

Town of Fort Erie

Short-Term Rental Land Use Study



Public Open House

Meeting Overview

1. Introductions
2. Project and Meeting Purpose
3. Background Review
4. Options
5. Next Steps

Introductions



Greg Bender, MCIP, RPP, Project Manager

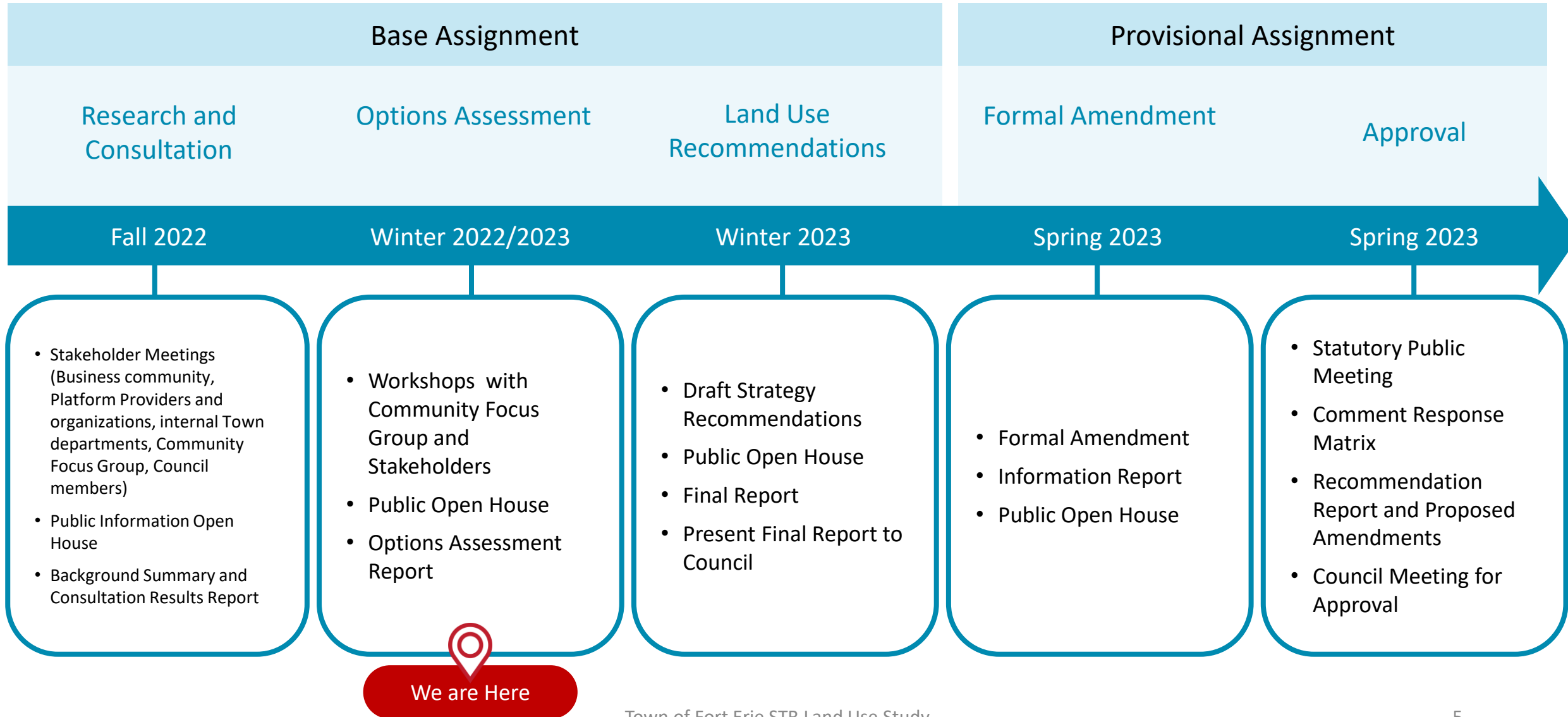
William Turman, MA, BKI, Planner

Brief Introductions

Project Purpose

- Identify, develop, and assess a **land use approach** for Short-Term Rentals (STR) through changes to the Official Plan and Zoning By-law within the Town of Fort Erie
- The Town currently regulates STRs through a Licensing By-law, however the Town has placed a moratorium on issuing new licenses until amendments can be implemented to the Official Plan and Zoning By-law
- The Land Use study will develop and evaluate options to regulate STRs through amendments to the Official Plan and Zoning By-law
- Should the recommendations be endorsed by Council, formal amendments will be introduced

Project Timeline



Purpose of this Meeting

Explore Land Use Options to Regulate STRs:

- WSP has drafted 4 preliminary land use options
- How would you modify the proposed land use tools in each option?
- What do you see as strengths and weaknesses of each option?

Background Review

The Town's Policy

- STR Licensing Program
- Pilot Study
- Official Plan and Zoning By-law

Provincial Policy Context

- Municipal Act
- Planning Act
- Provincial Policy Statement
- Growth Plan
- OLT decisions

Key Takeaways

- The Town has created a strong Licensing By-law
- There is no land use policy or regulation for STRs in the Official Plan and Zoning By-law

Key Takeaways

- Lawfully licensed STRs will continue to be lawfully licensed.
- Town cannot deny license based on location except through land use regulation
- Support for a range and mix of housing types/tenures
- General support for diversified economies

Background Review

Who We Heard from

- Public Open House
- Community Focus Group
- Town Technical Staff
- Niagara Regional Police
- STR Platform Representatives
- Local Business Community Members
- Other Comments
- Council Members

What We Heard

Primary Issues

1. STRs are considered a Commercial Use
2. STRs belong in certain appropriate areas
3. STRs can be disruptive because of disrespectful guests/events
4. STRs are a challenge to a sense of community

Land Use Policy Options Assessment Criteria

There are several **requirements** that the land use policy options must address, and several **considerations** that have surfaced as a result of review and consultation.

Requirements

1. STRs with an existing licence will need to be reviewed by the Town to determine how they will be considered.
2. Options presented here may only be implemented through Official Plan policies and Zoning By-law provisions.
3. Based on OLT decisions, STRs are not considered a residential use, but that any regulations must focus on dealing with the specific land use issues.

