed to the Legislative Services Department.

I have read and understand the above Privacy Statement. *

Yes

No

Town of Kingsville

Short Term Rental Concerns and Proposed By-Law Regulation

We, as property owners in the Town of Kingsville, have concerns regarding Short Term Rental Properties in our Town (to be referred to as STRU in this document). An STRU is defined as a temporary rental accommodation in all, or part of a dwelling for short period stays (29 days or less). This is a new and unregulated business which has gained traction during COVID restrictions and the Town needs to have a by-law in place to regulate the STRU industry.

We feel that the Town of Kingsville should follow the direction of other municipalities such as the Town of Essex, Lambton Shores, Fort Erie and the City of London and consider a similar by-law in an effort to have regulations in place to police this growing industry.

There are some areas in Town which are zoned Lakeshore Residential (LR). In accordance with Index Map #59, Subsection 6.7 part 3.4.13 states ***“Dwelling: shall mean a building, occupied or designed to be occupied exclusively as a home, residence, or sleeping place by one or more persons, but shall not include hotels, boarding, bunkhouse, lodging, or rooming houses, tourist homes, nursing or rest homes, motels, institutions, travel trailers or mobile homes”***. In this one zoning area, short term rentals are not permitted but the Town currently has no specific by-law in place to clearly regulate STRUs.

The Town currently regulates small businesses that are run out of residents’ homes and we feel the Town needs to consider implementing a by-law to regulate the STRUs. This issue has been brought forward in other small communities with lakefront properties. The Town of Essex passed a by-law regulating STRUs. CBC News ran a story on communities adjacent to Lake Erie and Lake Huron noting the lack of regulations and the dissatisfaction of local residents regarding STRUs. ***“There’s a growing movement among Ontario lakeside communities to push back against short-term rental services, such as Airbnb and VRBO, that some say are disrupting the social fabric of their close-knit communities to the point where it could upend their way of life.”***

We are not alone in voicing our concerns as others in our community have voiced concern in this matter. This topic has been in the forefront of other smaller municipalities and, in particular, lakefront communities.

The purpose of this proposed by-law is to protect the health and safety of persons using these accommodations, to ensure the accommodations do not create neighbourhood nuisances, that the accommodations comply with zoning and to protect the residential amenity, character and stability of residential communities.

We are suggesting the following for your review, discussion and consideration. Please note that these are simply our suggestions and a starting point to be considered by Council.

- That Council for the Town of Kingsville bring forward a motion to consider implementing a by-law regulating STRUs;
- That Council request Administration to research the number of STRUs currently operating in Kingsville (including former Gosfield South and Gosfield North);
- That the by-law require STRUs to be located on the owner's primary residence, eliminating out-of-town absentee hosts.
- That STRUs be required to register with the Town of Kingsville on an annual basis with a registration fee of \$1,000.00 - \$2,500.00 per year which would be proportionate to the size of the home being rented. (This sum is reasonable as one weekend of rental income would offset the cost of registration). Having annual renewals would ensure that the owners are in compliance with regulations; ***(i.e., Town of Kingsville currently has 114 STRUs. Based on a 3 day weekend the average net income earned by local STRUs is \$900.00. 114 X \$900.00 = \$102,600.00/annum)***
- That the revenue from registration fees for STRUs would facilitate hiring of additional staff to inspect and implement by-law regulations;
- That the properties be inspected by the Fire Department on an annual basis to ensure that these rentals are compliant with municipal regulations and Ontario Fire Code. A set fee for Fire Inspection could be a separate charge of approximately \$150.00/year. This

would ensure that abutting properties would not be put at risk with unsafe units and ensure outdoor fire permits have been approved for fire pits;

- That a 24/7 hotline be implemented to report complaints, and a demerit system to keep absentee landlords in line with expectations. This service could be contracted out to an alarm company or similar entity by the town; (i.e.: Town of Essex demerit charges attached);
- That owners/managers must respond verbally to complaints within 30 minutes and physical presence within 1 hour of reporting; if landlords are out of town they are required to have a dedicated agent living in the area or contract a local security entity to attend on their behalf. A written report is to be issued for each complaint and submitted to the Town for record keeping and/or penalty fees or demerit points ; Complaints would be reduced if owner lived on site of STRU;
- That a per diem penalty fee be charged for landlords who are not in compliance with the by-law, (i.e.: \$500.00/day);
- That the core business area of Kingsville (i.e., BIA Members) be exempt from registration fees as they already pay to be members of the BIA;
- That all STRU properties be subject to the requirements of the by-law and that there will be no “grandfathering” of existing rentals and no transfer of license upon the sale of the property;
- That the Town put a cap on the total number of STRUs allowed in the municipality to 1%. STRUs are driving up long term rental costs as well as making housing unaffordable. Essex County is currently experiencing a housing crisis and this may provide opportunity for those experiencing housing difficulties;
- That the Town limit the number of STRUs allowed on one Street;
- That the Town limit the number of occupants allowed in a STRU. (i.e., 2 per bedroom, or max. of 10 people);
- That lakefront STRUs be required to apply for site specific zoning exception if Zoning does not currently allow. Neighbouring property owners would receive notice of zoning change request and could address concerns they may have;

- That STRUs have a Parking Management Plan to ensure local residents are not impacted by lack of parking spaces;
- That STRUs have a Fire Safety Plan in place;
- That STRU's have minimum \$2 million in liability insurance;
- STRU must have a minimum of 100 meters of separation between properties;
- That STRUs have privacy fencing or landscaping screen if within 15 meters of a single dwelling unit in a residential area;
- STRU's if applicable must have a septic inspection.

We understand that STRUs provide a necessary option for people coming to Kingsville for various events and other leisure activities. While landlords may not be happy with the requirement of annual registration, we feel it is necessary for the greater good of the municipality.

“Lambton Shores Mayor told CBC News in August 2022 that the number of short-term rentals across the municipality, which staff estimate at 300, has reached a tipping point and has begun fraying the very fabric of local neighbourhoods”.

Over the past 2 – 3 years more homes are being purchased by out of town landlords for STRUs. We know that we are currently experiencing a housing crisis; a by-law regulating STRUs may have a positive impact on the number of homes available for purchase or rent.

There are regulations in place for hotels, motels and RV Resorts in Kingsville which are also STRUs.

We feel this issue requires Council's input as well as having a public meeting on the matter to gain perspective from other residents in the Town.

We understand that STRUs present a new problem for the municipality but Council should implement some regulation so that we continue to be a thriving community with businesses, shops, restaurants and more. We have great recreational programs and a new school under

construction, restaurants, events and so much more to offer; not just another tourist destination.

Respectfully submitted,

McCracken Road Residents.

