



City of Richmond

Report to Committee

To: Community Safety Committee
From: Mark Corrado
Director, Community Bylaws & Licencing
Date: January 23, 2023
File: 12-8375-02/2023-Vol
01
Re: Property Use and Parking Enforcement Activity Report – 2022 Year in Review

Staff Recommendation

That the staff report titled "Property Use and Parking Enforcement Activity Report – 2022 Year in Review", dated January 23, 2023, from the Director, Community Bylaws & Licencing, be received for information.

Mark Corrado
Director, Community Bylaws & Licencing
(604-204-8673)

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Finance Department Engineering	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
SENIOR STAFF REPORT REVIEW	INITIALS: 	APPROVED BY CAO

Staff Report

Origin

This annual review report for Property Use and Parking Enforcement of Community Bylaws provides information and statistics on the calls for service and bylaw enforcement actions regarding land use, noise, soil deposit/removal, short-term rentals, parking permits and enforcement. This report provides a summary of trends recorded in 2022.

This report supports Council's Strategic Plan 2018-2022 Strategy #1 A Safe and Resilient City:

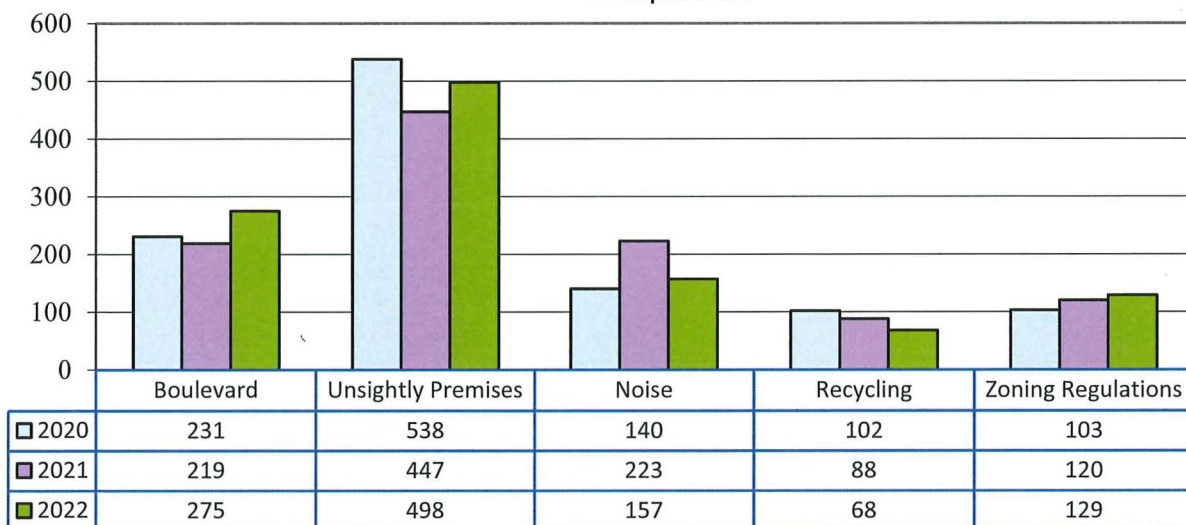
1.1 Enhance safety services and strategies to meet community needs.

Analysis

Property Use Calls for Service

Figure 1 highlights the top five most common calls for service received by staff to follow up and investigate. These five categories represent 70 per cent of the 1,623 property use calls for service generated in 2022.

