



## Report to Council

Department: Office of the CAO  
Division: Legal and Legislative Services  
Date: August 11, 2025  
Prepared by: Cory Simard, Manager, Legal, Licensing & Enforcement  
Report Number: Legal and Legislative Services-2025-12  
Subject: STRU Licensing - Repeal and Replace By-Law 2025  
Number of Pages: 7 plus attachments

### Recommendation(s)

**That** Legal and Legislative Services Report 2025-12 entitled, “STRU Licensing - Repeal and Replace By-Law 2025” prepared by Cory Simard, Manager, Legal, Licensing & Enforcement dated August 11, 2025, be received;

**That** Council approve the new Short Term Rental Unit Application Review Process Policy (the “**Policy**”), attached to this report; and

**That** By-Law 2468 being a by-law to license and regulate Short Term Rental Units in the Town of Essex be read for a first and second time and provisionally adopted on August 11, 2025.

### Purpose

The purpose of this report is to recommend repealing and replacing By-Law 2025 (the “**Current By-Law**”) and adopting By-Law 2468 (the “**Proposed By-Law**”). The Proposed By-Law will include amendments to the length of the Short Term Rental Unit (“**STRU**”) licensing term and the licensing fee amount, among several other updates. This report will also provide Council with a summary of fee research as we approach our first round of STRU renewals.

## **Background and Discussion**

In 2022, Council enacted the Current By-Law which was the first By-Law to license and regulate STRUs in the Town of Essex (the “**Town**”). As of the time of writing this report, there are 93 STRUs licensed in the Town. The Current By-Law sets the rules and regulations pertaining to STRUs in the Town, including the licensing term and associated fees.

At its Regular Meeting on March 4, 2024, the following was considered by Council for the Town:

**Moved by** Councilor Hammond

**Seconded by** Councilor Allard

### **R24-03-072**

**That** Council direct Administration to return with a by-law to amend the Short-Term Rental Unit Licensing By-Law 2025, being a by-law to license and regulate Short-Term Rental Units in the Town of Essex, that reflects the changes proposed by Development Services Report 2024-01 entitled Licensing & Enforcement Update to Council on Short-term Rental Units.

Repealing and replacing the Current By-Law with the Proposed By-Law will aid in the administration of STRU licences and bring licensing fees in line with other local municipalities. As the first round of STRU licensing renewals approach in November 2025, the past three years have allowed administration to review and provide improvements for STRU licensing in the Town. Importantly, matters heard before the Appeals Committee have helped administration with closing potential gaps and ambiguities as it pertains to the Current By-Law in place.

### **Current By-Law**

The Current By-Law states that an STRU licence shall expire three (3) years from the date of its issuance unless it is renewed or revoked. Under Schedule “D” of the Current By-Law, the

licensing fee is set at \$700 for the term of the licence, meaning that the fee as currently set is \$233.33 per year. These are two key aspects requiring amendments, which are discussed below.

### **STRU Licensing Fees for Other Municipalities**

By comparing STRU licensing fees throughout our region, it is clear that the Town’s licensing fees are significantly lower than those of other municipalities. As the following chart illustrates, while the fees do vary, the Town’s current licence fee of \$233.33 per year is generally much lower than those at other comparable municipalities.

<b>Municipality</b>	<b>Annual Fees</b>
Amherstburg	<b>Licence:</b> \$550 <b>Renewal:</b> \$500
Kingsville	<b>Residential:</b> (up to 4 occupants), \$400 (up to 6 occupants), \$750 (up to 8 occupants), \$1,400 (up to 10 occupants), \$1,750 <b>Owner-Occupied</b> (Where the owner/operator resides full-time on the same property as the Short-Term Rental.): \$250 <b>Commercial:</b> \$500
Windsor	<b>Licence:</b> \$301 <b>Renewal:</b> \$239

## **Proposed Licensing Fee**

The fee proposed in the Proposed By-Law of \$500 annually will be used to recover staff time and software costs. The proposed fee is in line with the STRU licensing fee of the Town of Amherstburg. Each STRU application goes through 3 phases of review: Planning Department, Fire Department, and Licensing. While the Fire Department has its own associated fee for the fire inspection of the applicant's property, Planning and Licensing do not have an associated fee related to reviewing the application. Further, the Town's By-Law Department responds to any complaints related to STRUs, as well as conducts proactive enforcement to make sure all advertised STRUs are being operated in compliance with relevant By-Laws. The Town has an STRU Hotline, that is a monthly paid service to aid residents in submitting concerns and complaints specific to STRUs. Moreover, we require software to aid in the licensing application, which is currently completed through Cloudpermit. All of the above factor into the increase in the proposed STRU licensing fees.