Attachments:

Town of Essex Demerit Point Schedule

Town of Essex Short Term Rental Licensing Requirements

The Corporation of the Town of Essex By-Law Number 2025

Being a by-law to license and regulate Short Term Rental Units in the Town of Essex

WHEREAS Part IV of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, authorizes a municipality to provide for a system of licenses with respect to businesses wholly or partly carried on within a municipality;

AND WHEREAS Section 11 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, authorizes a municipality to pass by-laws in the interest of health and safety, well-being of persons, consumer protection and nuisance control;

AND WHEREAS Section 436 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, authorizes a municipality to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not there is compliance with a by-law, a direction or order, or a condition of licence;

AND WHEREAS Part XII of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, authorizes a municipality to pass by-laws imposing fees or charges for services or activities provided or done by it or on behalf of it; and

AND WHEREAS Section 434.1 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, authorizes a municipality to provide for a system of administrative penalties and fees as an additional means of encouraging compliance with its by-laws;

AND WHEREAS the Council of the Corporation of the Town of Essex deems it desirable to establish a system of licensing for Short Term Rental Units operated within the Town of Essex;

NOW THEREFORE be it resolved that the Council of the Corporation of the Town of Essex hereby enacts as follows:

1.0 DEFINITIONS

- 1.1 **"Agent"** means a Person duly appointed by the Owner to act on their behalf.
- 1.2 **"Appeals Committee"** means the Property Standards Committee or other such committee to which Council has delegated the authority and responsibility to conduct hearings under this By-Law.
- 1.3 **"Applicant"** means the Person applying for a Licence or renewal of a Licence under this By-Law, and "application" has a corresponding meaning.
- 1.4 **"Articles of Incorporation"** means documents related to an incorporated business pursuant to the *Business Corporations Act, R.S.O. 1990, c. B.16*, or the *Corporations Act, R.S.O. 1990, c. C.38*.
- 1.5 **"Complete Address"** means the address of the Short Term Rental Unit Premises including a number, street name, municipality, and postal code.
- 1.6 **"Corporation"** means a body corporate incorporated pursuant to the *Business Corporations Act, R.S.O. 1990, c. B.16*, or the *Corporations Act, R.S.O. 1990, c. C.38*.
- 1.7 **"Council"** means the Council of the Corporation of the Town of Essex.
- 1.8 **"Disturbance"** means an event where an action has commenced with respect to a nuisance, noise, or other disturbance at the discretion of an Officer.

- 1.9 **"Fees and Charges By-Law"** means the by-law passed by Council setting the fees and charges for municipal services, as may be amended from time to time.
- 1.10 **"Fire Chief"** means the duly appointed Fire Chief of the Corporation of the Town of Essex, or their designate.
- 1.11 **"Frivolous or Vexatious Complaint"** means a complaint not having any serious purpose or value or a complaint that is made for retaliatory or bad faith purposes, or otherwise forms part of a pattern of conduct by the complainant that amounts to an abuse of the complaint process.
- 1.12 **"Licence"** means the certificate issued under this By-Law as proof of licensing under this By-Law.
- 1.13 **"Licensee"** means a Person licensed under this By-Law or a Person required to be licensed under this By-Law.
- 1.14 **"Licensing Administrator"** means the duly appointed Clerk of the Corporation of the Town of Essex or designate.
- 1.15 **"Local Contact"** means an Agent or representative of an Owner who is responsible for managing or addressing issues in relation to the Owner's Short Term Rental Unit.
- 1.16 **"Officer"** means any Person authorized by the Corporation of the Town of Essex to enforce by-laws.
- 1.17 **"Owner"** means a Person who is on title as an owner of a building or parcel of land identified on the parcel register from the Land Registry Office and includes a Person who alone or with others has a right to possess or occupy Premises where a Short Term Rental Unit is located, or a Tenant who actually does not own, possess, or occupy the Premises upon which a Short Term Rental Unit is located.
- 1.18 **"Person"** means an individual, a Corporation, a partnership, or an association, and includes a Licensee or an Applicant for a Licence under this By-Law, as the context may suggest.
- 1.19 **"Premises"** means any place, premises or location, or part thereof, in which a trade, business or occupation of Short Term Rental Unit is carried on.
- 1.20 **"Renter"** means the Person responsible for the rental of the Premises by way of concession, permit, lease, licence, rental agreement, or similar commercial arrangement.
- 1.21 **"Renter's Code"** means a document provided by the Town, or a document otherwise approved by the Town, including that is provided by a Short Term Rental Company, that sets out the roles and responsibilities of the Renter, including behavioural expectations as they relate to non-disturbance, which provides a warning related to the making of a Disturbance, and, which identifies applicable Town by-laws that the Renter must comply with including the relevant provisions of this By-Law.
- 1.22 **"Short Term Rental Company"** means any Person who accepts, facilitates, brokers requests for, advertises, or offers the rental of a Short Term Rental Unit for compensation or a fee including through a website or other platform.
- 1.23 **"Short Term Rental Unit" or "STRU"** means a dwelling or dwelling unit used, with or without on-site supervision, for rental accommodation of a Person or Persons for a period of twenty-eight (28) consecutive days or less, within the calendar year, but may be rented for a longer period. This definition does not include a bed and

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breakfast dwelling, a lodging house, a residential care facility or group home or a dwelling unit in a hotel or motel.

- 1.24 **"Town"** means the Corporation of the Town of Essex or the geographical area of the Town of Essex, as the context may suggest.
- 1.25 **"Zoning By-Law"** means the general land use by-law enacted by Council under Section 34 of the *Planning Act, R.S.O. 1990, c. P.13*, as amended from time to time.

2.0 PROHIBITIONS

- 2.1 As of December 31, 2022, or such earlier date of Licence issuance, no Person shall operate or permit a Person to operate or hold themselves out as being licensed to operate a Short Term Rental Unit:
- a) without a Licence to do so issued under this By-Law;
 - b) under any other name than the one endorsed on their Licence issued under this By-Law; or
 - c) except in accordance with the regulations of this By-Law, including any applicable Schedule, all of which form part of this By-Law.
- 2.2 No Person shall:
- a) transfer or assign a Licence issued under this By-Law without written consent of the Licensing Administrator;
 - b) obtain a Licence by providing mistaken, false or incorrect information;
 - c) enjoy any vested rights or ownership, and at all times the Licence shall remain the property of the Corporation of the Town of Essex; or
 - d) As of December 31, 2022, advertise a Short Term Rental Unit without a Licence issued under this By-Law.
- 2.3 No Person shall make a Frivolous or Vexatious Complaint in respect of a Premises that is operated as a Short Term Rental Unit.

3.0 LICENSING REQUIREMENTS

- 3.1 A completed application for a Licence or for renewal of a Licence shall be submitted (no earlier than September 1, 2022) to the Licensing Administrator accompanied by the requirements prescribed in Schedule "A" together with any other information that the Licensing Administrator from time to time requests.
- 3.2 The Licensing Administrator may, for any applications, and on a case-by-case basis review, determine, or waive any Licensing requirements and/or regulations not related to public safety or consumer protection.
- 3.3 Every Person licensed under this By-Law shall at all times:
- a) comply with the regulations contained in any applicable Schedule; and
 - b) notify the Licensing Administrator immediately of any change in any of the particulars required to be filed with the Town for the issuance of a Licence.

4.0 ISSUANCE OF LICENCE AND GROUNDS FOR REFUSAL

- 4.1 The Licensing Administrator shall:
- a) Receive, process and determine all applications for Licences and for renewal of Licences to be issued under this By-Law;

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- b) grant and issue Licences and renewal of Licences, either conditionally or unconditionally, to any Person who meets the requirements of this By-Law except where as determined by the Licensing Administrator:
 - i) the conduct of an Applicant affords reasonable grounds for belief that the Applicant has not carried on, or will not carry on the business in accordance with the law or with integrity and honesty;
 - ii) there are reasonable grounds for belief that the carrying on of the business may be adverse to the public interest;
 - iii) the Applicant has a total of seven or more demerit points in effect pursuant to Schedule "C"; or
 - iv) the Applicant is indebted to the Town in respect of fines, penalties, judgments, outstanding property taxes, or any other amounts owing, including an administrative penalty.
- c) generally perform all the administrative functions conferred upon them by this By-Law.

