



Agenda
City Council

The Corporation of the City of Brampton

Date: Wednesday, July 10, 2024
Time: 9:30 a.m.
Location: Hybrid Meeting - Virtual Option & In-Person in Council Chambers – 4th Floor – City Hall
Members: Mayor Patrick Brown
Regional Councillor R. Santos
Regional Councillor P. Vicente
Regional Councillor N. Kaur Brar
Regional Councillor M. Palleschi
Regional Councillor D. Keenan
Regional Councillor M. Medeiros
Regional Councillor P. Fortini
Regional Councillor G. Toor
City Councillor R. Power
Deputy Mayor H. Singh

For inquiries about this agenda, or to make arrangements for accessibility accommodations for persons attending (some advance notice may be required), please contact:
Terri Brenton, Legislative Coordinator, Telephone 905.874.2106, TTY 905.874.2130
cityclerksoffice@brampton.ca

Note: Meeting information is also available in alternate formats upon request.

1. **Call to Order**

Note: The City Clerk will conduct a roll call at the start of the meeting.

2. **Approval of Agenda**

3. **Declarations of Interest under the Municipal Conflict of Interest Act**

4. **Adoption of the Minutes**

4.1 Minutes – City Council – Regular Meeting – June 26, 2024

Note: This agenda item will be distributed prior to the meeting.

5. **Consent Motion**

The Meeting Chair will review the relevant agenda items during this section of the meeting to allow Members to identify agenda items for debate and consideration, with the balance to be approved as part of the Consent Motion given the items are generally deemed to be routine and non-controversial.

6. **Announcements (2 minutes maximum)**

6.1 Proclamations:

a) Bill Davis Day – July 30, 2024

b) Colombia's Independence Day – July 20, 2024

c) National Drowning Prevention Week – July 21-27, 2024

d) Emancipation Day – August 1, 2024

Note: Proclamation a) was deferred from the Council Meeting of June 26, 2024, pursuant to Resolution C117-2024.

7. **Public Delegations and Staff Presentations (5 minutes maximum)**

7.1 Possible Delegations re. To Stop Up and Close and Surplus Declaration of portion of Lagerfeld Drive Right of Way

Notice regarding this matter was given on the City's website on July 2, 2024.

See Item 10.1.2 and By-law 107-2024

8. Government Relations Matters

8.1 Staff Update re. Government Relations Matters

Note: This agenda item will be distributed prior to the meeting.

9. Reports from the Head of Council

10. Reports from Corporate Officials

10.1 Office of the Chief Administrative Officer

10.1.1 Staff Report re. Expropriation of Lands for the Downtown Brampton Flood Protection (DBFP) Project – Wards 1 & 3

Recommendation

Note: The report attachments will be distributed prior to the meeting.

See By-law 108-2024

10.1.2 Staff Report re. To Stop up and Close and Surplus Declaration of portion of Lagerfeld Drive Right of Way – Ward 6

Recommendation

See Item 7.1 and By-law 107-2024

10.1.3 Staff Report re. Expropriation of Lands for the Road Improvement along Williams Parkway Boulevard – Ward 7

Recommendation

See By-law 109-2024

10.2 Legislative Services Operating

10.3 Corporate Support Services

- 10.3.1 Staff Report re. Approval of the 2024 Development Charges Background Study and By-laws

See By-laws 110-2024 to 117-2024

Note: This agenda item will be distributed prior to the meeting.
- 10.3.2 Staff Report re. Municipal Funding Agreement with AMO- Canada Community Building Fund

Recommendation

See By-law 118-2024
- 10.4 Planning and Economic Development
- 10.4.1 Staff Report re. Downtown Revitalization Streetscape Project Update – Ward 1 & 3

Recommendation
- 10.5 Community Services
- 10.6 Public Works
- 10.6.1 Staff Report re. Request to Begin Procurement - Design, Implementation, Support and Maintenance for the Advanced Traffic Management System (ATMS) - All Wards

Note: This agenda item will be distributed prior to the meeting.
- 10.6.2 Staff Report re. Budget Amendment and Request to Begin Procurement for Intersection Cameras and Implementation – All Wards (RM 9/2023)

Note: This agenda item will be distributed prior to the meeting.
- 10.7 Brampton Transit
- 10.8 Fire and Emergency Services
- 11. **Reports from Accountability Officers**
- 12. **Committee Reports**

12.1 Minutes – Planning and Development Committee – June 17, 2024

To be received (the recommendations outlined in the minutes were approved by Council on June 26, 2024, pursuant to Resolution C130-2024).

