



Illegal Trucking Guide

This guide contains information about what is and isn't permitted under the Town's land use by-laws and provides information about the enforcement actions the Town is taking.



What's the Issue?



Caledon is proud to be a partner in the commercial trucking industry in North America and a great place to do business.

The Town has rules (land uses that are identified in the zoning by-laws) that dictate where and how truck storage facilities can operate. Caledon is facing an issue with trucking operators that are illegally operating on lands that are not designated for this purpose. This includes illegal trucking yards and parking vehicles on residential properties. These operations are harmful – and not just to how the town looks.

The Impacts

Everyone in Caledon is negatively impacted by illegal trucking operations.

Illegal operators also make it harder for legitimate businesses who follow the rules to compete in Caledon. Compliant businesses are unfairly disadvantaged because illegal operators are not following the Town's rules.



Environment

Damage to sensitive soil and water



Farmland

Paves over rich farmland and threatens food supply



Pollution

Air, light, and noise pollution



Safety

Large trucks on residential roads and near busy neighbourhoods



Town Character

Makes the town look unwelcoming



Quality of Life

Impacting property values and discouraging potential new residents

What's the Town Doing?

Residents and local businesses are the top priority for Caledon. The Town has been working hard to crack down on illegal trucking operations, while educating the trucking and real estate industries on how to operate legally.

The Town is also protecting legitimate operators by taking enforcement action against illegal operators who are breaking the rules. Offenders are facing serious action from by-law enforcement officers. This includes:



Fines

Ranging from hundreds of dollars for smaller infractions to tens of thousands of dollars for larger illegal operations



Court Injunctions

For more serious offences and repeated non-compliance, the Ontario Superior Court will rule on cases that can lead to fines from thousands to millions of dollars



Physical Blockades

Blocking access to illegal trucking storage facilities so operators cannot conduct business and truck drivers cannot access their vehicles

Caledon is proud to be a destination for trucking and logistics operations. The Town is committed to supporting legitimate operators as they build their businesses.

What are the By-Laws?

In every municipality, there are zoning by-laws that dictate the permitted uses on all land within the municipality's boundaries.

For example, some lands are zoned as residential to ensure enough housing is built, while other lands zoned for employment must be used to provide jobs. Municipalities need to protect lands from misuse and enforce zoning by-laws to make sure communities are built according to the municipalities' Official Plan.

In Caledon, truck storage facilities are only allowed on lands that are zoned for Serviced Industrial (MS) and Unserviced Industrial (MU). The permitted uses on these lands that are generally relevant to trucking facilities are:

- A** Accessory Open Storage to a permitted non-residential use (Does not include parking areas and must be in addition to an existing use)

- B** Bulk Storage Facility

- C** Contractors Facility

- D** Maintenance Garage

- E** Motor Vehicle Repair Facility

- F** Transportation Depot

For more information on Industrial Zones, their requirements, and their permitted uses please see [Section 8 – Industrial Zones](#) of the Town's Zoning By-Law. For definitions on any of the terms listed above, please see [Section 3 - Definitions](#) of the Town's Zoning By-Law. Both are located at <http://www.caledon.ca/zoning>.



How to Legally Store Trucks in Caledon

1. Identify lands with the proper zoning in place
2. Ensure your intended use is permitted on the site
3. Secure Site Plan Approval for your property

1. Identify lands with the proper zoning in place

- A. Visit Caledon.ca/zoning to consult the zoning by-law and zoning maps or reach out to the Town at zoning@caledon.ca or 905-584-2272 x. 4104 to confirm the land you have in mind is zoned as either **Serviced Industrial (MS)** or **Unserviced Industrial (MU)**. If you're a truck storage facility operator looking for a larger plot of land, you can reach out to the Town's Economic Development team at 905-584-2272 x.5131.
- B. If you already own a plot of land but it isn't zoned for truck storage, you can apply for a zoning by-law amendment. To do so, a formal application must be submitted to the Town to begin the [development application](#) process. To learn more or to request a preliminary meeting contact 905.584.2272 ext. 7338 or planning@caledon.ca.

2. Ensure your intended use is permitted on the site

- A. Beyond land uses, the zoning by-law also prescribes other requirements such as landscaping, parking, and other development standards.

3. Secure Site Plan Approval for your property

- A. Before a truck storage facility can open and legally operate, Site Plan Approval must be in place. Proper zoning is not enough on its own.
- B. The Town explains the Site Plan application process in detail on its Development Application [webpage](#). You can also contact the Town's planning department for more information at 905.584.2272 ext. 7338 or planning@caledon.ca.



