



Planning2021-29

Short Term Rental Update

December 6, 2021

Purpose

- To provide Council with an update on the Town of Essex Short Term Rental Project
- To provide Council with proposed recommendations for the regulation of STRs in specific zoning districts

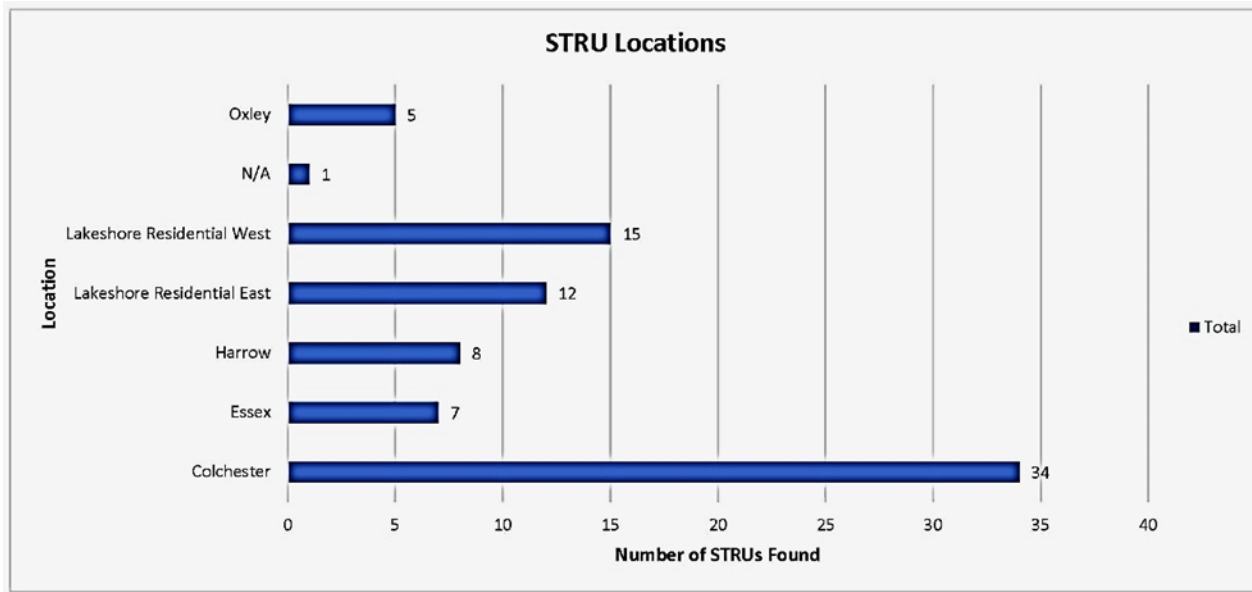
Background and Discussion

On August 23rd, Council approved several actions items, including:

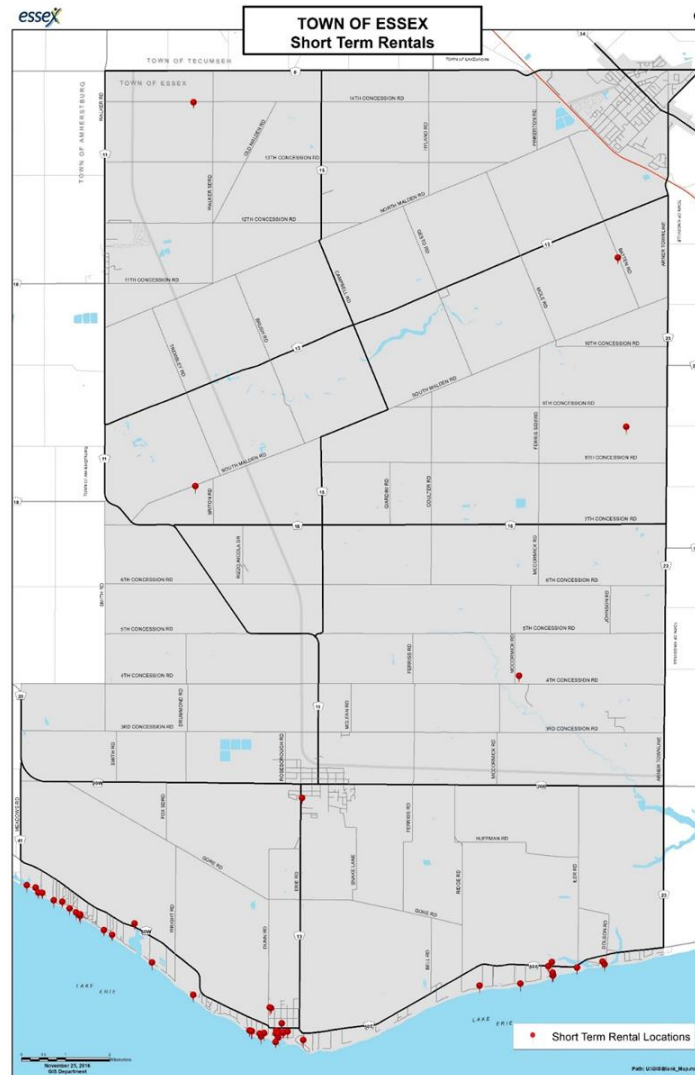
- Collect an inventory of existing STRs in the Town of Essex through review of popular STR platforms (AirBNB/Vrbo/booking.com)
- Inventory to help inform location and number of STRs for development of regulation and regulatory frameworks (licensing bylaw)

