



COUNCIL INFORMATION PACKAGE

SUMMARY

OCTOBER 6, 2023

1. **C-2023-339**
Correspondence dated September 27, 2023 from the City of Niagara Falls respecting a resolution passed regarding keeping Paul Bernardo in a maximum security placement.
2. **C-2023-340**
Correspondence dated September 27, 2023 from the County of Brant respecting a resolution of the Town of Grimsby's resolution regarding Guaranteed Livable Income.
3. **C-2023-341**
Correspondence dated September 28, 2023 from the Town of Wasaga Beach to the Premier of Ontario respecting a resolution regarding Illegal Car Rallies.
4. **C-2023-342**
Correspondence dated October 3, 2023 from the Ministry of Natural Resources and Forestry respecting Legacy Oil & Gas Wells Municipal Working Group.
5. **C-2023-343**
Correspondence dated October 3, 2023 from the Town of Whitchurch-Stouffville to The Honourable Doug Ford, Premier of Ontario respecting a resolution regarding support of the correspondence from the Township of Puslinch and Town of Caledon, re: Illegal Land Use Enforcement
6. **C-2023-344**
Correspondence dated October 3, 2023 from Analia Davis on behalf of The Women of Ontario Say No respecting a requesting a resolution be passed regarding workplace safety and accountability for violence and harassment in the workplace.
7. **C-2023-345**
Correspondence dated September 19, 2023 from the Township of Alnwick/Haldimand respecting a resolution of support of the Town of Grimsby's resolution respecting Establishing a Guaranteed Livable Income.
8. **C-2023-346**
Correspondence received from the Niagara Region respecting a motion regarding Recommendations from the Renfrew County Inquest and Declaration of Intimate Partner Violence as an Epidemic and Declaration of Intimate Partner Violence as an Epidemic.



September 27, 2023

Office of the City Clerk

SENT ELECTRONICALLY

Tony Baldinelli, MP
Wayne Gates, MPP

Re: Support for Keeping Paul Bernardo in Maximum Security Placement

Niagara Falls City Council, at its meeting held on September 12, 2023, passed the following resolution:

THAT the Mayor **BE REQUESTED** to prepare and send a letter to Corrections Canada, local area Members of Parliament, expressing support for keeping Paul Bernardo in a maximum security placement.

A copy of the letter sent to Commissioner Anne Kelly is attached herein.

Sincerely,

Bill Matson
City Clerk, City of Niagara Falls

CC: Niagara's Local Area Municipalities

Mayor Jim Diodati



City Hall
4310 Queen Street
P.O. Box 1023
Niagara Falls, ON L2E 6X5
web site: www.niagarafalls.ca
(905) 356-7521 Ext. 4201
Fax: (905) 374-3357
jdiodati@niagarafalls.ca

September 27, 2023

Commissioner Anne Kelly
Correctional Service Canada
340 Laurier Ave W.
Ottawa, ON K1A 0P9

Dear Commissioner:

Re: Support for Keeping Paul Bernardo in Maximum Security Placement

I am writing to express the unwavering support of the City of Niagara Falls in favor of keeping Paul Bernardo in a maximum-security placement within the Correctional Service Canada system. As the Mayor of the City of Niagara Falls, I represent a community deeply affected by the heinous crimes committed by Mr. Bernardo and remain committed to advocating for the safety and well-being of our residents.

The gravity of Mr. Bernardo's crimes, and the devastating impact they had on the lives of innocent individuals and their families, cannot be understated. Our community, along with the wider Niagara region, continues to bear the scars left by these reprehensible actions. It is of utmost importance that we prioritize public safety and ensure that those who pose a significant risk to society are appropriately confined and monitored.

We acknowledge that decisions regarding the placement of individuals within the correctional system require a comprehensive evaluation of various factors, including the level of risk they present and the potential for harm to others. In the case of Paul Bernardo, his past actions and the severity of his offenses demand the highest level of security to safeguard our community from any potential danger.

Furthermore, we are aware that public safety is a shared responsibility among different levels of government and local communities. To that end, I am copying Niagara's local area municipalities on this letter to ensure that they are aware of our stance and, should they feel inclined, join us in expressing their support for keeping Mr. Bernardo in a maximum-security placement.

The residents of the City of Niagara Falls and the Niagara Region deserve to live in an environment where they feel safe and secure. We trust that you will carefully consider the concerns of our community, along with the collective voices of others within the Niagara Region, when making any decisions regarding the placement and management of Paul Bernardo.

Thank you for your attention to this matter. We look forward to a response and remain committed to working with you to ensure the safety and well-being not only of our community, but all communities across Canada.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Diodati". The signature is fluid and cursive, with a large initial "J" and "D".

