



The Corporation of the Town of Essex
Special Council Meeting Minutes

September 8, 2020, 5:00 pm
Location: <https://www.youtube.com/user/EssexOntario>

Present: Mayor Larry Snively
Councillor Joe Garon
Councillor Morley Bowman
Councillor Kim Verbeek
Councillor Sherry Bondy
Councillor Chris Vander Doelen

Absent: Deputy Mayor Richard Meloche
Councillor Steve Bjorkman

Also Present: Chris Nepszy, Director, Infrastructure Services
Robert Auger, Clerk, Legal and Legislative Services
Shelley Brown, Deputy Clerk, Legal and Legislative Services
Doug Sweet, Director, Community Services
Jeffrey Morrison, Director, Corporate Services and Treasurer
Lori Chadwick, Director, Development Services
Kevin Girard, Director, Infrastructure Services
Rita Jabbour, Manager, Planning Services

1. Call to Order

The Mayor called the meeting to order at 5:00 pm.

2. Declarations of Conflict of Interest

There were no declarations of conflict of interest.

3. Adoption of Published Agenda

3.1 Special Council Meeting Agenda for September 8, 2020

SP20-09-001

Moved By Councillor Vander Doelen
Seconded By Councillor Garon

That the published agenda for the September 8, 2020 Special Council Meeting be adopted as presented.

Carried

4. Reports from Administration

4.1 Presentation entitled "Zoning By-Law Amendment: 101 Poplar Bluff Drive"

RE: ZBA: 101 Poplar Bluff Drive

a) Lori Chadwick, Director, Development Services

Ms. Chadwick provided information as to the purpose of the meeting. Ms. Chadwick explained that the application is for site specific zoning amendment to present a detached secondary dwelling unit.

Ms. Chadwick explained that the zoning by-law allows for an individual to have a secondary dwelling unit attached to a residential dwelling but not a detached structure. It is anticipated that council will be looking to change that in the future.

The applicant is here looking for an amendment to the current zoning bylaw.

b) Rita Jabbour, Manager, Planning Services

Ms. Jabbour provided a PowerPoint presentation to those in attendance detailing the proposed application. Ms. Jabbour explained that the subject land is located at the southwest corner of Poplar Bluff Drive and according to the Official Plan, is designated Lakeshore Residential. Ms. Jabbour added that the existing zoning for this parcel is Residential District 1.1, low density housing on urban lots.

Ms. Jabbour explained that the subject property contains one (1) single detached dwelling and one (1) accessory building and the zoning of the surrounding properties are Residential District to the east, Oxley Golf Course to the east and Agricultural District to the north and west.

Ms. Jabbour provided details regarding the existing infrastructure for the subject property explaining that the subject property is on a private road with municipally-owned and operated piped water supply, an individual on-site sewage service that was installed in 2008 and has private catch basins for stormwater management.

Ms. Jabbour stated that the applicant is requesting a site specific zoning amendment to permit a 104 square metre (1120 square foot) accessory building with a second storey to accommodate a second dwelling unit. Ms. Jabbour provided the definitions for an accessory building and a dwelling unit.

Ms. Jabbour explained that the current regulation allows for an accessory building within the R1.1 zoning district of a maximum of 70 square metres (750 square feet) and that the building height is limited to one (1) storey (4 metres). Ms. Jabbour further explained that the current regulation also allows for a second dwelling within the R1.1 zoning district only within an existing single detached dwelling.

Ms. Jabbour provided a Site Plan showing where the proposed structure would be located and drawing of the proposed structure showing the front elevation.

Ms. Jabbour outlined the various policy considerations including the *Planning Act*, the Town of Essex Official Plan and the Provincial Policy Statement (PPS) 2020 along with other considerations for the proposed amendment.

Ms. Jabbour stated that there were no objections from internal departments and one comment from Essex Region Conservation Authority ("ERCA") stating that no EIA would be required and that with additional information and potential engineering costs that this location can be

supported through an ERCA permit. Ms. Jabbour noted that notice was given to all property owners within 120 metres of the subject site and as of September 2, 2020 no public comments were received.

Ms. Jabbour provided council with the steps that would follow this meeting that include a report to council and proposed bylaw to be presented at the September 21, 2020 Regular council meeting where council can choose to approve the application (subject to a 20 day appeal period), deny the application or defer the decision to a later date if further information is required.

