

Good Evening Mayor, Councillors, Staff and Neighbours:

It is our understanding that tonight the Council will be receiving the Committee of the Whole report from the Oct 23<sup>rd</sup> meeting, including the STA Licensing Program Update FAF.17.130. Prior to accepting that report in total we have some additional information to share with the Council.

The BMRA STA Committee was very pleased that the Committee of the Whole put forward two motions that directed staff to correct the mistakes found in the administration of the STA related Bylaws and we appreciate these steps.

However they appear not to completely address the issues of current licenses not in compliance with our Bylaws. I am specifically referring to the 120M distance rule found in bylaw 2009-03 and 2009-04 and the correct capacity load as found in Bylaw 2002-18 and POL.STAL.14.02.

The current motions are as follows and we are respectfully asking that you consider our suggestions for implementation.

The first motion is: "That with respect to staff report FAF.17.130, entitled "STA Licensing Program Update", Council direct staff to forthwith notify Short Term Accommodation owners currently in violation of the Town's zoning by-law and STA Licensing By-law that their STA Licenses shall be reviewed immediately and may be subject to cancellation."

We feel that the licenses that are in violation of the bylaw, having less than the required 120 metre separation, should be cancelled immediately. The motion as written leaves some doubt that revoking the licenses will be automatic.

The second motion is: "Council direct staff to forthwith notify Short Term Accommodation owners that the Town's interpretation of the occupancy load is as referenced in staff report FAF.17.130"

We believe this proposal offers identification of the problem however there is no corrective action included. The problem is that licenses were issued to allow more rental capacity than bylaws allow. We would like see a commitment that the Town would correct and reissue the affected licenses and direct the operators to adjust their occupancy levels accordingly.

Regarding the first motion the report identified that the number of licenses affected is 10 which to our knowledge is all that have been issued so far in the Legal Conforming category and appears to us that perhaps only one of the ten was issued correctly.

For us to understand the scope of the problem of second motion we used the licensing spreadsheet (available on the Towns Web site). There is a total of 261 licenses and we looked at 103 units with the criteria of 12 or more occupancy approvals on their licenses. We considered the bigger units might have more than one sleeping area, which is strictly contrary to the Bylaw. To find the number of bedrooms in each unit we used the information on the owner's ads on their Web sites plus Google searches and also the MPAC data base. So far we have identified that 79 units or 77% of these licenses allow more capacity than is legal. We expect that there will be fewer incorrect load issues on the smaller units but we anticipate the there will still be over 50% of the 261 licenses affected.

As you can see this is a significant problem and the motions as written offer no immediate solution. We would like the inaccurate licenses revised now, not at the end of this licensing cycle which in some cases will be close to 2 years.

We would be pleased to answer any questions regarding our findings and appreciate your attention to this very worrisome issue.