STAFF REPORT TO COUNCIL

From: Felicity Adams, Director of Development Services

Meeting Date: March 4, 2019 File No: 4020-00

RE: TICKET INFORMATION UTILIZATION BYLAW AMENDMENT

RECOMMENDATION:

That Council proceed with first, second and third readings of Bylaw 2003 cited as "Ticket Utilization Bylaw 2002, No. 1457, Amendment Bylaw 2019, No. 2003".

PURPOSE:

The purpose of this staff report is to introduce an amendment to the Ticket Information Utilization Bylaw (MTI Bylaw) in order to update the bylaw with respect to Zoning Bylaw infractions.

PREVIOUS COUNCIL DIRECTION

In 2018, Council adopted a Bylaw Compliance Policy. The policy supports an enforcement philosophy that seeks voluntary compliance and the use of enforcement tools, such as municipal tickets, when other compliance methods have not been effective. Council has previously provided direction on updating the MTI Bylaw including a review of fines.

INTRODUCTION/BACKGROUND:

The purpose of the proposed amendment Bylaw 2003 is to update the MTI Bylaw with respect to Zoning Bylaw offences and related fines.

The offences listed in column one of Schedule 11 provide a short form expression of the Zoning Bylaw regulations noted in column two for the purposes of writing a ticket. These specific sections have been recommended by the Bylaw Officer as appropriate to capture land use offences (e.g. use contrary to zoning, prohibited use, unauthorized suite, suite contrary to conditions), environmental offences (e.g. use within a required setback from a watercourse or the sea), and liability-related concerns (e.g. over height obstruction at a corner, such as a fence).

Issuing a MTI ticket is an enforcement action when other efforts have failed. Fines should have a value high enough to be a deterrent to a potential violator, but not so high as to be unreasonable relative to the offence. Tickets cannot impose a fine greater than \$1000.





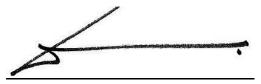
Staff reviewed fines from other jurisdictions which ranged from \$350 to \$500 for similar
offences. The Zoning Bylaw fines in the MTI Bylaw are currently \$100 and have not been
reviewed since 2002. Under the Zoning Bylaw, a series of fines can be issued to the owners for
each day the non-permitted use is continued.

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ALTERNATIVES: Council can choose to determine a different fine amount.		
FINANCIAL IMPLICATIONS: None.		
LEGAL IMPLICATIONS: None.		
CITIZEN/PUBLIC RELATIONS IMPLICATIONS: Having a range of effective bylaw compliance and enforce	•	
INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:	an unresolved infraction.	
None. ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:		
	v Impact Transportation	
·	ilti-Use Landscapes	
☐ Innovative Infrastructure ☐ Local Food	•	
	cal, Diverse Economy	
	an, Diverse Economy	
ALIGNMENT WITH STRATEGIC PRIORITIES:		
Employment & Tax Diversity	☐ Natural & Built Infrastructure	
☐ Watershed Protection & Water Management	☐ Partnerships	
☐ Communications & Engagement	⋈ Not Applicable	
Staff recommend that Council proceed with the first three readings of Bylaw 2003.		

February 25, 2019

Felicity Adams, Director of Development Services

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENTS:

None