4.2 Licences issued pursuant to this By-Law are conditional upon ongoing and continuing compliance by the Licensee with all municipal by-laws, and compliance with all Provincial and Federal legislation.

4.3 Licences issued pursuant to this By-Law are immediately considered to be expired when a change in the Owner of the Short Term Rental Unit occurs.

4.4 The determination of whether a licence application is complete in accordance with the requirements of this By-Law shall be within the sole discretion of the Licensing Administrator.

5.0 TERM OF LICENCE

5.1 A Licence issued under the provisions of this By-Law shall expire three (3) years from the date of its issuance unless it is renewed or revoked in accordance with the provisions of this By-Law.

6.0 REVOCATION AND SUSPENSION

6.1 The Licensing Administrator shall provide notice of intention to revoke or suspend a Licence and shall advise the Licensee of their right to an appeal where:

- a) the Licensee would be disentitled to a Licence or a renewal of a Licence for the reasons set out in this By-Law;
- b) the Licensee has failed to comply with the regulations required under the provisions of this By-Law; or
- c) the Licence was issued in error.

6.2 Notwithstanding Section 7 of this By-Law, the Licensing Administrator, if satisfied that the continuation of the Licence poses an immediate danger to the health or safety of any Person, may, for the time and such conditions as are considered appropriate and without a hearing, suspend a Licence for not more than 14 days, and, prior to suspending the Licence, shall provide the Licensee with the reasons for the suspension, orally or in writing, together with a reasonable opportunity to respond to or rectify same.

7.0 APPEAL

- 7.1 Where the Licensing Administrator has denied an Applicant a Licence or a request for renewal, or suspended or revoked a Licence, the Licensing Administrator shall inform the Applicant or Licensee by way of written notice setting out the grounds for the decision with reasonable particulars, and advise of the right to appeal such decision to the Appeals Committee.
- 7.2 Persons or Applicants may appeal to the Appeals Committee in relation to matters noted in subsection 7.1 and subsection 9.4 of this By-Law. A request for an appeal shall be made in writing to the Licensing Administrator setting out the reasons for the appeal within 7 days after service of the written notice.
- 7.3 Where no request for an appeal is received in accordance with subsection 7.2 of this By-Law, the decision of the Licensing Administrator shall be deemed to be affirmed.
- 7.4 Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided reasonable written notice thereof.
- 7.5 After such opportunity to be heard is afforded to the Applicant or Licensee, the Appeals Committee may make a decision in respect of which the hearing was held or the opportunity for hearing afforded. The decision of the Appeals Committee is final and not subject to review. The Appeals Committee may refuse to issue or renew a Licence, revoke, suspend, or impose any conditions upon a Licence. The Appeals Committee may cancel or reduce an administrative penalty. The Appeals Committee may consider any matter pertaining to the licensing requirements in Section 3 of this By-Law or the grounds for refusal in Section 4 of this By-Law, or any other matter that relates to the general welfare, health or safety of the public.
- 7.6 Pursuant to Section 23.2 of the *Municipal Act, 2001, S.O. 2001, c. 25*, Council hereby delegates to the Committee the power to make the final decision in respect of which a hearing was held, and it is the opinion of Council that this delegated power is of a minor nature. This delegation may be revoked by Council at any time.
- 7.7 Where the Appeals Committee conducts a hearing, the rules set out in the *Statutory Powers Procedure Act, R.S.O. 1990, c. 5.22* shall apply.

8.0 ORDER

- 8.1 Where an Officer has reasonable grounds to believe that a contravention of this By-Law has occurred, the Officer may serve an order on the Licensee setting out the reasonable particulars of the contravention and directing:
- a) compliance within a specified timeframe;
 - b) any work that is required to be done, and in default of such work being done, the work may be done at the Licensee's expense and the Town may recover the expense by in the same manner as municipal taxes; or
 - c) the activity be discontinued.
- 8.2 Any Person who contravenes an order under this By-Law is guilty of an offence.
- 8.3 An order under this By-law may require work to be done even though the facts which constitute the contravention of this By-Law were present before this By-Law came into force.

9.0 ADMINISTRATIVE PENALTIES

- 9.1 Each Person who contravenes any provision of this By-Law, including any provision denoted in the Schedules to this By-Law, shall, upon issuance of a penalty notice

be liable to pay to the Town an administrative penalty as set out in Schedule "E" of this By-Law.

- 9.2 An Officer who finds or has reasonable cause to believe that a Person has contravened any provision of this By-Law, including any provision of the Schedules, may issue a penalty notice addressed to the Person.
- 9.3 The penalty notice (which shall be as prescribed from time to time by the Town) shall be given to the Person to whom or to which it is addressed as soon as is reasonably practicable and shall include the following information:
- a) particulars of the contravention;
 - b) the amount of the administrative penalty;
 - c) information respecting the process by which the Person may exercise the Person's right to request an appeal of the administrative penalty; and
 - d) a statement advising that an administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debt of the person to the Town.
- 9.4 A Person may appeal an administrative penalty to the Appeals Committee, in accordance with Section 7 of this By-Law.
- 9.5 An administrative penalty shall constitute a debt to the Town of each Person to whom or to which the penalty notice was given.
- 9.6 An administrative penalty that is not paid by the date that it becomes due and payable may be collected in the same manner as municipal taxes.

10.0 NOTICES/ORDERS

- 10.1 Any penalty notice or any other notice, or order issued pursuant to this By-Law may be given in writing in any of the following ways and is effective:
- a) on the date on which a copy is delivered to the Person to whom it is addressed;
 - b) on the fifth day after a copy is sent by mail to the Person's last known address;
 - c) upon the conclusion of the transmission of a copy by facsimile transmission to the Person's last known facsimile transmission number;
 - d) upon the sending of a copy by e-mail transmission to the Person's last known e-mail address; or
 - e) posting it on the Person's property.
- 10.2 For the purpose of subsection 10.1 of this By-Law, the Person's last known address, last known facsimile transmission number and last known e-mail address shall be deemed to include those provided pursuant to Schedule "A" of this By-Law.

11.0 INSPECTION

- 11.1 In accordance with Section 436 of the *Municipal Act, 2001, S.O. 2001, c. 25*, the Licensing Administrator or an Officer may at any reasonable time enter upon land to inspect:
- a) any Premises/vehicles or place where a business which is subject to this By-Law is carried on or where there are reasonable or probable grounds to believe a business subject and pursuant to this By-Law was or is being carried on; or

- b) any goods, equipment, books, records, or documents used or to be used by the Applicant or Licensee pursuant to this By-Law.

11.2 It shall be an offence to obstruct or permit the obstruction of the entry upon land and the inspection of the Licensing Administrator or an Officer.

12.0 OFFENCES

12.1 Every Person who contravenes any provision of this By-Law, including failing to comply with an order made under this By-Law, is guilty of an offence and upon conviction is liable to a fine, and other such penalties, as provided for in the in *Provincial Offences Act, R.S.O. 1990, c. P.33*, as amended.

12.2 If a Person or Corporation is convicted of an offence under this By-Law, in addition to any other remedy or any penalty imposed, the court in which the conviction has been entered, and any court of competent jurisdiction, may make an order prohibiting the continuation or repetition of the offence by the Person convicted.

