

SHORT-TERM RENTAL LICENSING

APPLICATION GUIDE



THE MUNICIPALITY OF
LAMBTON SHORES

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INTRODUCTION

In accordance with By-Law 43-2022, Short-Term Rentals must be licensed with the Municipality of Lambton Shores. This guide will provide all the information required to apply for a Short-Term Rental Licence.

Definitions

Under By-Law 43-2022, a Short-Term Rental is defined as:

“Short-Term Rental” or “STR” means all or part of a legally established Dwelling that operates or offers a place of temporary residence, lodging or occupancy by way of a rental agreement or similar commercial transaction for a period of less than thirty (30) consecutive nights throughout all or any part of a calendar year, but does not include an Owner-occupied Short-Term Rental, motel, hotel, hospital, campground, couch surfing or other short-term accommodations where there is no payment.

In accordance with By-Law 43-2022, Owner-Occupied Short-Term Rentals are not required to obtain a licence, which are specifically defined as:

“Owner-occupied Short-Term Rental” means a Short-Term Rental being offered in a primary Dwelling where the Owner or Tenant is permanently residing while the Premises is being used or operated as a Short-Term Rental, or a single legal accessory Dwelling on the same property as a primary Dwelling where the owner or Tenant is permanently residing while the Premises is being used or operated as a Short-Term Rental, and includes a Bed and Breakfast Establishment.

SUMMARY

HIGHLIGHTS OF THE SHORT-TERM RENTAL LICENSING PROGRAM

This section provides a summary of the short-term rental licensing program and is not intended to replace By-Law 43-2022. It is up to the applicant to read and understand the by-law, which can be found at lambtonshores.ca/STR Licensing.

Application and Licensing Fees

There is an annual licensing fee as part of the program. Payment of the licensing fee is due upon submission of your application form. The 2023 licensing fee is \$500 per Short-Term Rental unit.

Occupancy Limits

Short-Term Rental accommodations must comply with set occupancy limits, which are based on two (2) persons per legal bedroom, plus two (2) additional persons (e.g., in common areas) up to a maximum of 10 people.*

For example, a short-term rental with two (2) legal bedrooms and a living room has a maximum occupancy of six (6) people.

$$2 \text{ bedrooms} \times 2 \text{ people per bedroom} = 4 \text{ people} + 2 = \text{maximum of 6 people}$$

*Children aged 12 and under at the time of the rental shall not be included in the occupancy calculation.

Insurance Requirements

Short-Term Rental owners must provide 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 identifies that a Short-Term Rental is being operated on the Premises.

Plan for Fire Safety

Short-Term Rental owners must provide a Plan for Fire Safety as part of the licence application. This plan includes a layout of the interior of the Short-Term Rental with locations of all smoke alarms, carbon monoxide alarms, fire extinguishers, and exits.

The Plan for Fire Safety must be displayed in a prominent location within the Short-Term Rental.

Parking Requirements

Short-Term Rental owners must provide a Parking Management Plan with their licence application and comply with the following regulations:

Minimum parking requirements for a Short-Term Rental:

- One (1) space when the Short-Term Rental is occupied by one (1) to four (4) Renters;
- Two (2) spaces when the Short-Term Rental is occupied by five (5) to ten (10) Renters

Parking Space Specifications:

- Parking spaces must be a minimum of 2.7 m by 5.5 m per space
- The parking surface must be asphalt, gravel, concrete, or another similar hard surface and cannot be grass or other landscaped space.

The parking spaces must be provided on the Short-Term Rental Premises. At the discretion of the Municipality, parking spaces may be offered off-Premises on a site within 1,000 m of the Short-Term Rental.

Garbage/Recycling Requirements

All Short-Term Rentals must be kept in a clean and sanitary condition with adequate measures for the storage and disposal of garbage and waste. Adequate measures for the storage and disposal of waste can include a self-enclosed building, structure, or container that is located outside of the Short-Term Rental, which is of a sufficient size to store the garbage and waste generated at the Short-Term Rental.

Garbage and recycling bins are to be placed at the road no earlier than 5:00 p.m. on the evening before collection.

Proof of Septic Maintenance

If the Dwelling is on a septic system, Applicants must include proof of septic maintenance, inspections, and pump-out servicing within the last three years.

