



**Additional Attachments**  
**Draft Accommodation Licensing By-law**

1. Notice of Public Meeting dated August 18, 2022
2. Draft Accommodation Licensing by-law with Schedule A
3. Draft Short-Term Rental Licensing By-law Frequently Asked Questions



## **Notice of Public Meeting to consider the draft Accommodation Licensing By-law**

---

Stratford City Council will hold a public meeting on **Monday, August 29, 2022, at 6:00 p.m.**, to hear all interested persons with respect to the draft Accommodation Licensing By-law. The purpose of the draft Accommodation Licensing By-law is to license, regulate and govern the provision of short term rentals through the City including bed and breakfast establishments, inns, short term rental accommodations, hostels, rooming houses and boarding houses and short term rentals, in the City of Stratford in accordance with the Municipal Act, 2001. The draft Accommodation Licensing By-law is enclosed for ease of review and reference.

**This will be an electronic meeting. A link to watch the Council meeting live will be provided on the agenda, which will be posted to the City's website. A video of the meeting will also be posted to the City's website once available.**

For those persons who wish to participate orally at the public meeting, please contact the City Clerk at [clerks@stratford.ca](mailto:clerks@stratford.ca) no later than **10:00 a.m. on Monday, August 29, 2022. Following confirmation of the request to speak, details for participating in the meeting will be provided.** During the meeting there will be an active chat function where any member of the public can provide written comments during the meeting. The comments received will be read by the moderator during the public comment portion of the public meeting.

Your opinion on this matter is important. Please call, mail, or e-mail your comments to the Chief Building Official at:

Jonathan DeWeerd, Chief Building Official  
82 Erie Street, Stratford, ON, N5A 2M4  
[jdeweerd@stratford.ca](mailto:jdeweerd@stratford.ca)  
519-271-0250 extension 5219

by **Friday, August 19, 2022**, in order for your comments to be included with the public meeting agenda. Comments received after this date will be included with a future staff report on this matter.

Personal information collected as part of this Notice is pursuant to the Municipal Act, 2001 and the Municipal Freedom of Information and Protection of Privacy Act. Personal information collected will be used to assist Council in making a decision on this matter.

Names, addresses, opinions and comments may be made available for public disclosure. Questions regarding this collection should be forwarded to the City Clerk, 1 Wellington Street, P.O. Box 818, Stratford, ON N5A 6W1 or by emailing [tdafoe@stratford.ca](mailto:tdafoe@stratford.ca) or by telephone at the number below.

If you require this document in an alternate format, please contact the Clerk's Office at 519-271-0250 extension 5237 or email [clerks@stratford.ca](mailto:clerks@stratford.ca).

Dated this 18th day of August, 2022

Tatiana Dafoe, City Clerk  
The Corporation of the City of Stratford  
City Hall, P.O. Box 818  
Stratford ON N5A 6W1  
Telephone: 519-271-0250, extension 5329  
Fax: 519-273-5041  
Email: [clerks@stratford.ca](mailto:clerks@stratford.ca)



**BY-LAW NUMBER XXX-2022  
OF  
THE CORPORATION OF THE CITY OF STRATFORD**

---

Being a By-law to license, regulate and govern the provision of short term rentals through the City including bed and breakfast establishments, inns, short term rental accommodations, hostels, rooming houses and boarding houses and short term rentals, in the City of Stratford and to repeal By-law 180-2004 and any amendments thereto.

---

**AND WHEREAS** section 10(2) of the *Municipal Act, 2001*, S.O. 2001, c.25, (the "*Municipal Act, 2001*"), provides that a municipality may pass By-laws respecting: health safety and well-being of persons and property, including consumer protection and business licensing;

**AND WHEREAS** section 151(1) of the *Municipal Act, 2001* provides that, without limiting sections 9, 10 and 11 of the *Municipal Act, 2001*, a municipality may provide for a system of licenses with respect to a business and may:

- a. prohibit the carrying on or engaging in the business without a license;
- b. refuse to grant a licence, or revoke or suspend a licence;
- c. impose conditions as a requirement of obtaining, continuing to hold, or renewing a licence;
- d. impose special conditions on a business in a class that have not been imposed on all of the businesses in that class in order to obtain, continue to hold, or renew a licence;
- e. impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence;

licence, regulate or govern real and personal property used for the business and the persons carrying it on or engaged in it.

**AND WHEREAS** Section 434.1(1) of the *Municipal Act, 2001* provides that a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a By-law of the municipality passed under the *Municipal Act, 2001*;

**AND WHEREAS** section 429(1) of the *Municipal Act, 2001*, provides that a municipality may establish a system of fines for offences under a By-law of the municipality passed under the *Municipal Act, 2001*;

**AND WHEREAS** the Council of The Corporation of the City of Stratford has deemed it necessary and expedient to regulate and License Short-Term Rentals and Bed and Breakfast Establishments;

**NOW THEREFORE BE IT ENACTED** by Council of The Corporation of the City of Stratford as follows:

## **1.0 Short Title**

- 1.1. This By-law may be referred to as the "Short Term Rental Licensing By-law."

## **2.0 Definitions**

- 2.1 For the purposes of this By-law the following terms are defined as follows:
  - a. **"Administrative Penalty"** means an administrative penalty administered pursuant to the Administrative Penalty Process By-law;
  - b. **"Administrative Penalty Process By-Law"** means a by-law of The Corporation of the City of Stratford being "A By-Law to Establish a Process for Administrative Penalties;"
  - c. **"Agent"** means a Person authorized in writing by an Owner to act on the Owner's or group of Owner's behalf;
  - d. **"Appeals Committee"** means a Committee or Tribunal duly appointed by by-law to conduct hearings under this By-law;
  - e. **"Applicable Law"** means any statute, rule, requirement, demand, order, direction, guideline, ordinance, by-law, policy or regulation of the federal, provincial, municipal government, governmental authority or agency as may be applicable to the operation of the Short-Term Rental;
  - f. **"Applicant"** means the person applying for a licence or renewal of a licence under this by-law and "application" has corresponding meaning;
  - g. **"Applicant Information"** means fulsome details of a person applying for or the renewal of a licence under this by-law and such information shall include their full name, date of birth, municipal address, telephone number and email address;
  - h. **"Articles of Incorporation"** means documents relating to an incorporated business pursuant to the *Business Corporations Act*, R.S.O. 1990 c.B.16, or the *Corporation Act*, 1990, c.C.28;
  - i. **"Building"** means a structure occupying an area greater than ten (10) square metres consisting of a wall, roof, and floor or any of them, or a structural system serving the function thereof, including plumbing, works, fixtures and services appurtenant thereto;