Jim Diodati
Mayor, City of Niagara Falls

CC: [Niagara's Local Area Municipalities]



September 27, 2023

to Whom it May Concern

Re: Support for Motion RE: Guaranteed Livable Income

At the meeting of September 26, 2023, the Council of the County of Brant adopted the following resolution in support of the September 5th resolution passed by the Town of Grimsby on Guaranteed Livable Income :

“Whereas the Canadian livable wage for the Brant—Niagara—Haldimand—Norfolk Region, two years ago was determined to be \$19.80. This was \$6000 above the annual income of a minimum wage employee; and

Whereas County of Brant residents on programs such as Ontario Works, receive targeted fixed monthly incomes of \$733, and ODSP recipients receive \$1376; and

Whereas at the current Ontario minimum wage rate, a person working 37.5 hours per week will earn approximately \$2,500 monthly (before tax); and

Whereas the median rent for one bedroom in the County of Brant as of 2022 was \$1143.90 a month, and the County of Brant does not have current AMR for September 2023; and

Whereas rent is considered affordable, when it is less than 30% of income. In the County of Brant, rent is approximately 156% of Ontario Works, 83.13% of Ontario Disability Support Services, 45% of minimum wage full-time (before tax), and 90% of minimum wage part time; and

Whereas an annual 2.5% allowable rent increase can be combined with an additional 3-6.5% capital investment increase, raising the cost of rental housing another minimum of \$110 monthly; and

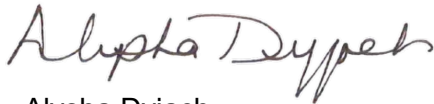
Whereas the recent report by the County of Brant Policy Planning and Corporate Strategy departments determined that the County of Brant has serious shortfalls in both affordable and attainable housing supply;

Therefore be it resolved the County of Brant supports the resolution shared by the Town of Grimsby; and

Be it further resolved that The County of Brant circulate correspondence to Ontario municipalities encouraging them not only to collect data of their housing and poverty statistics, but also to examine their pending economic vulnerability as a result; and

Be it further resolved that The County of Brant encourage these same municipalities to join the County of Brant in advocating on behalf of our communities with this data, and by writing a letter to the Prime Minister, Premier, and local politicians calling for a united effort in establishing a Guaranteed Livable Income program.”

Respectfully,

A handwritten signature in cursive script that reads "Alysha Dyjach".

Alysha Dyjach
Director of Council Services, Clerk
County of Brant



TOWN OF WASAGA BEACH

30 Lewis Street, Wasaga Beach
Ontario, Canada L9Z 1A1

Tel (705) 429-3844
Fax (705) 429-6732

mayor@wasagabeach.com

September 28, 2023

Premier of Ontario
Legislative Building
Queen's Park
Toronto ON M7A 1A1

BY EMAIL ONLY

Dear Premier Ford,

RE: Illegal Car Rally – Provincial Task Force

Please be advised that the Council of the Town of Wasaga Beach, during their September 14, 2023 Council meeting adopted the following resolution regarding illegal car rallies:

WHEREAS the prevalence of unsanctioned car rally events has grown in recent years throughout North America;

AND WHEREAS the Town of Wasaga Beach has been the target of unsanctioned car rallies over the past four years resulting in property damage, threats to public order, and significant risk to people's safety and enjoyment of their property;

AND WHEREAS the protections afforded by the Canadian Charter of Rights and Freedoms are being violated by unsanctioned car rally organizers and participants, thereby infringing on the rights of others and undermined the response of enforcement personnel;

AND WHEREAS unsanctioned car rally activity crosses multiple jurisdictions requiring a province wide coordinated response framework to protect all communities from the same disruption and risk to public safety;

THEREFORE BE IT RESOLVED THAT the Town of Wasaga Beach requests that a provincial task force be assembled to create a municipal response framework to protect communities from unsanctioned car rallies with a mandate to include, but not limited to:

- Investigate legislative enhancements and tools to assist municipalities in responding and enforcing unsanctioned car rallies.
- Investigate expanded powers for municipal law enforcement officers.
- Develop a proactive approach to awareness, prevention, enforcement and collaboration across all enforcement personnel, including police, municipal law enforcement officers and other provincial offences officers.
- Investigate harsher penalties and increased fines for unsanctioned car rally organizers and participants.

AND FURTHER THAT the Province provide funding to municipalities to assist with the cost in enforcing unsanctioned car rallies;

AND FURTHER THAT a copy of this Resolution be sent to the Right Honourable Prime Minister Justin Trudeau, Honourable Doug Ford, Premier of Ontario, the Honourable Michael Kerzner, Solicitor General of Ontario, the Honourable Doug Downey, Attorney General of Ontario, the Honourable Paul Calandra, Minister of Municipal Affairs and Housing, the Honourable Prabmeet Sarkaria, Minister of Transportation, MPP Brian Saunderson, Commissioner of the Ontario Provincial Police, County of Simcoe, FCM, and AMO;

AND FURTHER THAT a copy of this resolution be sent to all Ontario municipalities requesting a letter of support be sent to senior levels of government.

Your favourable consideration of this matter is appreciated.