Third-Party Monitoring Contract

A third-party compliance monitoring system will be in place beginning February 1, 2023. The compliance monitoring system will provide services like address identification of Short-Term Rental properties, a 24/7 hotline for Short-Term Rental complaints, and ongoing communication with a Short-Term Rental's Responsible Person to address complaints or issues that arise in relation to their accommodation.

Demerit Point System

A demerit point system has been established as part of the Short-Term Rental licensing program. Demerit points are issued once a conviction is rendered, or fines are paid, and is not based on complaints to discourage frivolous or vexatious complaints against certain properties. Demerit points could also be applied where there is proof of other offenses occurring (e.g., advertising or operating without a licence, exceeding occupancy, or non-availability of Responsible Person).

A Short-Term Rental Licence may be Suspended for a period of not longer than six (6) months if the total of all demerit points against a Short-Term Rental accommodation is at least seven (7). A Short-Term Rental licence may be Revoked if the total of all demerit points against a Short-Term Rental accommodation is at least fifteen (15). Notice of the suspension or revocation of a licence shall be provided to the Owner in accordance with Section 12 of By-Law 43-2022 and a Licensee may appeal the suspension or revocation in accordance with Section 9 of By-Law 43-2022

Demerit points are assigned to the individual licence, which will be unique to each individual Short-Term Rental. Demerit points remain in place for two (2) years after the date on which the demerit points were assessed.

INFRACTION	DEMERIT POINTS
(1) Exceed permitted occupancy	4
(2) Second or subsequent offense for exceeding maximum occupancy	4
(3) Non-availability of Responsible Person	4
(4) Property Standards By-Law 67-2001 Conviction related to Premises	5
(5) Fireworks By-Law 16-2008 Conviction related to Premises	5
(6) Noise By-Law 30-2002 Conviction related to Premises	5
(7) Open Air Burning By-Law 60-2009 Conviction related to Premises	5
(8) Market Short-Term Rental without a Licence	4
(9) Operate Short-Term Rental without a Licence	4
(10) Using or permitting Premises to be used contrary to the Parking Site Plan	4
(11) Building Code Act Order/Conviction	7
(12) Fire Protection and Prevention Act/Fire Code Order/Conviction	7

Responsible Person(s)

Short-Term Rental owners must designate a Responsible Person, which means an Agent or representative of an owner or tenant, or the owner themselves, who is responsible for managing or addressing issues in relation to the licensed Short-Term Rental.

The Responsible Person must be available to respond to concerns at the Short-Term Rental, either in person or by telephone, within a period of no greater than thirty (30) minutes from the time of contact by the Municipality or Municipal Agent. Failure to do so may result in By-Law Enforcement responding and issuing tickets for by-law violations.

You can provide multiple contacts for the short-term rental's Responsible Person.

Example Scenario to Demonstrate the Responsible Person Notification Process



IMPLEMENTATION TIMELINE

Staggered application deadlines

Although the licensing program takes effect on February 1, 2023, there will be a staggered approach to application deadlines for registered short-term rentals. Registered short-term rental owners will receive their application deadline directly by mail, which will determine when they must submit a complete licensing application form for the associated short-term rental unit.

Although some application deadlines will be after the licensing program's implementation date, **all** short-term rentals **must** comply with all other requirements within the licensing by-law (e.g., capacity limits, parking requirements, etc.) as of February 1, 2023.

For example:

An owner of a two-bedroom short-term rental has a licensing application deadline of March 15, 2023. Although they will not have their licence by February 1 (because of the staggered application deadline in March) they must still be in compliance with all other requirements set out in the Licensing By-Law.

This includes the following requirements, as explained in the previous section:

- *Liability insurance*
- *Capacity limits*
- *Minimum parking requirements*
- *Parking management plan*
- *Responsible person*
- *Plan for fire safety*
- *Site plan*
- *Garbage and waste plan*
- *Septic requirements (if applicable)*

HOW TO APPLY

Step 1: Complete the Online Short-Term Rental Licensing Application Form

The Licence Application Form can be found online at lambtonshores.ca/STRLicensing.

Any drawings required for the application (site plan, parking management plan, and fire safety plan) can be done by the Applicant using a computer or drawn by hand, as long as they are legible and all required information is included.

In order to be complete, each application must include several additional documents. These documents are outlined in the Application Checklist, which is included within the Licence Application Form.

Registered short-term rental owners will receive their application deadline by mail.

Step 2: Pay the licensing fee

The licensing fee must be paid before your application is processed. Instructions on how to submit the licensing fee will be provided once an online application form is submitted.