Considerations: What We Heard

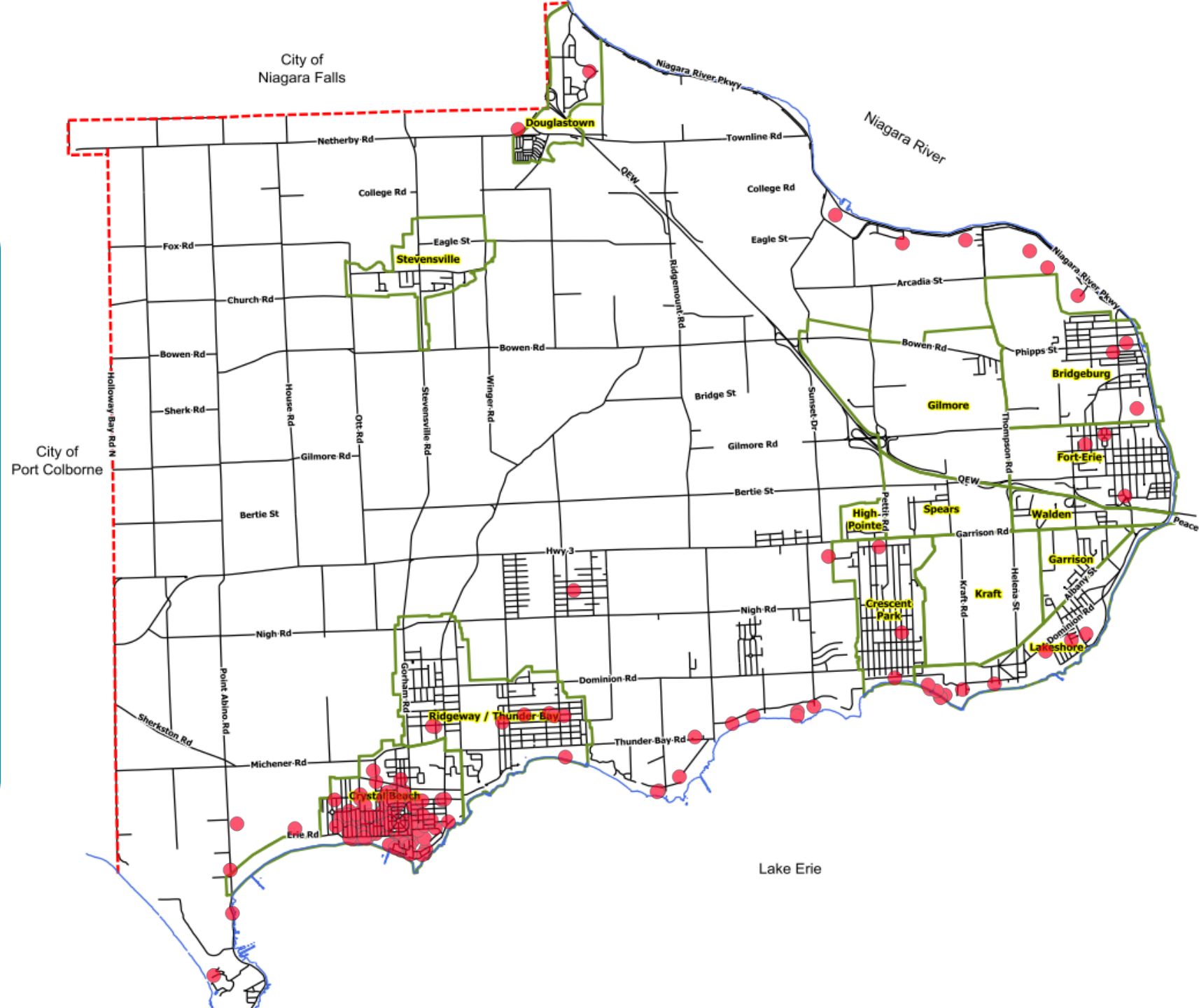
1. Areas such as certain waterfront locations and downtown core areas are more appropriate because they are historically and traditionally areas for vacation and cottage rentals. Newer and predominantly residential areas are less appropriate because of potential for land-use conflicts.
2. OP and ZBL options should dovetail with the existing licensing program.
3. Event uses should be prohibited in STRs.
4. STRs in a primary residence or existing cottage/seasonal residence are preferred. STRs as property investment are not preferred.

Licences

Permitting Existing STRs

STRs that are currently licensed are permitted under the licensing program. Land-use policy cannot change that.

The map on the right shows the locations of approximately 190 licence holders in 2022, and may not reflect current licences.



Options

	Option 1: Existing Zones	Option 2: Overlay	Option 3A: Overlay + Owner Occupied	Option 3B: Overlay + Separation Distance
Primary Issue	STRs are considered a Commercial Use	STRs belong in appropriate areas	STRs can be disruptive because of disrespectful guests/ events	STRs are a challenge to a sense of community
General Policy Approach	STRs permitted as of right through specific zones. Site Specific zones required elsewhere through rezoning.	An Overlay permitting STRs as of right is applied to certain areas, such as along the waterfront, Crystal Beach, and ZBLAs required elsewhere.	STRs permitted as of right in an area defined by an Overlay and in owner-occupied dwellings and other specific dwelling types (eg. above a commercial use)	STRs permitted as of right in an area defined by an Overlay and permitted as of right according to a separation distance from commercial areas/amenities. (eg. 100m)

Option 1: Existing Zoning

Primary Issue:

STRs are a Commercial Use

Overall Policy Approach:

Existing zones already provide boundaries based on mitigating land-use conflicts, therefore this approach would permit STRs in appropriate zones, and elsewhere with a ZBLA.

Tofino BC permits STRs within certain zones subject to conditions such as

- Only in a dwelling
- Operator must reside on property

STRs are explicitly prohibited from Single Family Dwellings used for residential uses, in commercial or industrial zones, within multiple dwelling buildings.

Land Use Tools	Use in this option
Overlay	N/A
Permit in dwelling types	N/A
Separation Distances	N/A
Zones	Permit in zones where commercial uses are permitted, and other appropriate zones. Possibly as an accessory use, as a home occupation.
ZBLAs	Required on properties where STRs are not a permitted use.