- j. **"City"** means The Corporation of the City of Stratford or the lands within the geographic limits of The Corporation of the City of Stratford as the context requires;
- k. **"Chief Building Official"** means the Chief Building Official for the City, or any Person designated by the Chief Building Official;
- l. **"Fire Safety Instructions"** means the diagram and instructions to be placed in the unit that is governed by this By-law clearly setting out the precautions to be undertaken during a fire emergency. Fire Safety instructions are to depict graphically the location of each bedroom, smoke alarm, carbon monoxide alarm, fire extinguisher, emergency lighting, exit/egress doors or windows;
- m. **"Inn"** or **"Inns"** for the purposes of this by-law means a building used for the purposes of supplying temporary living accommodation to the travelling and/or vacationing public and containing a maximum of 5 guest rooms and are not restricted to occupancy by a person as their principal residence and may include 1 accessory dwelling unit for the owner or operator of the Inn;
- n. **"Licence"** means a licence issued under this By-law;
- o. **"Licensee"** means any Person, Responsible Person, agent, Owner or Operator applying for a Licence or Licences under the provisions of this By-law;
- p. **"Officer"** means a peace officer, Municipal Law Enforcement Officer, the Fire Chief or their designate, Chief Building Official or their designate, or other Person appointed by By-law to enforce the provisions of this By-law;
- q. **"Operator"** means any person (owner or tenant) who operates a Short-Term Rental;
- r. **"Owner"** means the registered owner of the lands or Premise or their authorized agent that is in lawful control of the lands or Premise;
- s. **"Person"** means an Individual, Owner, firm, proprietorship, partnership, association, syndicate, trust, corporation, department, bureau, agency, or other entity;
- t. **"Principal Residence"** means a Dwelling Unit owned or rented by an individual person, either alone or jointly with others, where the individual person is ordinarily a resident;
- u. **"Property"** means any land or Property where the Short Term Rental is located that is within the jurisdiction of the City;
- v. **"Provincial Offences Act"** means the *Provincial Offences Act*, R.S.O. 1990, c.P. 33, and all regulations thereto, as may be amended from time to time, or any successor thereof;

- w. **“Responsible Person”** means the Owner, Operator, or an agent assigned by the Owner or Licensee of the Short Term Rental dwelling to ensure that the Short Term Rental is operated in accordance with the provisions of this By-law, the Licences, and Applicable Law;
- x. **“Short Term Guest Room”** means for the purposes of this Short Term Accommodation Licensing By-law a room or group of rooms designed, occupied or intended to be occupied by one or more persons providing sleeping accommodations and may provide kitchen and sanitary facilities;
- y. **“Short Term Rental”** means a bed and breakfast establishment, short term rental accommodation, hostel, rooming house, boarding house as defined in the City’s Comprehensive Zoning By-law as may be amended and/or replaced from time to time and shall also include Inns, and any other Short Term Guest Rooms that provide accommodation for a period of no more 28 consecutive days;
- z. **“Zoning By-law”** means the City’s Zoning By-law 10-2022, as amended from time to time, or any successor thereof;

### **3.0 Short Term Rental Licence Required**

- 3.1 No person shall carry on, or intend to carry on, any trade, business or occupation of a Short Term Rental for which a licence is required under this By-law unless that Person has first obtained a Licence as required under the terms and conditions of this By-law.
- 3.2 No person shall operate or permit to operate a Short Term Rental in a dwelling utilizing more rooms than is permitted by the City and as set out on the Licence issued by the City under the provisions of this By-law for the Short Term Rental establishment.
- 3.3 No Person shall rent, or communicate with anyone to rent, a Short Term Rental that Is not licensed pursuant to the provisions of this By-law.
- 3.4 No Person shall advertise, promote, broker, or offer for rent or lease any short term Rental without a valid Licence under this By-law.
- 3.5 Short Term Rentals shall at all times be required to comply with all Applicable Laws.
- 3.6 For greater clarity, the requirements of this By-law do not apply to a motel or hotel as defined in the Zoning By-law.
- 3.7 For greater clarity, the Licence does not permit a Short Term Rental to be used for the purposes of hosting events such as weddings, receptions, or any other similar group activity.
- 3.8 A Short Term Rental may display signage in compliance with the City’s Sign By-law.

### **4.0 Application for a Short Term Rental Licence**

- 4.1 Any Person seeking to obtain a new Licence shall submit a complete application to the Officer on the forms or in the manner prescribed by the Officer.
- 4.2 Any Person seeking to obtain or renew a Licence shall apply to the City for the Short Term Licence on an annual basis on or before January 31<sup>st</sup>.
- 4.3 No Application shall be accepted for a licence if the Applicants are under the age of 18 years.
- 4.4 Every Applicant for a Licence shall submit, to the satisfaction of the Officer, the following information:
  - a. Payment of the required licence fee, as set out in the City's Fees and Charges By-law, as amended from time to time;
  - b. The fully and correctly completed Short Term Rental application form;
  - c. The registered Owner and contact information;
  - d. The Owner, and if applicable, Agent (alternative) person and related contact information;
  - e. A floor plan of the Short Term Rental Property clearly indicating the location and number of Short Term Guest Rooms, the proposed total occupancy limit, and for each room Short Term Guest Room, accompanying photographs, its dimensions, a description of its proposed use and the proposed number of beds;
  - f. A Parking Management Plan that complies with the Zoning By-law;
  - g. A Fire Safety Protocol;
  - h. A letter of compliance from the Electrical Safety Authority dated within 12 months of the date of the application indicating the Property and that its proposed use complies with the Electrical Safety Code;
  - i. A Fire Safety Checklist as set out in Schedule "A" to this By-law and photographs confirming the location of smoke and carbon monoxide alarms;
  - j. An inspection approved the by the City's Fire Chief or designate dated within the previous year stating that the property is in compliance with the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4, as amended, and its regulations and shall include a statement of the maximum occupancy permitted;
  - k. A certificate of insurance confirming that the Applicant has in place, at the time of the Application, general liability insurance of not less than Five Million Dollars (\$5,000,000) and confirmation that the Applicant's insurance policy contains coverage for damage from fire and does not prevent the Applicant from using the Property as a



Short Term Rental, the Applicant's insurance is cancellable by the Applicant's insurer on not more than 60 calendar days' prior notice, and/or any other such coverage as may be recommended by the City's insurer for the period covered by the licence;

- l. Identification of adequate measures for the storage and disposal of waste/recycling and organics in accordance with this By-law;
  - m. Confirmation of sufficient levels of lighting to facilitate the safe passage of occupants;
  - n. Identify and maintain a self-enclosed structure or container for the disposal of garbage and waste that is readily accessible to utilizing the Short Term Rental;
  - o. Any other information required under this By-law.
- 4.5 The Officer shall not accept any application for a Short Term Rental until all of the requirements relating to the Application, as set out in this By-law, have been met.
- 4.6 The Licensee shall be responsible for informing the City in writing of any changes to the approved information contained in the Licence Application or any deviation to the approved plans within seven (7) calendar days of such change or deviation. Nothing in this By-law allows a Licensee to rent any room other than those identified and approved on the floor plans submitted with the Application for a Licence unless prior approval in writing is obtained from the City.
- 4.7 The Application fee is non-refundable regardless of the ultimate disposition of the Licence Application.
- 4.8 The submission of an Application for a Licence, including the applicable fee(s) does not entitle the Applicant to carry on, or intend to carry on a Short Term Rental. The Applicant is only entitled to carry on the Short Term Rental once the Licence has been issued under the provisions of this By-law.