Step 3: Review

Your application package will be reviewed by staff **once complete and the licensing fee is paid**. Staff may reach out with additional questions, document requests, or inspection requests (if deemed necessary).

Step 4: Results

Approval or feedback on your application will be provided once your application package is complete and reviewed by staff. Once approved, Applicants will receive a Short-Term Rental licence along with a licensing package with resources.

SAMPLE APPLICATION PACKAGE

The following pages contain a sample short-term rental licence application package, **which includes some of the required documents to be uploaded in the online application form.** Application packages and supporting documents will vary depending on the Dwelling being used as a short-term rental. Therefore, the following sample application package is to be **used as a reference only.**

If you have any questions while completing your application package, please contact licensing staff directly at STR@lambtonshores.ca

Application Checklist

All applicants must submit the following supporting documents with this Short-Term Rental Licence Application form. Please use the check boxes below to confirm you have included them with this application form:

Proof of ownership of the property on which the Short-Term Rental is situated
(Accepted documents outlined in Section 4.1 (F) of By-Law 43-2022)

Proof that the corporation is legally entitled to conduct business in Ontario (if the Owner is a corporation)
(Accepted documents outlined in Section 4.1 (D) of By-Law 43-2022)

Site Plan
(Outlined in Section 4.1 (L) of By-Law 43-2022)

Owner Authorization Form (if the Applicant is different than the Owner)

Proof of Insurance
(Outlined in Section 4.1 (K) of By-Law 43-2022)

Copy of Government-Issued ID (with date of birth)

Proof of Insurance
(Outlined in Section 4.1 (K) of By-Law 43-2022)

A Photo of the Front of the Short-Term Rental

Parking Management Plan
(Outlined in Section 4.1 (M) of By-Law 43-2022)

Plan for Fire Safety
(Outlined in Section 4.1 (P) of By-Law 43-2022)

Proof of Septic Maintenance, Inspection, and Pump-out Services Within the Last Three Years
(if on a septic system)
(Outlined in Section 4.1 (Q) of By-Law 43-2022)

\$500 Licensing Fee
(To be paid after application submission. Payment instructions will be emailed to you once your completed application form is submitted online)

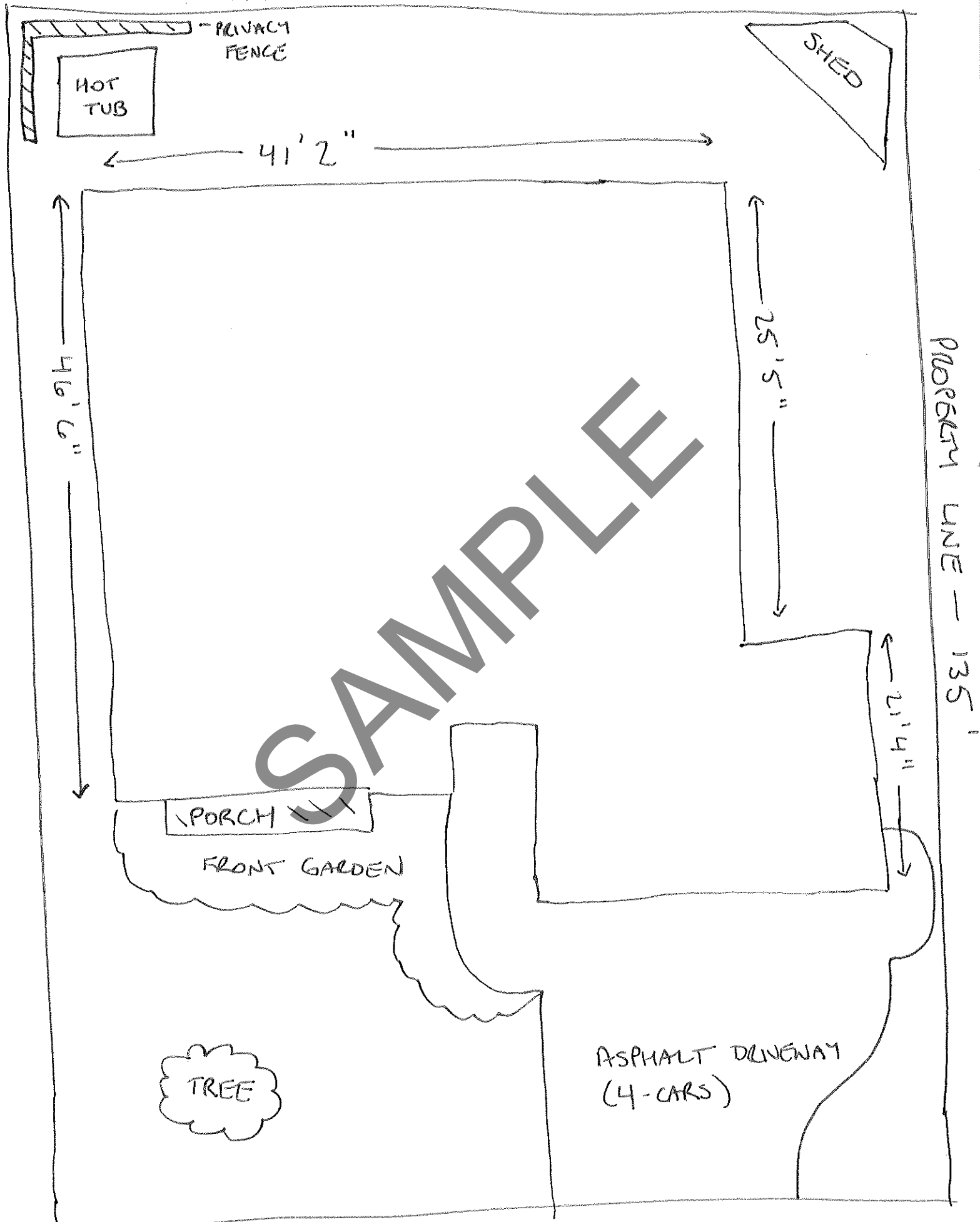
This form may contain personal information as defined under the *Municipal Freedom of Information and Protection of Privacy Act*. This information is collected under the legal authority of the Municipal Act, 2001, S.O. 2001 c25, as amended. This information will be used and maintained by the Municipality of Lambton Shores for administering the Municipal by-law enforcement and licensing process. Questions regarding this collection may be directed to the Municipal Clerk.