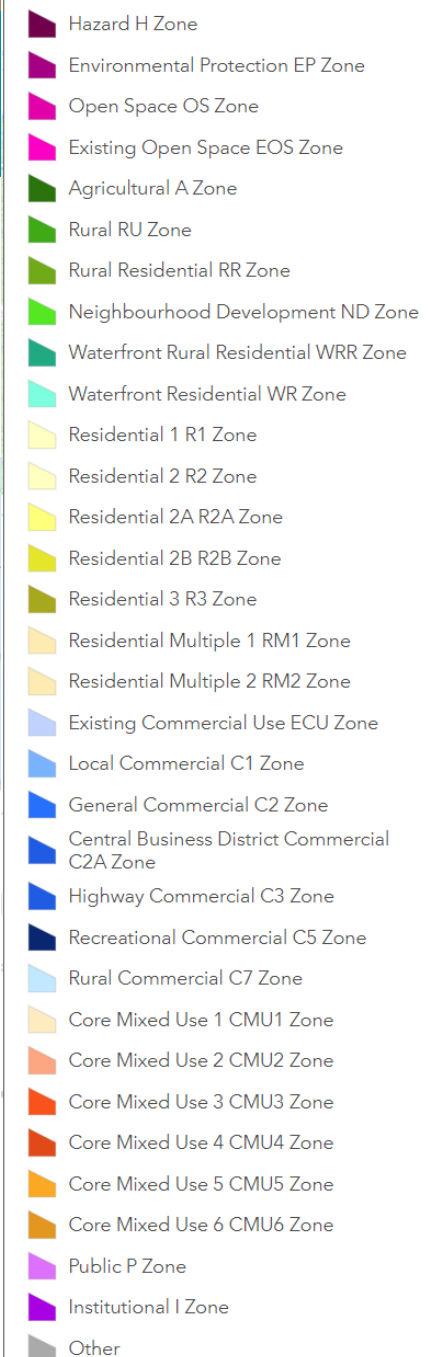
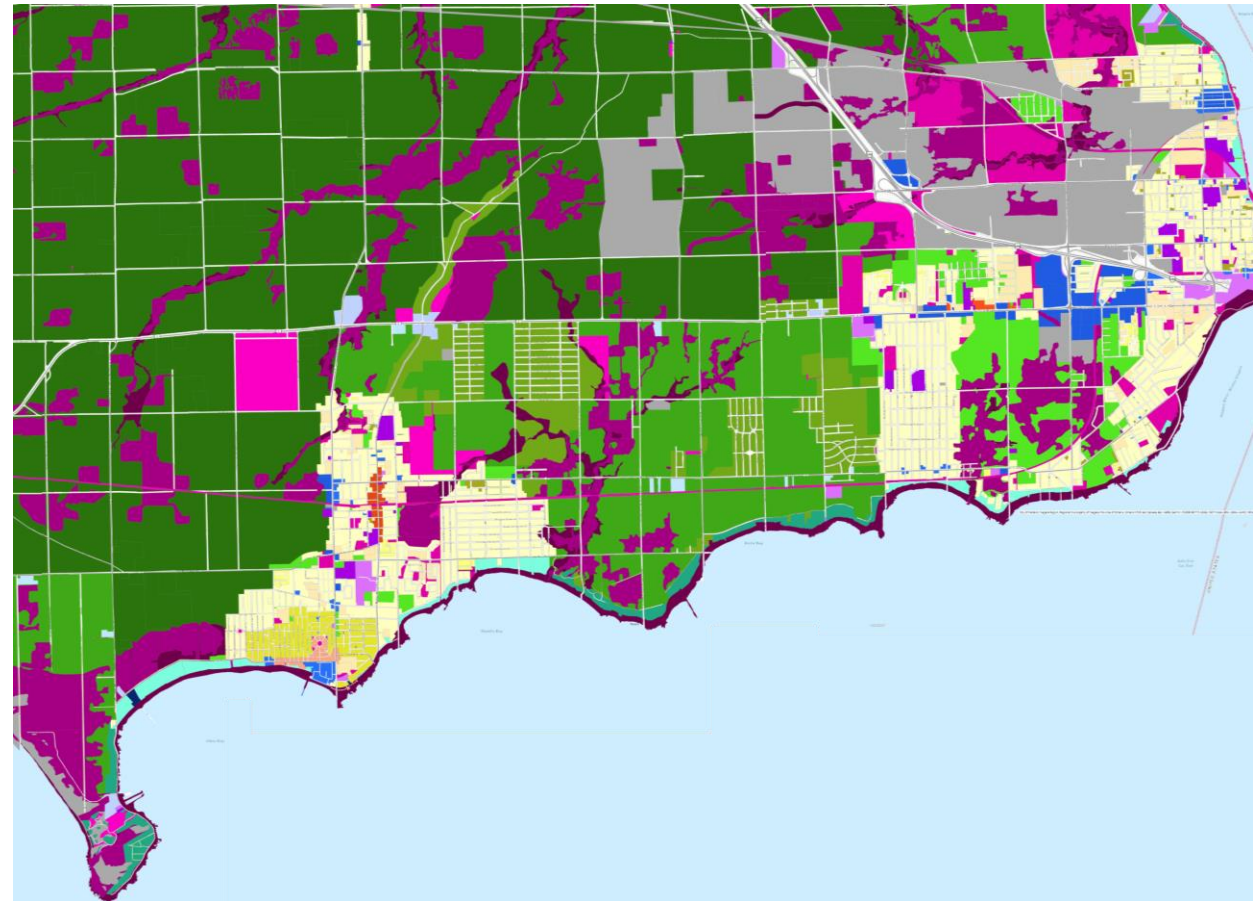
Option 1 : Existing Zoning

Where would STRs be Permitted:

Zones where commercial uses and residential uses are both permitted, and other appropriate zones.

For Discussion:

- R2B zone (Exclusive to Crystal Beach)
- Rural zones
- Waterfront zones
- As an accessory use