12.2 Minutes – Planning and Development Committee – July 8, 2024

Committee Chair: Regional Councillor Palleschi

To be approved

Note: This agenda item will be distributed prior to the meeting.

13. **Unfinished Business**

14. **Correspondence**

14.1 Correspondence from Colin Best, President, Association of Municipalities of Ontario (AMO), dated July 3, 2024, re. AMO Advocacy on Homelessness Encampments

To be received

15. **Notices of Motion**

15.1 Notice of Motion – Maudlyn Way

Moved by Councillor Santos

Seconded by Regional Councillor Vicente

That Council waive the notice requirements from its Procedure By-law to reconsider a matter previously decided; and,

That Council reopen Resolution C065-2024 from the Council Meeting of April 17, 2024 in so far as it relates only to Committee of Council Recommendation CW129-2024 regarding the approval of the ceremonial street name Maudlyn Way.

15.2 Notice of Motion - City of Brampton Public Nuisance By-law

Moved by Councillor Santos

Seconded by Regional Councillor Toor

That staff are hereby directed to review the City of Vaughan Special Events By-law and Noise By-law in respect to car rallies to determine if there are opportunities to

enhance and strengthen the City of Brampton Nuisance By-law in respect to car rallies for the purpose of increased public safety in our community; and

Further that staff be directed to report back with the results of the review and with recommendations for Council's consideration in September, 2024.

16. Other Business/New Business

16.1 Referred Matters List

Note: In accordance with the Procedure By-law and Council Resolution, the Referred Matters List will be published quarterly on a meeting agenda for reference and consideration. A copy of the current Referred Matters List for Council and its committees, including original and updated reporting dates, is publicly available on the City's website.

17. Public Question Period

15 Minute Limit (regarding any decision made at this meeting)

During the meeting, the public may submit questions regarding decisions made at the meeting via email to the City Clerk at cityclerksoffice@brampton.ca, to be introduced during the Public Question Period section of the meeting.

18. By-laws

18.1 By-law 107-2024 – To stop up, close and declare surplus a portion of Lagerfeld Drive Right of Way – Ward 6

See Items 7.1 and 10.1.2

18.2 By-law 108-2024 – To approve the expropriation of lands for the Downtown Brampton Flood Protection (DBFP) Project – Wards 1 & 3

See Item 10.1.1

18.3 By-law 109-2024 – To approve the expropriation of property requirements for the purpose of Complete Street Improvements to Williams Parkway, near the intersection with North Park Drive and Howden Boulevard – Ward 7

See Item 10.1.3

18.4 By-law 110-2024 – Development Charges – By-law Enforcement Services

Note: This agenda item will be distributed prior to the meeting.

- 18.5 By-law 111-2024 – Development Charges – development-related studies and repeal By-law 129-2019

Note: This agenda item will be distributed prior to the meeting.

- 18.6 By-law 112-2024 – Development Charges – Fire Services

Note: This agenda item will be distributed prior to the meeting.

- 18.7 By-law 113-2024 – Development Charges – Library

Note: This agenda item will be distributed prior to the meeting.

- 18.8 By-law 114-2024 – Development Charges – Public Works

Note: This agenda item will be distributed prior to the meeting.

- 18.9 By-law 115-2024 – Development Charges – Recreation

Note: This agenda item will be distributed prior to the meeting.

- 18.10 By-law 116-2024 – Development Charges – Roads

Note: This agenda item will be distributed prior to the meeting.

- 18.11 By-law 117-2024 – Development Charges – Transit Services

Note: This agenda item will be distributed prior to the meeting.

