

Ministry of Health

Short-Term Residential Swimming Pool Rentals by Private Homeowners

(November 2021)

This document provides basic information for owners of residential pools who are using or considering using online platforms to enable the short-term rental of their pool to the public. It is not intended to take the place of legal advice.

Short-term rental of residential pools

A number of apps /online marketplace platforms allow residential pool owners (“hosts”) to rent their pool by the hour to the public (“guests”). The rental may include the use of amenities (e.g., showers, BBQ, Wifi, etc.) as well as the pool.

Swimming Pools and Public Health

While there are many social, physical and psychological health benefits from swimming and aquatic activities, swimming pools and recreational aquatic environments can also expose bathers to potential dangers and risks including water borne diseases, drowning/near-drowning or injury associated with the design, maintenance and operation of the pool/facility.

Bathers can get waterborne illnesses (e.g., skin, ear, respiratory, eye infections) if they swallow, have contact with, or breathe in mists or aerosols from water contaminated with bacteria, viruses, fungi and parasites that can cause disease (“pathogens”). If the chemicals used to kill pathogens (e.g., chlorine or bromine) in pools and hot tubs, are not kept at the right level, these germs can multiply and make swimmers sick.

Swimming pools require appropriate maintenance and safety measures to reduce risks to health and exposures to health hazards.

Provincial Regulation of Public Pools

In Ontario, the provincial government regulates public swimming pools and other aquatic recreational facilities. Several laws and policies provide requirements or criteria for the design, construction, and ongoing operation and maintenance of public pools and public spas (i.e., whirlpools or hot tubs).

The regulations set minimum standards such as the amount of chlorine that should be in the pool. These are in place to protect users, decrease risks of illness and injury, and ensure a clean, healthy, and safe environment for everyone.

Relevant Laws

Pool owners who intend to rent their pool or hot tub (spa) to the public may wish to familiarize themselves with relevant legislation and any applicable municipal bylaws to better understand their obligations and responsibilities.

Public Health

In Ontario, public pools are defined under and subject to the legal requirements set out in Ontario Regulation 565: Public Pools under the [Health Protection and Promotion Act](#). This regulation sets out requirements and standards for operation, maintenance, and equipment at public pools and public spas.

Building Code

The construction of a public pool must be in compliance with the O. Reg. 332/12: Building Code under the *Building Code Act, 1992*. For more details on these requirements please refer to [O. Reg. 332/12](#).

Municipal Bylaws

Municipalities have broad powers to pass bylaws and govern within their jurisdiction. While each municipality may be different, there may be bylaws that are applicable, which could include bylaws that address:

- Building permits for construction and reconstruction
- Placement of the pool
- Fencing requirements

- Zoning rules
- Complaints - noise, street parking
- Water discharge conditions

Other Considerations

- It is possible that short-term pool rental could raise issues of liability for the hosts including in the case of injury or transmission of a waterborne illness. Hosts should be encouraged to seek legal advice about their responsibilities and potential liabilities.
- Sharing platform hosts should be aware of any implications related to income tax, as well as goods and services tax/ harmonized sales tax (GST/HST).

More Information

Pool owner/ hosts can reach out to their local public health unit for more information about health and safety requirements for public pools and public spas and to notify their public health unit about their intent to operate a public pool. To find your public health unit go to:

<https://www.phdapps.health.gov.on.ca/PHULocator/Default.aspx>

For question about bylaws, building permits, zoning, and other local issues, pool owner/hosts should contact their municipality directly. For contact information for municipalities, go to: <https://www.ontario.ca/page/list-ontario-municipalities>