## **5.0 Application for Renewal of a Short Term Licence**

- 5.1 Every application for the renewal of a licence under this By-law, shall be made in a form satisfactory to the Officer and shall include:
- a. The fully and correctly completed renewal application form, if applicable;
  - b. The application renewal fee as set out in the City's Fees and Charges By-law, as amended from time to time;
  - c. In the event there are any changes to the floor plan, site plan, Parking Management Plan, or Fire Safety Protocol submitted with the original Application, the Applicant shall submit a revised floor plan, site plan, Parking Management Plan, and Fire Safety Protocol;
  - d. If any changes have been made to the power supply or electrical wiring of the Property, a letter of compliance from the Electrical

Safety Authority dated within 12 months of the date of the renewal application confirming that the Property and its proposed use complies with the Electrical Safety Code;

- e. Any other information required pursuant to this By-law.
- 5.2 A Short Term Rental Licence that is not renewed prior to the expiration date is no longer valid.
- 5.3 Licences are not transferable and shall remain the property of the City. A Licence shall be deemed to be void immediately upon change of ownership or location of the Short Term Rental or upon discontinuation of the Short Term Rental.
- 5.4 The Application for Renewal fee is non-refundable regardless of the ultimate disposition of the Licence Application.

## **6.0 Inspections**

- 6.1 Upon receipt of a complete Application as set out in the By-law, and all accompanying documentation in addition to the required fees, the City shall schedule an inspection of the Short Term Rental property at a reasonable time.
- 6.2 Upon any change identified in the Renewal Application the City may conduct an inspection following the submission of the Renewal Application in addition to the required fees in its discretion acting reasonably.
- 6.3 A Licence issued under this By-law is valid for a period of one (1) year, unless revoked prior to the one (1) year period coming to an end.

## **7.0 Review of the Licence Application or Renewal Application**

- 7.1 The Officer in their discretion may reject a Licence Application or a Renewal Application where any of the documents required by this By-law have either not been filed or a deemed to be incomplete.
- 7.2 As part of the City's review of the Application or Renewal Application (collectively the "Applications") the Applications may be circulated to those agencies deemed appropriate or necessary or relevant by the Officer.
- 7.3 A person is not eligible to hold a licence if the proposed use of the land, building or structure is not permitted by the Zoning By-law that applies to the Property.

## **8.0 Issuance of Short Term Rental Licence**

- 8.1 The City shall identify the Officer or Officers that are authorized to issue and renew Short Term Rental Licences in accordance with this By-law.
- 8.2 All Licences issued and renewed shall be signed by the Officer.
- 8.3 In the event a legal non-conforming Short Term Rental ceases to operate for a period of one year, a licence will no longer be issued for

the legal non-conforming use.

- 8.4 The Licensee, upon issuance of a Licence and thereafter shall comply with all applicable provisions of this By-law.

## 9.0 Licence Conditions

- 9.1 The following conditions are attached to each Licence issued under this By-law:
- a. The Short Term Rental must be lawfully constructed;
  - b. When the premise is occupied for the purposes of a Short Term Rental, a legible copy of the Licence shall be posted in a conspicuous location within one (1) metre of the interior of the Short Term Rental's primary residence;
  - c. A Licensee shall notify the Officer in writing within fifteen (15) calendar days of any change to any information provided to the City under the provisions of this By-law;
  - d. The Licensee shall ensure compliance with all Applicable Laws including but not limited to the: *Fire Protection and Prevention Act*; *Building Code Act*; *Electrical Safety Code*; *Health Protection and Promotion Act*; *Zoning By-law*; *Open Air Fire By-law*; *Property Standards By-law*; *Noise By-law*; *Sign By-law*;
  - e. At any time when the Property is occupied for the purposes of a Short Term Rental the Licensee shall ensure that no vehicle is stopped or parked on any part of the Short Term Rental Property save and except for a parking space as identified on the Parking Management Plan filed pursuant to the provisions of this By-law;
  - f. A copy of the floor plan contained within the Fire Safety Protocol shall be posted in a conspicuous location within one (1) metre of the interior of the Short Term Rental's primary entrance;
  - g. The Licensee shall allow, at any reasonable time and in accordance with Applicable Law, the City to inspect the Short Term Rental Property to ensure compliance with this By-law;
  - h. The Licensee shall include the Licence number in any advertisement or promotion related to the renting out of the Property intended to be used as a Short Term Rental;
  - i. The Licensee shall ensure that the Licensee or their Agent is available to attend the Short Term Rental Property at all times within a period of no greater than thirty (30) minutes from the time of contact by way of telephone or email in the event of an emergency or exigent circumstances;
  - j. The Licensee shall provide to the City an updated certificate of insurance as required by this By-law prior to the expiry of the current certificate of insurance;

- k. Where a Licensee is dissatisfied with any condition imposed by the Officer, the Licensee may request a review of the condition by the Appeal Tribunal.

**10.0 Refusal to Issue or Renew a Short Term Rental Licence**

10.1 The Officer may refuse to issue or renew a Licence:

- a. If all inspections required pursuant to this By-law have either not been completed or have not passed;
- b. Where the conduct of the Applicant or Licensee including the conduct of any officer, director, employee or Agent of an Applicant or Licensee affords reasonable cause to believe that the Applicant or Licensee will not carry on or operate the Short Term Rental in accordance with all Applicable Laws;
- c. The Applicant or Licensee owes any fine or fee or property taxes to the City in respect of the Short Term Rental Property;
- d. The Short Term Rental is subject to an order, or orders made pursuant to the following including but not limited to: a City By-law; the *Building Code Act*; the *Fire Protection and Prevention Act*; the Medical Officer of Health; and any other Applicable Law;
- e. The Short Term Rental Property does not comply with the City's Zoning By-law;
- f. The Officer has received an objection to the issuance of the Licence by the Chief Building Official and/or the Fire Chief;
- g. A Licence pursuant to this By-law has been revoked or suspended within the last two (2) years;
- h. The Applicant or Licensee has prior convictions under this By-law, or any other By-law, or any Applicable Law within the last five (5) years;
- i. Where there is a Court Order, or any other federal or provincial order ceasing or hindering the activity of the Short Term Rental.

