



The Corporation of the Town of Essex

Special Council Meeting Minutes

April 15, 2024, 4:00 pm

Location: Essex Municipal Building, 33 Talbot Street South

Present:

- Mayor Sherry Bondy
- Deputy Mayor Rob Shepley
- Ward 1 Councillor Joe Garon
- Ward 1 Councillor Katie McGuire-Blais
- Ward 2 Councillor Kim Verbeek
- Ward 3 Councillor Brad Allard
- Ward 3 Councillor Jason Matyi
- Ward 4 Councillor Rodney Hammond

Also Present:

- Doug Sweet, Chief Administrative Officer
- Joseph Malandrucolo, Director, Legal and Legislative Services/Clerk
- Lori Chadwick, Director, Development Services
- Kate Giurissevich, Director, Corporate Services
- Rita Jabbour, Manager, Planning Services
- Ian Rawlings, Junior Planner, Planning Services
- Jake Morassut, Director, Community Services
- Cassandra Roy, Legislative Clerk, Legal and Legislative Services

Accessible formats or communication supports are available upon request. Please contact the Clerk's Office at clerks@essex.ca or 519-776-7336 extension 1100 or 1101.

This statutory meeting was held to consider a Zoning By-Law Amendment to allow for a short-term rental at 206 Chester Road, Colchester South, (Ward 3)

1. Call to Order

Mayor Bondy called the meeting to order at 4:00 PM.

2. Land Acknowledgement

We acknowledge that this land is the traditional territory of the Three Fires Confederacy of First Nations (comprised of the Ojibway, the Odawa, and the Potawatomi Peoples), and of the Huron-Wendat Peoples. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island who have been living and working on the land from time immemorial.

3. Declarations of Conflict of Interest

There were no declarations of conflict of interest noted at this time.

4. Adoption of Published Agenda

4.1 Special Council Meeting Agenda for April 15, 2024

SP24-04-004

Moved By Councillor Matyi

Seconded By Councillor McGuire-Blais

That the published agenda for the April 15, 2024 Special Council Meeting be adopted as presented.

Carried

5. Reports from Administration

5.1 Ian Rawlings, Junior Planner, Planning Services

RE: Site-Specific Zoning Amendment Application for the Property at 206 Chester Road

Ian Rawlings, Junior Planner, Planning Services explained that the applicants are requesting a site-specific zoning amendment to allow for a new short term rental unit on their property located at 206 Chester Road. He stated that the current zoning regulations permits one short term rental unit in a Residential District in an existing dwelling where a short term rental was both established prior to and in operation on May 9, 2022.

Mr. Rawling explained that the Town of Essex's Official Plan contains goals, permitted uses and provisions. He stated that the Town of Essex's Official Plan outlines the desirability/need for the proposed use and based on the AIR DNA (Vacation Rental Data Analytics), the market score is 16/100 with an occupancy rate of 46% within the Town of Essex. He further noted there is one licensed Short Term Rental Unit within 100 meters and ten licensed Short Term Rental Unit within 1 Kilometer with the compatibility of the proposed use.

He stated that Administration received six pieces of public correspondence and a petition signed by 30 individuals in opposition of the proposed zoning amendment with the main concerns being parking, traffic and disruptions to the neighborhood.

Mr. Rawlings explained that the next step is a report to Council along with a proposed by-law at the May 6, 2024 Regular Council Meeting where Council can approve, deny or defer the decision.

Deputy Mayor Shepley asked if the occupancy rate of 46% within the Town of Essex demonstrates a need for this short term rental and asked if there was a date planned in the future to open up short term rentals.

Mr. Rawlings stated that the Administrations recommendations will be noted in the Planning Report at the next Regular Council Meeting.

Lori Chadwick, Director, Infrastructure Services, explained that prior to May 9, 2022, Administration had to establish and recognize existing short term rental units and unless Council chooses to change that date in the future, applicants will have to come forward with these applications.

Council requested that Administration provide further clarification in the Planning Report on the market score of 16/100 along with the saturation levels of short term rentals in Colchester and the amount of short term rentals in the area that provide the same number of bedrooms.

SP24-04-005

Moved By Councillor McGuire-Blais
Seconded By Councillor Hammond

That the presentation by Ian Rawlings, Junior Planner, Planning Services, on the site-specific zoning amendment application for 206 Chester Road be received.

Carried

5.1.1 Claude, Mary, and Nathalie Begin, Applicants

Mary Begin explained that she understands that there other short term rentals in the community but they do not provide as many bedrooms and believes she can offer a unique experience to their guests that can set them apart. She noted that in the past year they have spent a significant amount of time fixing this home to make it a safe, fun, and relaxing designation for others to enjoy.

6. Correspondence

SP24-04-006

Moved By Councillor Matyi
Seconded By Councillor Hammond

That all of the correspondence listed in Agenda Item 6 be received.

Carried

- 6.1 Petition for 206 Chester Road**
- 6.2 Shirley Ciphery**
- 6.3 Erin Scholey**
- 6.4 Nancy Stephen**
- 6.5 Suzanne and Randy Cyr**
- 6.6 Sally Thurston**
- 6.7 Stacey Charlton**
- 6.8 Mark Letteri**
- 6.9 Casey and Ryan Harnadek**
- 6.10 Dennis Mulqueen**
- 6.11 Essex Region Conservation (ERCA)**

7. Delegations

SP24-04-007

Moved By Deputy Mayor Shepley
Seconded By Councillor Verbeek

That Dennis Mulqueen be added as a delegate.

Carried

SP24-04-008

Moved By Deputy Mayor Shepley

Seconded By Councillor Verbeek

That all of the delegations in Agenda Item 7 be received.

Carried

7.1 Jason Field, Randy Cyr, and Jeanne Lucier

Jason Field explained that a petition was circulated in the neighbourhood which opposes this zoning by-law amendment and represents 20 out of the 39 homes in the area. He expressed various concerns regarding lack of supervision, adherence to by-laws, lack of access to the beach, increased noise, crime and traffic on an unattained road, and loss of privacy.

Council directed questions to Administration regarding a photo of an unsafe stair passage to the beach and Administration determined that this is private property.

7.2 Eleanor and Robert Lowrie

Eleanor Lowrie explained that she lived on Chester Road for 22 years with her husband Robert and stated that this is a hamlet and hamlets by definition are small communities. She noted that there are multiple short term rentals in the area and there is no need for another short term rental in the area.

7.3 Dennis Mulqueen

Dennis Mulqueen addressed concerns regarding the lack of supervision, encroaching on private property which could lead to liability issues, increased crime rates, and additional traffic flow as this is a quiet and peaceful neighbourhood. He noted that this is one of the few neighborhoods in Colchester that does not have a fence lining every property and does not want to see this change.

Councillor Garon asked Dennis Mulqueen if he would be in favour of this amendment if there was supervision on the property.

Dennis Mulqueen confirmed that this is one of many concerns and he would still be opposed to the matter.

8. Adjournment

SP24-04-009

Moved By Deputy Mayor Shepley

Seconded By Councillor Verbeek

That the meeting be adjourned at 5:00 PM.

Carried

Mayor

Clerk