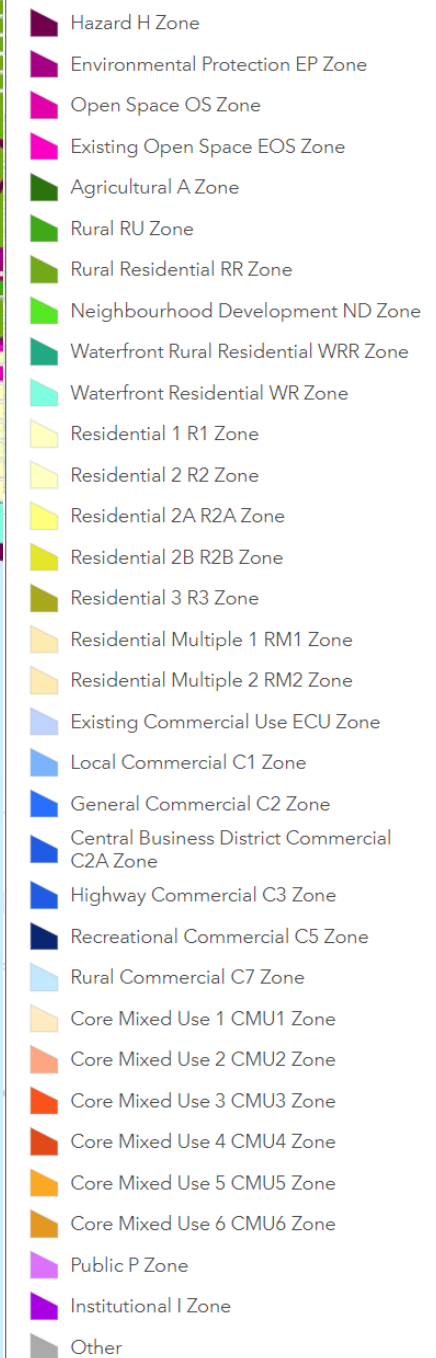
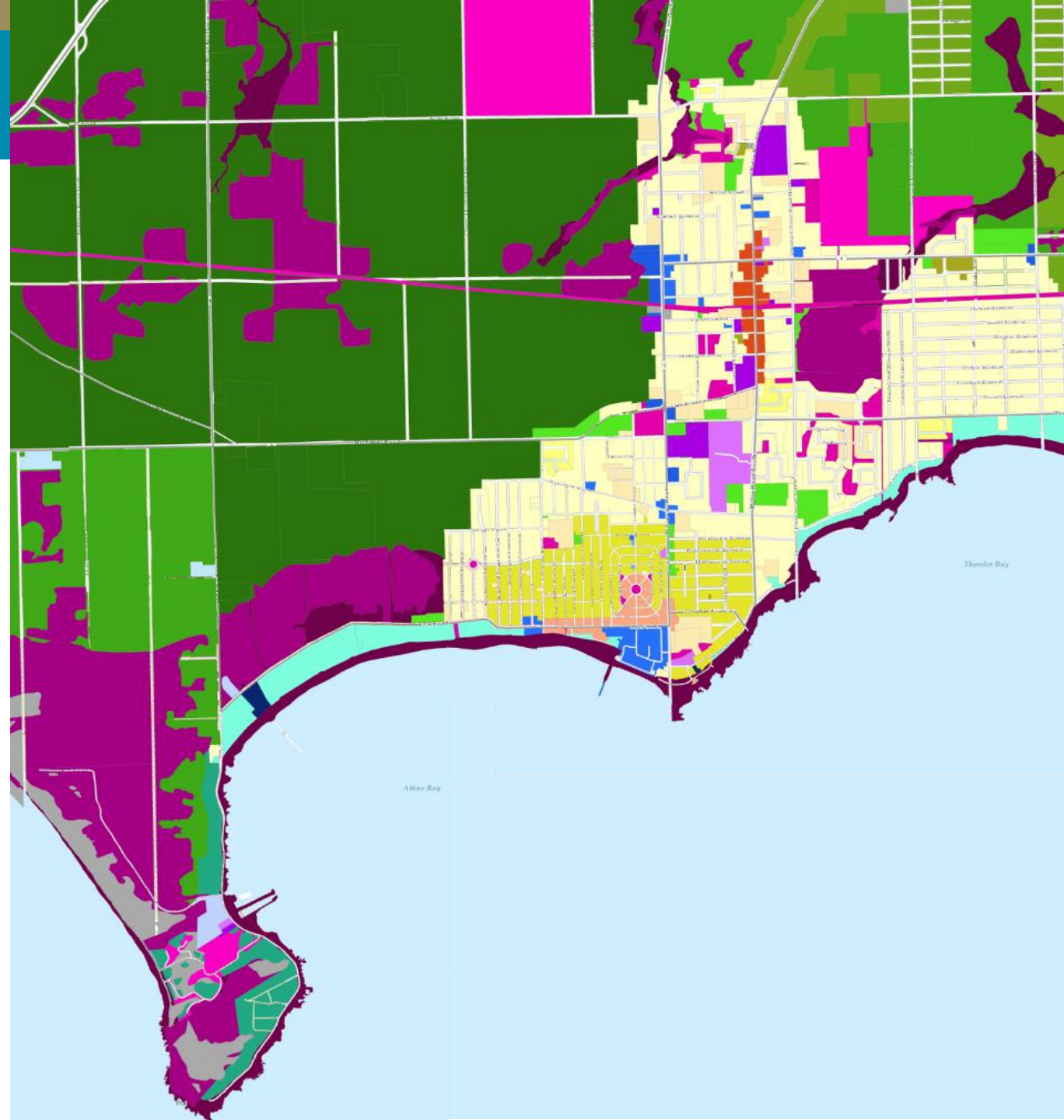
Zoning

Where would STRs be Permitted:

Zones where commercial uses and residential uses are both permitted, and other appropriate zones.

For Discussion:

- R2B zone (Exclusive to Crystal Beach)
- Rural zones
- Waterfront zones
- As an **accessory use**



Option 2 : Overlay

Primary issue:

STRs belong in certain appropriate areas

Overall Policy Approach:

Define specific areas where STRs are permitted, subject to conditions, and generally prohibit them elsewhere.

The Town of the Blue Mountains uses an overlay to define an area where STRs are not subject to strict requirements that are applied elsewhere throughout the Town. The overlay permits larger occupancy, eliminates separation distances, and does not require the owner to be a resident.

Land Use Tools	Use in this option
Overlay	Define an area or areas where STRs are permitted as of right which applies only to the areas most suitable for STRs so as to avoid conflicts.
Permit in dwelling types	N/A
Separation Distances	N/A
Zones	N/A
ZBLAs	Required on properties outside of the overlay area.

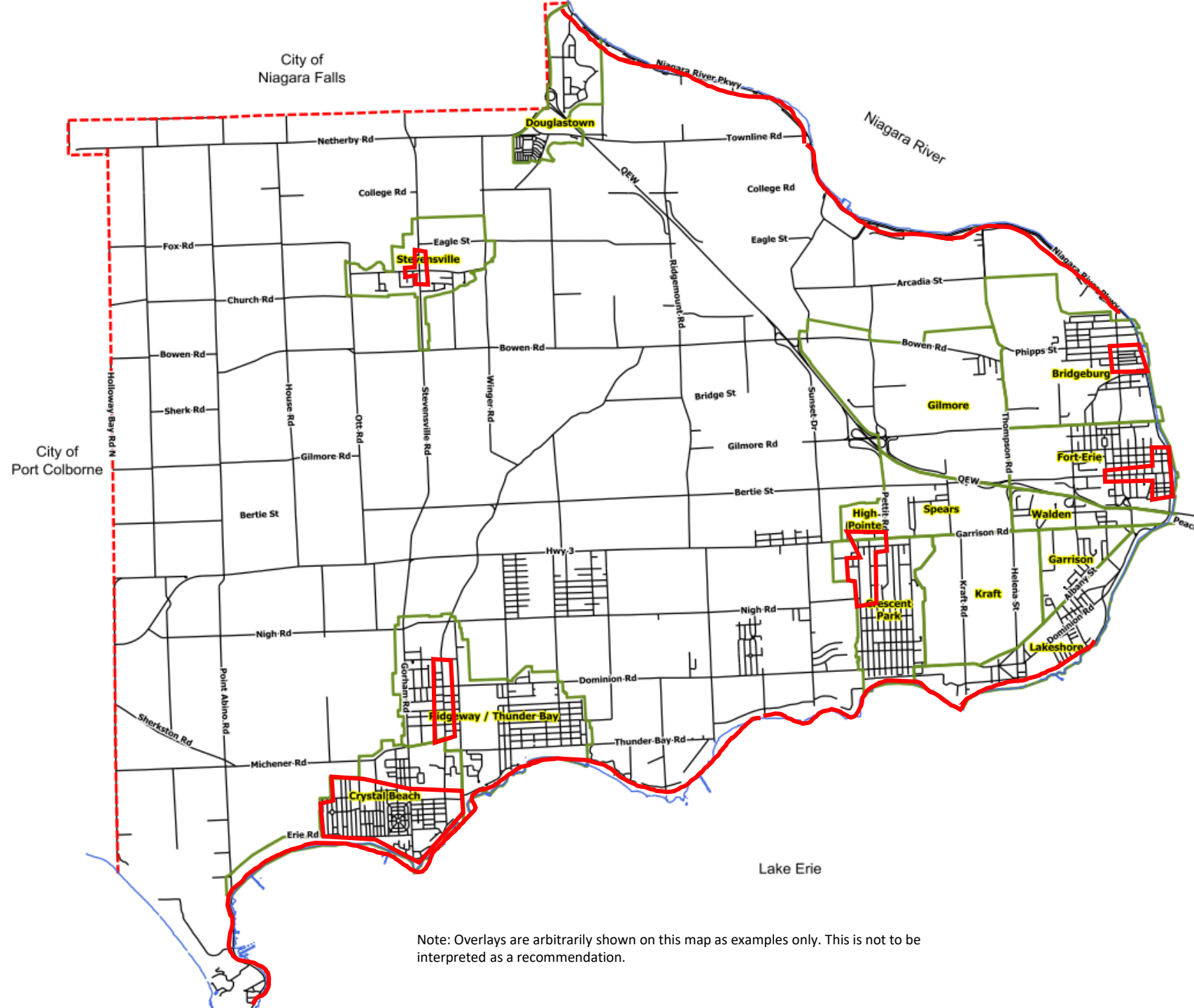
Option 2

Where would STRs be Permitted:

Within the areas defined by an overlay.

