

Staff Report 2020-0033

Meeting Date: February 11, 2020
Subject: Proactive Land Use Enforcement Task Force Work Plan
Submitted By: Laura Hall, Acting General Manager, Corporate Services

RECOMMENDATION

That the following members of Council be selected to participate in the Proactive Land Use Enforcement Working Group in accordance with the Proactive Land Use Enforcement Work Plan outlined in Staff Report 2020-33:

REPORT HIGHLIGHTS

- This report presents a Work Plan, including three phases, to guide the implementation and operation of the Proactive Land Use Enforcement Task Force (the “Task Force”)
- Beginning spring 2020, Phase 1 will include the establishment of a Working Group to review and implement a communication and education strategy to be developed by an external consultant
- Through Phase 2, the staffing recruitment component of the proactive enforcement phase will begin in the spring and enforcement of illegal land use is anticipated to begin between summer and fall 2020
- Staff are recommending that two members of Council be selected to participate in the Working Group

DISCUSSION

Background

Over the past several years, illegal parking and storage of tractor trailers and other commercial vehicles has become common in southern areas of the Town and, over time, is spreading throughout the municipality. At the direction of Council, Staff provided a memo at the December 10, 2019 General Committee of the Whole Budget meeting which outlined options to address this increasing illegal land use. Members of Council chose to proceed by establishing a dedicated and proactive enforcement Task Force. Therefore, the purpose of this report is to present a Work Plan which will guide both the implementation and ongoing operations of the Task Force.

2020 Work Plan

To ensure that the Work Plan is carried out effectively, it is separated into three key phases which each focus on a specific aspect. Further, anticipated timelines are provided to outline how these phases will be implemented to achieve a systematic approach.

Phase 1 – Communication and Education Strategy

Providing education on legal and appropriate land uses, spreading awareness of the new Task Force and communicating Town expectations to key stakeholders is crucial for successful enforcement. This approach may foster voluntary compliance and supports prosecution efforts where compliance is not achieved. Therefore, Phase 1 will focus on:

- retaining an external consultant to develop a comprehensive communication and education strategy; and
- carrying out this strategy through the Working Group.

Upon approval of the Task Force, internal discussion began to assemble a Working Group. In addition to the General Manager, Strategic Initiatives, Staff from Regulatory Services and Planning & Development will participate to ensure expertise in communications, enforcement and zoning respectively. While it is recommended that two members of Council be included to provide oversight and ongoing input, additional members, though no more than four, may be added and prove to be valuable. The Working Group, as defined, is not a Committee of Council. Meetings will be scheduled by staff in Regulatory Services. Council members participation will be specific to the implementation of the tactics related to the Education and Communication campaign.

Staff will retain an external consultant to develop the communication and education strategy. The purpose of the strategy will be to identify key stakeholders (i.e. trucking industry experts, property owners and realtors) and determine best methods for reaching them such as through public meetings, roundtables or distribution of educational materials. The key role of the Working Group will be to review and provide feedback on the strategy proposed by the consultant and, once finalized, to carry it out by engaging in stakeholder consultation.

It is anticipated that Working Group meetings will begin late February 2020 and that the group will dissolve by the fall upon completion of the public engagement process and initiation of the proactive enforcement phase.

Phase 2 – Proactive Enforcement

Recruitment of Task Force Membership

For the Task Force to successfully achieve a holistic approach from investigation to prosecution, Council approved four new positions including an additional Assistant Town Solicitor, Zoning Administrator and two Senior Municipal Law Enforcement Officers

(MLEOs). Positions will be advertised in spring 2020 and the recruitment process will take place concurrent with the communication and education strategy.

Proactive Enforcement Process

Once all members of the Task Force are in place and training is complete, enforcement is anticipated to begin between summer and fall 2020. MLEOs will proactively patrol working to systematically identify and investigate illegal parking and storage of tractor trailers and commercial vehicles. The Zoning Administrator will support investigations by providing expert advice to substantiate infractions and manage applications for variances and legal non-conforming use resulting from proactive enforcement. Finally, the Assistant Town Solicitor will be responsible for prosecuting cases through Provincial Offences Court and will manage related civil litigation including seeking injunctions and contempt citations for large scale operations.

Where illegal land use is not ceased upon a successful prosecution and a fine being exacted, the Task Force will immediately reinitiate the above enforcement process against the same party until compliance is achieved. It is anticipated that several prosecutions against a person may be necessary to increase fines and impose a financial burden significant enough to resolve illegal activity.

Phase 3 – Tracking and Reporting Progress

To monitor success, the Task Force will track key statistics such as numbers of properties investigated, planning applications initiated and successful prosecutions. Periodic updates will be provided to Council to ensure members are apprised of the Task Force’s progress.

FINANCIAL IMPLICATIONS

There are no immediate financial implications associated with this report. Funding for the Proactive Land Use Enforcement Task Force project was approved as part of the Town’s 2020 budget.

COUNCIL WORK PLAN

Connected Community – Discourage non-agricultural storage on rural land.

ATTACHMENTS

None.