Should you have any questions, please contact me at mayor@wasagabeach.com or (705) 429-3844.

Respectfully yours,



Brian Smith, Mayor Town of Wasaga Beach

cc: Right Honourable Prime Minister Justin Trudeau
Hon. Michael Kerzner, Solicitor General of Ontario
Hon. Doug Downey, Attorney General of Ontario
Hon. Paul Calandra, Minister of Municipal Affairs and Housing
Hon. Prabmeet Sarkaria, Minister of Transportation
Brian Saunderson, MPP – Simcoe-Grey
Commissioner Thomas Carrique, Ontario Provincial Police
County of Simcoe Council
Federation of Canadian Municipalities
Association of Municipalities of Ontario
Ontario Municipalities

**Ministry of Natural Resources
and Forestry**

Strategic Petroleum Initiatives
Section
Divisional Delivery Branch
Regional Operations Division
300 Water Street, 5S
Peterborough, ON K9J 3C7

**Ministère de Richesses naturelles
et des Forêts**

Section des initiatives stratégiques
pétrolières
Direction divisionnaire de la prestation
Division des opérations régionales
300, rue Water, 5S
Peterborough, ON K9J 3C7



October 3, 2023

Dear CAOs:

RE: LEGACY OIL & GAS WELLS MUNICIPAL WORKING GROUP

The Strategic Petroleum Initiatives Section of the Ministry of Natural Resources and Forestry (MNR) is establishing a municipal working group to support the development of the government's comprehensive action plan to address risks from legacy oil and gas wells and subsurface gas migration hazards. The development of the action plan focuses on increasing our understanding of risks, identifying actions to reduce risks, and supporting measures to enhance emergency preparedness.

The municipal working group would provide an opportunity for municipalities to provide specific input to the ministry on a number of initiatives currently underway or being planned, including:

1. Resources for municipalities/landowners – Identification of tools needed to best support municipalities and how best to reach their residents.
2. Template Emergency Response Plan – Development of an emergency response plan template specific to petroleum emergencies for municipalities to incorporate into their required Emergency Management Plans.
3. Enhanced Emergency Preparedness – Increasing provincial-municipal and local connections and relationships can foster a collaborative delivery of Emergency Response.
4. Development Near Oil and Gas Wells – Developing technical advice that would support municipalities as they review planning applications, Official Plans and the use of by-law making authority to address risks from development near or associated with oil and gas wells.

To initiate the Working Group, we will be hosting a meeting October 25, 2023, from 2 -3 pm with municipalities interested in participating. Interested municipalities should reach out to Kathryn Baker (kathryn.baker@ontario.ca) to identify a representative and request a meeting invitation. Moving forward, the Working Group will be seeking the

input of municipal experts in emergency management, planning, and environment/operations to inform the development and implementation of ministry initiatives.

We look forward to our continuing engagement with municipalities in southwestern Ontario as valuable partners as we work together to address the complex challenges associated with legacy oil and gas wells. As always, if you have any questions or concerns don't hesitate to reach out if you have any questions.

Regards,



Annie Siddiqi
Acting Manager, Strategic Petroleum Initiatives Section

Cc: Jennifer Barton, Assistant Deputy Minister, Regional Operations Division
Kathryn Baker, Strategic Petroleum Initiatives Section



111 Sandiford Drive
Stouffville, Ontario
L4A 0Z8

t: 905-640-1900
tf: 855-642-TOWN
townofws.ca

October 3, 2023

The Honourable Doug Ford, Premier of Ontario
Premier's Office, Room 281
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Delivered by email
premier@ontario.ca

Dear Premier:

Re: Town of Whitchurch-Stouffville Council Resolution of September 27, 2023, Re: Correspondence from Township of Puslinch and Town of Caledon, re: Illegal Land Use Enforcement

Please be advised that this matter was considered by Council at its meeting held on September 27, 2023, and in this regard, Council passed the following resolution:

WHEREAS the Town of Whitchurch-Stouffville Council supports the resolution from the Town of Caledon regarding illegal land use enforcement; and

WHEREAS the Town of Whitchurch-Stouffville recognizes that combatting illegal land use enforcement effectively is challenging, and an issue of municipal importance; and

WHEREAS the Town of Whitchurch-Stouffville recognizes that illegal land use has a negative impact on local residents and the surrounding area; and

WHEREAS the Town of Whitchurch-Stouffville believes that the tools currently available to municipalities under the Municipal Act are insufficient to combat illegal land uses; and

THAT Council direct Staff to send a support resolution accordingly.

THEREFORE, the Town of Whitchurch-Stouffville passes this resolution regarding Illegal Land Use Enforcement:

THAT the Province be requested to strengthen municipal enforcement powers by:

- Amending the Municipal Act to enable municipalities to physically bar entry to properties where illegal land uses that have significant detrimental impacts on adjacent residential properties, the environment or create unsafe situations; and
- Increasing the maximum penalty amounts in the Planning Act to \$50,000 for an individual upon conviction and on a subsequent conviction, not more than \$25,000 for each day in which the contravention has continued after the day in which the person was initially convicted; and

- Including provisions to ensure a corporation is liable to fines of not more \$100,000 upon first conviction and not more than \$50,000 for each day in which the contravention has continued after the day in which the corporation was initially convicted.