For Discussion:

- The extent of the overlay
- Niagara River and Lake Erie
- Criteria for a zoning change



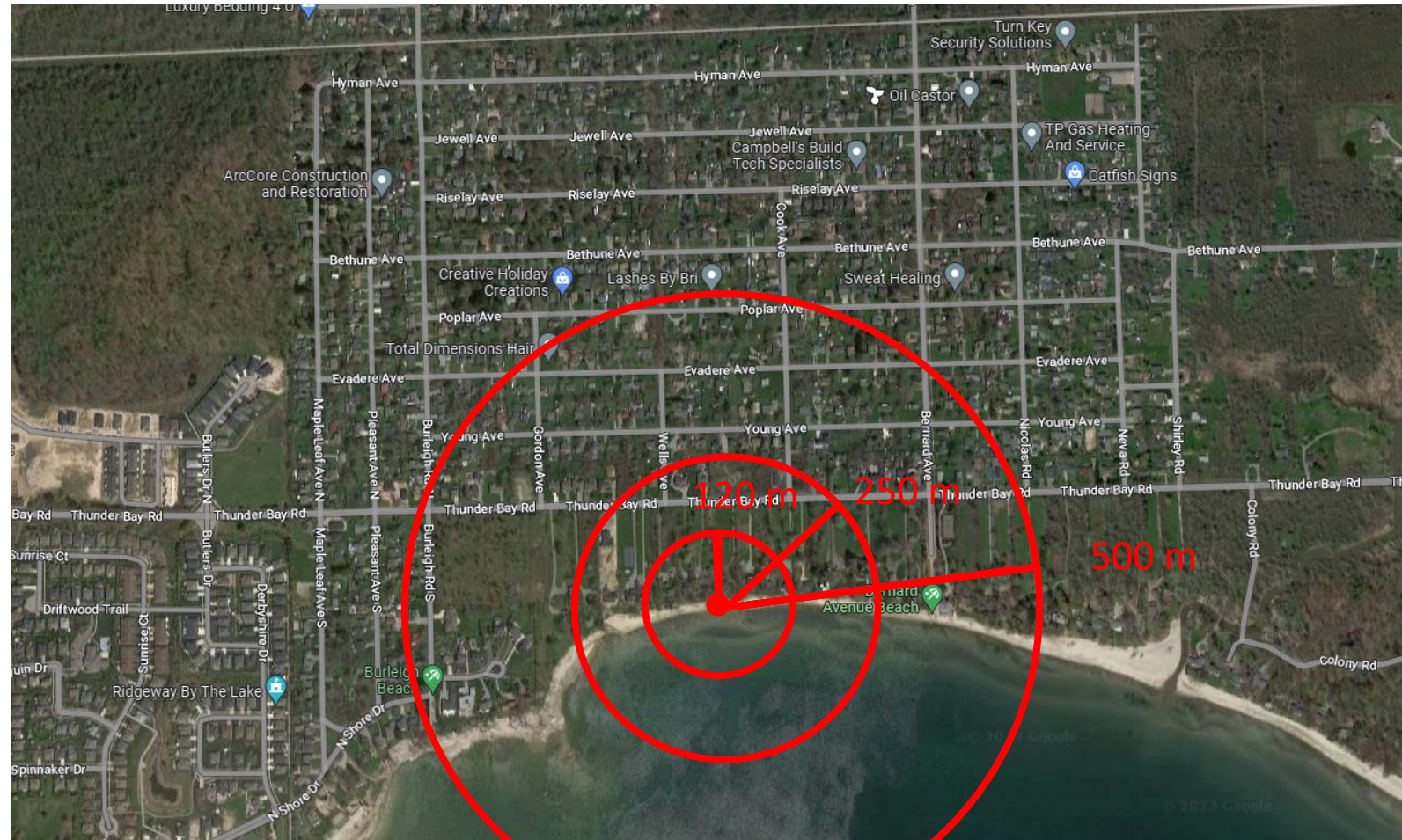
Note: Overlays are arbitrarily shown on this map as examples only. This is not to be interpreted as a recommendation.

Option 2

For Discussion:

If the overlay is to include waterfront areas, there is potential to refine how the overlay is defined using a buffer area from the waterfront to be able to include properties that do not abut the water.

To the right is a visualization of what different buffer distances could include.