**11.0 Revocation or Suspension of a Short Term Rental Licence**

11.1 The Officer has the power and authority to revoke or suspend a Licence at any time where:

- a. The Licensee meets the circumstances set out in section 10.0 above;
- b. There are reasonable grounds to believe that an Application or any other document or information provided on behalf of the Licensee contains a false statement and/or false information;
- c. The Licence was issued in error;

- d. The Officer becomes aware of a fact or facts that, if known at the time of the Application, may have resulted in the Officer refusing to issue the Licence.

11.2 A License issued under this By-law shall remain in effect until a decision to revoke or suspend the Licence has been made by the Officer or, where any appeal has been filed, the Appeal Tribunal.

## **12.0 Changes in Information**

12.1 Where, at any time, there is a change in, or relating to, any of the information or documents required to be filed with the City under this By-law, the Applicant or Licensee, as the case may be, shall report the change in writing to the Officer no later than fifteen (15) calendar days following the change.

## **13.0 Term of the Short Term Rental Licence**

13.1 Every Licence shall be in effect from the date of issuance as shown on the Licence:

- a. For the whole of the calendar year to which it applies, expiring on December 31<sup>st</sup>, of said calendar year; or
- b. Where the Application for a Licence is received after January 1 and prior to the 2<sup>nd</sup> Monday in November of any calendar year, for the remainder of such calendar year, expiring on December 31<sup>st</sup> of said calendar year; or
- c. Where the application for a Licence is received on or after the 2<sup>nd</sup> Monday in November but prior to December 31<sup>st</sup> in any calendar year, for the whole of the following calendar year, expiring on December 31<sup>st</sup> of that calendar year.

13.2 Every Licence shall be renewed no later than its date of expiry. Any License which is not renewed shall become null and void.

13.3 Every Licence shall immediately cease to be valid in the event the Short Term Rental ceases to operate.

## **14.0 Duplicate or Replacement Short Term Rental Licence**

14.1 In the event that a Licence is issued in accordance with this By-law is lost or destroyed, the Officer upon written request by the Applicant or Licensee, and payment of a replacement fee as set out in the City's Fees and Charges By-law, shall issue a duplicate of the original Licence, upon which shall be stamped or marked "duplicate."

14.2 The issuance of a duplicate Licence in accordance with section 14.1 above shall not affect the expiry date of the Licence.

## **15.0 Alterations Prohibited**

15.1 No person shall alter or deface a Licence in any way.

15.2 Every Licensee shall ensure that the Licence is not altered or defaced in

any way.

## **16.0 Compliance with all Applicable Laws**

- 16.1 The issuance of a Licence under the provisions of this By-law in no way and does not permit or condone the violation of any by-law, statute, order, or regulation in effect in the City, the Province of Ontario, or the Federal Government of Canada and it shall be the sole responsibility of the Licensee to ensure that such Applicable Laws is complied with at all times.

## **17.0 Appeals Procedure**

- 17.1 Where the Officer refuses to issue or renew a Licence or where the Officer elects to suspend or revoke a Licence:
- a. The Officer shall send written notification advising the Applicant or Licensee of the refusal, suspension, or revocation of the Licence;
  - b. The written notification of the Officer shall be sent by registered mail or e-mail to the Applicant or Licensee at the address of the Applicant or Licensee provided on the Application, or where a change of information has been provided by the Applicant or Licensee regarding address, at the address reflecting that change in information;
  - c. The written notification by the Officer shall:
    - i. Set out the grounds for the refusal, suspension, or revocation;
    - ii. Sign the written notification;
    - iii. Indicate the final date and time by which the Applicant or Licensee may appeal the decision of the Officer to suspend, revoke, refuse to issue or renew the Licence, and the method for doing so, as set out in this By-law; and,
    - iv. Indicate the hearing of appeals fee, as set out in the City's Fees and Charges By-law, as amended from time to time; and
  - d. The Applicant or Licensee may appeal the decision of the Officer to suspend, revoke or refuse to issue or renew the Licence, by filing a written request with the City Clerk, which request must set out the grounds or basis for the request, and must be received in the Clerks Department no later than 4:00 pm on the fourteenth (14<sup>th</sup>) calendar day from the date on the notice is deemed received by the Applicant or Licensee. Such notice shall be deemed received five (5) business days after it has been mailed or on the following business day after it has been emailed;
  - e. The Applicant or Licensee shall have no right to appeal the decision of the Officer to suspend, revoke, or refuse to issue or renew the Licence as a result of a Fire Code or Building Code violations. Such

appeal of the Fire Code or Building Code violations are subject to the appeal rights as set out in the *Building Code Act* and/or the *Fire Protection and Promotion Act*.

- 17.2 If no written request for an appeal is received from the Applicant or Licensee prior to the deadline for filing such appeal:
- a. no extension of the time to request an appeal or hearing will be granted; and,
  - b. the decision of the Officer shall be final.
- 17.3 The fee payable by the Owner or Licensee for the hearing shall be set out in the City's Fees and Charges By-law, as amended.

### **18.0 Hearing of Appeals**

- 18.1 Upon receipt of a written request for a hearing and the required fee for the hearing received from the Applicant or Licensee, in accordance with the terms and conditions of this By-law the Appeal Committee shall:
- a. fix a date and time for such matter to be heard by the Appeal Committee within a period of sixty (60) days of receipt of the appeal; and,
  - b. send by registered mail or hand delivery or email the notice of hearing which shall include the date, time, and location of the hearing, at least fifteen (15) prior to the date and time fixed for such hearing, to the Applicant or Licensee, the Officer or any other Person who has requested such notification in writing from the Appeal Tribunal.

### **19.0 Hearing Procedure**

- 19.1 The following procedure shall be followed for appeals relating to the refusing, suspending, or revoking of any Licence under this By-law:
- a. The Appeal Committee or its designate shall circulate copies of all reports from any Persons who may be involved in the matter, to the Applicant, Licensee or any other Person to whom notice of the hearing has been given;
  - b. the Applicant or Licensee, either personally or through an agent or legal counsel, shall be afforded an opportunity to present such material and evidence relevant to the issue before the Appeal Committee, and may ask any questions of any Person presenting evidence, relating to the evidence presented;
  - c. The Officer of the City either through its legal counsel or representative shall be afforded an opportunity to present such material and evidence relevant to the issue before the Appeal Committee, and may ask any questions of any Person presenting evidence, relating to the evidence presented;
  - d. The Appeal Committee may afford any other Person who has a direct interest in the matters under discussion, an opportunity to

present material and evidence relevant to the issue before the Appeal Committee;

- e. The provisions of the *Statutory Powers Procedure Act*, R.S.O. 1990. c.S. 22, as amended, or any successor thereof, shall apply to all hearings, conducted by the Appeal Committee under this By-law; and,
- f. Any Person presenting evidence relevant to the hearing must be present to answer questions in relation to that evidence.