- 18.12 By-law 118-2024 – To authorize execution of the Municipal Funding Agreement between the Association of Municipalities of Ontario and The Corporation of the City of Brampton

See Item 10.3.2

- 18.13 By-law 119-2024 – To regulate site alterations within the City of Brampton, and to repeal By-law 143-95 and By-law 30-92

See Committee of Council Recommendation CW269-2024 – June 19, 2024

(approved by Council on June 26, 2024, pursuant to Resolution C119-2024) and By-laws 120-2024 and 121-2024

- 18.14 By-law 120-2024 – To amend Administrative Penalties (Non-Parking) By-law 218-2019, as amended – to establish administrative penalties for By-law ____-2024, Site Alteration By-law

See Committee of Council Recommendation CW269-2024 – June 19, 2024 (approved by Council on June 26, 2024, pursuant to Resolution C119-2024) and By-law 119-2024

- 18.15 By-law 121-2024 – To amend User Fee By-law 380-2003, as amended – to establish user fees for By-law ____-2024, Site Alteration By-law

See Committee of Council Recommendation CW269-2024 – June 19, 2024 (approved by Council on June 26, 2024, pursuant to Resolution C119-2024) and By-law 119-2024

- 18.16 By-law 122-2024 – To amend Traffic By-law 93-93, as amended – scheduled relating to through highways and stop signs

See Committee of Council Recommendation CW278-2024 – June 19, 2024 (approved by Council on June 26, 2024, pursuant to Resolution C119-2024)

- 18.17 By-law 123-2024 – To accept and assume works in Registered Plan 43M-2050 – north of Steeles Avenue West and west of Mississauga Road - Ward: 6 (Planning References: C05W03.007 and 21T-12001B)

- 18.18 By-law 124-2024 – To establish certain lands as part of public highway system (Cadillac Crescent) – Ward 6

- 18.19 By-law 125-2024 – To establish certain lands as part of the public highway system (Buick Boulevard) – Ward 6

19. Closed Session

Note: A separate package regarding this agenda item is provided to Members of Council and senior staff only.

- 19.1 Closed Session Minutes - City Council - June 26, 2024

- 19.2 Report - Disposition of Property

Open Meeting exception under Section 239 (2) (c) of the Municipal Act, 2001:

A proposed or pending acquisition or disposition of land by the municipality or local board.

19.3 Report - Update on Downtown Redevelopment

Open Meeting exception under Section 239 (2) (k) of the Municipal Act, 2001:

A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

19.4 Verbal Update - Committee of Adjustment

Open Meeting exception under Section 239 (2) (b) of the Municipal Act, 2001:

Personal matters about an identifiable individual, including municipal or local board employees.

20. Confirming By-law

20.1 By-law ___-2024 – To confirm the proceedings of Council at its regular meeting held on July 10, 2024

21. Adjournment

Next Meetings:

Wednesday, August 14, 2024 – 9:30 a.m. (tentative)

Wednesday, September 11, 2024 – 9:30 a.m.

Wednesday, September 25, 2024 – 9:30 a.m.

Public Notice To Stop Up and Close and Surplus Declaration of portion of Lagerfeld Drive Right of Way

Pursuant to Procedure By-law 160-2004, as amended, take notice that The Corporation of the City of Brampton intends to stop up and close, declare surplus and transfer at fair market value on an as-is-where-is basis the fee simple interest in the following municipal property:

Lands Affected

Stop up and close, as public highway, to the requirements of the City of Brampton land described as Part 19 on Reference Plan 43R-41072 being a portion of Lagerfeld Drive, Plan 43M-1927 being part of PIN 14364-2251 (LT).

Declare surplus to the requirements of the City of Brampton land described as Part 19 Reference on Plan 43R-41072 being a portion of Lagerfeld Drive, Plan 43M-1927 being part of PIN 14364-2251 (LT), approximately 12.6m² to be sold at fair market value on an “As Is – Where Is” basis to the adjacent landowner and declare surplus to the requirements of the City of Brampton land described as Part 11 on Reference Plan 43R-41072 being Part of reserve block 18 on Registered Plan 43M-1927 being part of PIN 14364-2238 (LT), approximately 2.3m², and Parts 12 and 32 on Reference Plan 43R-41072 being Part of reserve block 19 on Registered Plan 43M-1927 being part of PIN 14364-2239 (LT), approximately 2.4m², to be sold at fair market value on an “As Is - Where Is”, basis to the adjacent landowner.

Explanatory Note

Council shall consider the enactment of a by-law for the surplus declaration and disposal of the Subject Property at fair market value on an as-is-where-is basis at the following scheduled meeting:

Date and time: July 10, 2024, at 9.30 a.m.