Ms. Jabbour concluded by stating that for the proposed amendment, the proposed by-law would include provisions to permit an additional permitted use of one (1) accessory building with a floor area of 104 square metres (1120 square feet) and a second storey, subject to the regulations of subsection 14.1, R1.1 district. A second dwelling unit shall be permitted within the accessory building, and the combination of all accessory buildings on the lot shall be 115 square metres (1240 square feet).

c) Councillor Vander Doelen, Ward 3

Councillor Vander Doelen noted that the Essex Region Conservation Authority (ERCA) asked if an “Engineering Assessment” was done. He questioned if ERCA had an Engineering Assessment for their accessory building currently being built at the John R. Park Homestead? He would like ensure that the rules are followed by everyone.

He also asked for a definition of comments ... “proposed building **can be supported** through an ERCA permit”? He asked for an explanation as to what is meant by “can be supported”?

Lori Chadwick, Director, Development Services

Ms. Chadwick advised that the Reception Centre at the John R. Park Homestead was a permitted project and a Site Plan Agreement was entered in to. This agreement would have spelled out requirements for the permitting process from the building perspective and storm water management. She will provide the details as it pertains to the engineering via email.

Rita Jabbour, Manager, Planning

Ms. Jabbour explained ERCA’s comments with respect to an Engineering Assessment. Under the circumstances of this application, an Engineering Assessment is better submitted at the beginning of the application/rezoning stage, considering that a Planning Act application has been triggered. When Engineering Assessments are done early ERCA's comments could adequately be made.

d) Councillor Bondy, Ward 4

Councillor Bondy stated that she likes the idea of detached units such as this. She asked if a detached unit could be approved without having them attached to a garage?

What is the minimum square footage for this unit?

Rita Jabbour, Manager, Planning

Ms. Jabbour explained that the Town’s current by-law regulations for detached second dwelling units have yet to be established. Internally a

date has been set aside to discuss what the regulations would look like for detached second dwelling units, and once the regulations have been discussed there will a presentation to the public and Council.

R20-09-002

Moved By Councillor Bowman

Seconded By Councillor Garon

That the presentation entitled "101 Poplar Bluff Drive" dated September 8, 2020, as prepared by Rita Jabbour, Manager, Planning Services, be received.

Carried

5. Public Presentations

5.1 Bernard Gorski

Mr. Gorski appeared before Council to answer any questions that Council members may have.

e) Councillor Bondy, Ward 2

Councillor Bondy asked what is the square footage of the apartment on top?

Mr. Gorski advised that the apartment would be the same size as the accessory building, approximately 1120 square feet.

f) Councillor Verbeek, Ward 1

Councillor Verbeek asked if this a rental unit?

Mr. Gorski said that it would not be a rental unit and the intent is just for personal use, additional space for family visits and future family needs.

g) Councillor Vander Doelen, Ward 3

Councillor Vander Doelen asked why historically does the Town seems to be opposed to secondary units, as it makes sense in rural areas?

Lori Chadwick, Director, Development Services

Ms. Chadwick advised that she doesn't feel that the Town is necessarily opposed to these developments but it has been mandated by the Province and each municipality has been instructed to review and update their Official Plans to permit secondary dwelling units under the More Homes, More Choice Act. She advised these developments should be supported.

h) Mayor Snively

Mayor Snively advised that he is also in favour of these developments. We have a severe housing shortage and should be aggressively approving them.

i) Councillor Bondy, Ward 4

Councillor Bondy advised that this type of development goes along with a report that was brought to Council in 2019 on Affordable Housing. She said that residents want smaller housing units and these types of dwelling units would go a long way to solve our housing crisis and is in favour of this development.

j) Councillor Garon, Ward 1

Councillor Garon asked what the minimum requirement for this type of dwelling in a residential subdivision.

Rita Jabbour, Manager, Planning outlined what is involved in evaluating a zoning by-law amendment proposal. She advised that the Town’s Official Plan stipulates a number of considerations such as the impact on neighbourhood and the impact on the infrastructure. In this instance the lot is almost 3 acres, the residential properties are confined to the east side of the road, along with a golf course and a large agricultural property. She stated that the size of this property is much larger than the average 50 x 100 foot lots and that this property could support a development of this scale.

6. Correspondence

6.1 Essex Region Conservation Authority

R20-09-003

Moved By Councillor Vander Doelen

Seconded By Councillor Verbeek

That the Correspondence listed in Agenda Item 6 be received.

Carried

7. Adjournment

R20-09-004

Moved By Councillor Garon

Seconded By Councillor Bowman

That the meeting be adjourned at 5:49.

Carried

Mayor

Clerk