



Planning and Development Services

Prepared for	Council-in-Committee	Report No.	PDS-72-2022
Agenda Date	October 3, 2022	File No.	310201

Subject	COMPOSITION OF THE SHORT-TERM RENTAL LAND USE STUDY COMMUNITY FOCUS GROUP
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Recommendations	THAT Council receives Report No. PDS-72-2022 for information purposes respecting composition of the Short-Term Rental Land Use Study Community Focus Group.
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Relation to Council's 2018-2022 Corporate Strategic Plan	Priority: 4 Promoting Business, Economic Growth and Employment Opportunities Goal: 4.5 Promote Service Excellence and Efficiency/Effectiveness Initiative: n/a
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List of Stakeholders	Short-Term Rental Owners, Operators and related Industry Associations Fort Erie Residents and Business Owners Town of Fort Erie
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Purpose of Report

The purpose of this report is to inform Council on the outcome of the recent Request for Expression of Interest advertised for volunteer members to participate on a Community Focus Group (CFG).

The CFG will act as a consolidated body representing a community cross-section to participate in direct consultation with the consultant retained by the Town to research and recommend land use options related to the Short-Term Rental (STR) industry. The CFG will be engaged in at least 2 workshops for in-depth dialogue, which will be documented and help to inform the consultant's work as part of the Study process.

Background

Expression of Interest Reporting

On December 13, 2021, Council authorized staff to undertake a land use study and retain a consultant to lead the review by way of Report No. PDS-106-2021. Staff's proposed workplan included establishing a CFG to provide direct feedback to the consultant at key points in the Study. WSP Canada Inc. is the selected consulting firm undertaking the Land Use Study.

On August 8, 2022, Council-in-Committee approved Report No. PDS-59-2022, whereby Council authorized staff to proceed with issuing a Request for Expression of Interest for volunteer participation in a CFG and present a recommendation of a CFG composition for Council's consideration at a future meeting.

Analysis

Public Outreach

An Expression of Interest (EOI) was published in the Niagara This Week (Fort Erie Edition) newspaper on August 25th, 2022 to inform the community about the CFG and direct them onto the Let's Talk Fort Erie STR webpage. A notice for the CFG was also posted onto the Town of Fort Erie's Facebook page, Instagram, and Twitter platforms on September 1, 2022 to optimize engagement.

A Community Focus Group Volunteer Application Form was published on the Let's Talk Fort Erie page on STRs. This allowed interested applicants to answer a number of questions on their experiences with STRs and sign up for the opportunity to be selected for the CFG.

Those interested were able to submit their EOI for the CFG until September 9, 2022.

CFG Composition

For the purposes of the STR Land Use Study and as identified in Report PDS-59-2022, a desirable CFG profile would be one that represented a balanced composition of the following 5 representative groups from across the community:

- Urban Residents (non-industry)
- Rural Residents (non-industry)
- Commercial/Retail Business Owners
- Short-Term Rental Owners
- Short-Term Rental Clients

The intention to capture a broad cross-section of persons from the entirety of the Town and not just persons with interest in the concentrated areas of high activity. The reason for this is that land use policies and zoning will be examined in their entirety town-wide and will include not just waterfront residential area where activity is highest, but also rural and agricultural areas (no municipal services). The intended composition of a CFG for this exercise was up to 18 persons.

The desired CFG also aims to have a mix of permanent Fort Erie residents, seasonal residents, and non-residents. It would also be appropriate to include participants who are owners and/or operators of STRs, as well as participants who are neither owners nor operators of STRs in order to have varied experiences and perspectives shared during this Study.

In addition to the CFG, those persons who would be seeking opportunities to be heard, community consultation is a major part of this Study. Open Houses and commenting opportunities will be open to any and all public at various stages of this Study.

EOI Applications and Submissions

Interested participants were asked a series of questions on the CFG Volunteer Application Form that explored their experiences and roles in relation to STRs. In total, 21 persons completed the EOI form by the application deadline.

For the information of Council and respecting the representative profile groups identified for the desired CFG composition, the following self-reported characteristics in the submissions received:

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|-------------------------------------|---------------|
| • Urban Residents (non-industry) | 6 submissions |
| • Rural Residents (non-industry) | 6 submissions |
| • Commercial/Retail Business Owners | 2 submissions |
| • Short-Term Rental Owners | 7 submissions |
| • Short-Term Rental Clients | 0 submissions |

The following reflects the results of the self-reported position on STR land use controls from the submissions received.

- Support STRs with no land use controls

- Support STRs with minimal land use controls 8
- Support STRs with maximum land use controls 9
- Opposed to any more licensed STRs being made available 2

The geography of the participants in terms of self-reported residency (whether applicants were residing in the Town, where in the Town, or from outside / international).

- Residing outside Fort Erie 8
- Crystal Beach 6
- Ridgeway 2
- Thunder Bay 1
- Crescent Park 2
- Stevensville 1
- Spears-High Pointe 1

Respecting permanent versus seasonal residency, 13 persons reported being permanent residents of Fort Erie with 8 being either seasonal or non-residents.

