



*Allan Thompson*  
Mayor

December 16, 2021

Sent via E-Mail: [aretha.adams@peelregion.ca](mailto:aretha.adams@peelregion.ca)

Aretha Adams, Deputy Clerk and Acting Director of Administration  
Region of Peel  
10 Peel Center Drive  
Brampton, ON L6T 4B9

**RECEIVED**

December 16, 2021

REGION OF PEEL

OFFICE OF THE REGIONAL CLERK

Dear Ms. Adams,

**RE: UPDATE ON ENFORCEMENT EFFORTS OF THE PROACTIVE LAND USE  
ENFORCEMENT TASK FORCE**

I am writing to advise that at the Town Council meeting held on December 14, 2021, Council adopted a resolution directing the Proactive Land Use Enforcement Task Force to engage industry partners to find alternate solutions to transport vehicle parking and storage.

The resolution reads as follows:

*That the Proactive Land Use Enforcement Task Force be directed to engage industry partners in a roundtable format to investigate public and private sector solutions to the lack of available parking for commercial vehicles and report back the outcomes, including the need for additional employment lands secondary to those lands dedicated through the growth plan targets;*

*That the outcomes be shared with planning staff at the local, regional and provincial level;  
and*

*That a copy of this Memorandum and motion be shared with the Region of Peel, the Honourable Caroline Mulroney, Minister of Transportation, the Honourable Sylvia Jones, Solicitor General / MPP Dufferin-Caledon and the Ontario Trucking Association.*

A copy of the staff Memorandum as well as the motion is enclosed for reference.

For more information regarding this resolution, please contact the undersigned by email to [mayor@caledon.ca](mailto:mayor@caledon.ca) or by phone at 905.584.2272 ext. 4155

REFERRAL TO \_\_\_\_\_  
RECOMMENDED \_\_\_\_\_  
DIRECTION REQUIRED \_\_\_\_\_  
RECEIPT RECOMMENDED ☒

**THE CORPORATION OF THE TOWN OF CALEDON**

6311 Old Church Road, Caledon East, Caledon, ON, Canada L7C 1J6  
T. 905.584.2272 | 1.888.225.3366 | F. 905.584.1444 | [www.caledon.ca](http://www.caledon.ca) | [allan.thompson@caledon.ca](mailto:allan.thompson@caledon.ca)



*Allan Thompson*  
*Mayor*

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Thank you for your attention to this matter.

Sincerely,

Allan Thompson  
Mayor

Cc: Honourable Caroline Mulroney, Minister of Transportation, [minister.mto@ontario.ca](mailto:minister.mto@ontario.ca)  
Honourable Sylvia Jones, MPP Dufferin-Caledon, [sylvia.jones@pc.ola.org](mailto:sylvia.jones@pc.ola.org)  
Stephen Laskowski, President, Ontario Trucking Association, [stephen.laskowski@ontruck.org](mailto:stephen.laskowski@ontruck.org)  
Mark Sraga, Director, Building and Municipal Law Enforcement, [mark.sraga@caledon.ca](mailto:mark.sraga@caledon.ca) Ed  
Sajecki, Director, Planning / Chief Planner, [ed.sajecki@caledon.ca](mailto:ed.sajecki@caledon.ca)

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Moved by: Councillor J. Downey      Seconded by: Councillor C. Early

That the Proactive Land Use Enforcement Task Force be directed to engage industry partners in a roundtable format to investigate public and private sector solutions to the lack of available parking for commercial vehicles and report back the outcomes, including the need for additional employment lands secondary to those lands dedicated through the growth plan targets;

That the outcomes be shared with planning staff at the local, regional and provincial level; and

That a copy of this Memorandum and motion be shared with the Region of Peel, the Honourable Caroline Mulroney, Minister of Transportation, the Honourable Sylvia Jones, Solicitor General / MPP Dufferin-Caledon and the Ontario Trucking Association.

**Carried.**

RECORDED VOTE	YES	NO	CONFLICT	ABSENT
Councillor I. Sinclair	X			
Councillor T. Rosa	X			
Councillor J. Innis	X			
Councillor C. Early	X			
Mayor A. Thompson	X			
Councillor L. Kiernan	X			
Councillor J. Downey	X			
Councillor N. deBoer	X			
Councillor A. Groves	X			
<b>TOTAL</b>	9			

# Memorandum

Date: December 14, 2021

To: Members of Council

From: John DeCourcy, Manager, Municipal Law Enforcement Services and Dain Watson, Analyst, Municipal Law Enforcement Services

Subject: Update on Enforcement Efforts of the Illegal Land Use Enforcement Team

The purpose of this memo is to provide an update to members of Council on the enforcement efforts of the Illegal Land Use Enforcement Team.

## **Background**

In 2019, staff were approved by Council to implement an Illegal Land Use Enforcement Team (Enforcement Team) with the objective of addressing the growing illegal land use issues related to the parking and storage of tractor trailers and commercial vehicles. This includes all property types in the Town, both those of a smaller scale (e.g., one or two trucks parked on rural properties), as well as those properties with a larger commercial operation. To effectively address the scope and scale of the issue, it was determined that staff would take a proactive approach to identify properties where the parking and storage of tractor trailers and commercial vehicles exist and engage in education and enforcement, rather than relying solely on a complaint-based method.