THAT a copy of this report be provided to the Honourable Doug Ford, Premier of Ontario, the Honourable Paul Calanda, Minister of Municipal Affairs and Housing, the Honourable Sylvia Jones, MPP, Dufferin-Caledon; the Honourable Doug Downey, Attorney General of Ontario; and

THAT a copy of this report be provided to the municipalities within the Greater Golden Horseshoe area seeking support in the request for strengthened enforcement powers to combat significant illegal land uses negatively impacting communities across Ontario and to the Association of Municipalities of Ontario (AMO) and Rural Ontario Municipal Association (ROMA).

The above is for your consideration and any attention deemed necessary.

Kind regards,

Monica Beattie

Monica Beattie
Senior Clerk's Coordinator

Attachment

Copy: Hon. Paul Calanda, Minister of Municipal Affairs and Housing
Hon. Sylvia Jones, MPP, Dufferin-Caledon
Hon. Doug Downey, Attorney General of Ontario
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities
Rural Ontario Municipal Association (ROMA)

Staff Report 2023-0327

Meeting Date: June 6, 2023

Subject: Illegal Land Use Enforcement Update

Submitted By: Mark Srage, Director, Building Services and Municipal Law Enforcement

RECOMMENDATION

That the Illegal Land Use Enforcement Taskforce's mandate be expanded to include other types of illegal land uses and not solely on illegal trucking land uses; and

That the Province be requested to strengthen municipal enforcement powers by:

- Amending the *Municipal Act* to enable municipalities to physically bar entry to properties where illegal land uses that have significant detrimental impacts on adjacent residential properties, the environment or create unsafe situations;
- Increasing the maximum penalty amounts in the *Planning Act* to \$50,000 for an individual upon conviction and on a subsequent conviction, not more than \$25,000 for each day in which the contravention has continued after the day in which the person was initially convicted; and
- Including provisions to ensure a corporation is liable to fines of not more than \$100,000 upon first conviction and not more than \$50,000 for each day in which the contravention has continued after the day in which the corporation was initially convicted.

That a copy of this report be provided to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable Sylvia Jones, MPP, Dufferin-Caledon; and

That a copy of this report be provided to the municipalities within the Greater Golden Horseshoe area seeking support in the request for strengthened enforcement powers to combat significant illegal land uses negatively impacting communities across Ontario and to the Association of Municipalities of Ontario (AMO) and Rural Ontario Municipal Association (ROMA).

REPORT HIGHLIGHTS

- Constant and undeterred enforcement efforts by both the Municipal Law Enforcement Division and the Legal Services Division is achieving the results that were envisioned when Council approved the creation of this dedicated enforcement effort.

- The Town has been successful in pursuing injunctions through the courts and will continue utilizing this enforcement mechanism for property owners that do not come into compliance to the Town's By-laws through normal enforcement actions.
- Land use permissions and performance standards should be developed and enacted through the Town's Zoning By-law to permit and regulate the creation of legal truck storage facilities.
- Advocacy with the Ministry of Municipal Affairs and Housing is necessary to secure additional enforcement powers that are needed to provide more effective and cost-efficient enforcement of municipal land use B-law with respect to illegal land use.
- That the Illegal Land Use Enforcement Taskforce (Trucking) expand its mandate to include other types of illegal land uses including but not limited to event centres, institutional uses and places of worship.

DISCUSSION

Background

In 2019, staff were approved by Council to implement an Illegal Land Use Enforcement Taskforce 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 rather than relying solely on a complaint-based method and engage in education and enforcement. The dedicated resources allocated for this initiative included the following staff compliment; two (2) Municipal Law Enforcement Officers, one (1) assistant Town Solicitor and one (1) coordinator. Due to the Covid-19 Pandemic, implementation of this dedicated staff group was delayed until July 2021. Since that time, they have been actively involved in undertaking proactive educational and enforcement efforts.

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 in consultation with our Communications staff. 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 on which the parking and storage of tractor trailers and commercial vehicles are permitted; the processes that must be followed to be in compliance with the applicable regulations; and updated enforcement efforts undertaken by enforcement staff assigned to this initiative. The result of this effort was the creation of a guide that provides an easy-to-understand explanation of the Zoning By-laws as it

relates to truck parking and storage along with the actions being taken by the Town with respect to enforcing these rules.