**TAX BILL****REPRINT-20 FINAL TAX BILLING**Billing Date **AUGUST 14, 2021**

Roll No. 050 065 14020 0000		Group Code		Access Code T999999	
Mortgage Company		Mortgage Account #			
Mailing Information JOE SMITH JANE SMITH 123 EXAMPLE STREET, GRAND BEND, ON N0M 1T0		Legal Owner and Legal Description JOE SMITH JANE SMITH 123 EXAMPLE STREET, GRAND BEND, ON N0M 1T0			

Assessments		Municipal		Education	
Tax Class	Value	Municipal Levies	Tax Rate %	Amount	Amount
<div style="position: absolute; top: 50%; left: 50%; transform: translate(-50%, -50%) rotate(-45deg); font-size: 100px; opacity: 0.3; pointer-events: none;">SAMPLE</div>					

PROPERTY LINE — 62'



PROPERTY LINE — 135'

SITE PLAN — 123 FAKE STREET

PROOF OF INSURANCE

- No less than two million dollars (\$2,000,000) per occurrence for property damage and bodily injury
- Identifies that a short-term rental is being operated on the premises

SAMPLE



Ontario Enhanced Driver's License Permis de conduire plus CAN

1.2 NAME/NOM
SMITH
JANE

3 123 EXAMPLE STREET, GRAND BEND,
ONTARIO N0M 1T0

4a NUMBER/NUMERO D0123 - 45678 - 90123

4a ISS/DEL YYYY/MM/DD 4b EXP/EXP. YYYY/MM/DD

6 DD/REF AA0123456 16 HGT/HAUT. 178 cm

15 SEX/SEXE F

9 CLASS/CATEG. G2 D0123 - 45678 - 90123
YYYY/MM/DD

12 REST./COND J

3 DOB/DON YYYY/MM/DD *01234567*

JSMITH

Ontario Enhanced Driver's License Permis de conduire plus CAN

1.2 NAME/NOM
SMITH
JOE

3 123 EXAMPLE STREET, GRAND BEND,
ONTARIO N0M 1T0

4a NUMBER/NUMERO D0123 - 45678 - 90123

4a ISS/DEL YYYY/MM/DD 4b EXP/EXP. YYYY/MM/DD

6 DD/REF AA0123456 16 HGT/HAUT. 178 cm

15 SEX/SEXE M

9 CLASS/CATEG. G2 D0123 - 45678 - 90123
YYYY/MM/DD

12 REST./COND J

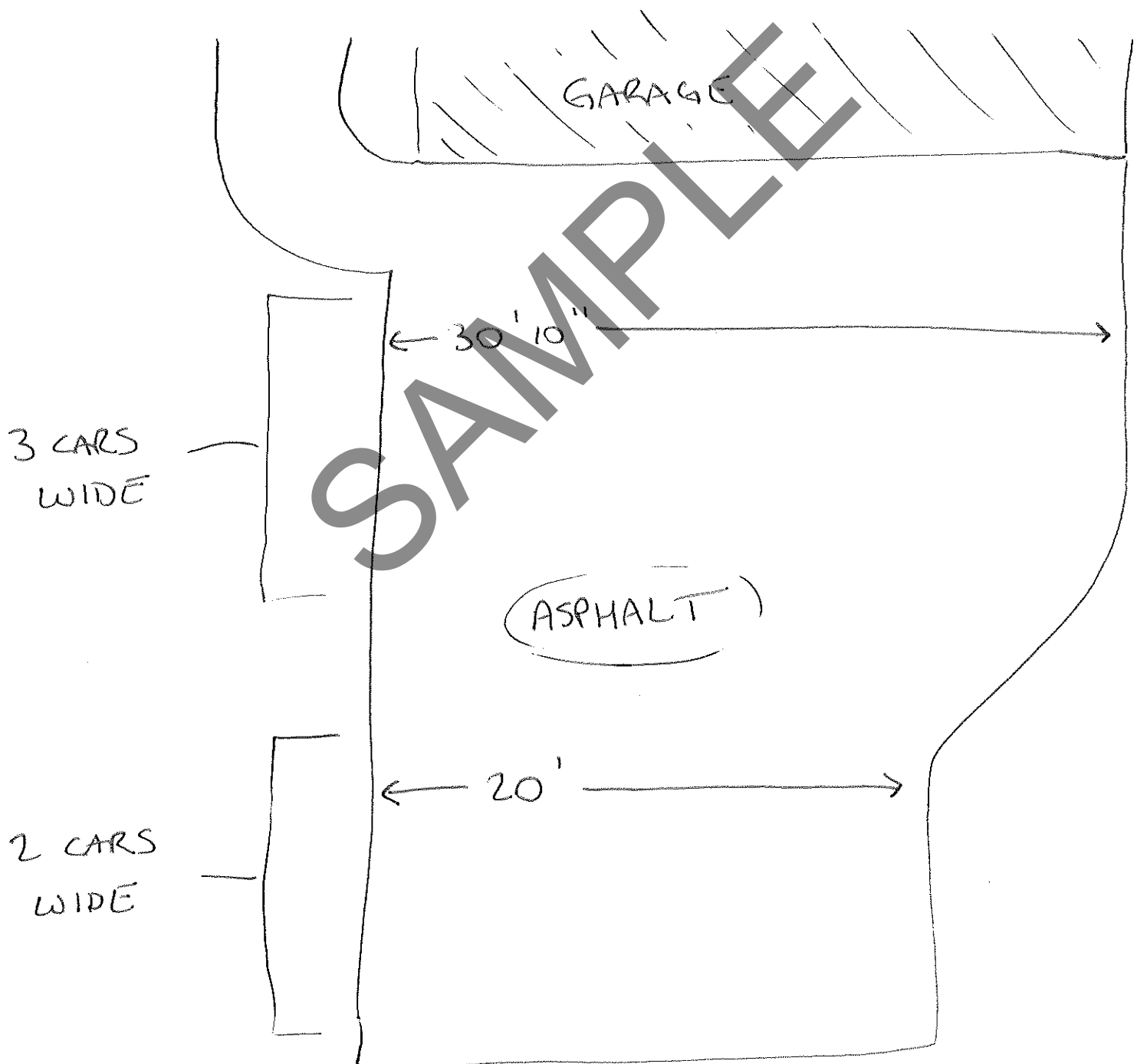
3 DOB/DON YYYY/MM/DD *01234567*

JOESMITH

PARKING MANAGEMENT PLAN

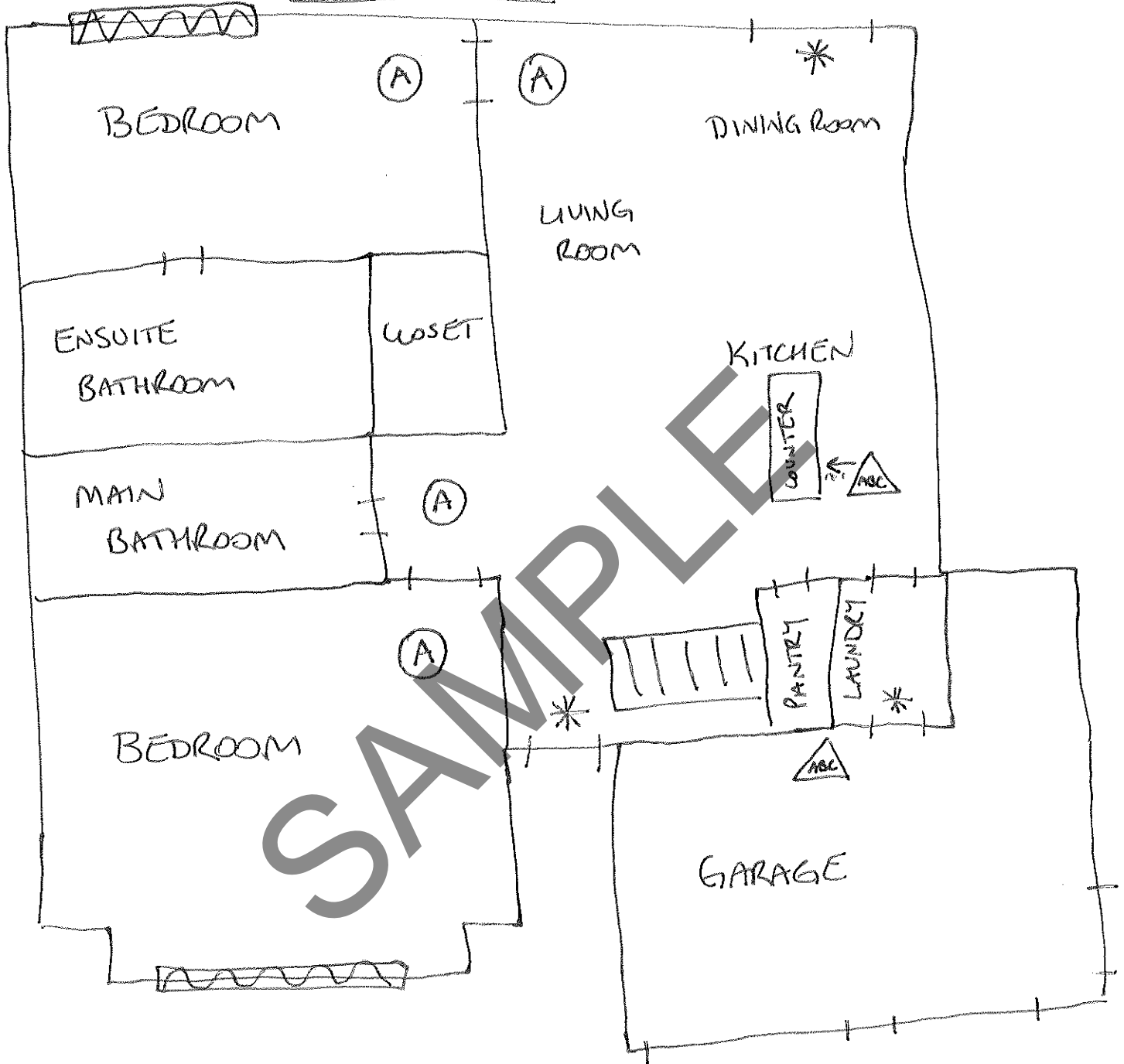
STR OCCUPANCY: 10 PEOPLE

PARKING SPACES: 5 SPOTS (ALL ON ASPHALT DRIVEWAY)