## **Proposed Licensing Term**

The licensing term proposed in the Proposed By-Law is one (1) year. The Current By-Law has a three (3) year licensing term. As the Town approaches the first round of renewals in November 2025, being three years after the first STRU licence was issued in November 2022, some difficulties associated with a longer term licence period have been experienced. With three-year licensing terms, there is greater potential for home ownership change which can create issues with STRUs and licence transfer. With a longer term, the Town is less likely to know whether the STRU licensee's insurance continues to meet the licensing requirements. Most insurance policies renew annually, which is in line with a one-year STRU licence term. Having licensees renew annually, rather than every three years will keep the information on the Town's records for each residence and licensee up to date and relevant.

The Proposed By-Law maintains the fire inspection requirement at every three (3) years. This will allow for STRUs to be reviewed for fire safety on a regular basis, without having to increase

the Fire Department's resources to handle annual inspections. In consultation with the Town's Fire Department, it is confirmed that a fire inspection being required every 3 years is an appropriate timeline from a safety standpoint.

## **Penalties/Fines**

While the Current By-Law has a system of demerit points, administrative penalties, and set fines, it is proposed that administrative penalties be removed for the enactment of By-Law 2468. The system of demerit points and set fines provides for a clearer system of penalties and is in line with other By-Laws within the Town. A set fines application will need to be submitted to the Ministry of the Attorney General following the final passing of the Proposed By-Law.

## **Zoning**

At this time, it's proposed that the zoning requirements for STRUs set out in By-Law 1037 remain in place. The applicable amendment of By-Law 1037 regarding STRUs is made by By-Law 2150 as shown below:

### **8.16 Short Term Rental Units**

- a) One short term rental unit shall be a permitted use when located in one of the following:
  - i. in a Residential District - exclusively in an existing dwelling where a short term rental unit was both established prior to and in operation on May 9, 2022;
  - ii. in an Agricultural District - in a single detached dwelling;
  - iii. in a Commercial District - in a dwelling or in a dwelling unit in a combined use building;
  - iv. in Green Districts 1.2 and 1.5 - in a cabin located in a campground."

Administration understands that Council's appetite is to keep the May 9, 2022, moratorium date mentioned above in place. Removing this date would provide potential STRU eligibility to all properties in residential districts in the Town. Further, changing the current zoning By-Law

while we approach our first round of STRU renewals may cause issues administratively. If Council deems it appropriate to amend the STRU zoning requirements to remove the May 9, 2022, moratorium date, then it would be best for Council to bring forward a notice of motion directing administration to re-visit the moratorium date.

## **New Policy**

Along with the adoption of the Proposed By-Law, administration is seeking approval of the attached Policy. The Policy applies to the Short Term Rental Unit Licensing Application process, including the review of Licensing Applications by the various departments of the Town being Planning Services, Fire Services, and Legal & Legislative Services, in relation to the requirements of Zoning By-Law 1037 and Short Term Rental Unit Licensing By-Law 2468. The Policy will aid in formalizing the process in which administration reviews each STRU application.

## **Enforcement**

Enforcement can be accomplished within the established practice of policing the Current By-Law. The By-Law Department is already tasked with ensuring that those within the Town are complying with the licensing, advertising, and operation of STRUs. This enforcement will continue as we approach our first round of licence renewals in Q4 of 2025.

## **Financial Impact**

There will be a positive financial impact as a result of adopting the Proposed By-Law. The previous licensing period was three years, with a three-year fee of \$700. The fee increase proposed in the Proposed By-Law will increase licensing fees to \$500.00 per year. The increase is in line with the fees of other municipalities within our region and allows for administration, software, and enforcement of STRU licences to be more appropriately accounted for from a financial perspective.

## **Consultations**

Legal and Legislative Services

Planning Department

Fire and Rescue Services

By-Law Enforcement

## **Link to Strategic Priorities**

- Embrace asset management best practices to build, maintain, and continuously improve our municipally owned infrastructure.
- Leverage our Town's competitive advantages to promote jobs and economic investment.
- Take care of our natural environment and strengthen the sense of belonging to everyone who makes Essex "home".
- Deliver friendly customer service in an efficient, effective, and transparent manner while providing an exceptional working environment for our employees.
- Build corporate-level and community-level climate resilience through community engagement and partnership and corporate objectives.

## Report Approval Details

Document Title:	STRU - Repeal and Replace By-Law 2025 - Legal and Legislative Services-2025-12.docx
Attachments:	- STRU Licensing Application Process Policy - Final.docx - By-Law No. 2468 - Short Term Rental Unit Licensing - Redline Final.docx - By-Law No. 2468 - Short Term Rental Unit Licensing - Clean Final.docx
Final Approval Date:	Aug 5, 2025

This report and all of its attachments were approved and signed as outlined below:



**Joseph Malandrucolo, Director, Legal and Legislative Services/Clerk - Aug 1, 2025 - 1:56 PM**



**Kate Giurissevich, Chief Administrative Officer - Aug 5, 2025 - 9:16 AM**