Along with the production of this guide, staff continue to utilize a variety of communication tactics to help inform residents and operators of illegal truck storage facilities of the rules and consequences for violating the Town's By-laws. These efforts include:

- a month-long radio campaign on Parvasi radio,
- resident focused social media campaign,
- numerous media releases highlighting successful outcomes through the courts
- media interviews and responses

Enforcement Efforts

As previously referenced the commencement of proactive enforcement efforts began in July 2021 with the Officers conducting inspections on properties that had been previously identified by residents or Town staff as possibly having illegally stored trucks. Since then, Officers have investigated over 310 properties for potential illegal truck storage violations occurring (see Figure 1 for illustration of location of properties investigated).

Figure 1: Location of properties investigated



Over 137 enforcement actions have been commenced because of these investigations. Depending on the severity of the By-law contraventions different enforcement actions were employed to seek compliance with the Town's By-laws. These enforcement actions

include the issuance of letters notifying the property owner of the By-law contravention(s), issuance of tickets, laying of charges or seeking court injunctions. While voluntary compliance has been achieved for some of the properties there are 36 properties where the matters are still before the courts.

While the overall enforcement objective is to achieve compliance with the Town's By-laws, the Town seeks meaningful financial penalties for those property owners who willfully ignore the Town's By-laws or do not voluntarily come into compliance. Through the combined efforts of the Officers (who are employing additional investigative techniques to provide stronger evidence) and Legal staff (who can educate and demonstrate in Court of the severity of these offences) the Courts are now imposing very significant fine amounts when a defendant is found guilty of a violation related to an illegal trucking operation. The Courts have the sole discretion in determining the fine amounts and staff have been successful in achieving fine amounts between \$35,000 - \$50,000 dollars which is the maximum amount prescribed in the *Planning Act*. To date the total amount of fines levied by the courts has been over \$350,000.00. Along with these significant fine amounts the Courts are also starting to issue Prohibition Orders. Prohibition Orders are a Court directive for the convicted party to cease using the property in noncompliance with the Order effective the date the Order is issued. Should the prohibition use continue then the Enforcement Team may lay charges for failing to comply with an Order, which would result in fines that could be imposed daily. This can result in significant consequences for the owner/operator as these daily fines can become financially onerous depending on how long the property remains noncompliant.

In addition to these court charges the Town has been successful in obtaining Superior Court issued injunctions against some of the most egregious illegal trucking operations and to date there have been 3 successful court injunctions issued for the following properties:

- 6086 Mayfield Road
- 6186 Mayfield Road
- 6230 Mayfield Road (all illegally stored vehicles have been removed from this property – see Schedule A).

While these injunctions are a very powerful enforcement tool, they are very costly for the Town to instigate and carry through the Court systems and can in some instances be a slow process, taking up to a year or beyond to achieve a Superior Court decision and Order. Along with these Zoning related enforcement actions staff have also undertaken actions to achieve compliance with the Town's other By-laws, such as the Traffic By-law and the Fill By-law, where possible and warranted. This includes actions such as placing concrete barriers on the Town's right-of-way when illegal entrances have been created

(see Figure 2) with intent of preventing the continued unpermitted use of the Town's right-of-way or the removal of illegally placed fill.

Figure 2: Example of physical enforcement action



Along with physical actions being taken such as the placement of barriers or removal of illegally placed fill, another action undertaken to help reduce the cost advantage of operating illegally has been to inform the Municipal Property Assessment Corporation (MPAC) through Finance staff of changes in use of the property and have the property reassessed. Often, illegal operators are surreptitiously converting farm properties to commercial properties and by informing MPAC of the actual use of the property appropriate taxes can be levied, ensuring equal treatment for legal and illegal operators. To date there have been 25 properties reassessed and this has resulted in more than a \$384,000 increase in the tax levy for these properties; another 24 properties are still waiting to be reassessed. Staff also regularly inform our contacts at the Canadian Revenue Agency (CRA) of these operations as we have found that there is a significant amount of cash transactions between the vehicle operators storing their vehicles on the property and the operators of these yards. Staff also regularly communicate with other enforcement agencies such as the Toronto and Region and Conservation Authority (TRCA), Ontario Ministry of Transportation (MTO), Ministry of Environment, Conservation and Parks (MECP), and the Electrical Safety Authority (ESA) on these illegal operations and coordinate our enforcement efforts with them as much as possible.

Current Challenges and Solutions

Illegal land uses are not just restricted to illegal trucking operations/storage facilities but other uses such as event centres, institutional uses or places of worship are becoming more common in Caledon. These illegal uses all have significant impacts on adjacent property owners due to the disturbances created and non-compatibility with adjacent

residential properties or road safety. Therefore, it is recommended that this taskforce's enforcement mandate be expanded to include these other types of illegal land uses and not just focused solely on the illegal trucking land uses. While this change to the mandate will not have an immediate impact on the staff compliment it will re-enforce the work the team is doing and enable them to utilize their enforcement/legal skills on these complex files. The investigative and enforcement tools used for the illegal trucking uses are identical to the ones used for these other types of illegal uses and they are all regulated by the same provincial legislation and municipal regulations (ie. *Planning Act* and *Zoning By-law*) as well as the same enforcement challenges while pursuing compliance amongst non-compliant property owners.