## **Education and Communication Strategy**

As part of the initiative to address the illegal land use issue, staff engaged with an external consultant to develop a public education and strategic communications strategy. The objective of the strategy is to effectively educate external stakeholders and property owners on the Town's land use policies and Zoning By-law; the types of properties in which the parking and storage of tractor trailers and commercial vehicles are permitted; the processes that must be followed to be in compliance; and updated enforcement efforts undertaken by enforcement staff assigned to this initiative. Staff retained the services of the consultant to begin implementation of the strategy which includes developing and engaging a roster of local influencers (e.g., prominent trucking companies and real estate agents) to drive awareness of the issue amongst their own audiences; creating educational materials that are accessible and easy to understand such as an explanation guide to the Zoning By-law and creating general public information materials to be disseminated through local media and the Town's social channels to drive awareness.

## Enforcement Efforts

Due to the Covid-19 Pandemic, implementation of the proactive enforcement efforts, including recruitment of officers was delayed until summer 2021. In July 2021, two (2) existing Municipal Law Enforcement Officers were assigned as the dedicated officers to the Enforcement Team. These additional resources allowed for the commencement of the proactive enforcement efforts. Initially there were believed to be over three hundred (300) properties identified of having at least one tractor trailer or commercial vehicle parked or stored on it. Officers have re-inspected all of these locations and have confirmed that there are approximately one hundred and eighty (180) properties in which at least one tractor trailer or commercial vehicle is parked or stored. Depending on the severity of the By-law contraventions different enforcement actions are being employed to achieve compliance with the Town's By-laws. These enforcement actions include the following; issuance of letters notifying the property owner of the Zoning contraventions, issuance of tickets, laying of charges, seeking court injunctions. Along with these actions, in instances where new entrances are created without a permit on the Town's right-of-way, further enforcement actions such as placing concrete barriers on the Towns right-of-way may be undertaken. The enforcement efforts by the Officers in regards to the initial forty-four (44) properties being investigated has resulted in voluntary compliance being achieved with eighteen (18) of these properties, and the remainder are being pursued and are either under active investigation or prosecution.

While investigating matters directly related to illegal land use, officers may identify and pursue any other Town by-law violations and utilize other enforcement action tools to achieve compliance. In order to achieve the overall enforcement objective of compliance with the Town's By-laws, meaningful financial penalties for those property owners who willfully ignore the Town's By-laws will be sought. This includes officers utilizing the higher fine amounts recently approved by the Ministry of the Attorney General for Part I tickets issued for Fill By-law contraventions as well as employing additional investigative techniques to provide stronger evidence for consideration by the courts to support the strongest sentencing possible when Part III type charges are pursued. Sentencing, including the determination of fine amounts, is at the sole discretion of the Justice of the Peace who is hearing the matter and the strongest possible evidence is required in order to achieve any significant financial penalties that may be recommended by prosecutors at the time of sentencing..

## Current Challenges

It is important to note that there are several challenges while pursuing compliance amongst non-compliant property owners. Prosecution matters can typically take months and sometimes years to resolve. This has been compounded by the current delays in the Provincial Offences Courts as a result of the Covid-19 Pandemic, which has caused prosecution matters to be dealt with at an even slower pace. While the two (2) allocated Municipal Law Enforcement Officers have achieved compliance with eighteen (18) properties, it will take some time to achieve success with many of the other properties throughout the Town. This is especially the case considering the financial incentive for some property owners who have large scale illegal operations, as the profits being earned significantly outweighs the penalties they face as a result of being non-compliant. As such, compliance may not be achieved with some of the of these properties until there is either significant financial burden from being non-compliant

or other legal enforcement remedies can be achieved such as Prohibition Orders or injunctions. Regarding possible financial penalties that a Justice of the Peace may levy against anyone found guilty of contravening the Town's Zoning By-law, the *Planning Act* establishes the maximum fine amounts and they are as follows;

- A person is liable to a fine of not more than \$25,000 upon first conviction and on a subsequent conviction, not more than \$10,000 for each day in which the contravention has continued after the day in which the person was initially convicted.
- Alternatively, a corporation is liable to fines of not more \$50,000 upon first conviction and not more than \$25,000 for each day in which the contravention has continued after the day in which the person was initially convicted.

It should be noted that directors or officers of corporations can also be charged and if found guilty of the charges they would be subject to the same penalty provisions as a person.

Even though it will take time to achieve compliance with some of the more flagrant contraveners, staff will utilize all of the enforcement tools provided for in the *Planning Act* along with other legal remedies as we work towards achieving compliance amongst these non-compliant property owners.

## **Next Steps**

While the initial focus for the current enforcement efforts has been mainly in the southern portion of Caledon where the majority of these illegal operations exist, officers will continue to proactively identify and investigate all properties where the parking and storage of tractor trailers and commercial vehicles exists and will be gradually expanding the enforcement radius to address the illegal land use issues throughout the Town.

## **Attachments**

Schedule A: Map of Properties Inspected by Officers

# Schedule A - Map of Properties Inspected by Officers