Location: Virtual and in person meeting hosted from the Council Chambers, 4th floor, City Hall, 2 Wellington Street West

Members of the public may attend the meeting in person or watch the meeting live from the City of Brampton website at: <https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/City-Council-and-Committee-Live-Stream.aspx> or <http://video.isilive.ca/brampton/live.html>.

Anyone interested in addressing Council on this matter may file a written submission, or request to delegate in person or remotely at the meeting, by emailing the City Clerk’s Office at cityclerksoffice@brampton.ca by 4:30 p.m. on Tuesday, July 9, 2024.

Meeting agenda information, including a copy of the related report, shall be available for review on the City’s website <https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx>, as of Friday, July 5, 2024.

In the event Council chooses to refer or defer consideration of this matter, no further public notice shall be given.

For further information, contact Rajat Gulati, Senior Manager, Realty Services, Strategic Services and Initiatives, at rajat.gulati@brampton.ca.

Dated July 2, 2024

Genevieve Scharback, City Clerk
2 Wellington St. W., Brampton ON, L6Y 4R2
cityclerksoffice@brampton.ca



Report
Staff Report
 The Corporation of the City of Brampton
 7/10/2024

Date: 2024-07-03

Subject: **Expropriation of Lands for the Downtown Brampton Flood Protection (DBFP) Project – Wards 1 & 3**

Contact: Cheryl Waters, Senior Real Estate Coordinator, Strategic Services and Initiatives

Report number: CAO's Office-2024-550

RECOMMENDATIONS:

1. That the report from Cheryl Waters, Senior Real Estate Coordinator, Strategic Services and Initiatives to City Council meeting of July 10, 2024, re: **Expropriation of Lands for the Downtown Brampton Flood Protection (DBFP) Project – Wards 1 & 3** be received;
2. That Council acting as the Approving Authority, pursuant to the Expropriations Act, R.S.O. 1990, c.E.26, as amended, enact a by-law approving the expropriation of the properties described in Attachment 1 to this report, for the purposes of implementing the Downtown Brampton Flood Protection Project and all works ancillary thereto; and
3. That the by-law provide that the Commissioner, Planning, Building and Growth Management, be authorized to execute all agreements and other documents, and serve and publish on behalf of The Corporation of the City of Brampton, all notices, applications, advertisements, agreements and other documents required by the Expropriations Act, R.S.O. 1990, c.E.26, as amended, in order to complete the expropriation of and settle the compensation for the said properties based on terms and conditions acceptable to the Senior Manager, Realty Services, and in a form acceptable to the City Solicitor or designate.

OVERVIEW:

- **“Notices of Application for Approval to Expropriate” as required by the Expropriations Act, R.S.O. 1990, c.E.26, as amended (the “Act”) were sent to the owners of, and others having an interest in, the properties described in Attachment 1 and 2 to this report (the “Subject Properties”) and deemed served on June 4, 2024. Additionally, as required by the Act, a “Notice of Application for Approval to Expropriate Land” was published in the Toronto**

Sun, which ran on June 7, June 14, and June 21, 2024, with the stated purpose “For the municipal purpose of implementing the Downtown Brampton Flood Protection Project (DBFP) and all works ancillary thereto.”

- **As of the date of this report no owners, or persons with an interest in the Subject Properties have requested a Hearing of Necessity within the prescribed period under Section 6(2) of the Act, which expired on July 8, 2024.**
- **Staff recommend Council enact a by-law to approve the City’s expropriation of the Subject Properties and that the by-law provide that the Commissioner, Planning, Building and Growth Management, be authorized to execute all agreements and other documents, and serve and publish on behalf of The Corporation of the City of Brampton, all notices, applications, advertisements, agreements and other documents required by the Expropriations Act, R.S.O. 1990, c.E.26, as amended, in order to complete the expropriation of and settle the compensation for the said properties based on terms and conditions acceptable to the Senior Manager, Realty Services, and in a form acceptable to the City Solicitor or designate.**
- **Sufficient funding is available in the Planning, Building and Growth Management Capital Budget to initiate the expropriation of the required properties for Downtown Brampton Flood Protection (DBFP). Any future capital funding required related to completing the expropriations for the DBFP will be included in future budget submissions and presented to the Mayor for his consideration.**

BACKGROUND:

Design and construction of the Downtown Brampton Flood Protection Project (DBFP) is the foundation for creation of Riverwalk, which will revitalize and catalyze the transformation of Downtown Brampton through the elimination of flood risk that paves the way for removal of Provincial planning restrictions. In September 2020, the Province approved the Downtown Brampton Flood Protection Environmental Assessment (EA) prepared by the City and the Toronto and Region Conservation Authority.