Prosecution matters can typically take months and sometimes years to resolve and while the matter is being dealt with through the Courts, the illegal operation continues to make money for the operator. Also, while the fine amounts being ordered by the Courts are increasingly significant, for some of the larger illegal operations these fines are just considered the "cost of doing business". More robust and efficient enforcement measures are needed if the Town is to be successful in combatting these illegal operations. These suggested new enforcement measure need to include more significant financial penalties prescribed in the *Planning Act* including special fines provisions. Currently, the maximum fine amounts are as follows:

- An individual 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.
- 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 corporation 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 an individual.

In view of the revenues being generated from some of these large illegal operations the maximum fine amounts should be doubled, and special fine provisions like those found in the *Municipal Act* should also be introduced in the legislation. A special fine amount would enable a Court to levy a fine higher than the maximum amount prescribed in the legislation in circumstances where there has been an economic advantage or gain by violating the *Zoning By-law*. An example of this is in the Town's *Business Licensing By-law* which has a special fine provision that states, "a special fine equal to the amount of the economic gain may be imposed".

In addition to these increased fines the Town needs further enhanced enforcement powers including the authority for the municipality to bar entry to the property in circumstances where the illegal land use is occurring and it is having significant detrimental impacts on adjacent properties/occupants, the environment or creating unsafe situations such as traffic safety. These enhanced enforcement powers should be like the ones that currently exist in the provincial *Cannabis Control Act* in terms of that authority to issue a closure order along with the authority to physically block or restrict access to the property. Recognizing that this type of enforcement authority is very significant it is necessary to also have an appeal mechanism which property owners or tenants can avail themselves of when such orders and actions are taken, or the property owner has removed the illegal use. This appeal process should be through the Superior Court of Justice so that a hearing by a Judge can be held and the Judge should have the authority to confirm, modify or rescind a closure order. Implementation of such powers would be extremely effective and efficient in addressing illegal land uses such as the ones that are currently occurring in Caledon.

It needs to also be understood that even if the province was to implement these additional enforcement provisions there is a clear need for proper truck parking/storage facilities within the Town. Currently the Town's Zoning By-law does not permit such a use and considering the number of logistic facilities that have been constructed in the Town and the volume of new ones that are slated to be built both within and within proximity to the Town then this need will only continue to grow. Having clear land use designations in the most appropriate locations in the Town along with the necessary performance standards to mitigate the impacts these uses may have will help reduce the volume of illegal operations especially when combined with a very robust enforcement program regarding the illegal operations.

Recommended Advocacy to Combat Illegal Land Use Issues

Staff are recommending that the Town advocate to the Province to support municipalities in efforts to combat illegal land use issues through the following means:

- Amend the *Municipal Act* to enable municipalities to physically bar entry to properties where illegal land uses that have significant detrimental impacts on adjacent residential properties, the environment or create unsafe situations.
- Increase the maximum penalty amounts in the *Planning Act* to \$50,000 for an individual upon conviction and on a subsequent conviction, not more than \$25,000 for each day in which the contravention has continued after the day in which the person was initially convicted.
- Include provisions to ensure a corporation is liable to fines of not more \$100,000 upon first conviction and not more than \$50,000 for each day in which the

contravention has continued after the day in which the corporation was initially convicted.

Summary

Constant and undeterred enforcement efforts by both the Municipal Law Enforcement division and the Legal division is achieving the results that were envisioned when Council approved the creation of this dedicated Enforcement initiative. This success can be directly attributed to the professionalism and commitment of the staff and the leadership who have been assigned to this endeavour. Even though it will take time to achieve compliance with some of the more flagrant contraveners, staff will utilize all 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.

FINANCIAL IMPLICATIONS

Financial implications are contained throughout this report.

COUNCIL WORK PLAN

Subject matter is not relevant to the Council Workplan.

ATTACHMENTS

Schedule A: Illustration showing the successful enforcement action at 6230 Mayfield Road

Schedule A to Staff Report 2023-0327



Meredith Kirkham

From: Analia <analia@cogeco.ca>
Sent: October 3, 2023 2:53 PM
To: Meredith Kirkham
Subject: Agenda Action Correspondence

Good afternoon,

Please add this as ACTION CORRESPONDENCE to your next council meeting agenda as a matter of urgency.

Also, please email the outcome to thewomenofontariosayno.team@gmail.com

Dear Mayor and Councillors,

This request is from The Women of Ontario Say NO. A grassroots advocacy effort comprised of individuals, organizations, and community groups. We are committed to ensuring that locally elected officials are held accountable for violence and harassment in municipal workplaces. This advocacy stems from a number of egregious cases throughout the province including Ottawa, Barrie, and Mississauga. You can learn more on our website: <https://www.thewomenofontariosayno.com>

Many councillors will know that on May 31st, 2023, the government voted down Bill 5 – The Stopping Harassment and Abuse by Local Leaders Act. At that time 160 municipalities had endorsed their support for Bill 5. In 2021, the Association of Municipalities Ontario recommended changes to strengthen municipal codes of conduct for elected officials.