Figure 1: Property Use Calls For Service - December Year-To-Date Comparison

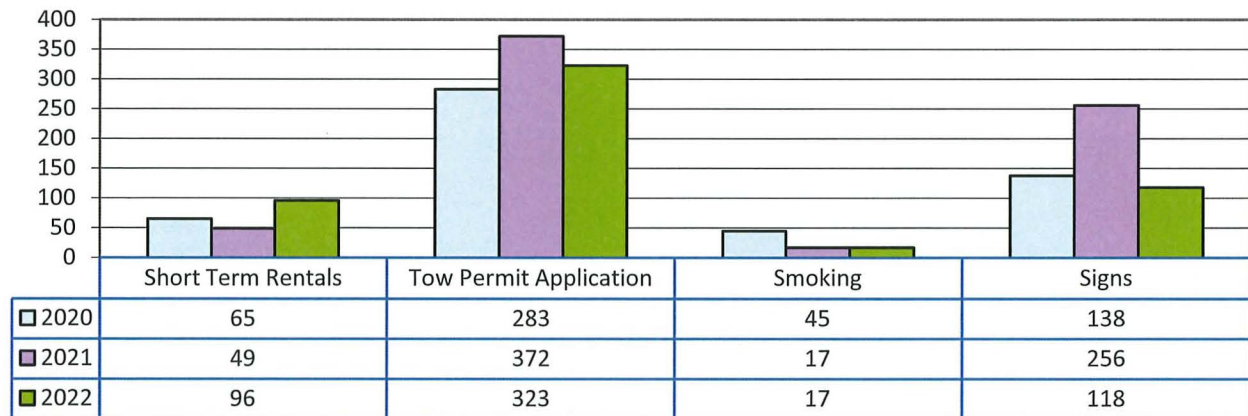


Staff seek to obtain compliance through proactive education, voluntary compliance or, when required, formal legal proceedings. In 2022, calls related to boulevard maintenance and unsightly premises were up slightly, but were not indicative of an overall trend. Calls relating to unsightly premises often follow a seasonal trend due to vegetation growth. Noise related calls decreased in 2022, due to a decrease in complaints regarding construction occurring outside permitted hours. Zoning related calls were slightly driven by files regarding businesses operating contrary to land zoning.

Other Community Bylaws Calls for Service

Figure 2 shows other Calls for Service, which are closely related to Property Use matters.

Figure 2: Other Calls For Service - December Year-To-Date Comparison



Short-term rental related calls trended upward in 2022, notably after the removal of the ArriveCan app requirement on October 1, 2022. Two dedicated bylaw staff have been hired to respond to short-term rental calls and their efforts are reflected in Table 1. The drop in signage related calls can be primarily attributed to fewer calls regarding real estate signage.

Complex Files and Major Calls for Service

In 2022, there was an increasing trend in resource-intensive complex files and major calls for service as shown in Table 1 below.

Table 1: 2022 Major Calls for Service vs 3 year average

Call Type	Total Calls	Increase from Average
Homeless Encampments	61	+ 20%
Short-Term Rental Violations	96	+ 37%
Noise Violations	157	+ 6%
Ride Hailing Investigations*	8	+122%

*Ride-hailing investigations are an emerging area of joint jurisdictional enforcement

The above files relating to homeless encampments are complex, time consuming, and involve the need for a risk assessment. Multiple agencies and City departments are also involved in these files that can range from individual or temporary encampments to large-scale and entrenched encampments. Given the potential for safety-related issues, multiple staff must be dispatched to these calls. An increased number of these encampments are situated on Provincial or Federal government land adding to the jurisdictional and legal complexities of these files.

Files relating to short-term rentals require surveillance, open source searches and multiple investigative procedures to verify if a violation has occurred. This types of files can stretch over multiple weeks and require a high level of due diligence.

Noise violations often require City staff to acoustically sample and analyze noise levels in accordance with industry standards that can be defended in court. This involves coordination between City staff and a complainant or affected persons(s) to establish nominal noise levels and attend to the site at a time when noise is expected.

Ride-hailing investigations involve multiple City staff and a minimum of two law enforcement agencies. Extensive operational planning is undertaken to ensure the safety of staff and bystanders. Given the high amount of fines involved and potential criminal code issues, staff have increasingly had to provide testimony in court when charges and fines are challenged. Working with law enforcement partners, 23 drivers were intercepted and ticketed, with two apprehensions, in 2022.