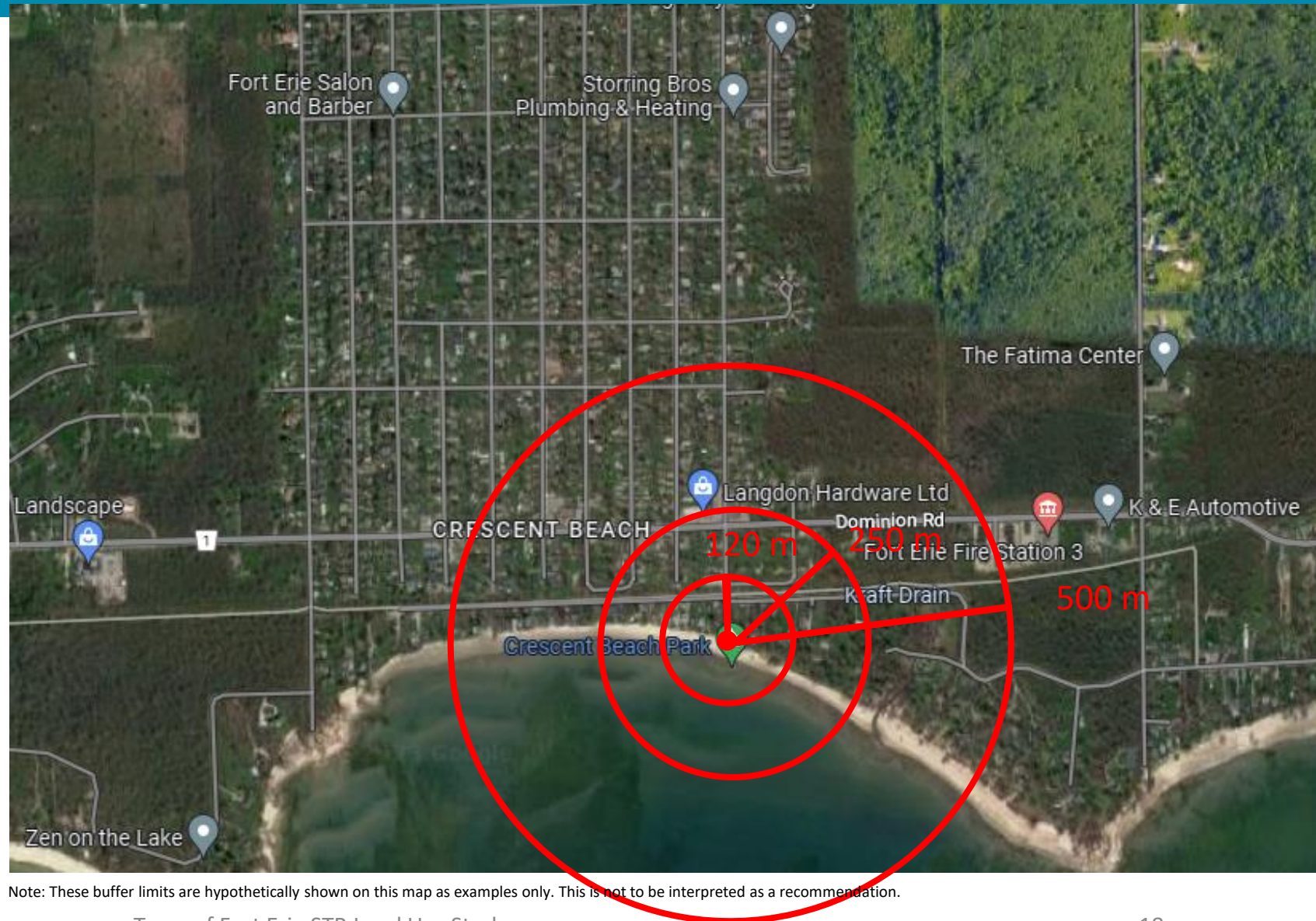
Note: These buffer limits are hypothetically shown on this map as examples only. This is not to be interpreted as a recommendation.

Option 2

For Discussion:

If the overlay is to include waterfront areas, there is potential to refine how the overlay is defined using a buffer area from the waterfront to be able to include properties that do not abut the water.

To the right is a visualization of what different buffer distances could include



Option 3a : Overlay + Owner-Occupied

Primary issue:

STRs are disruptive because of disrespectful guests

Overall Policy Approach:

Define specific areas where STRs are permitted, with some conditions, and permit them on properties on-which the licence-holder is a permanent resident.

Prince Edward County restricts new STRs to dwellings occupied by permanent residents only. The County sets a limit on how many consecutive days a full dwelling can be let out as an STR.

Land Use Tools	Use in this option
Overlay	Define an area or areas where STRs are permitted as of right which applies only to the areas most suitable for STRs so as to avoid conflicts.
Permit in dwelling types	In areas outside of the overlay, STRs permitted only on properties where the licence-holder is a permanent resident
Separation Distances	N/A
Zones	N/A
ZBLAs	Required on all other properties

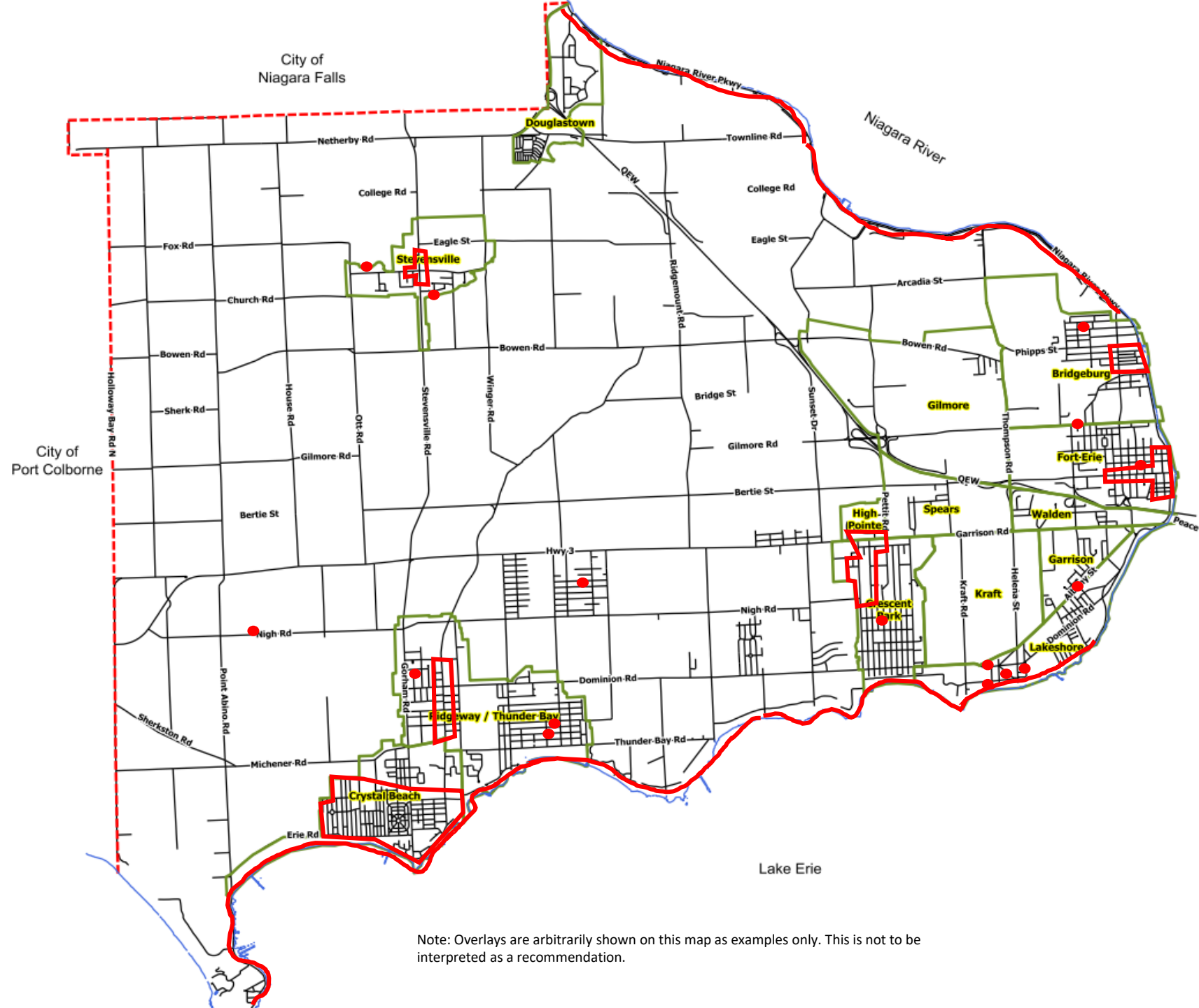
Option 3a

Where would STRs be Permitted:

Within the area defined by an overlay and otherwise in neighbourhoods with permanent residents.

