



# Staff Report

## Legal Services

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**Report To:** Council  
**Meeting Date:** June 29, 2020  
**Report Number:** FAF.20.111  
**Subject:** Follow Up to Staff Report FAF.20.098 - Requests Regarding Short Term Accommodations During COVID-19  
**Prepared by:** Will Thomson, Director of Legal Services

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### A. Recommendations

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THAT Council receive Staff Report FAF.20.111, entitled "Follow Up to Staff Report FAF.20.098 - Requests Regarding Short Term Accommodations During COVID-19";

AND THAT Council adopt the recommendation of the Committee of the Whole made on June 16, 2020.

### B. Overview

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This report will provide a follow-up to the questions raised by the Committee of the Whole at their June 16, 2020 meeting.

### C. Background

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The Committee raised three questions for staff follow up:

1. Are there other businesses in Town that pay licensing fees similar to Short Term Accommodations?
2. Could the Legal Service Department prorate the renewal fee for Short Term Accommodations in response to the COVID-19 shutdown?
3. Does waiving licensing fees infringe on the s.106 "bonusing" provisions of the *Municipal Act*?

### D. Analysis

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Answers to the Questions posed:

1. Short Term Accommodations are the only business in the Town licensed in this manner by the Legal Services Department.
2. The renewal fees *could* be prorated, for example, a condominium renewal fee equates to \$20.83/month, so for the two month shutdown period, the next renewal would be

reduced by \$41.66. For chalets, the 2-month fee reduction would be \$83.32. These fees would be rolling and taken at the time of renewal, so the economic impact of this would be spread out over the next (approximately) 2-year renewal period.

3. Section 106 of the Municipal Act states that a Municipality shall not grant assistance to a commercial enterprise by, among other things, “giving a total or partial exemption from any levy, charge or fee”. While STA’s are a whole class of business who are subject to this fee, and thus reducing the same presents no obvious issues of unfairness as they all would be subject to the same equal reductions. However, it is my recommendation that out of an abundance of caution, the Town deny the request for exempting the fee in order to avoid any possible questions about “bonusing”.

## **E. The Blue Mountains Strategic Plan**

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Goal #1: Create Opportunities for Sustainability

Objective #3 Promote a Diversified Economy

Goal #3: Support Healthy Lifestyles

Objective #2 Increase the Range of Housing Choices and Promote Housing Affordability

Goal #4: Promote a Culture of Organizational & Operational Excellence

Objective #4 To Be a Financially Responsible Organization

## **F. Environmental Impacts**

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N/A

## **G. Financial Impact**

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Over the course of the 2-year renewal period, approving the pro-rated measure would result in a loss of revenue related to condos of: \$4,624.26, and for chalets: \$12,331.36

## **H. In Consultation With**

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Wayne DeWitt

## **I. Public Engagement**

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The topic of this Staff Report has not been subject to a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. Comments regarding this report should be submitted to Will Thomson, Director of Legal Services at [directorlegal@thebluemountains.ca](mailto:directorlegal@thebluemountains.ca).

## **J. Attached**

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N/A

Respectfully submitted,

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Will Thomson  
Director of Legal Services

For more information, please contact:

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