19.2 In the event that the Applicant or Licensee who has been sent notice of the hearing does not appear at the scheduled time and place of the hearing, the Appeal Committee may proceed with the hearing in absence of the Applicant or Licensee and if so, the Applicant or Licensee shall not be entitled to any further proceeding or further notice of proceedings.

19.3 At the conclusion of a hearing, the Appeal Committee may give its decision orally or reserve its decision, but in any case the Appeal Committee or its designate shall provide its decision in writing and shall set out the reasons for the decision, within thirty (30) days of the hearing to the Applicant or Licensee and the Officer.

19.4 The Appeal Committee, in making its decision, may uphold or vary the decision of the Officer, or impose conditions, including special conditions as a requirement of continuing to hold a License.

19.5 The decision of the Appeal Committee issued under the By-law is final.

## **20.0 Enforcement**

20.1 The provisions of this By-law may be enforced by an Officer, or other authorized or designated employee or agent of the City.

20.2 No Person shall obstruct or hinder or attempt to obstruct or hinder an Officer or other authorized employee or agent of the City in the exercise of a power or the performance of a duty under this By-Law.

20.3 Subject to the provisions set out below, every Officer shall have the right to enter lands to conduct an inspection to determine whether the provisions of this By-Law and any order(s) issued hereunder are being complied with in accordance with the provisions of Sections 435 and 436 of the *Municipal Act*.

20.4 Where an Officer has reasonable grounds to believe that an offence under this By-Law has been committed by a Person, the Officer may require the name, address, and proof of identity of that Person.

20.5 Failure to provide proof of identification satisfactory to an Officer when requested to do so pursuant to the provisions of this By-Law shall constitute obstruction of an Officer under this By-Law.

20.6 No Person exercising a power of entry on behalf of the City shall enter or remain in any room or place actually being used as a Short Term Rental unless such power of entry is in compliance with Applicable Law.



- 20.7 Where the City has given prior notification of its intention to enter to the occupier of the land as required by Section 435 of the *Municipal Act, 2001* and the entry is authorized under sections 79, 80 or 446 of the *Municipal Act, 2001*.

## **21.0 Orders**

- 21.1 In the event that the City's designate and/or an Officer determines that a Person has contravened any provision of this By-Law, an Order may be made requiring the Person who contravened the By-Law or who caused or permitted the contravention, to discontinue the contravening activity and take any reasonable steps to correct the contravention.
- 21.2 No person shall fail to comply with an Order issued pursuant to the provisions off this By-Law.
- 21.3 An order issued pursuant to the provisions of this By-Law shall set out:
- a. reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred; and
  - b. the steps that must be taken to correct the contravention and the date by which there must be compliance with the order.
- 21.4 If a Person fails to do a matter or thing as directed or required by this By-Law, including failing to comply with an order issued under this By-Law, the City may do the matter or thing at the Person's sole costs and expense. The City may recover the costs of doing a matter or thing from the Person directed or required to do it by action or by adding the costs to the Person's tax roll and collecting them in the same manner as and like property taxes.

## **22.0 Offence and Penalty Provisions**

- 22.1 Every Person who contravenes any provision of this By-law, including any Schedule hereto, is guilty of an offence;
- 22.2 Every Person, director or officer of a corporation who knowingly is involved in or aware of the contravention by the corporation of any provision of this By-law, including any Schedule hereto, is guilty of an offence.
- 22.3 Every offence under this By-law is designated as a continuing offence.
- 22.4 An Officer who finds that a Person has contravened a provision of this By-law may issue a penalty notice pursuant to the City's Administrative Penalty By-law. Administrative Penalty By-law applies to each administrative penalty issued pursuant to this By-law.
- 22.5 Notwithstanding section 22.2 above, every Person who contravenes any provision of this By-law is guilty of an offence as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, and all such offences are designated as continuing offences.
- 22.6 Every Operator, officer or director of a corporation who knowingly

concurr in the contravention of any provision of this By-law or the failure to comply with an order issued under this By-law is guilty of an offence as provided in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33 and all such offences are designated as continuing offences.

- 22.7 Upon conviction, every Person, and every officer or director of a corporation that contravenes any provision of this By-law is liable, for each day or part of a day that the offence continues, to a fine not exceeding \$25,000 for a first offence and \$50,000 for any subsequent offence.
- 22.8 Where a corporation is convicted of an offence under this By-law the maximum penalty is \$50,000 for a first offence and \$100,000 for any subsequent offence.
- 22.9 As provided in section 431 of the *Municipal Act, 2001*, if a Person has been convicted of an offence under this By-law, the Ontario Court of Justice or any Court of competent jurisdiction may, in addition to any penalty imposed on the Person convicted, issue an order:
- a. prohibiting the continuation 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.
- 22.10 If a Person is required to pay an Administrative Penalty under the provisions of this By-law, the Person shall not be charged with an offence in respect of the same contravention.
- 22.11 In accordance with the provisions of the *Municipal Act, 2001*, the treasurer of the City may add unpaid fees, charges, and fines under this By-law to the tax roll and collect them in the same and a like manner as property taxes.
- 22.12 The terms used in this By-law shall have the same definition as set out in the City's Comprehensive Zoning By-law unless such term is specifically defined in this By-law.
- 22.13 Pursuant to section 447 of the *Municipal Act, 2001*, where an owner is convicted of knowingly carrying on or engaging in the business of operating a Short Term Rental in respect of any Property or any part of any Property without a License required by this By-law, or a person is convicted of any other contravention of this By-law and a court determines that the owner or occupant of the Property or part of the Property in respect of which the conviction was made knew or ought to have known of the conduct which formed the subject-matter of the conviction or of any pattern of similar conduct, the court may order that the Property or part of the Property be closed to any use for a period not exceeding two (2) years.

### **23.0 Conflict and Severability**

- 23.1 If any portion of this By-law of the City is found to be in conflict with any other provision of any building, fire, safety or other By-law of the

City or regulations, the provision which establishes the higher standard shall prevail.

- 23.2 If a court of competent jurisdiction declares any provision or any part of a provision of this By-law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this By-law that each and every provision of this By-law authorized by law be applied and enforced in accordance with its terms to the extent possible according to law.

**24.0 Schedule**

- 24.1 The Schedules attached hereto forms part of this By-law.

**25.0 Effective Date**

- 25.1 This by-law comes into effect on January 1, 2023.

**26.0 Repeal**

- 26.1 By-law 180-2004 and all its amendments are hereby repealed effective December 31, 2022.

Read a FIRST, SECOND and THIRD TIME and

FINALLY PASSED this ---th day of ----, 2022.

\_\_\_\_\_  
Mayor – Daniel B. Mathieson

\_\_\_\_\_  
Clerk – Tatiana Dafoe

**This is Schedule "A" to By-law XXX-2022  
of  
The Corporation of the City of Stratford**

Adopted this X day of 2022.