Background and Discussion

- Eighty-two (82) STRs in the Town of Essex
- Majority located in Colchester South, along County Road 50 and Lake Erie shoreline

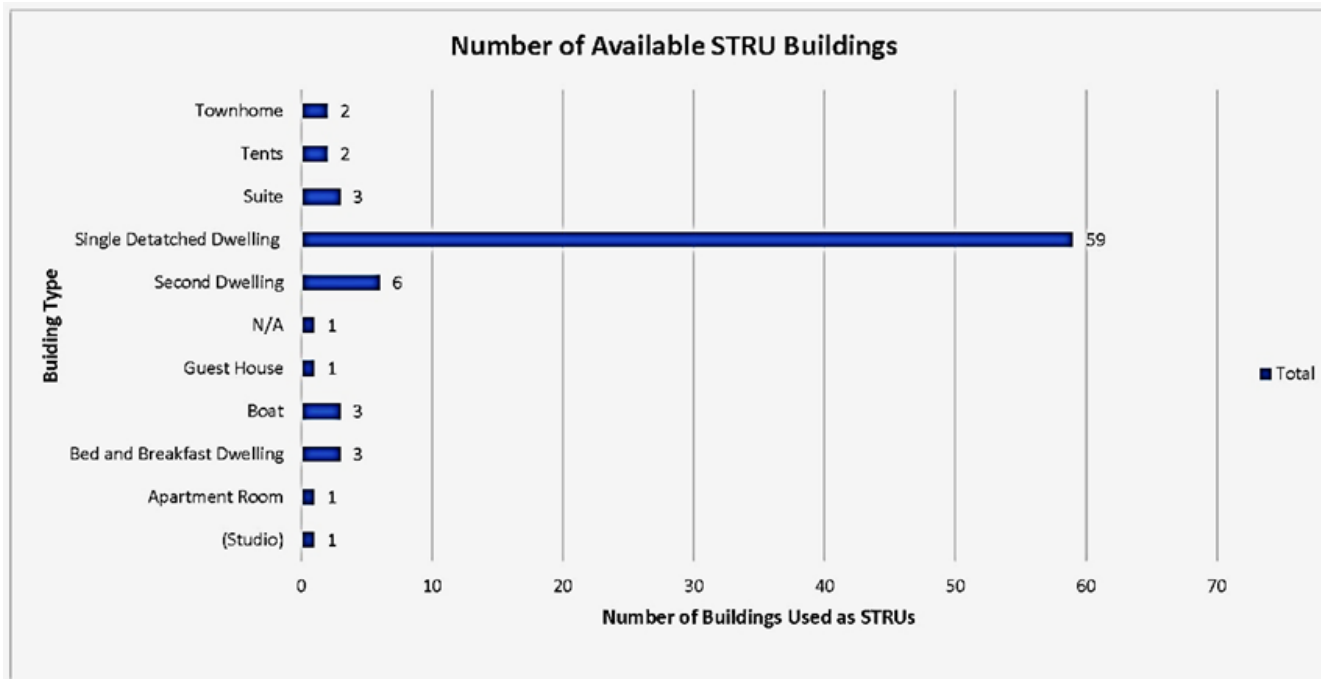


Background and Discussion



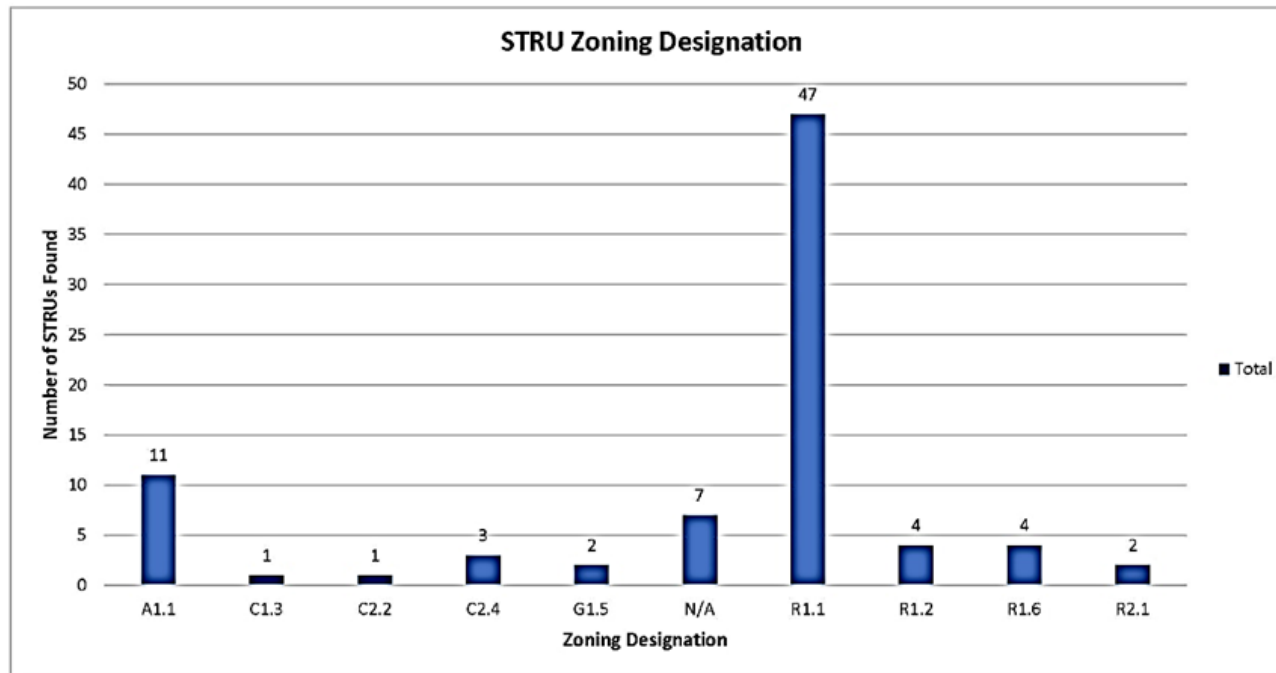
Background and Discussion

- Of the 82 STRs discovered in the Town of Essex, the majority are in Single Detached Dwellings



Background and Discussion

- Of the 82 STRs, the majority are in Residential Zoning Districts



Background and Discussion

- **Option 1:** Maintain Status Quo with Optional Registry and Public Education
 - No limit to number of STRs permitted to be established
 - No guaranteed owner contact information on file when issues arise
 - Cannot penalize STRs that create repeat nuisances other than through noise, property standards, fire and criminal complaints

Background and Discussion

- **Option 2: Prohibit STRs**
 - All existing STRs would be charged under a Part 3
 - Part 3 convictions require significant Town Staff resources
 - Significant financial resources required to offset court cases
 - May reflect poorly on Town's tourism initiatives and discourage development

Background and Discussion

- **Option 3: Regulate with Zoning and Licensing**
 - Can control where and in what buildings STRs are permitted to operate through zoning
 - Can control the number of STRs permitted to operate
 - Licensing provides mandatory contact information for STR operators
 - Licensing is easily enforced and defensible in court without significant costs
 - Some existing STRs may not be able to operate due to zoning restrictions or licensing limits
 - STR may continue to operate illegally leading to Part 3 convictions which have an impact on Town Resources