Further challenging staff is the downloading of enforcement responsibilities from senior levels of government, such as the upcoming decriminalisation of 2.5 grams of hard drugs (such as cocaine, heroin, fentanyl, ecstasy/MDMA, methamphetamine etc.) starting in 2023. It is anticipated that changes such as these may result in increased calls for municipal response and require new staff engagement and safety procedures.

In addition to addiction related issues, mental health issues are also readily apparent when attending calls for service when persons who are the subject of a complaint are experiencing emotional distress or are living in a vulnerable condition. Staff frequently work closely with the RCMP's Fox-80 Mental Health Unit and Vulnerable Persons Unit on these types of files.

To support addressing multidimensional and often complex calls for service, the Community Bylaws and Licencing department chairs the Joint Operations Team (JOT), which is a multi-stakeholder committee of internal and external partners that work to address matters requiring the involvement of two or more agencies.

Grease

During the month of December, staff undertook 44 grease-trap inspections. A year-to-date total of 901 inspections have been conducted and three warnings have been issued. The number of inspections is similar to the 1,092 grease inspections that occurred in 2021.

Soil Activity

In December, staff conducted 17 site inspections. In December, snowfall events impacted the ability of staff to attend some sites.

Stop Work/Removal Orders issued for the following property:

- 8511 No. 6 Road
- 10060 No. 5 Road

There are 25 soil deposit proposals under various stages of the application process. Staff are monitoring 10 approved sites and are currently addressing 33 properties that are considered non-compliant.

The past year was the first full year with the adoption of Soil Deposit and Removal Bylaw No. 10200. This bylaw strengthened the pre-existing regulatory framework related to soil movement in the City and increased fees and penalties. In 2023, a Council approved temporary full-time Soil Bylaw Officer position will be posted. Annually, statistics are highlighted in Tables 2 and 3.

Table 2: Regulation of Soil Deposit/Removal – 2022 Permits

Applications and Permit Activity	Annual Total
Soil Deposit/Removal Applications Received	18
Permits Issued	10

Table 3: Soil Bylaw Enforcement for 2022

Enforcement Activity	Annual Total
Non-Compliant Properties brought into Compliance	27
Number of Tickets Issued	60
Number of Stop Work Orders Issued	15
Number of Removal Orders Issued	33
Number of Warnings Issued	10
Number of Complaints Received	41

Parking Enforcement

For the month of December 2022, staff proactively patrolled for stopping and parking infractions while continuing to monitor assigned files. Staff received 292 Calls for Service for parking related matters, a 72 per cent increase from the same period in 2021 (170 Calls for Service). Parking revenue and ticket issuance comparisons are listed in Figures 3 and 4 below.

Figure 3: Parking Enforcement Revenue Comparison (000's)