Fire Department "Short Term Rental Accommodation" Checklists



Fire Department  
 City of Stratford  
 388 Erie Street  
 Stratford, ON N5A 2N4

519-271-3212  
 Fax: 519-271-9511  
[www.stratford.ca](http://www.stratford.ca)

## DRAFT

### Short Term Rental Checklist

As the owner/operator of a Short-Term Rental, it is not only important that you consider the safety of your guests, but it is also your legal responsibility as required by the Ontario Fire Code, O. Reg 213/07, as amended. Whether you rent out a room, a suite, or an entire home, you are considered a landlord, and with that title comes a great deal of responsibility described within the Ontario Fire Code and Short-Term Rental By-law XXX-2022. This checklist has been created to help owners understand their legal obligations when owning and operating a Short-Term Rental in compliance with the Stratford Fire Departments requirements.

Owner:	Phone Number:
Address:	Email:
Emergency Contact:	Phone Number:

<b>Item</b>	<b>In Compliance</b>	<b>In Contravention</b>	<b>Not Applicable</b>
Smoke and CO Detectors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Notes:			
Fire Extinguishers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Notes:			

*Make Every Week Fire Prevention Week*

<b>Item</b>	<b>In Compliance</b>	<b>In Contravention</b>	<b>Not Applicable</b>
-------------	----------------------	-------------------------	-----------------------

Emergency Procedures / Floor Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-----------------------------------	--------------------------	--------------------------	--------------------------

Notes:

Exit Signs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
------------	--------------------------	--------------------------	--------------------------

Notes:

Emergency Lighting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------	--------------------------	--------------------------	--------------------------

Notes:

Door Closures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
---------------	--------------------------	--------------------------	--------------------------

Notes:

Furnace Room	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------	--------------------------	--------------------------	--------------------------

Notes:

Egress Window	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
---------------	--------------------------	--------------------------	--------------------------

Notes:

Fireplace WEET Cert. and/or Wood Fired	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------	--------------------------

Notes:

Elevator Certificate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
----------------------	--------------------------	--------------------------	--------------------------

Notes:

*Make Every Week Fire Prevention Week*

**Ontario Fire Code: SECTION 1.2 COMPLIANCE**

**Owner's responsibility**

1.2.1.1. Unless otherwise specified, the **owner** is responsible for carrying out the provisions of this Code.

Name of Recipient:	Signature:	Date:
Inspector:	Signature:	Date:

**Fire officials do not have the authority to grant an extension of time to correct any violations. The violations must be corrected forthwith.**

# **Draft Short-Term Rental Licensing By-law**

## **Frequently Asked Questions**

### Part 1

#### **What are short-term rentals?**

Short-term rentals are distinct from the term “Short-term Rental Accommodation” as defined in the City’s Comprehensive Zoning By-law. Short-term rentals are generally understood to be residences, or part of residences (a room), that are rented out, for short periods of time (not more than 28 consecutive days) for a fee. Businesses, such as Airbnb and Expedia, offer a service where individuals can advertise and book their short-term rental.

#### **Who is required to have a short-term rental licence?**

Anyone who plans to operate a short-term rental in the City of Stratford in compliance with all Applicable Laws including the City’s Comprehensive Zoning By-law are required to obtain a short-term rental licence.

#### **What is the purpose of the Short-Term Rental Licensing By-law?**

- To protect public health and safety and to ensure occupants are provided with safe accommodations in terms of fire and building safety;
- To create accountability for and to residents, short-term accommodators, and the travelling and vacationing public;
- To ensure short-term rental (STR) owners and operators are made aware of their responsibilities to comply with all applicable law, including municipal by-laws and other regulations including but not limited to: Noise By-law, Traffic and Parking By-law, Nuisance By-law, Zoning By-law, Fire Protection Regulations, and Building Code;
- To protect the character, amenities and quality of existing residential neighbourhoods;
- To permit the operation of licensed short-term rental accommodations across the Municipality.

#### **Where are short-term rentals allowed?**

Short-term rentals are permitted in a wide range of residential dwelling units and stand-alone buildings such as inns having up to a maximum of 5 guest rooms and hostels, provided a licence is obtained.

A short-term rental is defined to capture all rentals for a period of less than 28 days throughout the City. The draft licensing by-law defines a short-term rental as a bed and



breakfast establishment, short-term rental accommodation, hostel, rooming house, boarding house all as defined by and subject to the provisions of the City's Comprehensive Zoning By-law and also includes Inns and any other short-term guest room as defined in the draft Licensing by-law and provides accommodation for a period of less than 28 consecutive days.

### **Why are short-term rentals licensed?**

The draft Short-term Rental Licensing By-law, once adopted, is intended to help regulate and provide access to short-term rental accommodations that are safe for the public, has parking and results in minimal disruption to the surrounding neighbourhood.

### **What types of accommodation does the draft Short-term Rental Licensing By-law apply to?**

- All types of dwelling units may be used to provide short-term rental accommodations for any period of no more than 28 consecutive days to the same guest:
  - The entire single-detached dwelling, semi-detached dwelling, converted dwelling and townhouse dwelling;
  - Bed and breakfast establishment as defined in the Zoning By-law;
  - Short-term rental accommodation as defined in the Zoning By-law,
  - Hostel as defined in the Zoning By-law;
  - A guest room located in an apartment unit or condominium unit as defined in the Zoning By-law; and subject to any required approvals from the Landlord approval or Condominium Board approval, as applicable and the parking and other requirements set out in the draft licensing by-law;
  - Rooming house as defined in the Zoning By-law;
  - Boarding house as defined in the Zoning By-law;
  - Inns of 5 bedrooms or less as defined in the draft Short-term Rental Licensing By-law;
  - Short-term guest rooms as defined in the draft Short-term Rental Licensing By-law; and
  - Any other guest room that is provided in accordance with all Applicable Laws; including but not limited to the City's Comprehensive Zoning By-law for a period of no more than 28 consecutive days.

### **What types of accommodation does the draft Short-term Rental Licensing By-law not apply to?**

- Any dwelling units or part of a dwelling unit or short-term guest room that provides rental accommodation for a period of more than 28 consecutive days to the same guest;
- Inn with 6 or more guest rooms, hotel / motel being a building containing, more than 6 guest rooms for the temporary lodging of the traveling public;

- Any other accommodation that is rented for any period of more than 28 consecutive days to the same guest.

### **What is the main difference between a short-term rental accommodation, a bed and breakfast establishment and a short-term rental?**

A short-term rental accommodation is defined in the City's Zoning By-law and relates to the rental of the entire dwelling unit, with limits on the number of rooms as set out in section 4.3.1 of the City's Zoning By-law for any period of no more than 28 consecutive days to the same person and up to a total maximum period of 180 days overall.

