

Town to request Province for enforcement tools on Niagara Escarpment Lands

By Zachary Roman

The Town of Caledon is seeking the ability to enforce rules on lands within the Town that fall under the jurisdiction of the Niagara Escarpment Planning and Development Act.

At Council's July 19 meeting, Councillor Jennifer Innis brought forward a motion to make a request to the Ministry of Natural Resources and Forestry for enhanced enforcement tools regarding land use planning for lands that fall within the Niagara Escarpment Planning and Development Act.

In an interview after the meeting, Innis explained that currently, the Town of Caledon doesn't have the authority to regulate lands under the Niagara Escarpment Planning and Development Act (NEPDA).

The act supersedes the Town's regulation, similar to how a conservation authority's such as the Toronto and Region Conservation Authority would.

Innis said this means if someone on NEPDA lands is running an AirBnB (which is illegal in Caledon) the Town can't shut it down. It's the same issue if someone was to cut down a tree or fill in a pond they shouldn't have.

Innis said the Town has been getting an increasing number of complaints about properties on NEPDA lands. Currently, Innis said complaints must be sent to the Niagara Escarpment Commission (NEC), which has limited enforcement resources, and is getting flooded with complaints.

Right now, for example, if we get a call about a woodlot being cut down and it's on NEC property we can't go in and do anything about it as a municipality, nothing, said Innis. We can't do a stop work order. We can't walk the road and charge them, we can't make them comply and replant the trees. We can't do any of that because we don't have the authority that authority is given strictly to the Commission.

Innis brought her motion to Council as she wants to bring the issue up to the Minister of Natural Resources and Forestry at the upcoming Association of Municipalities of Ontario conference in August.

If the Town can have the authority to enforce regulations on NEPDA lands, said Innis, complaints can be dealt with quicker and the workload of NEC enforcement can be lessened.

I fully support the policies and frameworks of the NEC, they just don't have the resources to enforce their areas, said Innis. So, then allow us to do it? when there's zoning problems on a property and NEC is made aware of it, it could take them quite some time to get to those issues? my request is to help improve the environment and protect it in the community that we represent, and it's also to protect public safety.

Innis said gaining the ability to enforce zoning regulations on NEPDA lands would be a huge win for Caledon and the environment.

She explained she understands every municipality within the Niagara Escarpment may not have the resources to do enforcement themselves, so she's going to suggest a system to the province where municipalities can opt in or out when it comes to enforcing regulations on NEPDA lands in their municipality.

Innis' motion was carried unanimously by Caledon's Mayor and Council.

Innis said she'll be reporting back to Council on how conversations with the Province went after the Association of Municipalities of

Ontario (AMO) Conference.