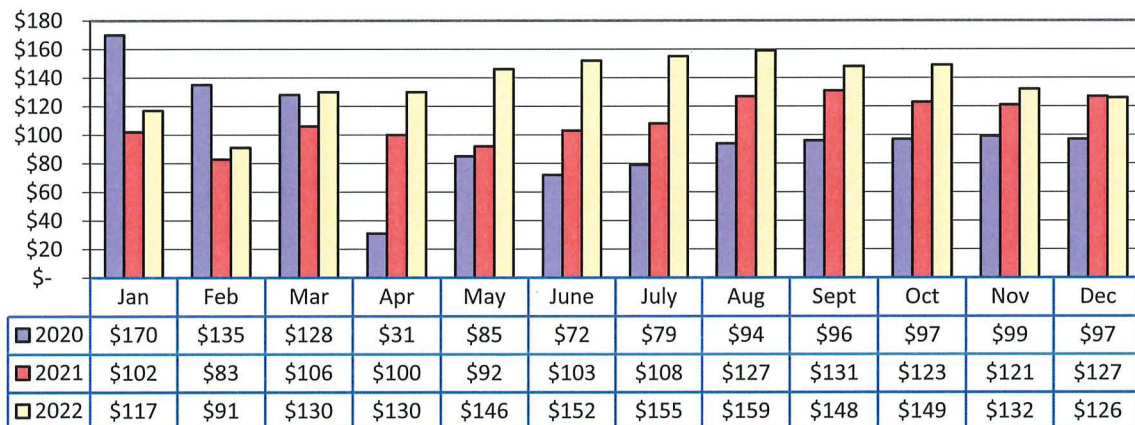
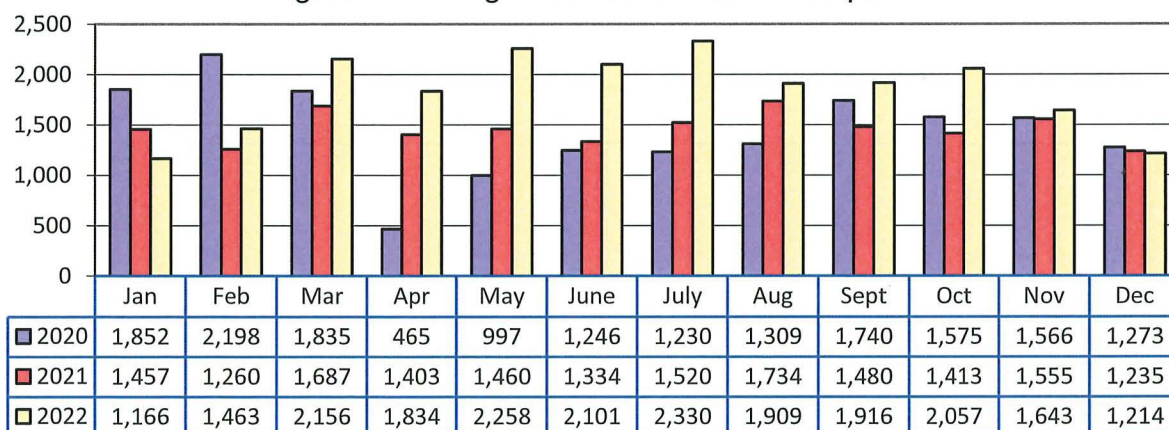


Figure 4: Parking Violations Issuance Comparison



When contrasted with 2021, annual parking revenue has increased 24 per cent, with a 26 per cent increase in parking violation issuance. This is as a result of greater enforcement driven by “hot spot” analysis, filling of vacancies, as well as an increase in monthly meter activity and parking permit issuance. The annual figures from the past three years are highlighted in Table 4.

Table 4: Parking Enforcement Activity – Annual Figures

Year	Parking Violations	Parking Enforcement Revenue (000's)
2020	17,286	1,183
2021	17,538	1,323
2022	22,047	1,635

Ticketing

Bylaw ticket issuance by Offence type for the month of December and year to date are highlighted in Table 5 below.

Table 5: Community Bylaw Offences

Ticket Issuance (BVN's & MTI's)	December	YTD
Short-Term Rental Offences	19	29
Soil Deposit and Removal Offences	0	60
Watercourse Protection Offences	0	0
Unsanitary Premises Offences	0	20
Noise Offences	0	5
Grease Trap Offences	0	0
Solid Waste and Recycling Offences	0	0
Sign Offences	0	12
Watering Offences	0	0
Totals	19	126

Staff take a tiered approach to the enforcement of City bylaws when working with the community. Education and an opportunity to come into voluntary compliance is provided and often resolves the matter. Ticket issuance and other enforcement actions is reserved for files where there is a history of offences, or deadlines to come into compliance have lapsed. As reflected in Table 5, a total of 126 tickets were issued in 2022. This is up 35 percent from the 2021 total of 93. In 2022, there was an increase in Short-Term Rental offences, driven by travel activities and an increase of Soil related offences. The increase in Soil tickets is driven primarily by one property and staff are evaluating additional enforcement options.