A bed and breakfast establishment is defined in the City's Zoning By-law as requiring that the principal resident be on site during the short-term rental period or when operating as a bed and breakfast establishment.

A short-term rental as defined in the draft licensing by-law includes both a bed and breakfast and short-term rental accommodation and other short-term rentals such as a hostel, rooming house, boarding house, inns having a maximum of 5 guest rooms and any short-term guest room providing accommodation for a period of less than 28 consecutive days.

### **Do I need a bed and breakfast license and a short-term rental license?**

No. If you are an existing bed and breakfast establishment licensed by the City in 2022, you will not need to obtain a bed and breakfast licence and a short-term rental license starting in 2023.

The bed and breakfast licensing program is being replaced with the short-term rental licensing program that is intended to encompass all short-term rentals in the City.

If the draft Short-term Rental Licensing By-law is adopted by Council, the existing bed and breakfast licensing By-law will be repealed and no longer be in effect in Stratford.

### **Is there a limit on how long I can rent to guests?**

Yes. A short-term rental accommodation as defined by the City's Zoning By-law relates to the rental of the entire dwelling unit, with limits on the number of rooms as set out in section 4.3.1 of the City's Zoning By-law for any period of no more than 28 consecutive days to the same person up to an overall maximum period of 180 rental days per year.

### **Why "for any period of less than 28 consecutive days"?**

The "for any period of less than 28 days" is in the Zoning By-law as part of the definition of Short-term Rental Accommodations. This time limit is applied to all short-term rentals in the draft Short-term Rental Licensing By-law as this specific type of rental is targeted at providing accommodations to the vacationing and travelling public on a short-term basis only and does not include any long-term rentals which would be governed by the *Residential Tenancies Act*.

After 28 days, the duration of the use becomes similar to a month-to-month rental or becoming a long term rental that is no longer targeted at the vacationing and travelling public. The purpose of the draft Short-term Rental Licensing By-law is to require Building Code, Fire Code and parking compliance for people living or staying in the dwelling unit even on a short-term basis.

### **Can a bed and breakfast establishment also be used as a short-term rental?**

A bed and breakfast is defined in and governed by the City's Comprehensive Zoning By-law and requires that the principal resident be on site during the bed and breakfast operation. The definition of bed and breakfast establishment in the City's Comprehensive Zoning By-law specifically does not include a restaurant, hotel, inn, short-term rental accommodation, boarding house dwelling, nursing home or any home licensed, approved or supervised under any other general or special Act. A bed and breakfast establishment requires that the principal use of the dwelling be for residential uses and the bed and breakfast be ancillary to the main residential use. Guest rooms in a bed and breakfast establishment shall not be suites and shall not include separate dining facilities for the preparation of food.

If the principal use of the bed and breakfast establishment is for residential purposes and provides living accommodations to the principal resident and represents a principal residence it may not be a short-term rental as such use would contradict the provisions of the City's Zoning By-law.

### **Why do hostels have to be licensed?**

Hostels provide accommodation for the vacationing and travelling public. While they are a different type of short-term rental, hostels still need to be in compliance with all Applicable Laws for the purposes of health and safety to the public.

### **Why do Inns (1-5 rooms) have to be licensed and Inns containing (6-10 rooms) do not?**

Inns containing 1 to 5 rooms as defined in the draft Short-term Rental Licensing By-law, provide accommodation for any period of no more than 28 consecutive days to the travelling and vacationing public and are small in their size and scale. The purpose of regulating smaller Inns is that they have a limited number of rooms and are similar to short-term rental accommodations. The licensing requirements require all appropriate safety measures be put in place among other items including a parking plan acceptable to the City. Larger Inns are similar to a hotel / motel and are subject to other regulatory provisions.

### **Why are hotels / motels exempt from the draft Short-term Rental Licensing By-law?**

Hotel and motels provide accommodation to the travelling and vacationing public. These types of accommodation tend to be larger establishments that are permitted only in specific zones in the City. Hotels/motels are governed by Zoning By-law provisions including but not limited to parking. The City is aware of the locations of these types of accommodation due to their size, and therefore are already subject to safety, building code and fire code compliance and inspections. Hotels may also include restaurants, recreational facilities, meetings rooms, and retail stores that are incidental and subordinate to the primary hotel use.

### **Can I rent out my apartment unit / condo unit as a short-term rental and for how many days?**

Yes, subject to being in compliance with the provisions of the City's Comprehensive Zoning By-law and meeting the requirements of the City's draft Licensing By-law. Note that there may be a specific terms of a lease if applicable or a condominium that prohibits the renting out of a guest room which is unrelated to the City's draft Licensing By-law.

The unit can be rented out for no more than 28 consecutive days to the same guest and overall up to 180 days per year maximum.

### **When does the Principal Resident provision not apply to a short-term rental?**

There are different types of short-term rentals available throughout the City. Bed and breakfast establishments for example, include the living accommodations of the principal resident and can be operated throughout the entire year. A short-term rental accommodation means an entire dwelling unit that is used to provide sleeping accommodations and is operated by the Principal Resident. The principal use of a short-term rental accommodation shall also be for residential purposes with the short-term rental accommodation being ancillary or subordinate to the main use as a residential dwelling. Typically, the entire dwelling unit is being offered up to someone for a short-term rental accommodation and the Principal Resident of the dwelling unit is not present at the same time. However, the dwelling continues to be used by the Principal Resident for the primary purposes of a residential dwelling.

Short-term rental accommodation is defined as being operated by the principal resident in the Zoning By-law. One of the purposes of Table 4.3.2 is to limit impact in a residential area of the operation of a short-term rental accommodation and to limit their ability to be used as a short-term rental for a maximum period of up to 180 days.

### **Who is a Responsible Person?**

A Responsible Person means the Owner, Operator or an Agent assigned by the Owner or Licensee of the Short-term Rental dwelling to ensure that the Short-term Rental is operated in accordance with the provisions of the By-law, the Licence and all Applicable Laws.

## **Why is the City consulting with residents about short-term rentals?**

The City of Stratford is consulting with residents as part of the consideration of adopting a draft Short-term Rental Licensing By-law that would take effect in January 2023, if approved. The City wants to hear from residents and from operators who provide accommodation to the public of the impacts of short-term rentals.

The feedback received through the public consultation process at the upcoming Public Meeting or in written comments sent to the City, will be provided to Council when the draft by-law comes before Council for consideration in September.

## **Part 2**

The following Frequently Asked Questions are provided for information purposes and are subject to Council adopting a Short-term Rental Licensing By-law.

### **When can I obtain a licence to have a short-term rental?**

Application forms will be available online and at the By-law Division at Stratford City Hall Annex on Erie Street on a date to be determined by the City. To obtain a licence, a homeowner or tenant/lessee will be required to submit an application form with the required supporting documents. A decision has not been made on whether or not the City will implement a licensing fee in 2023.