On December 8, 2021, at a Special Meeting, Council adopted By-Law 293-2021 approving the budget for construction of Downtown Brampton Flood Protection to protect Downtown Brampton from flooding under extreme storm events.

At its meeting held November 28, 2022, City Council passed By-law 227-2022, authorizing The Corporation of the City of Brampton, as expropriating authority, to make application for approval to expropriate 125 Queen Street East required in connection with the DBFP.

At its meeting held October 18, 2023, City Council passed By-law 176-2023, authorizing The Corporation of the City of Brampton, as expropriating authority, to make application for approval to expropriate certain additional properties required in connection with the DBFP.

The design for the DBFP as approved by the Environmental Assessment established the need for additional property to implement the proposed flood protection works. At its meeting held February 7, 2024, City Council passed By-law 14-2024, authorizing The Corporation of the City of Brampton, as expropriating authority, to make application for approval to expropriate two additional properties required in connection with the DBFP.

“Notices of Application for Approval to Expropriate” as required by the Expropriations Act, R.S.O. 1990, c.E.26, as amended (the “Act”) were sent by registered mail and deemed served on the owners of, and others having an interest in, the properties as described in Attachment 1 to this report (the “Subject Properties”) on June 4, 2024. Additionally, as required by Act, a “Notice of Application for Approval to Expropriate Land” was published in the Toronto Sun, which ran on June 7, June 14, and June 21, 2024, with the stated purpose “For the municipal purpose of implementing the Downtown Brampton Flood Protection Project (DBFP) and all works ancillary thereto.”

CURRENT SITUATION:

Following the service and publication of the City’s Notice of Application for Approval to Expropriate, and as of the date of this report, no owners or persons with an interest in the Subject Properties have requested an Inquiry under Section 6(2) of the Act. Staff will confirm prior to Council’s meeting that no such requests are received within the prescribed period under the Act which expires July 8, 2024.

Accordingly, Council as the Approving Authority, pursuant to the Act will be in a position to enact a by-law to approve the expropriation of the Subject Properties as described in Attachment 1 to this report, and authorize the City as the expropriating authority pursuant to the Act, to proceed with the execution and registration of the Certificates of Approval and Plans of Expropriation, and the execution and issuance of any and all required notices and statutory offers, and to settle compensation payable pursuant to the Act.

CORPORATE IMPLICATIONS:

Financial Implications:

Sufficient funding is available in the Planning, Building and Growth Management Capital Budget to expropriate the required properties for Downtown Brampton Flood Protection (DBFP).

Any future capital funding required related to completing the DBFP will be included in future budget submissions and presented to the Mayor for his consideration.

Other Implications:**Legal Implications**

Legal Services advises that external counsel is retained for the DBFP expropriations.

STRATEGIC FOCUS AREA:

This report achieved the Environmental Resilience & Sustainability priority by focusing on nurturing and protecting our environment for a sustainable future.

CONCLUSION:

This report recommends that a by-law be enacted by City Council, for the Approval to Expropriate the Subject Properties as identified in Attachment 1 to this report, and that the Commissioner, Planning, Building and Growth Management be authorized to execute all agreements and other documents, and serve and publish on behalf of The Corporation of the City of Brampton, all notices, applications, advertisements, agreements and other documents required by the Expropriations Act, in order to complete the expropriation of and settle the compensation payable under the Act for the said properties based on terms and conditions acceptable to the Senior Manager, Realty Services, and in a form acceptable to the City Solicitor or designate.