Background and Discussion

- **Option 3:** Regulate with Zoning and Licensing
 - Some existing STRs may not be able to operate due to zoning restrictions or licensing limits/requirements
 - Illegally operating STRs will lead to Part 3 convictions which have an impact on Town Resources

Recommendations

- **Option 3 Continued:**

- Prepare a zoning bylaw amendment to permit one (1) STR in the following:
 - A main Single Detached Dwelling in any Residential zoning district, subject to licensing. No requirement for owner occupancy;
 - A dwelling unit in any Commercial District, subject to licensing;
 - A main Single Detached Dwelling in an Agricultural District, subject to licensing. No requirement for owner occupancy.

Considerations

- STR cannot be in a Second Dwelling Unit (SDU)
- STR in all other buildings or structures will require a rezoning
- Licensing bylaw will establish a limit based on the existing number of STRs (ie. 82)
- Licensing limit must have consideration to Staff resources required to process applications as outlined in licensing bylaw

Considerations

- Zoning bylaw amendment to be prepared to amend definition of campgrounds to include year-round accommodation in cabins and cottages
- Future zoning bylaw amendment to be prepared for Agri-tourism uses to consider STRs in other types of buildings or structures

Next Steps

Should Council wish to proceed with Option 3:

- A Zoning Bylaw Amendment and Licensing Bylaw will be prepared for Council's adoption in Winter 2022 (January/February)
- Notwithstanding appeals of the amendment, STR regulations will be in place before the 2022 tourism season (April/May)



Questions?