12.3 Each day or a part of a day that a contravention of this By-Law continues is deemed to be a separate offence.

12.4 Pursuant to Section 431 of the *Municipal Act, 2001, S.O. 2001, c. 25*, if a Person has been convicted of an offence under this By-Law, a court of competent jurisdiction may, in addition to any penalty imposed on the Person convicted, issue an order:

- a) prohibiting the continuation or repetition of the offence by the Person convicted; and

- b) requiring the Person convicted to correct the contravention in the manner and within the period that the court considers appropriate.

12.5 If a Person is required to pay an administrative penalty under Section 9 of this By-Law in respect of a contravention of this By-Law, the Person shall not be charged with an offence in respect of the same contravention.

12.6 In accordance with Section 398(2) of the *Municipal Act, 2001, S.O. 2001, c. 25*, the Town may add unpaid fees, charges, and fines under this By-Law to the tax roll and collect them in the same manner as municipal taxes.

13.0 REFERENCES

13.1 References in this By-Law to any legislation or by-law means as may be amended or replaced from time to time, and include any regulations thereunder.

13.2 The words or phrases contained herein which are not defined by this By-Law are firstly to be assigned the definition or meaning attributable to them in the Zoning By-Law and, failing such a definition or meaning, the everyday meaning of such word or phrase.

14.0 SEVERABILITY

14.1 In the event any provisions of this By-Law are deemed invalid or void, in whole or in part, by any court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

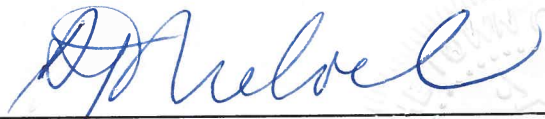
15.0 SHORT TITLE

15.1 This By-Law may be known as the "Short Term Rental Unit Licensing By-Law" or the "STRU Licensing By-Law".

16.0 ENACTMENT

16.1 This By-Law shall come into full force and effect upon the final passing thereof.

Read a first and a second time and provisionally adopted on May 9, 2022.




Mayor

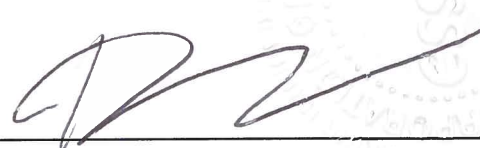


Clerk

Read a third time and finally passed on May 16, 2022.



Mayor



Clerk



Schedule "A"

Short Term Rental Unit Licensing Requirements

- 1.1 A Person shall only be permitted to apply for a Licence or the renewal of an existing Licence if the Short Term Rental Unit is in full compliance with the provisions of the Zoning By-Law.
- 1.2 A Person applying for a Licence or renewal of an existing Licence shall meet the following requirements and provide the Licensing Administrator with the following, as applicable:
- a) a completed application in the form required by the Licensing Administrator that will include each Owner, Applicant and/or Agent's name, address, telephone number, facsimile transmission number (if applicable), and e-mail address;
 - b) payment of the non-refundable licensing fee as set out in Schedule "D" of this By-Law or such revised amounts as may be set out and amended from time to time in the Town's Fees and Charges By-Law;
 - c) if the Applicant is an individual, proof that the Applicant is at least eighteen (18) years of age
 - d) if the Applicant is a Corporation, proof that the Corporation is legally entitled to conduct business in Ontario, including but not limited to:
 - i) Article of Incorporation or other incorporating documents, duly certified by the proper government official or department of the Province of Ontario or of the Government of Canada; and
 - ii) a certified copy of an annual return which contains a list of all shareholders of the Corporation;
 - e) if the Applicant is a partnership, the names and addresses of each member of the partnership as well as the name under which the partnership intends to carry on business;
 - f) proof of insurance which includes a liability limit of no less than two million dollars (\$2,000,000.00) per occurrence for property damage and bodily injury, and such proof of insurance shall be endorsed to the effect that the Town of Essex shall be given at least 15 days notice in writing of any cancellation or material variation to the policy;
 - g) a floor plan and a site plan of the Short Term Rental Premises depicting:
 - i) all entrances and exits to and from the building;
 - ii) the use of each room, including the proposed occupancy;
 - iii) the location of smoke alarms, fire extinguishers, carbon monoxide alarms, and early warning devices;
 - iv) related site amenities including other buildings, structures, and open burn/campfire location on the land; and
 - v) the parking spaces required in accordance with section 1.1 h) of Schedule "B" of this By-Law.
 - h) a statement prepared by the Fire Chief confirming that the Premises complies with the *Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4*, which results

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from an inspection that was conducted within the twelve (12) months preceding the submission of the application;

- i) a statement prepared by the Town Planner confirming that the proposed application and Premises complies with the Zoning By-Law;
- j) a declaration that:
 - i) the STRU is in compliance with the *Building Code Act, 1992, S.O. 1992, c. 23*, or any regulations made under it, including the Building Code;
 - ii) the STRU is in compliance with the *Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4*, or any regulations made under it, including the Fire Code;
 - iii) the STRU is in compliance with the *Electricity Act, 1998, S.O. 1998, c. 15, Sched. A*, or any regulations made under it, including the Electrical Safety Code;
 - iv) the Owner or the Applicant (if different than the Owner) and any Local Contacts are aware of all relevant federal and provincial legislation, as well as all relevant municipal by-laws, and that they will comply with all of them;
 - v) the Applicant or Owner confirms the accuracy, truthfulness, and completeness of the information submitted; and
 - vi) the Applicant or Owner confirms they will require each Renter to abide by a Renter's Code; and
- k) such other requirements or documents that may be requested by the Town and/or the Licensing Administrator.

Schedule "B"

General Regulations

1.1 A Licensee shall:

- a) keep a record of the Renters with such record containing the date of entry, the length of stay, home address of the Renter and confirmation of receipt of the Renter's Code with such record readily available for inspection at all times by an Officer for a period of one year;
- b) display a sign permanently in a prominent place in the Short Term Rental Unit which at a minimum shall include:
 - i) the Complete Address of the Short Term Rental Unit;
 - ii) the Licence number;
 - iii) the effective date and expiry date of the Licence;
 - iv) the Owner's name and contact information;
 - v) the Local Contact's name and contact information; and
 - vi) a plan which shall be plagued or framed that depicts the location of each bedroom, smoke alarms, fire extinguisher, carbon monoxide alarms, and exit and egress door or window;
- c) display a sign permanently in a prominent location at the exterior of the Short Term Rental Unit to which it applies so as to be visible and clearly discernible by the public and authorities at all times which shall include:
 - i) the Complete Address of the Short Term Rental;
 - ii) the Licence number; and
 - iii) the effective date and expiry date of the Licence;
- d) ensure that there is a Local Contact available upon request to respond and/or attend the Short Term Rental Unit at all times within a period of no greater than one hour from the time of contact by way of telephone or e-mail;
- e) ensure that each Renter has been provided with the Renter's Code with the Licensee retaining a copy of the confirmation of receipt of the Renter's Code for a period of one year;
- f) maintain the Short Term Rental Unit in a clean and sanitary condition with adequate measures for the storage and disposal of garbage and waste and sufficient levels of illumination to permit the safe use of the STRU;
- g) ensure that the Short Term Rental Unit is operated and used in a fashion such that the operation or use will not cause a Disturbance or nuisance; and
- h) provide a minimum of one on-site parking space and one additional on-site parking space for each two beds exclusively for the Short Term Rental Unit on a continuous surface of concrete, asphalt, pavers, or where permitted by the Zoning By-Law, stone or gravel. Each parking space shall have a minimum length of 5.5 meters and a width of 2.5 meters. Tandem parking in a driveway is acceptable in the laying out of the site plan.

