



To: Mayor Evans and Members of Council
From: Steve Harvey, Chief Municipal Law Enforcement Officer
 By-law Department
Prepared By: Kylie Quesnelle, Municipal Law Enforcement Officer
 By-law Department
Report Number: MLE-002-23
Meeting Date: 22 Feb 2023
Subject: **By-law 4th Quarter Activity Report for 2022 (October 1–December 31)**
 Our File No:

Recommendation

THAT MLE Report MLE-002-23 regarding By-law 4th Quarter Activity Report for 2022 (October 1–December 31) be received;

Background/Analysis

A. By-law Occurrences for the 4th Quarter

Type of Occurrence	Number of Occurrences		
	2020	2021	2022
Short Term Rental	0	0	39
Noise	18	13	16
Clean Yards	13	10	15
Sign	6	1	14
Fire	21	9	10
Parking	12	17	8
Zoning	13	20	6
Littering	4	0	5
Parks	4	1	4
Property Standards	1	3	4
Dumping Snow	0	6	3
Encroachment	8	4	3
No By-Law	8	1	3
Dog	6	1	2
Misc. By-Law	1	3	3
Roadside Debris	3	3	1
TOTAL for 4th Quarter	118	92	136

The year over year quarterly complaints increased compared to the past two years with some noteworthy differences within some of the complaint categories. Staff analyzed these differences and would draw the following conclusions and comments:

1. Short-Term Rentals: Staff analyzed this increase in complaints compared to 2021 and concluded that it is related to the implementation of the new Short-Term Rental Accommodation By-Law 22-017, as amended, that was passed by Council on August 11th, 2022 requiring licensing.

Between October 1st and November 20th, 2022 no traditional noise complaints were received.

On November 21st the new Granicus Host Compliance complaints process was launched with the first complaint being filed the next day on November 22nd, 2022. Subsequently, between November 21st to December 31st thirty-nine (39) complaints were filed through the new system. Upon receiving each complaint an occurrence number was created with staff investigating the reported allegations and taking appropriate action based on the details of each reported concern.

The below chart breaks down the complaints received and details up to December 31st, 2022 as follows:

Type of Complaint	Number of complaints received	Number of Work Orders issued	Properties received work order + obtained a licence	No By-law Violation	Open files as of December 31st
Unlicensed property	29	9	1	0	28
Websites still displaying increased occupancy limits	7	0	0	0	7
Owned by a corporation	2	0	0	2	0
Reporting issues prior to by-law passing	1	0	0	1	0
Total	39	9	1	3	35

2. Clean Yards: In 2022 the Clean Yards occurrences increased by five (5) when compared to 2021. Staff analyzed this increase in complaints and concluded it could be correlated to the weather in the fall months and also the amount of dead trees in the area.

3. Zoning: In 2022 the Zoning occurrences decreased by fourteen (14) when compared to 2021. Staff analyzed this decrease in complaints and concluded that it is related to the implementation of the New Zoning By-Law 22-075. Many complaints were forwarded to the Zoning Department for proper interpretation while transitioning between the old and new Zoning By-Laws.

B. Charges

The following chart reflects the number of charges issued by the By-law Department over this period in comparison to previous years. This year, four (4) charges were issued during this period.

By-law and Type of Occurrence	Number of Charges		
	2020	2021	2022
FIRE- Fail to comply with class "A" burning permit	3	0	3
FIRE - Fail to obtain a burning permit	0	0	1
TOTAL	3	0	4

C. Parking Tickets Issues

The following chart compares the number of Parking Tickets issued by the By-law Department over this period.

Month	2020	2021	2022
October	0	0	0
November	0	0	0
December	1	2	0
Total	1	2	0

D. Activities During This Period

Court Activity

On October 3, 2022 there were four (4) interrelated By-Law matters on the court docket and the following was the disposition:

- A legal representative appeared on the 4 counts on behalf of the two (2) defendant's. As part of the global resolution of the matters, two (2) Reopening of Ontario Act Violations a \$300.00 fine was imposed on both defendants with 180 days to pay. The remaining two (2) Noise By-law matters were withdrawn.

On October 26, 2022 there were eight (8) interrelated By-Law matters on the court docket and the following was their disposition:

- A legal representative appeared on the 8 counts on behalf of the four (4) defendant's. As part of the global resolution of the matters, four (4) Reopening of Ontario Act Violations a \$250.00 fine was imposed on all defendants with 90 days to pay. The remaining four (4) Noise By-law matters were withdrawn.

On December 8, 2022 there were three (3) By-Law matters on the court docket and the following was their disposition:

- One (1) Noise Violation - no one appeared and this matter was adjourned to December 20, 2022 to be spoken to.
- One (1) Zoning Violation - no one appeared and this matter was adjourned to December 20, 2022, to be spoken to.
- One (1) Noise Violation - a legal representative appeared on behalf of the defendant. This matter was adjourned to December 20, 2022, to be spoken to.

On December 20, 2022 there were fourteen (14) By-Law matters on the court docket and the following was their disposition:

- One (1) Noise Violation - defendant appeared and entered a guilty plea. A fine of \$500 was imposed with 6 months to pay.

- One (1) Reopening of Ontario Act Violation - A legal representative appeared on behalf of the defendant and upon review of the file there was no reasonable prospect of conviction. This matter was withdrawn.
- One (1) Noise Violation - A legal representative appeared on behalf of the defendant and requested Disclosure. This matter was adjourned to May 4, 2023, for Trial.
- One (1) Zoning Violation - no one appeared and this matter was adjourned to March 2, 2023, for an ex-parte trial.
- Two (2) Noise Violations - the defendant appeared in court and commenced Trial with Polish interpreter. The Justice felt the Trial could not continue virtually. The Justice ordered all parties to attend in person on March 21, 2023, for Trial continuation.
- One (1) Noise Violation - the defendant appeared in court and entered a guilty plea. Upon hearing the explanation the Justice imposed a suspended sentence (no fine).
- Four (4) Parking Violations - in all matters the defendant appeared in court and entered a guilty plea. Fines of \$20 on each count were imposed with 15 to 30 days to pay.
- Two (2) Parking Violations - in both matters no one appeared in court. A fine of \$90 on each count was imposed with 15 days to pay.
- One (1) Parking Violation - defendant appeared in court and advised 2 charter motions would be filed. These matters were adjourned to March 2, 2023, for the defendant to properly serve parties with motions.

Reviewed By Other Departments

Not applicable.

Options/Alternatives

There are no options/alternatives associated with this item.

Financial Implications

There are no financial implications associated with this item.

Relationship to Strategic Plan

- Deliver Exceptional Municipal Services
- Build Economic Prosperity & Opportunity
- Promote Environmental Responsibility & Stewardship
- Support Community Health, Safety & Well-Being
- Create an Engaged, Informed & Connected Community

Conclusion

The By-law Department is expecting to provide the 1st Quarter Report at the Committee of the Whole meeting on April 26, 2023

Steve Harvey, Chief Municipal Law Enforcement Officer	Approved - 10 Feb 2023
Haley Leblond, Director of Finance/Treasurer	Approved - 14 Feb 2023
Robert Lamb, Chief Administrative Officer	Approved - 14 Feb 2023