Again in 2023, after meetings with our group, the AMO issued a statement again calling on government to implement legislation change on this matter. AMO also provided sample resolution text for councils that wish to lend their support to this call: Codes of Conduct, Changes to Visible Fees, and Fees Charged to Beverage Producers | AMO These recommendations have still not been implemented.

We are calling on your municipality to be an active and engaged voice in your own workplace safety and that of the municipal staff in holding municipally elected representatives accountable for violence and harassment.

- We are therefore asking council to pass the attached motion of March 27, 2023, issued by AMO, calling for government legislation on this issue.
- We are requesting the motion include the communication that this legislation be prioritized for the fall of 2023 given the urgency of this issue.
- We are asking that a letter expressing support for the motion be sent to: The Premier, Local MPPs, Minister of Municipal Affairs, Associate Minister of Women's Social and Economic Opportunity, AMO and local municipalities.

We are counting on you as leaders to ensure your municipal workplace is safe and that there is basic human rights protection for all persons. This cannot wait any longer. This legislation needs to move ahead without any further delay. Thank you in advance for being open to advocating for legislative change that will help ensure workplaces and community spaces are safe for everyone!

If you have any questions, please reach out to me or directly to thewomenofontariosayno.team@gmail.com.

Sincerely,

Analia Davis

On Behalf of The Women of Ontario Say No

Legislative Amendments to Improve Municipal Codes of Conduct and Enforcement

Whereas, all Ontarians deserve and expect a safe and respectful workplace;

Whereas, municipal governments, as the democratic institutions most directly engaged with Ontarians need respectful discourse;

Whereas, several incidents in recent years of disrespectful behaviour and workplace harassment have occurred amongst members of municipal councils;

Whereas, these incidents seriously and negatively affect the people involved and lower public perceptions of local governments;

Whereas, municipal Codes of Conduct are helpful tools to set expectations of council member behaviour;

Whereas, municipal governments do not have the necessary tools to adequately enforce compliance with municipal Codes of Conduct;

Now, therefore be it resolved that (MUNICIPALITY NAME) supports the call of the Association of Municipalities of Ontario for the Government of Ontario to introduce legislation to strengthen municipal Codes of Conduct and compliance with them in consultation with municipal governments;

Also be it resolved that the legislation encompass the Association of Municipalities of Ontario's recommendations for:

- Updating municipal Codes of Conduct to account for workplace safety and harassment
- Creating a flexible administrative penalty regime, adapted to the local economic and financial circumstances of municipalities across Ontario
- Increasing training of municipal Integrity Commissioners to enhance consistency of investigations and recommendations across the province
- Allowing municipalities to apply to a member of the judiciary to remove a sitting member if recommended through the report of a municipal Integrity Commissioner
- Prohibit a member so removed from sitting for election in the term of removal and the subsequent term of office



The Township of Alwick/Haldimand

COUNCIL RESOLUTION


Council Meeting Date: **September 19, 2023**
Council Resolution Number: _____
Agenda Item Number: 10.1
Agenda Item Title: Communications "Establishing a Guaranteed Livable Income"

"Whereas the Council of the Township of Alwick/Haldimand reviewed the resolution supported by the Town of Grimsby re: 'establishing a guaranteed livable income';

Therefore be it resolved that Council directs staff to review the current salary grids for Township jobs and make recommendations during the 2024 Budget Process as to how an Eastern Ontario living wage could be established for any jobs that are below the living wage hourly salary, and the financial impact that would result; and

Further be it resolved that Council directs staff to circulate this resolution to: MPP David Piccini, MP Philip Lawrence, the Association of Municipalities of Ontario (AMO), and all municipalities in Ontario."

- Carried
- Defeated
- Deferred
- Recorded Vote



Mayor John Logel



Administration

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-980-6000 Toll-free: 1-800-263-7215 Fax: 905-687-4977

www.niagararegion.ca

October 5, 2023

CL 13- 2023, September 21, 2023

DISTRIBUTION LIST

SENT ELECTRONICALLY

Motion - Recommendations from the Renfrew County Inquest and Declaration of Intimate Partner Violence as an Epidemic and Declaration of Intimate Partner Violence as an Epidemic

Regional Council, at its meeting held on September 21, 2023, passed the following recommendation:

WHEREAS the jury that adjudicated the Carol Culleton, Anastasia Kuzyk, and Nathalie Warmerdam Inquest (The Renfrew County Inquest) issued 86 recommendations to the Province of Ontario on Intimate Partner Violence;

WHEREAS Recommendation #1 of the Inquest is for the Province of Ontario to declare Intimate Partner Violence an epidemic;

WHEREAS every six days in Canada a woman is killed by her intimate partner;