For Discussion:

- The extent of the overlay
- Criteria for owner-occupied properties.



Note: Overlays are arbitrarily shown on this map as examples only. This is not to be interpreted as a recommendation.

Option 3b : Overlay + Separation Distance

Primary issue:

STRs are a challenge to sense of community

Overall Policy Approach:

Reduce concentration of STRs outside of specific areas where STRs are permitted, with some conditions, and permit them elsewhere provided they are not in proximity to another STR.

Prince Edward County has a maximum density of STRs based on urban typology. The maximum concentration of STRs is 15% of dwelling units within a 120 – 500 metre radius, depending on if it is in a settlement area, a hamlet, or in the rural area.

Land Use Tools	Use in this option
Overlay	Define an area or areas where STRs are permitted as of right which applies only to the areas most suitable for STRs
Permit in dwelling types	N/A
Separation Distances	Prohibit an STR from locating closer than a certain distance to another STR (e.g. 100 metres).
Zones	N/A
ZBLAs	Required on all other properties

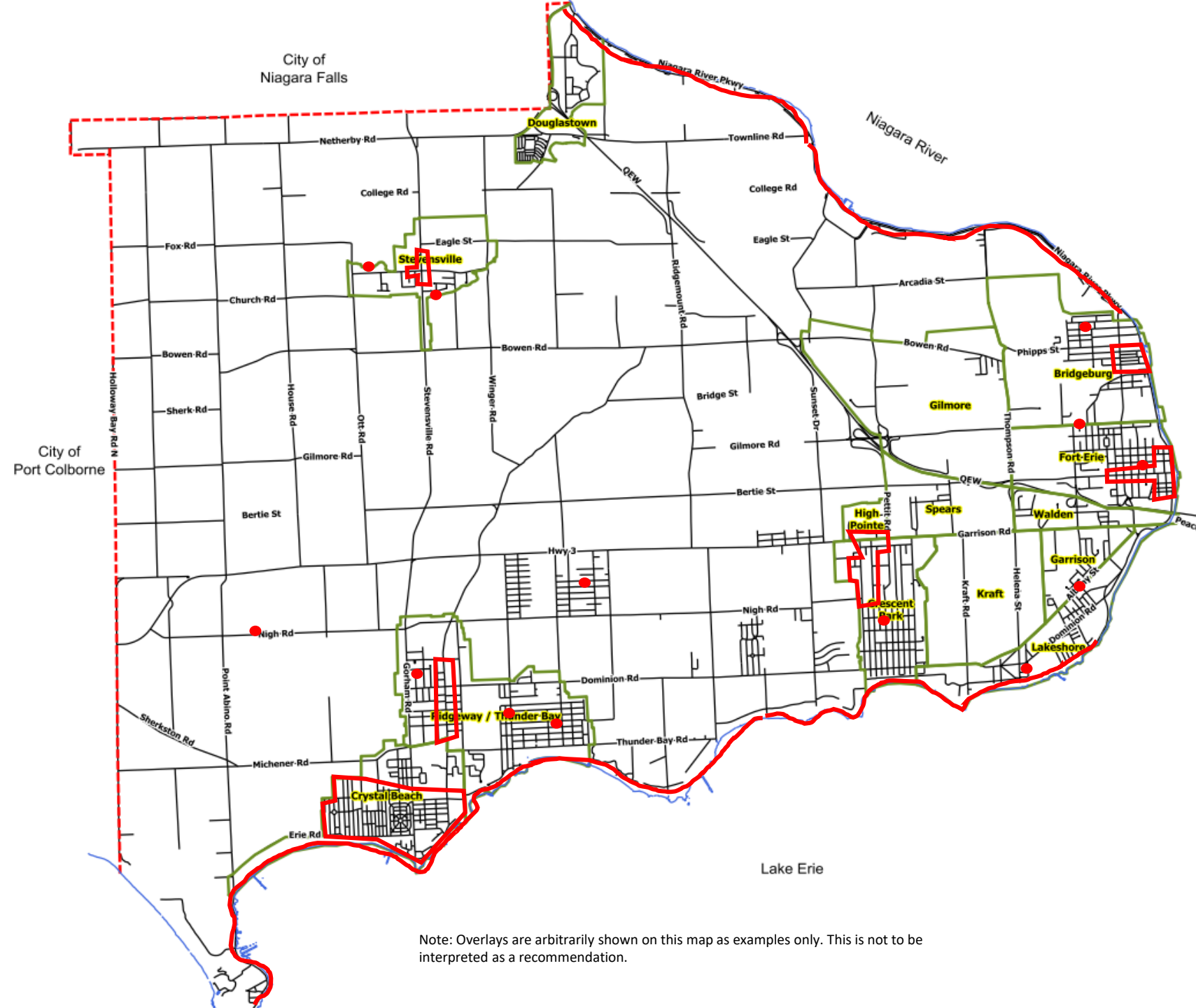
Option 3b

Where would STRs be Permitted:

Within the area defined by an overlay and elsewhere provided they are not near another STR.

For Discussion:

- The extent of the overlay
- The length of the separation distance.
- Are STRs within the overlay included in separation distance?



Note: Overlays are arbitrarily shown on this map as examples only. This is not to be interpreted as a recommendation.