Those self-reporting vested or non-vested interests in STRs are reported below.

- Non-Industry (not STR owners) 12
- Industry (STR owners) 7
- Commercial/Retail Business owners 2

Composition

As noted earlier, the expectation was the CFG composition may reach up to 18 persons. Considering that only 21 persons made submissions, it is reasonable to consider inclusion of all who have expressed interest.

Staff also note meetings of the CFG would be scheduled during daytime / business hours which may result in some having unforeseen conflicts with meeting dates. This could result in actual attendance being closer to the anticipated 18.

However, in the event 21 members should be able to make the meetings, staff believe a full membership would not burden the process for the consultant, particularly in a virtual consultation format.

Having also considered the composition in terms of obtaining a balanced perspective, the geography of interested persons, the number of vested and non-vested interests, and expressed opinions on STRs provided for on the submission form, it would appear to be generally balanced from the submissions made.

The Consultant can also monitor and ensure is being achieved over the course of the consultation process and report on their observations in this regard. As experienced

facilitators, staff are confident the consultant can manage the full membership of 21 persons.

With the results of the EOI submissions being within reason of the previously anticipated composition, staff will proceed with inclusion of all those who have submitted an expression of interest.

Names of those who will comprise the CFG are provided as **Appendix “1”**.

Staff are proceeding with scheduling of consultation meetings and will schedule the first CFG meeting mid-October and notify the CFG accordingly.

Financial/Staffing and Accessibility (AODA) Implications

There are no financial implications to having a volunteer CFG implemented. Meetings will be virtual and facilitated by the Town and Consultant as part of the Short-Term Rental Land Use Study.

Holding virtual meetings provides the opportunity for increased participation, less expense, and increased convenience for CFG members, including those who may have accessibility needs or reside outside Fort Erie.

Policies Affecting Proposal

n/a

Comments from Relevant Departments/Community and Corporate Partners

As part of the Study scope, the consultant will engage relevant Town departments and Council members as part of their stakeholder engagement. Presently, there would be no comments related to the Study from respective Town departments.

It is noted that outcome of the Study will help to inform departments with vested interest in the administration, licencing and enforcement of STRs, most notably Building, By-law Enforcement, Economic Development and Tourism Services, and Development and Policy Planning Departments. These departments will be circulated for comments respecting any draft policies and draft regulations that may be advanced for consideration of Council.

Communicating Results

Those who have submitted an EOI will be informed in writing.

Alternatives

Council may choose to modify membership, however this is not recommended. It is staff's view that the recommended CFG meets with the intended community profile objective and is of a manageable size.

Conclusion

All persons who submitted an EOI will be invited to participate.

The Community Focus Group will be engaged in facilitated workshops during the Short-Term Rental Land Use Study and their contributions will help to inform the consultant completing the Study.

Once the Study is complete, Council will be asked to consider the resulting recommendations in effort to implement land use policy and zoning by-law amendments relating to STR land use controls and to lift the moratorium following any Planning Act appeal period. Presently, staff and the consultant anticipate decision on any resulting recommendations is expected before Council in early 2023 with formal processing following immediately after.

Attachments

Appendix "1" – Recommended Member Composition

APPENDIX 2 TO ADMINISTRATIVE REPORT PDS-72-2022, DATED OCTOBER 3, 2022

SHORT-TERM RENTAL LAND USE STUDY COMMUNITY FOCUS GROUP MEMBERS			
Applicant	Resident Status	Status	STR Owner in Fort Erie
Alexandra Bennett	Seasonal	Rural Residents (non-industry)	No
Amanda Marshall	Permanent	Short-Term Rental Owners	Yes
Anthony Polsinelli	Not a resident (visitor, STR client, other)	Short-Term Rental Owners	No
Brian Breukelman	Seasonal	Rural Residents (non-industry)	No
Daniel Gignac	Permanent	Short-Term Rental Owners	Yes
David McPherson	Permanent	Urban Residents (non-industry)	No
Erin Dowse	Permanent	Urban Residents (non-industry)	No
Julie Stone	Not a resident (visitor, STR client, other)	Short-Term Rental Owners	Yes
Karen Vandermeulen	Permanent	Rural Residents (non-industry)	No
Katie Miller	Permanent	Commercial/Retail Business Owners	No
Matt Geerts	Permanent	Urban Residents (non-industry)	No
Mike Reles	Permanent	Commercial/Retail Business Owners	No
Nancy Brock	Seasonal	Rural Residents (non-industry)	No
Neha Jain	Seasonal	Urban Residents (non-industry)	No
Nicole Gomez	Seasonal	Short-Term Rental Owners	Yes
Sherri Van Sickle	Permanent	Rural Residents (non-industry)	No
Teri O'Neill	Seasonal	Short-Term Rental Owners	Yes
Tracey Haggert	Permanent	Urban Residents (non-industry)	No
Ujjwal Jain	Permanent	Urban Residents (non-industry)	No
Wendy Barron	Seasonal	Rural Residents (non-industry)	No
Yan Zhang	Permanent	Short-Term Rental Owners	Yes