Authored by:

Reviewed by:

Cheryl Waters
Senior Real Estate Coordinator
Realty Services

Rajat Gulati
Senior Manager
Realty Services

Approved by:

Approved by:

Steve Ganesh, MCIP, RPP
Commissioner, Planning, Building and
Growth Management

Marlon Kallideen
Chief Administrative Officer

Attachments:

- Attachment 1 – Property Schedule

- Attachment 2 – Location Map of Properties



Report
Staff Report
 The Corporation of the City of Brampton
 7/10/2024

Date: 2024-07-02

Subject: **To Stop up and Close and Surplus Declaration of portion of Lagerfeld Drive Right of Way – Ward 6**

Contact: Keyran Santhan, Coordinator, Strategic Services & Initiatives
 Frank Mazzotta, Manager, Development Engineering

Report number: CAO's Office-2024-319

RECOMMENDATIONS:

1. That the report from Keyran Santhan, Coordinator, Strategic Services & Initiatives to the Council Meeting of July 10, 2024, re: **To Stop up and Close and Surplus Declaration of portion of Lagerfeld Drive Right of Way – Ward 6**, be received; and
2. That a by-law be enacted to:
 - i. Stop up and close, as public highway, to the requirements of the City of Brampton land described as Part 19 on Reference Plan 43R-41072 being a portion of Lagerfeld Drive, Plan 43M-1927 being part of PIN 14364-2251 (LT);
 - ii. Declare surplus to the requirements of the City of Brampton land described as Part 19 Reference on Plan 43R-41072 being a portion of Lagerfeld Drive, Plan 43M-1927 being part of PIN 14364-2251 (LT), approximately 12.6m² to be sold at fair market value on an “As Is – Where Is” basis to the adjacent landowner; and
 - iii. Declare surplus to the requirements of the City of Brampton land described as Part 11 on Reference Plan 43R-41072 being Part of reserve block 18 on Registered Plan 43M-1927 being part of PIN 14364-2238 (LT), approximately 2.3m², and Parts 12 and 32 on Reference Plan 43R-41072 being Part of reserve block 19 on Registered Plan 43M-1927 being part of PIN 14364-2239 (LT), approximately 2.4m², to be sold at fair market value on an “As Is - Where Is”, basis to the adjacent landowner.

OVERVIEW:

- **Daniels Corporation, as part of their development application, has agreed to construct Lagerfeld Road from the existing cul-de-sac to the east**

boundary limit. Staff have worked with the developer, and the ultimate alignment of Lagerfeld Drive has been established.

- **The adjacent lands are being developed, and there are several parcels within the “protected corridor” that have been identified to be stopped up and closed and/or are no longer required as Public Highway. This report intends to finalize the administration of the lands such that Lagerfeld Drive can be constructed from the existing cul-de-sac to Mississauga Road.**
- **Staff recommends stopping up and closing as a public highway and declaring surplus to the requirements of the City land described as Part 19 on Reference Plan 43R-41072 being a portion of Lagerfeld Drive, Reference Plan 43M-1927 being part of PIN 14364-2251 (LT), to be sold at fair market value on an “As Is - Where Is”, basis to the adjacent landowner.**
- **Staff recommends surplus declaration of the City owned lands described as Part 11 on Reference Plan 43R-41072 being Part of reserve block 18 on Registered Plan 43M-1927 being part of PIN 14364-2238 (LT), and Parts 12 and 32 on Reference Plan 43R-41072 being Part of reserve block 19 on Registered Plan 43M-1927 being part of PIN 14364-2239 (LT), to be sold at fair market value on an “As Is - Where Is”, basis to the adjacent landowner.**
- **The relevant circulations and notifications have been published and no concerns were received.**
- **There is no financial impact resulting from the adoption of the recommendations in this report. Any future revenues collected arising from any potential sale agreement(s) will be deposited in Reserve #12 – Land Sale Proceeds, subject to Council approval.**

BACKGROUND:

Mattamy (Credit River) Limited developed a residential plan of subdivision west of Creditview Road and south of the CN Rail line in the Mount Pleasant Secondary Plan Area, as phase 1 of 21T-10022B, 43M-1927. The plan of subdivision was registered on April 25, 2013 and as part of that development, Lagerfeld Drive was constructed from Creditview Road to the existing cul-de-sac east of Block 6 Natural Heritage System (NHS).