Schedule "C"

Demerit Point System

- 1.1 A demerit point system is established as follows herein together with Table 1 attached hereto. This demerit point system does not preclude the use of options otherwise available to enforce this By-Law or any other by-law of the Town or provincial legislation including, but not limited to, administrative penalties as set out in this By-Law and actions pursuant to the *Building Code Act, 1992, S.O. 1992, c. 23*, the *Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4*, and the *Provincial Offences Act, R.S.O. 1990, c. P.33*.
- 1.2 The number of demerit points referenced in Column 3 of Table 1 below will be assessed against a Short Term Rental Unit in respect of the matter noted in Column 1 of Table 1 upon the following event respecting a contravention:
 - a) the expiry of the period for appealing a fine imposed pursuant to Part I or Part III of the *Provincial Offences Act, R.S.O. 1990, c. P.33*;
 - b) the expiry of the period for appealing against a conviction in the Ontario Court of Justice or other court of competent jurisdiction;
 - c) the confirmation of an administrative penalty;
 - d) the confirmation of an order; or
 - e) the confirmation of an order resulting in Town remediation.
- 1.3 Notice of the suspension or revocation of a Licence shall be provided to the Owner in accordance with Section 10 of this By-Law.
- 1.4 Subject to the provisions of Section 7 of this By-Law, a Licence shall be deemed to be suspended for a period of six months if the total of all demerit points in effect respecting a Short Term Rental Unit is at least seven.
- 1.5 Subject to the provisions of Section 7 of this By-Law, a Licence shall be deemed to be revoked if the total of all demerit points in effect respecting a Short Term Rental Unit is at least fifteen.
- 1.6 Demerit points shall remain in place until the two-year anniversary of the date on which the demerit points were assessed, unless otherwise rescinded or amended by the Appeals Committee or a change in the Owner of a Short Term Rental Unit Premises occurs.

TABLE 1		
COLUMN 1 Infraction	COLUMN 2 Type	COLUMN 3 Demerit Points
Violation of <i>Fire Protection and Prevention Act, 1997</i> and/or Fire Code	Order not complied with	3
	Part I, Part III, and/or Admin Penalty	7
Violation of <i>Building Code Act, 1992</i>	Order not complied with	3
	Part I, Part III, and/or Admin Penalty	7
Violation of Open Air Burning By-Law #1339	Cost incurred for illegal fire	2
	Part I, Part III, and/or Admin Penalty	4
Violation of Noise Control By-Law #2038	Observed by an Officer	1
	Part I, Part III, and/or Admin Penalty	4
Violation of Waste Disposal By-Law #320	Order not complied with	2
	Part I, Part III, and/or Admin Penalty	4
Violation of Property Standards By-Law #936	Order not complied with	2
	Part I, Part III, and/or Admin Penalty	4
Violation of Fireworks By-Law #2011	Observed by an Officer	1
	Part I, Part III, and/or Admin Penalty	4
Violation of Snow Removal By-Law #1108	Observed by an Officer	1
	Part I, Part III, and/or Admin Penalty	4
Violation of any applicable municipal by-law	Observed by an Officer	1
	Part I, Part III, and/or Admin Penalty	4
Operating without a Licence issued pursuant to STRU Licensing By-Law #2025	Order not complied with	3
	Part I, Part III, and/or Admin Penalty	5
Local Contact does not respond and/or attend within one (1) hour pursuant to STRU Licensing By-Law #2025	Observed by an Officer	1
	Order not complied with	2
	Part I, Part III, and/or Admin Penalty	4
Violation of any provision of STRU Licensing By-Law #2025	Observed by an Officer	1
	Order not complied with	2
	Part I, Part III, and/or Admin Penalty	4
Violation of Renter's Code of Conduct pursuant to STRU Licensing By-Law #2025	Observed by an Officer	1
	Order not complied with	2
	Part I, Part III, and/or Admin Penalty	4
Obstruction of an Officer	Observed by an Officer	7
	Part I, Part III, and/or Admin Penalty	15

Schedule "D" Licensing Fees

Required Fees	Fee¹
Short Term Rental Unit Licence (New and Renewal)	\$700.00
Filing an Appeal to the Appeals Committee	\$100.00
Replacement Short Term Rental Unit Licence	\$25.00

¹ All fees are non-refundable and such fee amounts may be further amended and designated in the Town's Fees and Charges By-Law from time to time

Schedule "E"

Administrative Penalties

- 1.1 For the purposes of and in accordance with Section 9 of this By-Law, Column 1 of Table 2 below sets out the short form wording to be used in a penalty notice for the particulars of the contravention of designated provisions listed in this By-Law that are hereby designated.
- 1.2 Column 2 of Table 2 below sets out the designated provisions in this By-Law.
- 1.3 Column 3 of Table 2 below sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 2.

TABLE 2			
Item	COLUMN 1 Short Form Wording	COLUMN 2 Offence Section	COLUMN 3 Administrative Penalty
1.	Operating, permitting a Person to operate, or holding themselves out as being licensed without an issued Short Term Rental Unit Licence	s. 2.1 a)	\$1,500.00
2.	Operating, permitting a Person to operate, or holding themselves out as being licensed under any other name than the one endorsed on their issued Licence	s. 2.1 b)	\$350.00
3.	Transferring or assigning a Licence without written consent of the Licensing Administrator	s. 2.2 a)	\$350.00
4.	Obtaining a Licence by providing mistaken, false, or incorrect information	s. 2.2 b)	\$350.00
5.	Advertising a Short Term Rental Unit without a Licence	s. 2.2 d)	\$1,500.00
6.	Making a Frivolous or Vexatious Complaint in respect of a Premises that is operated as a Short Term Rental Unit	s. 2.3	\$350.00
7.	Failing to keep a record of the Renters and confirmation of receipt of the Renter's Code	Schedule B s. 1.1 a)	\$350.00
8.	Failing to display a sign in a prominent place in the Short Term Rental Unit containing the minimum requirements	Schedule B s. 1.1 b)	\$350.00
9.	Failing to display a sign in a prominent location at the exterior of the Short Term Rental Unit containing the minimum requirements	Schedule B s. 1.1. c)	\$350.00
10.	Failing to ensure there is a Local Contact available to respond and/or attend the Short Term Rental Unit within a period of no greater than one hour from the time of contact	Schedule B s. 1.1 d)	\$350.00
11.	Failing to ensure each Renter has been provided with the Renter's Code and retaining a copy of the confirmation of receipt for a period of one year	Schedule B s. 1.1 e)	\$350.00
12.	Failing to maintain the Short Term Rental Unit in a clean and sanitary condition	Schedule B s. 1.1 f)	\$350.00
13.	Failing to ensure the Short Term Rental is operated and used in a fashion that will not cause a Disturbance or nuisance	Schedule B s. 1.1 g)	\$350.00





SHORT TERM RENTAL UNIT

Licensing Requirements

Provide the following documentation:

- Proof of ownership of the STRU (Individual, Corporation or Partnership).
- Proof of operations such as rental receipts, advertisements, etc.
- Proof of Insurance which includes limited liability of no less than two million dollars per occurrence for property damage and bodily injury.
- A site plan of the exterior and a floor plan of the interior of the STRU depicting.
 - all entrances and exits to and from the building
 - the use of each room, including the proposed occupancy
 - the location of smoke alarms, fire extinguishers, carbon monoxide alarms, and early warning devices
 - related site amenities including other buildings, structures, and open burn/campfire location on the land
 - the parking spaces required in accordance with section 1.1 h) of Schedule "B" of this By-Law 2025
- Contact person available to attend the STRU at all times.

