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Staff Report

Planning & Development Services – By-law

Report To: Committee of The Whole
Meeting Date: October 24, 2016
Report Number: PDS.16.133
Subject: STA Licensing Program Activity: 2016 Third Quarter Update
Prepared by: Greg Miller, Manager, Building & By-law Services
 Chief Building Official

A. Recommendations

THAT Council receive Staff Report PDS.16.133 “STA Licensing Program Activity: 2016 Third Quarter Update”.

B. Overview

The purpose of this report is to provide Council with an update on the Town’s Short Term Accommodation (STA) Licensing Program activity between January to the end of September 2016 (3rd Quarter).

C. Background

Applications Received and Issued

The Short Term Accommodation Licensing By-law No. 2013-50 as amended, came into force July 2nd, 2014, and since then:

- A total 223 STA licence applications have been received and 204 STA licences have been issued as shown below.
- Year to date in 2016, 23 STA licence applications have been received and 26 STA licences issued; as shown below.

STA Licence Applications	2014	2015	2016 YTD	Total
Applications Received	143	47	23	223
STA Licences Issued	0	178	26	204

Inspection Activity

A summary of the STA Premises inspections completed during this reporting period is summarized below:

STA Premises Inspections	2014	2015	2016 YTD	Total
Property Standards/Fire Safety Inspection	0	313	59	372
Re-Inspections	0	152	9	161
Total Inspections Completed	0	465	68	533

Revenue

A summary of the STA Licensing Program revenue collected is shown in the below:

Revenue Type	2014	2015	2016 YTD	Total
STA Licence Applications	\$288,000.00	\$135,475.00	\$77,544.00	\$501,019.00
STA Administrative Penalties	-	\$250.00	\$2,250.00	\$2,500.00
STA Fines Imposed (No Licence)	-	\$2,500.00	\$17,250.00	\$19,750.00
Appeal Fees	-	-	\$5,925.00	\$5,925.00
Total Revenue	\$288,000.00	\$138,225.00	\$102,969.00	\$529,194.00

Year to date to the end of September:

- \$77,544.00 in revenue has been collected for STA licence applications received;
- \$2,250.00 in revenue has been collected for STA administrative penalties imposed;
- \$23,175.00 in revenue has been collected for fines imposed and appeal fees collected;
and
- \$102,969.00 in total revenue has been collected.

OPP Noise Occurrences vs. STA Licensed Premises

A summary of the OPP Noise Occurrences between January to the end of September 2016 in addition to 2014 and 2015 is summarized below:

OPP Noise Occurrences

	2014				2015				2016			
	Occurrences		Charges		Occurrences		Charges		Occurrences		Charges	
	Total	STA	Total	STA	Total	STA	Total	STA	Total	STA	Total	STA
JAN	8	4	2	0	10	4	2	0	15	4	5	2
FEB	10	4	3	1	7	3	0	0	11	5	2	1
MAR	8	4	3	2	5	2	1	0	5	2	0	0
APRIL	1	0	0	0	2	2	0	0	4	1	1	1
MAY	21	12	2	2	19	11	3	1	11	5	2	1
JUNE	26	12	5	5	29	13	2	2	13	4	1	1
JULY	20	11	2	0	22	7	1	1	12	3	2	1
AUG	22	15	5	5	18	8	3	3	16	10	0	0
SEPT	11	6	0	0	14	6	0	0	4	3	1	1
OCT	8	4	4	3	2	1	0	0				
NOV	4	2	1	1	4	3	1	1				
DEC	7	4	0	0	7	4	0	0				
TOTAL	146	78	27	19	139	64	13	8	91	37	14	8

- Between January to the end of September, there have been 91 total OPP noise occurrences versus 126 during the same period in 2015; a 28% decrease.
 - Of the 91 total OPP occurrences YTD 2016, 37 occurrences or 41% were to a licensed STA premises vs. 44% (56 of the 126 total occurrences) during the same period in 2015; a 3% decrease.
 - Of the 91 total OPP occurrences YTD 2016, 14 or 15% of the total occurrences resulted in charges being laid vs. 9.5% (12 of 126 total occurrences) during the same period in 2015; a 5.5% increase.
 - Of the 14 charges laid, 8 were at a licensed STA premises or 57% of the total charges versus 58% (7 of 12 total charges laid) during the same period in 2015; a 1% decrease.
- From the above, overall the reported OPP noise occurrences are trending downward with the number of those being to licensed STA premises slightly decreasing.

Administrative Penalties and Demerit Points

Description	2015	2016	Total
Noise By-law Infractions	4	8	12
Administrative Penalties	1	2	3
STA Licensing Committee Appeals	0	6	6

Year to date to the end of September 2016, the Municipal Licensing Officer has:

- Issued a total of 8 Infraction Notices and assessed Demerit Points to 5 STA premises;
- The STA Licensing Committee have heard 6 appeals with 5 appeals confirmed and 1 overturned.

Prosecutions: Operating without STA Licence

Staff continue to prosecute under the *Provincial Offences Act* for “operating a STA without a licence” contrary to s. 5.1. of the STA Licensing By-law 2013-50; carrying a maximum fine of \$5,000.00 each.

Year to date 2016, 15 charges have been laid under the STA By-law for operating without a licence where conviction registered and fines collected and 12 other are pending disposition with trial dates forthcoming as summarized in Table 6 below:

	2015	2016	Total
Operating without a STA licence	11	15	26
Pending Disposition	-	12	12
Conviction Registered	11	3	14

Convictions registered typically includes a guilty plea entered To Operate without a STA Licence; payment of \$2,500.00 fine plus Victim Fine Surcharge fee of \$3,215.00 and six months to pay. No further rentals on a short term basis is permitted unless a STA licence obtained.

D. The Blue Mountains Strategic Plan

N/A

E. Environmental Impacts

N/A

F. Financial Impact

\$102,969.00 in total revenue has been collected year to date.

G. In consultation with

By-law Service Staff

H. Attached

None

Respectfully submitted,

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