



Staff Report

Legal Services

Report To: Committee of the Whole Meeting
Meeting Date: August 9, 2022
Report Number: FAF.22.132
Title: By-law Biannual Report
Prepared by: Will Thomson, Director of Legal Services

A. Recommendations

THAT Council receive Staff Report FAF.22.132, entitled "By-law Biannual Report" for information;

B. Overview

This report is the first-ever By-law statistics update to give Council a snapshot of the work volume and revenue that the By-law department has undertaken over the course of the first half of 2022. It is Staff's intention to bring a similar report in early 2023 to summarize similar statistics for the second half of 2022.

C. Background

Staff have chosen a selection of statistics from available By-law data which Staff believe will be of interest to Council and the public. We have compared those statistics from last year (2021) and are pleased to offer some additional comments below.

D. Analysis

This section should include the analysis that led to the recommendation, including an analysis of the risks of following through (or not) with the recommendation.

Statistical Overview – For period of January - June

Statistic	2021	2022
# of Parking Tickets Issued	968	407
Parking Revenue Received (\$)	37,415	28,846
Administrative Penalties Issued	0	80

Statistic	2021	2022
Administrative Penalties Received/Pending (\$)	0	61,875/17,000
Total Calls for Service	502	537
Other Charges Laid	18	7
Short-Term Acc. Licensing Revenue (\$)	74,500	361,676

Discussion

Parking

To date in 2022, the By-law department has issued only 42% of the Parking tickets that were issued during the same period in 2021. Staff attribute this to a general decrease in problematic parking throughout Town, particularly during the Winter (ski season) months. Whereas in Winter 2021, extensive travel restrictions were still in place – meaning an increase in “close to home” staycations, this past Winter saw the relaxation of most of those restrictions, meaning those who visited the Town in 2021 (and parked illegally) have been free to travel elsewhere this year.

However, of note is that while the number of tickets issued is down ~58%. The corresponding revenue is only down ~23%, this is largely attributable to the increase in parking fines adopted by Council this Spring.

Administrative Penalties

The Town’s Administrative Monetary Penalty system was adopted in 2021 but wasn’t fully rolled out until early 2022. While the Town now utilizes AMPS for licensing and parking, for the purposes of this analysis, we are separating the two. No AMPS (and thus no fines) were issued in 2021. To the end of June 2022, the Town has issued a total of 80 AMPS with total revenue (collected and pending) of \$78,875, for an average of \$985/penalty. The issued penalties have almost exclusively been for advertising or operating a Short-Term Accommodation without a license.

Calls for Service

The Town has received a 7% increase in calls for service in 2022 over 2021, which is consistent with an increasingly complex and demanding service expectation of our By-law officers.

Short-Term Accommodation

The Town has seen a dramatic increase in Short-Term Accommodation licensing revenue in 2022 over 2021 - \$381,676 up from \$74,500. This increase can be attributed to two factors:

1. 2022 is a “bumper” year – the Town issues licenses for 2-years terms, but they are not evenly spread, and so every-other year a majority of licenses expire, leading to many new licenses.
2. Zoning By-law 2021-59 increased the properties which are eligible for an STA license (North Creek Resort, for example) meaning many properties which were not previously licensed/ were operating as a Commercial Resort Unit have now converted to STA use and have obtained licenses.

Staff expect this is a 1-year bump in revenue which will stabilize in future years.

Staff look forward to Council’s comments on this first such report, and welcome suggestions for additions/ further data analysis.

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

2. Organizational Excellence

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

F. Environmental Impacts

N/A

G. Financial Impacts

N/A

H. In Consultation With

N/A

I. Public Engagement

The topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required.

Any comments regarding this report should be submitted to Will Thomson, Director Legal Services directorlegal@thebluemountains.ca.

J. Attached

N/A

Respectfully submitted,

Will Thomson
Director Legal Services

For more information, please contact:
Will Thomson, Director Legal Services
directorlegal@thebluemountains.ca
519-599-3131 extension 258

Report Approval Details

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

Will Thomson - Jul 27, 2022 - 3:02 PM