Demonstrate full compliance with the following:

- STRU Zoning By-Law 2150
- STRU By-Law 2025.
- Full Compliance with:
 - *Building Code Act, 1992, S.O. 1997, c.4*
 - *Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, and*
 - *Electricity Act, 1998, S.O. 1998, c. 15, Sched. A, or any regulations made under it.*

Complete the following:

- Obtain Zoning approval from the Town Planner.
- Payment of non-refundable Fire Inspection Fee in the amount of \$130.50 +HST.
- Complete Fire inspection and obtain Fire Department Approval.
- Payment of non-refundable licensing fee in the amount of \$700 (License is renewed every 3 years).
- Submit application to STRU Licensing Administrator to obtain Licensing.

	Town of Essex	Source of info	Lambton Shores	Source of info	City of London	Source of info
Date bylaw was passed or came into effect	May 16th, 2022	See https://www.essex.ca/en/town-hall/resources/By-Law-2025.pdf in Section 16 on (pg. 8)	New bylaw was passed June 7, 2022 and licencing took effect Feb. 1st, 2023	https://www.lambtonshores.ca/en/our-government/short-term-rental_licensing.aspx	June 14th, 2022	https://london.ca/Short-Term
STRU bylaw number	New bylaw 2025; Comprehensive zoning bylaw 1037 definition of B&B remade to include all STRUs	New bylaw 2025: https://www.essex.ca/en/town-hall/resources/By-Law-2025.pdf ; Amendment to bylaw 1037: https://www.essex.ca/en/town-hall/resources/By-law-2150.pdf	43-2022	https://www.lambtonshores.ca/en/our-government/resources/Documents/Short-Term-Rentals/Licensing-Program/43-of-2022---Short-Term-Rental---amended-Dec.-20-2022.pdf	Business Licensing By-law - L.-131-16, Schedule 21	See https://london.ca/by-laws/business-licensing-law-l-131-16
License required?	Yes	See https://www.essex.ca/en/town-hall/resources/By-Law-2025.pdf , Section 1.0, Definition 1.12. Also see Licensing Application for STRUs here: https://www.essex.ca/en/work/short-term-rental-accommodations.aspx (under Additional Resources)	Yes	See https://www.lambtonshores.ca/en/our-government/resources/Documents/Short-Term-Rentals/Licensing-Program/43-of-2022---Short-Term-Rental---amended-Dec.-20-2022.pdf , Section 2.1a (pg. 5)	Yes	See general info page at https://london.ca/Short-Term

License requires proof of insurance for renting	Yes	See https://www.essex.ca/en/town-hall/resources/By-Law-2025.pdf , Schedule A, Section 1.2f (pg. 9)	Yes	See https://www.lambtonshores.ca/en/our-government/resources/Documents/Short-Term-Rentals/Licensing-Program/43-of-2022---Short-Term-Rental---amended-Dec.-20-2022.pdf , Section 4.1k (pg. 7)	Yes	See https://london.ca/by-laws/business-licensing-law-l-131-16 , Schedule 21, Section 5.1h, as well as https://london.ca/Short-Term , under "Do I need to have insurance for my STA?"
Licensing fee	\$700.00	See https://www.essex.ca/en/town-hall/resources/By-Law-2025.pdf , Schedule D (pg. 14)	\$500	See https://www.lambtonshores.ca/en/our-government/short-term-rental_licensing.aspx#Annual-Licensing-Fee- , under Annual Licensing Fee	\$175	See https://london.ca/Short-Term , under "How much does a Short-term Accommodation Provider licence cost?"
Duration of license	3 years	See https://www.essex.ca/en/town-hall/resources/By-Law-2025.pdf , Section 5.1 (pg. 4)	1 year	See https://www.lambtonshores.ca/en/our-government/short-term-rental_licensing.aspx#Annual-Licensing-Fee- , under Licensing Application Process	1 year	See https://london.ca/Short-Term , under "How much does a Short-term Accommodation Provider licence cost?"
Demerit points system	Yes	https://www.essex.ca/en/town-hall/resources/By-Law-2025.pdf , Schedule C (pg. 12)	Yes	See https://www.lambtonshores.ca/en/our-government/resources/Documents/Short-Term-Rentals/Licensing-Program/43-of-2022---Short-Term-Rental---amended-Dec.-20-2022.pdf , Section 11 (pg. 12)	No	

<p>Penalty charges</p>	<p>Yes</p>	<p>See https://www.essex.ca/en/town-hall/resources/By-Law-2025.pdf, Schedule E (pg. 15)</p>	<p>Yes</p>	<p>See https://www.lambtonshores.ca/en/our-government/resources/Documents/Short-Term-Rentals/Licensing-Program/43-of-2022---Short-Term-Rental---amended-Dec.-20-2022.pdf, Section 15 (pg. 14)</p>	<p>Either enforcement or fines</p>	<p>See https://london.ca/Short-Term, under "When will Short-term Accommodation Provider and Broker licences be required?"</p>
<p>Licence can be revoked at any time</p>	<p>Yes</p>	<p>See https://www.essex.ca/en/town-hall/resources/By-Law-2025.pdf, Section 6.1 (pg. 4)</p>	<p>Yes</p>	<p>See https://www.lambtonshores.ca/en/our-government/resources/Documents/Short-Term-Rentals/Licensing-Program/43-of-2022---Short-Term-Rental---amended-Dec.-20-2022.pdf, fifth item on Page 1, part b</p>	<p>Yes</p>	<p>First part of bylaw, sixth statement, part b</p>
<p>License requires fire safety plan</p>	<p>Yes</p>	<p>See https://www.essex.ca/en/town-hall/resources/By-Law-2025.pdf, Schedule A, Section 1.2h and 1.2jii (pg. 9), as well as Schedule C, Table 1, first row (pg. 13)</p>	<p>Yes</p>	<p>See https://www.lambtonshores.ca/en/our-government/resources/Documents/Short-Term-Rentals/Licensing-Program/43-of-2022---Short-Term-Rental---amended-Dec.-20-2022.pdf, Section 4.1p (pg. 7)</p>	<p>Yes</p>	<p>See https://london.ca/by-laws/business-licensing-law-l-131-16, Schedule 21, Section 5.1vii</p>

