

CITY OF CHARLOTTETOWN
PLANNING BOARD MEETING

March 13th, 2020

Recommendations

- Enacting a Short-term Rental Licensing By-law to govern the activities of short-term rental platforms, operators/hosts;
- Allow for a grace period to provide a reasonable amount of time for operators to be educated on the proposed regulations and licensing requirements;
- Publish a public registry of licensed STRs and an STR education section for residents on the Charlottetown.ca website.
- Establish cost recovery through a combination of fees and Tourism Association Levy (TAL) revenue
- Establish an licensing framework to regulate STRs; and
- Provide staff with the direction to hire a third party monitoring tool to track and provide tools to staff to assist with obtaining compliance with the regulatory framework adopted by Council.

Proposed Official Plan Amendments – Residential STR

□ **Sustaining Charlottetown’s Neighbourhoods**

- 3.2 *Sustaining Charlottetown’s Neighbourhoods* the goal states that “**Our goal** is to maintain the distinct character of Charlottetown’s neighbourhoods, to enhance the special qualities of each, and to help them adjust to the challenges of economic and social transformation”
- **Our policy** shall be to ensure that a short-term rental operation in a residential area should be restricted to the Operator’s principle residence and be of a scale that is compatible with the character of the surrounding neighbourhood.

Proposed Official Plan Amendments – Commercial STR

- Advancing Economic Development
 - ▣ 4.1 *Advancing Economic Development* the goal states that “Our **goal** is to work with public and private sector partners to promote balanced economic growth, and to position the community to take advantage of opportunities created by economic and social transformation”
 - ▣ Our **policy** shall be to direct commercial short-term rental uses to appropriate commercial and mixed-use areas of the City in order to support the tourism industry by way of providing alternative forms of tourist accommodations.

Home Occupations – Attachment C

- Tourist Accommodation is currently defined as either a Bed & Breakfast or a Tourist Home;
- Was permitted as a *home occupation*, which required a Building Permit by way of a *change of use* application through the Planning & Heritage Department (only permitted in a Single Detached Dwelling);
- The Tourist Accommodation definition is being redefined to reflect a commercial STR and thus will be required to be removed from a permitted use as a *home occupation*.

Short-term Rentals on Residential Properties – Attachment D

- An STR on a residential property will be defined as a *Tourist Home*;
- *Tourist Home* requires the following:
 - ▣ host's principle residence;
 - ▣ the entire dwelling unit can only be rented to one (1) guest and their party of guests;
 - ▣ The operator does not have to be present at time of stay;
 - ▣ max of 3 bedrooms can be rented at any one time; and
 - ▣ Can occur in any type of dwelling unit.

Tourist Home Permitted in Residential Zones

- A tourist home shall be permitted in the following zones:
 - ▣ Single Detached Residential Zone(s) R-1L, R-1S, R-1N;
 - ▣ Manufactured Housing (MH) Zone;
 - ▣ Low Density Residential Zone(s) R-2 and R-2S;
 - ▣ Medium Density Residential (R-3) Zone;
 - ▣ Apartment Residential Zone(s) R-4, R-4A, R-4B
 - ▣ Medium Density Mixed Use Residential (MUR) Zone;
 - ▣ Downtown Neighbourhood (DN) Zone; and
 - ▣ Downtown Mixed Use Neighbourhood (DMUN) Zone

Tourist Accommodation Permitted in Commercial and Mixed Use Zones

- A tourist accommodation shall be permitted in the following zones:
 - East Royalty Mixed Use Village Centre (ER-MUVC) Zone;
 - Mixed-Use Corridor (MUC) Zone;
 - Commercial Zones (C-2, C-3);
 - Downtown Mixed-Use (DMU) Zone;
 - Downtown Main Street (DMS) Zone;
 - Downtown Core (DC) Zone; and
 - Waterfront (WF) Zone

Short-term Rentals on Commercial and Mixed-Use Properties – Attachment E

- An STR on a residential property will be defined as a *Tourist Accommodation*;
- In order to operate a *Tourist Accommodation* the following is required:
 - ▣ the entire dwelling unit can only be rented to one (1) guest and their party of guests;
 - ▣ The operator does not have to be present at time of stay;
 - ▣ Max of 3 bedrooms can be rented at any one time; and
 - ▣ Can occur in any type of dwelling unit.

STR Parking Requirements

- **Residential Short-term Rental** (i.e. Tourist Home) requires 1 space per Dwelling Unit (1 additional space for the principle resident if said resident will be present during the stay of the guest);
- **Bed & Breakfast or Heritage Inn:** 1 space per 2 bedrooms or guest rooms;
- **Commercial Short-term Rental** (i.e. Tourist Accommodation) requires 1 space per Dwelling Unit

Cash-in-Lieu for Parking

- Report from Prof. Wachsmuth and our data indicates that there is a highly concentration of STRs in the 500 Lot Area (approx. 60% of total activity)
- The transient nature of guests using an STR impacts the limited parking supply in the downtown
- If an operator cannot accommodate the required parking off-street then they would be required to pay the cash-in-lieu for the parking space
- That money would go into a reserve fund to finance a new parking facility

Definitions

- **Bed & Breakfast** means temporary accommodations for travelers or transients within a Dwelling Unit by way of individual room(s) listings to provide accommodation and breakfast for remuneration, but a Hostel, Hotel and Tourist Home are separate uses and are separately defined.
- **Booking** means a confirmed reservation of the dwelling unit or portion thereof, up to a maximum of three (3) bedrooms, as a Short-term Rental lodging.
- **Heritage Inn** means an Owner occupied establishment on a designated heritage resource that provides lodging to travelers on a short-term basis by way of a *Bed & Breakfast*.
- **Short-term Rental** means the rental of a dwelling unit or a portion of a dwelling unit (excluding a *secondary suite*) for a period of less than 28 consecutive days and defined as permitted uses by way of a *Tourist Accommodation* and/or a *Tourist Home*.
- **Tourist Accommodation** means temporary accommodations for travelers or transients within a Dwelling Unit for the exclusive use of one (1) guest and their party of guests, but a Bed & Breakfast, Hostel, Hotel and Tourist Home are separate uses and separately defined.
- **Tourist Home** means temporary accommodations for travelers or transients within a Principal Residence Unit for the exclusive use of one (1) guest and their party of guests, but a Bed & Breakfast, Hostel, Hotel and Tourist Accommodation are separate uses and separately defined.

Recommendation

- The Planning & Heritage Department recommends that both the Official Plan and Zoning By-law amendments pertaining to Short-term Rentals (STRs) be approved to proceed to public consultation to obtain feedback from the public.