Bylaw Prosecutions

No new bylaw charges were sworn in 2022. Working with external council, staff are addressing outstanding files from 2021. It is anticipated these cases will be resolved in 2023.

Bylaw Adjudication

In 2022, four adjudication sessions were held. Within Community Bylaws and Licencing, a total of 27 tickets were disputed with 2 being dismissed. Table 6 below summarizes each section's results. As part of the adjudication process, staff are required to provide an evidence summary for a ticket issuance. The low number of dismissed tickets reflects the level of due-diligence staff take when issuing a violation ticket.

The next adjudication session is scheduled for February 22, 2023.

Table 6: Adjudication Summary - 2022

Section	Disputed Tickets	Dismissed Tickets
Parking Enforcement	22	2
Business Licence	4	0
Soil	1	0

Revenue and Expenses

Revenue in Property Use is primarily derived from permits, tickets and court fines related to bylaw prosecutions. The actual amount collected each month can vary depending on the timing of court rulings and ticket payments. The decline in revenue generated from newspaper box permits is the result of a more general shift away from print media. As a result, only a handful of news outlets still choose to use newspaper boxes. These results are shown in Table 7.

Table 7: Property Use Revenue by Source

Program Revenue	Budget Dec 2022	Actual Dec 2022*	YTD Budget Dec 2022	YTD Actual Dec 2022*
False Alarm	4,633	896	55,600	16,991
Towing Permits	68	579	16,300	20,623
Newspaper Box Permits	1,263	0	28,376	6,814
Bylaw Soil Permit, Fines and Fees	7,474	800	229,024	125,678
Total Revenue	13,438	2,275	329,300	170,106

* Preliminary financial information. Information may change subject to year-end adjustments and audit.

Parking enforcement generates much of its revenue from meters, permits and fines. The remainder of the revenue is generated from filming and receivable income. Table 8 outlines individual revenue types. Table 9 outlines the net revenue and expenses for both Property Use and Parking.

Table 8: Parking Revenue by Source

Program Revenue	Budget Dec 2022	Actual Dec 2022*	YTD Budget Dec 2022	YTD Actual Dec 2022*
Contract Revenue ¹	5,219	5,000	60,000	60,000
Filming Revenue	0	2,367	0	42,221
Parking Revenue ²	177,967	126,435	2,045,800	1,634,693
Receivable Income ³	8,699	0	100,000	31,590
Expense Recovery	0	0	0	1,470
Total Revenue	191,885	133,802	2,205,800	1,769,974

* Preliminary financial information. Information may change subject to year-end adjustments and audit.

Table 9: Property Use and Parking Revenue and Expenses

		YTD Budget December 2022	YTD Actual December 2022*
Property Use	Revenue	329,300	170,106
	Expenses	1,494,355	943,407
	Net Revenue (Expense)	(1,165,055)	(773,301)
Parking	Revenue	2,205,800	1,769,974
	Expenses	1,554,431	1,362,002
	Net Revenue (Expense)	651,369	407,972

* Preliminary financial information. Information may change subject to year-end adjustments and audit.

¹ City Towing Contract with Rusty's towing

² Parking Revenue consists of Parking Meters, Monthly Parking Permits, and Parking Enforcement

³ Receivable Income consists of Night Market Recoveries

In 2022, net revenue was lower than budgeted, driven primarily by staffing vacancies. When contrasted with 2021 data, parking revenue has increased. Contributing to these changes are increased business activity, seasonal driving habits and deployment of staff using data driven analytics.

Financial Impact

None.

Conclusion

Staff administer and enforce a wide range of bylaws related to land use, unsightly premises, short-term rentals, soil, and noise, parking permit issuance and enforcement. This report provides a summary of activity in 2022, including revenue and expenses.



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