“ What if I’m an individual truck driver and just want to store my truck on my property? ”

In Caledon this is possible, but there are rules in place. The by-laws that apply to the parking of commercial motor vehicles falls under Section 5, 5.2.20 of the Town’s zoning by-laws.

The by-law allows people to store one commercial motor vehicle on a property that is zoned for Residential Use only if the vehicle weighs 3,000 kg or less. A school bus is the only exception to this rule.

To learn more about storing a truck on your residential property, see Section 5.2.20 – Parking of Commercial Motor Vehicles.

How is the Town Enforcing its Rules?

The Town acts as quickly as possible when it receives a report of a suspected illegal trucking operation, but the enforcement process can be lengthy and complex.

First, the Town must give the property owner time to comply. Then the Town is bound by the timelines of lengthy court processes in cases where the landowner refuses to comply.

The Town follows these steps when a property is suspected to be operating as an illegal truck storage facility:

1. Municipal law enforcement is notified via Service Caledon
2. Municipal law enforcement officers visit the property to determine if it is in contravention of any of Caledon's municipal by-laws including its zoning by-law.
3. The property owner may be issued a notice or order informing them of any municipal by-law contraventions. The amount of time the property owner has to rectify the contravention is dependent on the nature and significance of the issue.

4. If the property owner fails to comply the Town will either issue a ticket or lay charges in court if it is a serious contravention.
5. If the property owner continues to fail to bring the property into compliance, the Town will pursue additional enforcement tactics including seeking a court injunction, charges against the owners/operators or placing concrete barriers on Town-owned rights-of-way to block vehicles from entering and exiting the property.

In addition to responding to resident tips, the Town is actively looking for and investigating properties with potential violations.

The Cost of Non-Compliance

Fines for the illegal storage of trucks range from hundreds to tens of thousands of dollars depending on the size of the property and the number of convictions. Fines fall under two categories: Part I and Part III.

Part I fines can be issued daily, anytime

a by-law officer attends a property and observes a violation.

- \$615 for dumping without a fill permit
- \$430 for unpermitted parking/storage of a commercial motor vehicle in a Residential Zone
- \$430 for using land or a building for an unpermitted use

PART III fines are determined by a Justice of the Peace after the property owner is found guilty. The fines can be significant and vary depending on whether the property owner is an individual or a corporation.

When the property owner is an individual:

- They face a maximum fine of \$25,000 and up to \$10,000 for each day the property is not brought into compliance after the date of conviction

When the property owner is a corporation:

- It faces a maximum fine of \$50,000 and up to \$25,000 for each day the property is not brought into compliance after the date of conviction
- Directors and/or officers of the corporation can also be charged individually and be subject to the same penalties as an individual property owner

Regardless of whether the property owner is an individual or a corporation, the Town can take further action if

convicted properties fail to comply. This includes:

- Removing the fill from the property
- Restoring the property to its original state
- Removing the trucks and trailers (if warranted)
- Require that the property owner file all necessary applications immediately

In cases where the Town undertakes work to remove items from the property or restore it to its original state, the associated costs will be charged back to the property owners through their property taxes.



What Can Residents Do?

Caledon needs residents to help crack down on illegal operators. Although the Town is actively looking for properties that are illegally operating as truck storage facilities, staff rely on information from residents to help this effort.

To avoid negative impacts to the environment and protect public safety, residents are encouraged to report illegal trucking operations when they see them. If you see a property that you believe is illegally, improperly, or unsafely storing trucks please reach out to Service Caledon by phone at **905-584-2272 x. 7750** or by email at info@caledon.ca.

Contacts at a Glance

To report illegal trucking operations or for more information, please contact Service Caledon.

Service Caledon: 905-584-2272 x. 7750 or info@caledon.ca

To confirm if the land you have in mind is appropriately zoned for trucking storage and operations, please contact the Town's Zoning department.

Town of Caledon Zoning: 905-584-2272 x. 4104 or zoning@caledon.ca

To apply for rezoning, to learn more, or to request a preliminary meeting contact the Town's planning department.

Town of Caledon Planning: 905.584.2272 ext. 7338 or planning@caledon.ca

To ask questions or raise concerns about an existing property and the uses or activities that are occurring on it, please contact the Town's Municipal Law Enforcement Division.

Municipal Law Enforcement Division: 905-585-2272 ext. 3462 or enforcement@caledon.ca



905.584.2272 | info@caledon.ca

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