<p>License requires proof of septic system inspection</p>	<p>No</p>		<p>Yes</p>	<p>See https://www.lambtonshores.ca/en/our-government/resources/Documents/Short-Term-Rentals/Licensing-Program/43-of-2022---Short-Term-Rental---amended-Dec.-20-2022.pdf, Section 4.1q (pg. 7)</p>	<p>No</p>	
<p>License requires building code is adhered to/inspected for compliance</p>	<p>Yes</p>	<p>See https://www.essex.ca/en/town-hall/resources/By-Law-2025.pdf, Schedule A, Section 1.2j,i (pg. 9), as well as Schedule C, Table 1, second row (pg. 13)</p>	<p>Yes</p>	<p>See https://www.lambtonshores.ca/en/our-government/resources/Documents/Short-Term-Rentals/Licensing-Program/43-of-2022---Short-Term-Rental---amended-Dec.-20-2022.pdf, Section 4.1rii (pg. 7)</p>	<p>Yes</p>	<p>See https://london.ca/by-laws/business-licensing-law-l-131-16, Schedule 21, Section 5.1vii</p>
<p>STRU can only be in primary residence of owner?</p>	<p>No</p>	<p>See https://www.essex.ca/en/town-hall/resources/By-law-2150.pdf: Part 1, Definition of "Short Term Rental Unit" (pg. 2)</p>	<p>No</p>		<p>Yes</p>	<p>See https://london.ca/Short-Term, under "Does the Short-term Accommodation have to be in my own home?"</p>

Specific zones for STRUs	Yes	https://www.essex.ca/en/town-hall/resources/By-law-2150.pdf : Part 2, Specifies in which zones of Essex STRUs are allowed (pp. 2-3)	Not specified		No	
4% municipal accomodation tax applied?	Not specified		Not specified		Yes	See https://london.ca/Short-Term , under "ShowDoes a Short-term Accommodation Provider have to charge and remit the Municipal Accommodation Tax (MAT)?"

City of Ottawa	Source of info	Town of Gravenhurst	Source of info	Niagara on the lake	Source of info
May 12th, 2021	See https://ottawa.ca/en/living-ottawa/laws-licences-and-permits/laws/laws-z/short-term-rental-law-no-2021-104#section-be4e64bf-2350-4d63-ad03-85728b8800f3 , Section 59	Jan. 1st, 2023	See https://gravenhurst.civicweb.net/filepro/document/94554/2022-058%20-%20Regulate%20Short%20Term%20Rentals.pdf , Section 13.1	May 6th, 2023	See https://notl.civicweb.net/document/4068/ , Section 6.02
2021-104	See https://ottawa.ca/en/living-ottawa/laws-licences-and-permits/laws/laws-z/short-term-rental-law-no-2021-104#section-1996d306-c653-4596-a0a7-c5e57d90a775	2022-58	See https://gravenhurst.civicweb.net/filepro/document/94554/2022-058%20-%20Regulate%20Short%20Term%20Rentals.pdf	4634-13	See https://notl.civicweb.net/document/4068/
Yes	See https://ottawa.ca/en/living-ottawa/laws-licences-and-permits/laws/laws-z/short-term-rental-law-no-2021-104#section-be4e64bf-2350-4d63-ad03-85728b8800f3 , Section 7, as well as Schedule A, Table 1, first row	Yes	See https://gravenhurst.civicweb.net/filepro/document/94554/2022-058%20-%20Regulate%20Short%20Term%20Rentals.pdf , Section 3.1	Yes	See https://notl.civicweb.net/document/4068/ , Section 2, Part 3 (pg. 5)

Yes	See https://ottawa.ca/en/living-ottawa/laws-licences-and-permits/laws/laws-z/short-term-rental-law-no-2021-104#section-fe6cd6ed-4f93-4b26-93cc-b92537dff71e , Section 36	Not specified		Yes	See https://notl.civicweb.net/document/4068/ , Section 4, Part 3 (pg. 9)
\$110	See https://ottawa.ca/en/living-ottawa/laws-licences-and-permits/laws/laws-z/short-term-rental-law-no-2021-104#section-be4e64bf-2350-4d63-ad03-85728b8800f3 , Schedule A	\$750	See https://forms.gravenhurst.ca/Legislative/Short-Term-Rental-Licence-Application?previewmode=82232fe8-86ef-4698-afe2-ae90135faa8 , under "Please Note"	\$108/guest room/yr	See https://notl.civicweb.net/document/4068/ , Schedule A
2 years	See https://ottawa.ca/en/living-ottawa/laws-licences-and-permits/laws/laws-z/short-term-rental-law-no-2021-104#section-be4e64bf-2350-4d63-ad03-85728b8800f3 , Schedule A	1 year	See https://forms.gravenhurst.ca/Legislative/Short-Term-Rental-Licence-Application?previewmode=82232fe8-86ef-4698-afe2-ae90135faa8 , under "Please Note"	1 year	See https://notl.civicweb.net/document/4068/ , Section 4.04, as well as Schedule A
No		No		No	

Yes	See https://ottawa.ca/en/living-ottawa/laws-licences-and-permits/laws/laws-z/short-term-rental-law-no-2021-104#section-be4e64bf-2350-4d63-ad03-85728b8800f3 , Sections 50-52	Yes	See https://gravenhurst.civicweb.net/filepro/document/94554/2022-058%20-%20Regulate%20Short%20Term%20Rentals.pdf , first page, fourth item down	Yes See https://notl.civicweb.net/document/4068/ , first page, sixth item down, as well as Section 5.05 and Schedule B
Yes	See https://ottawa.ca/en/living-ottawa/laws-licences-and-permits/laws/laws-z/short-term-rental-law-no-2021-104#section-d690704e-c404-4016-a0c3-74901c92c448 , Section 44, as well as Section 46, Part 8	Yes	See https://gravenhurst.civicweb.net/filepro/document/94554/2022-058%20-%20Regulate%20Short%20Term%20Rentals.pdf , Section 7	Yes See https://notl.civicweb.net/document/4068/ , first page, fourth item down, as well as Section 5.02
Yes	See https://ottawa.ca/en/living-ottawa/laws-licences-and-permits/laws/laws-z/short-term-rental-law-no-2021-104#section-d690704e-c404-4016-a0c3-74901c92c448 , Section 20	Not specified		Yes https://notl.civicweb.net/document/4068/ , Section 4.05, Part 1b, as well as Section 7a, where the application for a license is sent to the Fire Department

No		Not specified		Yes	Property must comply with Property Standards bylaw 5192-19, which includes proper sewage disposal (Section 2.04)
Yes	See https://ottawa.ca/en/living-ottawa/laws-licences-and-permits/laws/laws-z/short-term-rental-law-no-2021-104#section-fe6cd6ed-4f93-4b26-93cc-b92537dff71e , Section 1, under "unlawful residential unit"	Yes	See https://gravenhurst.civicweb.net/filepro/document/94554/2022-058%20-%20Regulate%20Short%20Term%20Rentals.pdf , Section 1.1g specifies guest rooms must abide by Ontario Building Code	Yes	https://notl.civicweb.net/document/4068/ , Section 4.05, Part 1c
Yes, and one additional cottage rental is allowed	See https://ottawa.ca/en/living-ottawa/laws-licences-and-permits/laws/laws-z/short-term-rental-law-no-2021-104#section-fe6cd6ed-4f93-4b26-93cc-b92537dff71e , Section 12, Parts 1 and 4	No		No, but only buildings (including additions to buildings) that have been occupied for four or more years are eligible for a STRU license	See https://notl.civicweb.net/document/4068/ , Section 2, Part 3 (pg. 5)

Yes	See https://ottawa.ca/en/living-ottawa/laws-licences-and-permits/laws/laws-z/short-term-rental-law-no-2021-104#section-fe6cd6ed-4f93-4b26-93cc-b92537dff71e , Section 12, Part 1a: "where permitted under Section 121A of the Zoning By-law"	Not specified		No	
Yes	See https://ottawa.ca/en/living-ottawa/laws-licences-and-permits/laws/laws-z/short-term-rental-law-no-2021-104#section-fe6cd6ed-4f93-4b26-93cc-b92537dff71e , Section 35	Yes	See https://gravenhurst.civicweb.net/filepro/document/94554/2022-058%20-%20Regulate%20Short%20Term%20Rentals.pdf , Section 4.1e	Not specified	



Photo credit: Thiago Prudencio/SOPA Images

Stand-alone Short-Term Rental Units (STRUs) in Kingsville: A growing concern

What are stand-alone STRUs?