WHEREAS on any given night in Canada, more than 6,000 women and children sleep in shelters because it is not safe for them at home;

WHEREAS this past year in Ontario, 52 women or one every week, were victims of femicide;

WHEREAS violence against Indigenous women (including but not restricted to intimate partner violence) is a national crisis, as evidenced by the findings of the National Inquiry into Missing and Murdered Indigenous Women and Girls, with Indigenous women (61%) experiencing some form of intimate partner violence in their lifetime compared with non-Indigenous women (44%);

WHEREAS gender- and sexually-diverse Indigenous women are particularly at risk, being five times more likely than non-Indigenous gender- and sexually-diverse women to experience intimate partner violence in their lifetime;

WHEREAS in Niagara Region in 2022, there were 5,160 Intimate Partner Violence calls for service made to Niagara Regional Police Service and 1,143 of those calls involved criminal investigations;

WHEREAS for the 2022-2023 fiscal year, Victim Services Niagara provided service to 749 victims of intimate partner violence, including 31 children; developed 91 safety plans for victims and had to revise 55 of those safety plans due to breaches;

WHEREAS for the 2022-2023 fiscal year, Victim Services Niagara provided service to 227 victims of sexual violence;

WHEREAS for the 2022-2023 fiscal year, Birchway Niagara received 2,571 crisis calls; supported 575 women through outreach services; 233 women and children stayed in shelter; and 278 women were turned away due to a lack of space;

WHEREAS for the 2022-2023 fiscal year, Gillian's Place received 10,383 crisis calls; supported 2,017 people through outreach services; 166 adults and 127 children lived in shelter; and 431 people were turned away due to lack of space;

WHEREAS violence against women costs the national justice system, health care systems, social service agencies, and municipalities nearly \$10 billion dollars per year; and municipalities are on the front lines in addressing gender-based violence;

WHEREAS more than 40 municipalities and regions across Ontario have declared a gender-based violence and/or intimate partner violence epidemic;

WHEREAS on August 16, 2023, Justice Minister Arif Virani described gender-based violence as an epidemic and stated this his government is committed to ending the gender-based violence epidemic "in all its forms, and is working to address any gaps in the Criminal Code to ensure a robust justice system response;"

WHEREAS on August 20, 2023, Ontario Big City Mayors (OBCM) and Mayors and Regional Chairs of Ontario (MARCO) passed a motion declaring intimate partner violence and gender-based violence epidemic; called on the Federation of Canadian Municipalities (FCM), the Association of Municipalities of Ontario (AMO), and all municipalities and regions in Ontario and Canada to do the same; and called for changes to the Criminal Code; and

WHEREAS Niagara Regional Council recognizes that issues of gender-based violence and intimate partner violence are matters of local importance, including public health, EMS, community services, and community safety, in all of our communities.

NOW THEREFORE BE IT RESOLVED:

1. That Niagara Region **RECOGNIZE** the issues of gender-based violence and intimate partner violence in Niagara as serious to the health and wellness of local residents and their families;
2. That Niagara Region **COMMIT** to engaging with community partners to educate and support our residents about the seriousness and long-term danger of violence in our communities;
3. That Niagara Regional Council **DECLARE**, in accordance with Recommendation #1 of the Renfrew County Inquest, that intimate partner violence and gender-based violence are an epidemic;

4. That the Regional Chair **WRITE** a letter to The Honourable Doug Ford, Premier of Ontario, requesting that the Province of Ontario re-consider their previous decision and declare intimate partner violence and gender-based violence as epidemic and act on all of 86 Recommendations from The Renfrew County Inquest;
5. That a copy of this motion **BE SENT** to each of Niagara's 12 Local Area Municipalities requesting they endorse the declaration of intimate partner violence and gender-based violence as an epidemic; and
6. That a copy of this motion **BE SENT** to The Honourable Arif Virani, Minister of Justice; The Honourable Doug Ford, Premier of Ontario; The Honourable Charmaine A. Williams, Associate Minister of Women's Social and Economic Opportunity; The Honourable Parm Gill, Minister of Red Tape Reduction; Niagara four MPs; Niagara's four MPPs; the Association of Municipalities of Ontario (AMO); the Federation of Canadian Municipalities (FCM); Mayors and Regional Chairs of Ontario (MARCO); and Ontario's Big City Mayors (OBCM).

Yours truly,



Ann-Marie Norio
Regional Clerk

:kl

CLK-C 2023-117

Distribution List:

- Local Area Municipalities
- Premier of Ontario
- Minister of Justice
- Associate Minister of Women's Social and Economic Opportunity
- Minister of Red Tape Reduction
- Local Members of Parliament
- Local Members of Provincial Parliament
- Association of Municipalities of Ontario (AMO)
- Federation of Canadian Municipalities (FCM)
- Mayors and Regional Chairs of Ontario (MARCO)
- Ontario Big City Mayors (OBCM)