

Municipalities across Ontario face significant obstacles under the current court system to prosecute illegal truck depots. The Town of Halton Hills' experience illustrates this issue.

IMPACTS OF ILLEGAL TRUCK DEPOTS

- **Cost** (substantial legal fees)
- **Time** (significant staff time)
- **Safety** (illegal road entrances & buildings)
- **Contamination of agricultural & future industrial or residential land**
- **Nuisance Issues** (noise, dirt, dust & water runoff)



THE HALTON HILLS EXPERIENCE:

50+ illegal truck depots

- **40+** active investigations
- **80+** charges for **10+** properties before the provincial courts
- Prosecution costs: **100+** hours of staff time & significant legal fees
- Average resolution/prosecution time per property: **2-5 years**
- Successful prosecutions - largest fine: **\$115k** (does not cover costs - tax payers fund the difference)



Proposed resolution: amend Section 67 of the Planning Act to allow the use of the administrative penalty system (AMPS) as an alternative to the current Provincial Offences Act.

Benefits of using AMPS instead of the Provincial Offences Act (see reverse for more details)

- Reduces resolution time per property
- Reduced prosecution time
- Reduced prosecution cost
- Reduces pressure on court system
- Early deterrence and compliance

Why an Administrative Penalty System for Ontario's Planning Act Would Lead to Faster Enforcement

1. Avoids Long Court Processes

Oftentimes, under the current system, municipalities go to court to enforce the Planning Act – a process that can take months or years due to delays and legal complexities. An administrative penalty system lets municipalities issue penalties directly for violations, such as unauthorized land use, so that issues can be resolved in days or weeks without going to court.

2. Quick Deterrence and Compliance

Administrative penalties provide immediate financial consequences for violators which encourages property owners to fix problems quickly to avoid higher penalties. Unlike court enforcement, which may take time to impose penalties, immediate penalties encourage swift compliance with rules like zoning and construction permits.

3. Simplified Administrative Process

An administrative penalty system relies on municipal or provincial authorities that use set steps to assess and impose penalties. This system cuts out the lengthy legal process, allowing enforcement officers to resolve issues efficiently, often within a single review or appeal process within weeks rather than months.

4. Encourages Compliance

The threat of immediate penalties encourages landowners to follow Planning Act requirements from the start, such as obtaining the correct permits. This type of proactive compliance lowers the need for enforcement actions, allowing municipalities to focus on serious cases and resolve them faster.