



## The Corporation of the Town of Fort Erie

### By-law 1-2024

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#### Being a By-law to amend Comprehensive Zoning By-law 129-90, as amended, with respect to the Short-Term Rental Land Use Study for the Town of Fort Erie

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**Whereas** Section 34 of the *Planning Act*, as amended, permits the councils of municipalities to pass zoning by-laws for prohibiting the use of land or the erecting, locating or using of buildings or structures for or except for such purposes as may be set out in the by-law; and

**Whereas**; the Council of the Corporation of the Town of Fort Erie considers it desirable to amend Zoning By-law 129-90 to implement the policies of Official Plan Amendment No. 77 with respect to the Short-Term Rental Land Use Study for the Town of Fort Erie. and

**Now therefore** the Council of the Corporation of the Town of Fort Erie enacts that By-law 129-90, as amended, being the Comprehensive Zoning By-law for the Town of Fort Erie, shall be and is hereby amended as follows:

1. That Section 5 be amended by adding new definitions as follows:

**“SHORT-TERM RENTAL (STR)”** means the use of all or part of a Dwelling Unit, either dedicated or owner-occupied as defined below, subject to licensing by the Town, to provide sleeping accommodation for any period of thirty (30) calendar days at a time or less in exchange for payment but does not include any type of institutional dwelling, hotels, or other similar uses.

**“SHORT-TERM RENTAL, DEDICATED”** means a STR that is located on a property where the Owner is not a full-time resident.

**“SHORT-TERM RENTAL, OWNER OCCUPIED”** means a STR that is located on a property where the Owner is a full-time resident occupying the property on a full-time basis, including the duration of the rental term where the owner is present.”

2. That a new Section 6.57 be added as follows:

#### **“6.57      SHORT TERM RENTALS**

##### **a) General Regulations for Short Term Rentals**

- (i) A Short-Term Rental shall meet the requirements of the Town's Business Licensing By-law, as amended from time to time.
- (ii) A Short-Term Rental shall be operated within a permitted dwelling unit.
- (iii) All dwelling units on the property, including units containing Short-Term Rentals, must comply with applicable zoning and building standards for dwelling units.
- (iv) Short-Term Rentals shall meet the parking requirements of Section 6.20.

##### **b) Owner Occupied Short-Term Rentals**

An Owner-Occupied Short-Term Rental is permitted as a secondary use subject to the following additional requirements:

- (i) A maximum of one (1) Owner-Occupied Short-Term Rental may be operated on a property so long as the owner is a full-time resident within a separate dwelling unit on the property and present at the time of rental.
- (ii) Owner-Occupied Short-Term Rentals shall only be permitted as a secondary use within, or accessory to, a permitted single detached dwelling, semi-detached dwelling, Duplex, Triplex.

**c) Dedicated Short-Term Rentals**

- (i) Within permitted residential zones, a maximum of one dwelling unit shall be permitted to be used as a Dedicated Short-Term Rental on a property.
- (ii) Within permitted residential zones, a Dedicated Short-Term Rental shall only be permitted within a single detached dwelling or within a detached accessory dwelling unit.
- (iii) Notwithstanding the general provisions for Short Term Rentals, Short Term Rentals may be located in any dwelling unit in a commercial zone, subject to provisions 18.2 and 18.3.”

3. That, under Section 6.20 PARKING AREA REGULATIONS, the following row be added to the table following “Gaming Facility”.

Short-Term Rental	One (1) parking space for three (3) or more bedrooms in addition to the required parking for the dwelling unit. Tandem parking is permitted.
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4. That Sections 12B, 19, 20, 21, 22, 26, 26A, 26B, 26C, 26D, 26E, and 26F be amended to include “Short-Term Rental, Dedicated” as a permitted use;
5. That a new Section 16.5 be added as follows:

**16.5 Supplementary Uses for lots west of Kraft Road to the western boundary of the Town**

For lots zoned Waterfront Residential west of Kraft Road to the western boundary of the Town, the following additional uses are permitted:

- (a) Short-Term Rental, Dedicated

6. That a new Section 16.A be added as follows:

**16.A6 Supplementary Uses for lots west of Kraft Road to the western boundary of the Town**

For lots zoned Waterfront Rural Residential west of Kraft Road to the western boundary of the Town, the following additional uses are permitted:

- (b) Short-Term Rental, Dedicated

7. That Sections 7, 8, 9, 10, 11, 12, 12B, 13, 14, and 16 be amended to include “Short-Term Rental, Owner Occupied” as a permitted use;
8. All other provisions of By-law 129-90 shall continue to apply.

**9. That** the Clerk of the Town is authorized to affect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

**Read a first, second and third time and finally passed this 29<sup>th</sup> day of January 2024.**

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Mayor

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Clerk