Short-term rental units (often entire houses) that are **NOT** occupied by the owner.

The problem in our neighbourhood

Currently, STRUs of any kind are not regulated in Kingsville. Anyone from anywhere can buy and rent out houses in Kingsville neighbourhoods.

No regulation = safety concerns for tourists and nuisance issues for neighbouring residents.

Lack of residents in the 'off' seasons negatively affect local businesses.

Character of Kingsville neighbourhoods changing. Many houses are either party houses or simply unoccupied most of the year.

An example of the problem



Photos taken by P. Walker on
May 7th, 2023



An example of the problem



Photo taken by E. Acheson on
May 8th, 2023

An example of the problem



Photo taken by E. Acheson on
Sept. 18th, 2022

Airbnb criticized after 1 killed, 6 missing after Montreal building destroyed by fire

By Sidhartha Banerjee and Morgan Lowrie • The Canadian Press

Posted March 20, 2023 7:51 am · Updated March 20, 2023 7:05 pm



Source: <https://globalnews.ca/news/9563881/1-dead-6-missing-old-montreal-fire/>

Ontario's housing crisis and housing affordability

Ontario lacks affordable housing. Even many Kingsville residents and their children and parents cannot afford to live in their own town.

At least **100 houses** in Kingsville alone are STRUs on AirBnB.ca (undetermined number are stand-alone rentals). This does not include other short-term rentals (including VRBO and other sites).

Property values of neighbouring houses decrease. Neighbourhoods with STRUs become less desirable and 'ghost neighbourhoods' in the off season.



The solution we propose: A STRU bylaw

Many towns and cities across Ontario are creating and enforcing bylaws for STRUs due to the issues mentioned.

A bylaw will give Kingsville the ability to regulate STRUs (both owner-occupied and stand-alone). Licensing and enforcement will also bring in revenue for the town.

The Town will be able to revoke licenses from those who do not comply with rules and conduct safety inspections.

Depending on how the bylaw is outlined, stand-alone STRUs can be limited per neighbourhood / only allowed in certain zones.

Take-away messages

1. Kingsville needs a bylaw to regulate STRUs.
- AND
2. The bylaw alone is useless if not reinforced.

Questions to consider when developing a bylaw for Short-Term Rental Units (STRUs)

Agree / Disagree

- 1) **Kingsville needs a bylaw to regulate STRUs.** _____ / _____

- 2) **Increasing the number of STRUs decreases the number of available long term rental units.** _____ / _____

- 3) **The definition of an STRU should exclude:**
 - a) Hotels and motels; _____ / _____
 - b) Bed and Breakfasts. _____ / _____

- 4) **STRUs should be licensed with fees determined based on the maximum number of guests the STRU can accommodate.** _____ / _____

- 5) **No person should be allowed to operate a STRU or hold themselves out as licensed to operate an STRU:**
 - a) without a valid license issued by the municipality pursuant to the bylaw; or, _____ / _____
 - b) to operate an STRU under any name other than the one endorsed and licensed under the town bylaw; or, _____ / _____
 - c) to obtain a license by providing mistaken, false or incorrect information; or, _____ / _____
 - d) to advertise an STRU without a valid license issued under the municipal bylaw; or _____ / _____
 - e) to enjoy any vested interest or ownership of the STRU license which shall, at all times, remain the property of the municipality. _____ / _____

- 6) **An STRU should be defined as a dwelling or dwelling unit available for rental accommodations for a period of:**
 - a) 28 days or less, _____ / _____
 - b) 30 days or less, _____ / _____
 - c) no time limit for continuous renting period. _____ / _____

- 7) **The town should develop a “renters” code to be provided by the owner, or the owner’s Local Agent, to each renter, setting out the roles and responsibilities of the renter including, but not limited to, the following:**
 - a) behavioral expectations as they relate to non-disturbance; _____ / _____
 - b) no outdoor activities allowed beyond 11:00 p.m.; _____ / _____
 - c) no overnight guests allowed other than those included in the rental contract; _____ / _____
 - d) providing the renter with a copy of any applicable town by-laws that renters must obey including but not limited to by-laws relating to outdoor fire pits/bon fires, etc. _____ / _____
 - e) no persons shall be allowed to sleep out of doors or camp on the STRU property; _____ / _____
 - f) parking restrictions are to be followed in accordance with the bylaw. _____ / _____

Agree / Disagree

8) No STRUs shall be permitted on any private road which is maintained at the expense of the property owners on that road without the consent of each of the property owners affected. _____ / _____

9) If you disagree with the above question, how do you suggest affected land owners be compensated for their increased road expenses and inconvenience?

10) Any costs associated with setting up, maintaining and enforcing a bylaw with respect to STRUs should be borne by:
a) the owner(s) of the STRU, _____ / _____
b) Kingsville taxpayers, _____ / _____
c) Kingsville Business Association, _____ / _____
d) other suggestions:

11) One way of dealing more equitably with the issue of recovering costs related to administration and enforcing STRU bylaws, some municipalities are now charging STRU owners a 4% Municipal Accommodation Tax (MAT) on each rental. Kingsville should include an MAT in its STRU bylaw. _____ / _____

12) The rationale is that an owner renting out a single room to one or two people earns far less rental income than an owner renting out four bedrooms to 8 or 10 people. The amount of taxes charged should reflect the differences in rental income such that those earning the greater income would assume the larger burden of the costs. _____ / _____

13) To simplify matters, any Municipal Accommodation Taxes (MATs) should be payable on a Quarterly basis. _____ / _____

14) The "owner" of an STRU should be defined as a person who is on title as an owner of a building or parcel of land identified on the parcel register at the Land Registry Office. The definition of an "owner" should include a person who, alone or with others, has a right to possess and occupy the premises upon which the STRU is located. _____ / _____

Agree / Disagree

- 15) **Various positions will likely have to be set up under an STRU bylaw including, for example:**
- a) an Administrator in charge of accepting and reviewing applications for STRU licenses, renewing licenses and, where appropriate, issuing the required licenses and collecting the required fees and taxes, dealing with complaints received during regular business hours and advising owners of reasons for the refusal, revocation or suspension of STRU licenses; _____ / _____
 - b) an Appeals Committee or Board to deal with appeals if licenses are denied, revoked or suspended; _____ / _____
 - c) an enforcement officer to deal with appropriate complaints; _____ / _____
 - d) a contracted phone service available particularly during evening hours and weekends to deal with disturbance and/or safety complaints and refer them, as necessary, to the Local Agent and enforcement officer. _____ / _____
- 16) **The owner or Local Agent responsible for the STRU must arrive at the STRU within 30 minutes of being notified of a complaint.** _____ / _____
- 17) **Owners of STRUs should be required at their expense to have annual fire safety inspections and other relevant safety inspections to ensure the safety of renters and the surrounding community.** _____ / _____
- 18) **The number of STRUs licensed in any residential neighbourhood should be limited in order to maintain the residential character of the affected neighbourhood.** _____ / _____