PLAN FOR FIRE SAFETY - 123 FAKE STREET

MAIN FLOOR



LEGEND

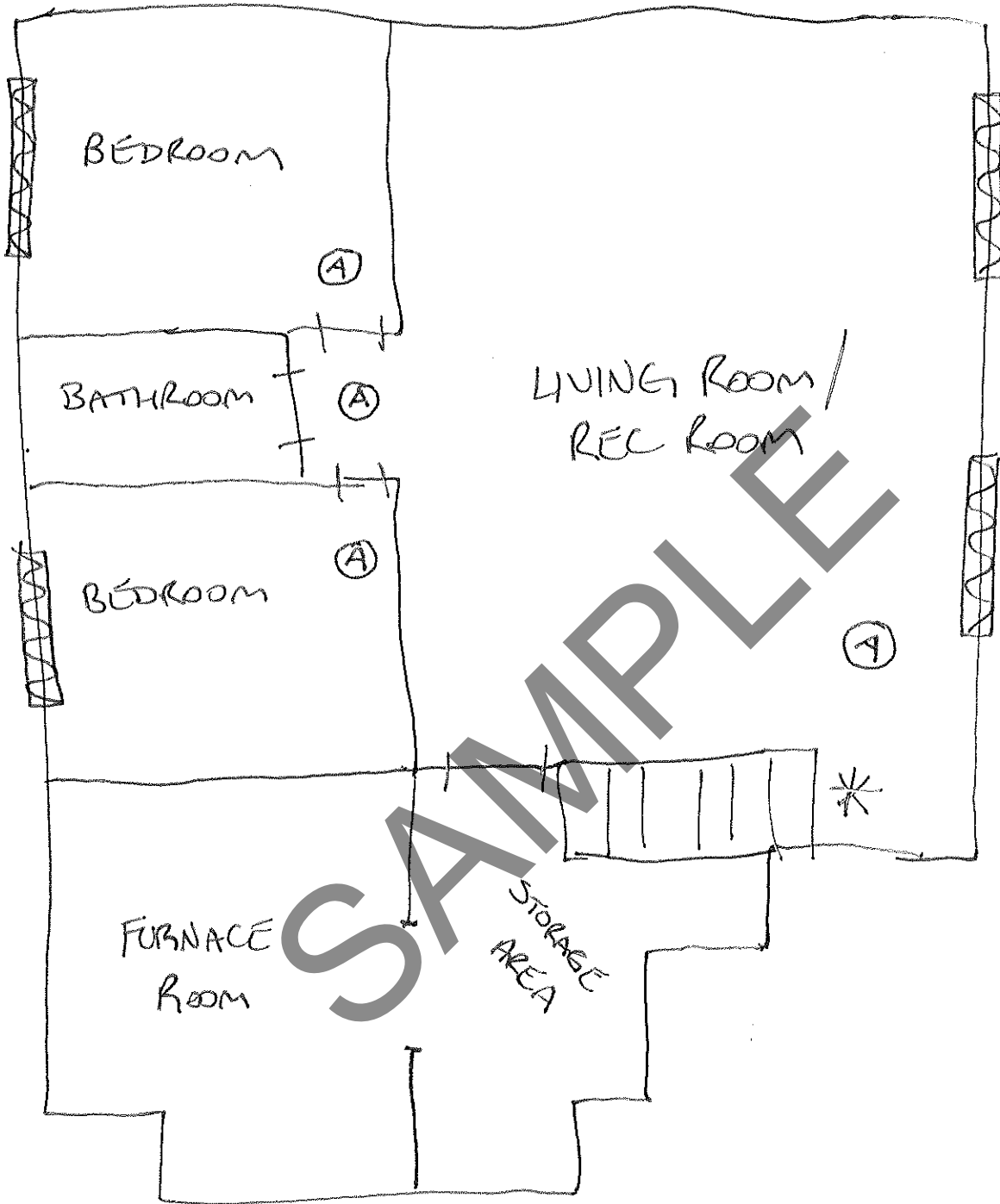
* EXIT (EXTERIOR DOORS)

(A) SMOKE AND CARBON MONOXIDE ALARM

ABC FIRE extinguishers

Wavy line EMERGENCY EXIT (EGRESS WINDOW)

BASEMENT / LOWER LEVEL



LEGEND

- * ACCESS TO MAIN FLOOR / EXTERIOR DOORS
- EMERGENCY EXIT (EGRESS WINDOW)
- (A) SMOKE AND CARBON MONOXIDE ALARM

CONTACT INFORMATION

If you have any questions about the licensing program or the licensing application, process please contact:

Manager, Licensing and Communication
STR@lambtonshores.ca
519-243-1400 ext. 8415

lambtonshores.ca/STR Licensing



THE MUNICIPALITY OF

LAMBTON SHORES