Several potential design alignments for Lagerfeld Drive, between Creditview Road and Mississauga Road were identified during the planning and detailed design for that

subdivision. Accordingly, a “protected corridor” was established for future public highway and future road blocks on the registered plan of subdivision.

On April 17, 2014 the City of Brampton commenced an Environmental Assessment (EA) for the extension of Lagerfeld Drive within the study area between Bovaird Drive and Mississauga Road. The Environmental Assessment study was completed on May 4, 2021 and the design alignment of Lagerfeld Drive was finalized as a result.

In 2020, Daniels Corporation acquired part of the lands within 43M-1927, 21T-10022B. This included the parcel described by Draft Plan 21T-19017B, part of which was later registered as 43M-2152. As part of that development application, Daniels Corporation agreed to construct Lagerfeld Road from the existing cul-de-sac to the east boundary limit of Block 6 NHS (see Attachment 1).

CURRENT SITUATION:

Part of the subject land is currently a cul-de-sac. Lagerfeld Drive will be dedicated as a public right of way to the north end of Street A (see Attachment 2). In addition, there is surplus land between the ultimate Lagerfeld Drive alignment and adjacent owner’s lands (Daniels MPV 2 Corporation).

Circulation was made to the City’s Real Estate Coordinating Team and priority notification was given to Infrastructure Ontario, The Peel District School Board, Dufferin Peel Catholic District School Board, The Library Board, The Regional Municipality of Peel and the Utility Companies. The following was received:

- The Region of Peel, Peel District School Board and Dufferin-Peel Catholic District School Board have no interest in the property.
- Alectra Utilities and Rogers Communications do not have any existing infrastructure on the property, and no easement protection is required.

As the final alignment of Lagerfeld Drive has been established and the adjacent lands are being developed, there are several parcels within the “protected corridor” that are recommended to be stopped up and closed and/or are no longer required as Public Highway. Further, the recommendation of this report intends to finalize the administration of the lands such that Lagerfeld Drive can be constructed from the existing cul-de-sac to Mississauga Road.

The recommendations of this report request Council’s authorization to dispose of surplus parcels of the “protected corridor” that are outside the ultimate alignment of the Lagerfeld right of way and to stop up and close a portion of the existing cul-de-sac that is no longer required.

Staff recommends that Council approve this report and that a by-law be enacted to stop up and close as a public highway and declare surplus land described as Part 19 on Plan

43R-41072, and enact a by-law declaring surplus portions of Reserve Blocks 18 and 19 on Plan 43M-1927 identified Parts 11, 12 & 32 on Plan 43R-41072 as surplus to the City's requirements.

CORPORATE IMPLICATIONS:

Financial Implications:

There is no financial impact resulting from the adoption of the recommendations in this report. Any future revenues collected arising from any potential sale agreement(s) will be deposited in Reserve #12 – Land Sale Proceeds, subject to Council approval.

Other Implications:

Legal Implications – Legal Services will approve as to form the Stop up and Close and surplus declaration by-laws as well as any other agreements or documents for which Council delegate authority in accordance with this report's recommendations.

Communications Implications – Public notice of intent to declare surplus and close a public road has been made in accordance with the City's Procedure By-law 160-2004.

STRATEGIC FOCUS AREA:

The recommendations of this report support the Government & Leadership initiative by practicing proactive, effective, and responsible management of municipal assets and services.

CONCLUSION:

Staff are requesting that Council approve this report and that a by-law be enacted to stop up and close as a public highway and declare surplus land described as Part 19, PLAN 43R-41072 and declare surplus portions of reserve blocks described as Parts 11, 12, 32, PLAN 43R-41072 to the City's requirements.

The recommendations of this report request Council's authorization to dispose of surplus parcels of the "protected corridor" that are outside the ultimate alignment of the Lagerfeld right of way and to stop up and close a portion of the existing cul-de-sac that is no longer required, declare it surplus and dispose it along with other surplus parcels.