### **What happens after submitting a license application to the City?**

After the City receives a complete application, which includes but is not limited to letters of compliance from the Electrical Safety Authority, a Fire Safety Checklist, certificate of insurance, parking management plan, the City will confirm the information and review the application. The Owner or the Applicant is responsible to schedule the required inspections – building code and fire.

If the application is approved, the licence will be emailed to the Licensee which must be posted inside the Short-term Rental at all times.

A printed copy of the licence may also be requested by the applicant. The printed copy can be obtained from the Building Division during regular business hours.

The City can deny an application based on the eligibility criteria set out in the draft Short-term Rental Licensing By-law and will inform the applicant of its intent to deny the licence. No one is eligible to obtain a licence or a renewal if the application has been denied or revoked in the last 12 months.

### **How long does it take to process an application for a short-term rental license?**

Processing times can vary based on the information provided in the application form. Each application is reviewed to ensure the applicant meets the requirements of the draft Short-Term Rental Licensing By-law.

## **What do I do after I am licensed?**

Once licensed as a Short-term Rental Operator, you are required to meet the terms and conditions of the draft Short-term Rental Licensing By-law that includes but is not limited to:

- Providing guests information about the Responsible Person and instructions on how to contact 911 emergency services
- Provide guests with an emergency exit plan
- If you are subject to the maximum of 180 days provision in the draft Short-term Rental Licensing By-law, you need to keep the following records related to the short-term rental and provide to the City upon request:
  - Number of nights the short-term rental was rented
  - The nightly and total price charged for each rental, and
  - The rental type (the entire home rental or single room rental)
- Licensee is responsible to ensure that the user of the short-term rental unit shall at all times comply with applicable law and the requirements of the licence
- Licensee shall ensure that appropriate parking is provided as identified on the Parking Plan filed with the City and pursuant to the provisions of this By-law.
- Include the licence number in any advertisement or promotion related to the renting out of the property for use as a Short-term Rental
- Licensee shall ensure that the Responsible Person for the Short-term Rental unit is available to attend the property at all times within 30 minutes from the time of contact in the event of an emergency or similar circumstances, and
- Licensee to provide certificate of insurance as required by this draft Short-term Rental Licensing By-law prior to the expiry of the current certificate of insurance

## **Can I advertise and operate a short-term rental in my home?**

Yes, once a licence is obtained to rent out your principal residence, or part of your principal residence for not more than 28 consecutive days to the same guest.

## **Do I need to make renovations to my home in order to operate a short-term rental?**

It depends on your specific situation. To maintain a level of life-safety for you and your guests, the Building Code establishes minimum construction standards for your dwelling unit. As part of your license application, an inspection is required. Based on the results of the inspection, if the building / room is not compliant, renovations may be required.

If you are making renovations, such as finishing an unfinished space or adding bedrooms, in order to rent out the space, residents should contact the City Building Division to discuss and other permits/approvals such as a building permit may be required.

In cases where renovations may be necessary to bring your dwelling unit into compliance, or for further clarification, residents should contact the City Building Division to discuss.

### **What do I do if I have an issue with my neighbour's short-term rental?**

Concerns about a short-term rentals can be reported through the City's website. This will be directed to the City's By-law Enforcement Division to investigate and follow up with the complainant.

### **How will the Short-term Rental Licensing By-law be enforced?**

The City will be proactive in enforcing the Short-term Rental Licensing By-law. In the first year of the licensing by-law, there will be a focus on education in the community to make short-term rental accommodation operators and providers aware of the requirement to be licensed.

The City will keep a list of licensed short-term rentals that will be made available upon request to the public.

### **My property is not in a residential zone. What do I do ?**

The type and location of short-term rentals are governed by the provisions of the City's Comprehensive Zoning By-law. To discuss the Zoning By-law and your particular circumstances, please call the City By-law Division.

### **How many people can stay at my property?**

The draft Short-term Rental Licensing By-law does not put a limit on how many people can be in a bedroom. However, the draft Short-term Rental Licensing By-law does require the Operator to comply with the Zoning By-law that imposes restrictions on the number of rooms an Operator may have under the Zoning By-law, in addition to complying with all other Applicable Law including but not limited to the Building and Fire Codes. The Building Code and fire restrictions also place limitations on the number of people permitted in any guest room.

### **Does my site plan, floor plan, fire plan and parking plan need to be completed by a professional engineer?**

No they do not; however, your submission must be legible and preferably to scale. Drawings prepared by a professional that are to scale make the review process easier for the City and generally results in a quicker approval. However, a hand-drawn map depicting the location and number of short-term guest rooms, the proposed occupancy limit, garbage collection etc may be submitted. This information needs to be submitted as part of your licence application.

### **I am selling my property, what do I do?**

A licence is non-transferable with the sale of the property. The Licensee must notify the City within 15 days of any change such as:

- Change in business name
- Change in the location of the business premise such as the mailing address of the property owner
- Change in ownership of the business, and
- Change in the licensee's policy of liability insurance

The new owner can apply for a new licence if they want to continue the short-term rental use.

### **What are the short-term rental licensing fees?**

The City is proposing to not collect a licensing fee during 2023. For safety reasons, the City wants to encourage all short-term rental operators to apply to be licensed in the first year of the licensing by-law coming into effect. This will allow the City to collect data on the number of operators there are in Stratford, determine how much time will be required to process applications, conduct the required inspections, and follow up on enforcement. Once this data is collected, the City will use the information as the basis for determining the licensing fees in order to recoup the City's expenses to administer, and enforce the Short-term Rental Licensing By-law.

### **What type of insurance is required?**

The property owner must have general liability insurance of not less than \$5 million and confirmation that the insurance policy contains coverage for damage from fire. The insurance policy must also ensure that the Owner is not prohibited from using the property as a short-term rental.

### **Does the Comprehensive Zoning By-law still apply to short-term rental?**

Yes. The provisions of the Comprehensive Zoning By-law continue to apply and govern the uses subject to the draft Short-term Rental Licensing By-law.

### **Why can an apartment unit or a condo unit on a private road be used as a short-term rental, but cannot be used as a bed and breakfast establishment?**

If the owner or the principal resident is not staying in the apartment and the entire "apartment unit" is being rented out, it would not qualify as a bed and breakfast establishment. In addition, the apartment unit being used as a short-term rental must comply with the draft Short-term Rental Licensing By-law. This means the owner needs to submit the information requirements set out in the draft Short-term Rental Licensing By-law, including but not limited to the parking management plan.

### **My family and friends usually come to stay with me for holidays or summer vacation? Do I need a short-term rental licence?**



No, not unless you are charging them a rental rate to use the guest room(s) and operating as a short-term rental.