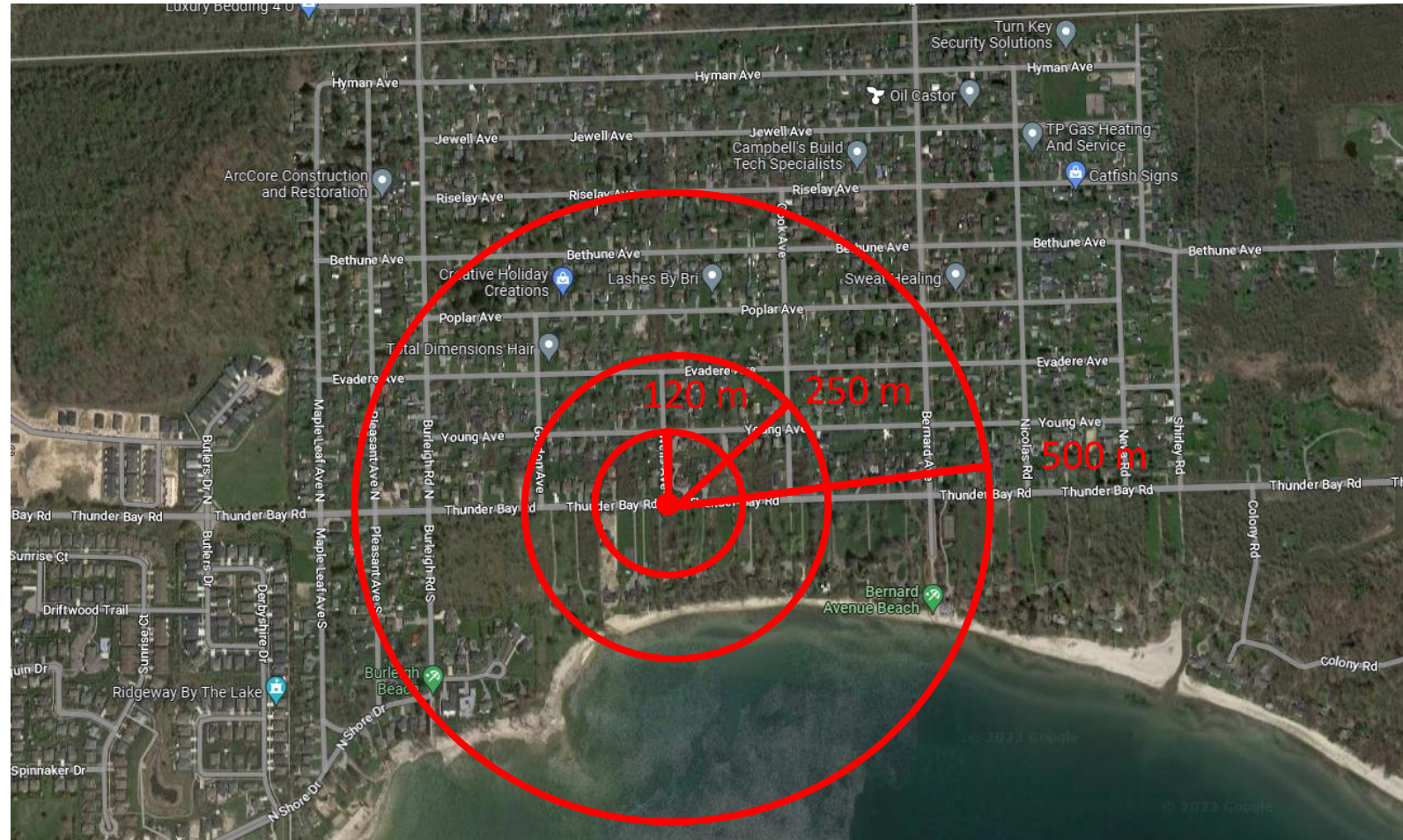
Option 3b

Where would STRs be Permitted:

Within the area defined by an overlay and elsewhere provided they are not near another STR.

For Discussion:

- The extent of the overlay
- The length of the separation distance.



Note: These buffer limits are hypothetically shown on this map as examples only. This is not to be interpreted as a recommendation.

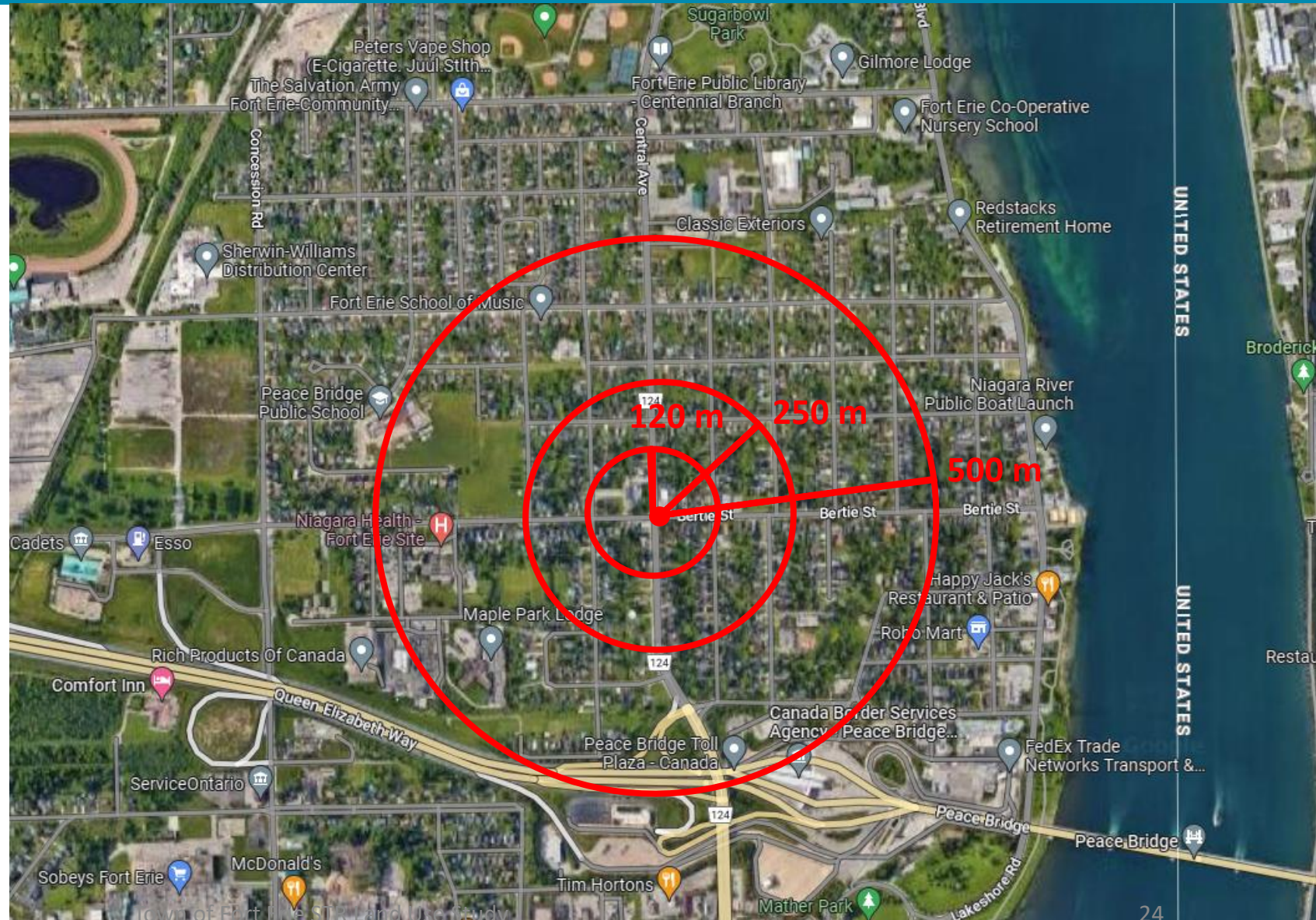
Option 3b

Where would STRs be Permitted:

Within the area defined by an overlay and elsewhere provided they are not near another STR.

For Discussion:

- The extent of the overlay
- The length of the separation distance.



Note: These buffer limits are hypothetically shown on this map as examples only. This is not to be interpreted as a recommendation.

Next Steps

Develop and Assess Four Land Use Options for an STR Program

Winter 2022/2023

- Workshops for Community Focus Group and Stakeholders
- Public Open House, February 1, 2023
- Options Assessment Report

Recommended Land Use Changes to STR Program

Winter 2023

- Draft Strategy Recommendation
- Public Open House
- Final Report Present
- Final Report to Council

Provisional on Council Endorsement

Provisional: Formal Processing of Amendments

- Formal Amendments
- Information Report
- Public Open House
- Statutory Public Meeting
- Council Meeting for Approval

Town of Fort Erie

Short-Term Rental Land Use Study



Public Open House