



Report to Council

Department: Community Services
Division: Parks and Facilities
Date: December 6, 2021
Prepared by: Jake Morassut, Manager, Parks and Facilities
Report Number: Parks and Facilities-2021-20
Subject: Short-Term Seasonal Rentals and Commercial Operations at Colchester Harbour
Number of Pages: 5

Recommendation(s)

That Parks and Facilities-2021-20 entitled Short Term Rentals and Commercial Operations at Colchester Harbour prepared by Jake Morassut, Manager, Parks and Facilities dated December 6, 2021 be received, and

That Council approve a 50% premium for short-term rentals and/or those utilizing the slips outside of recreational Harbour operations, and

That Council permit only two short-term rental operators per season, with grandfathering permissions to the extra one that is utilizing the Harbour now.

Purpose

To seek support from Council on a process for commercial seasonal rentals that do not relate to fishing and Harbour operations.

Background and Discussion

In June 2021, Council asked administration to monitor complaints from residents regarding short term rental operations at the Colchester Harbour. During the early part of the season, a small number of complaints were received from residents regarding noise and swimming in the Harbour. Since that time, Administration met with residents to discuss these concerns followed by meeting with the operator of the short-term rentals. During the meeting with the operator these issues were discussed and very few complaints were received from residents after this discussion.

Since the number of documented complaints is low and the operator of the short-term rental company has addressed issues as they have come up, administration is recommending that we continue to permit the operation of short-term rentals at the Colchester Harbour with the following conditions:

1. No more than two short-term rentals are permitted in the Colchester Harbour at any time. Note: there is currently three short-term rentals which would be permitted as a “grandfathering” clause; however, if one of these short-term rentals leave the Harbour a new one would not be permitted back as we will then maintain a strict two short-term rental rule at that point.
2. Short-term rentals would fall under a new classification on the Colchester Harbour fee schedule being “Commercial Rentals not related to Harbour Operations” which would incur a 50% premium from the base rate. This would apply to existing short-term operators renewing their contracts for 2022 and beyond.
3. Short-term rentals would continue to have Harbour staff track complaints. Should these complaints recur without the operator addressing them, the Town is permitted to cancel the rental contract if the rules and regulations are not followed by the operator and/or those on the boat.

4. Any short-term rental at the Colchester Harbour must follow all municipal by-laws and policies regarding short term rentals, which may include additional rules, regulations, licensing, etc., as set forth by Council.

To rationalize the points listed above, it is important that the Colchester Harbour maintain its grassroots as a fishing and recreational activity location. The Town of Essex should continue to promote fishing and recreational boating activities, but also maintain that Colchester Harbour and the surrounding area is an agri-tourist destination and the Town of Essex wants to attract people to the area. Administration recommends having a small number of short-term rentals to promote area tourism but also ensure the Harbour is mostly for recreational activity.

As short-term rentals are for-profit businesses, administration recommends a 50% premium on the base rate cost. For example, the 2021 rate per foot for a recreational boater is \$49.00 per foot, with a minimum charge of 30 feet on D dock—this totals \$1,470.00 per season. The commercial rate for those not falling within regular operations would now be \$2,205.00 (based on 2021 rates). There are currently some commercial operators in the Harbour; some examples are fishing charters, rescue boats, and tow boats. Since these commercial operators fall within the regular operations of a Harbour they would not incur this increased rate as it would continue to promote the grassroot activities of a Harbour.

Lastly, we want to ensure that there is a complaint process through the proper channels so the Harbour staff and administration can work with the short-term rental operators to ensure compliance. The terms and conditions do have a process that permits administration to cancel a rental agreement should the operator not address the issues; however, we would take all possible avenues to avoid this from occurring—this comes with a close working relationship with the short-term rental operators and open communication. The Town of Essex does have staff and paid security on site to be able to address issues as they occur. Staff and security will continue to have training on the rules and regulations with the expectations set forth for the short-term rentals.

Financial Impact

A 50% premium will be applied to the regular seasonal rate for any short-term rentals and/or those utilizing the slips outside of recreational Harbour operations. The Town of Essex would receive a net increase in revenues of \$2,842.00 based on the current short-term rentals returning for 2022.

Consultations

Jay Affleck, Assistant Manager, Parks and Facilities

Rita Jabbour, Manager, Planning Services

Kate Giurissevich, Director, Corporate Services

Doug Sweet, Chief Administrative Officer

Link to Strategic Priorities

- ☐ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☒ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☒ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☒ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☒ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.
- ☒ Improve the Town's capacity to meet the ongoing and future service needs of its citizens while ensuring the corporation is resilient in the face of unanticipated changes or disruptions.

Report Approval Details

Document Title:	Short-Term Seasonal Rentals and Commercial Operations at Colchester Harbour - Parks and Facilities-2021-20.docx
Attachments:	
Final Approval Date:	Nov 28, 2021

This report and all of its attachments were approved and signed as outlined below:

A handwritten signature in black ink, appearing to read 'Doug Sweet', with a stylized flourish extending from the end.

Doug Sweet, Chief Administrative Officer - Nov 28, 2021 - 2:12 PM