Authored by:

Reviewed by:

Keyran Santhan
Coordinator, Realty Services
Strategic Services & Initiatives

Rajat Gulati,
Senior Manager, Realty Services
Strategic Services & Initiatives

Approved by:

Approved by:

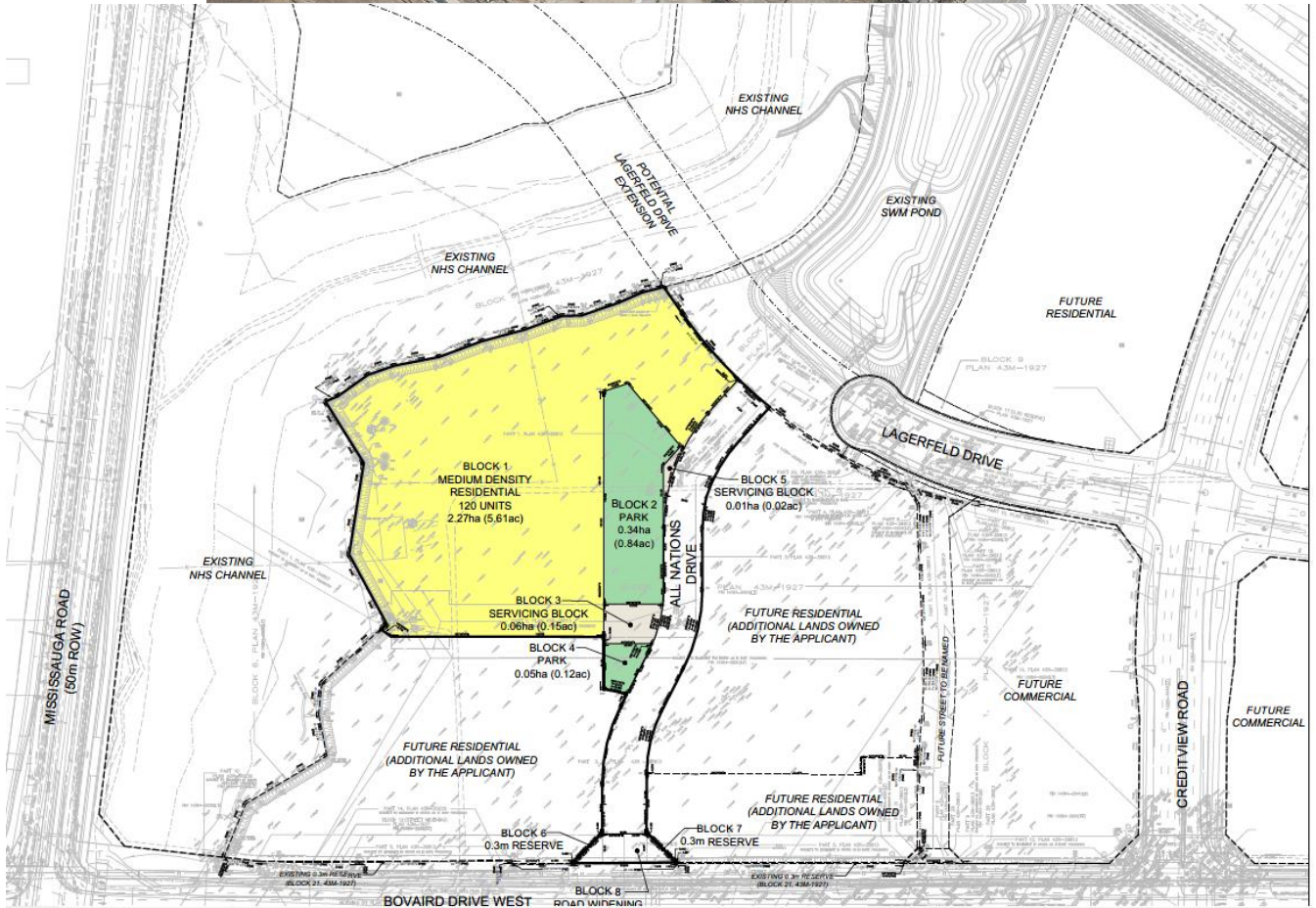
Steve Ganesh
Commissioner
Planning, Building and Growth
Management

Marlon Kallideen
Chief Administrative Officer
Office of the CAO

Attachments:

- Attachment 1 – Location map of the property
- Attachment 2 – Reference Plan 43R-41072

Attachment 1 – Location map of the property







Report
Staff Report
 The Corporation of the City of Brampton
 7/10/2024

Date: 2024-07-03

Subject: **Expropriation of Lands for the Road Improvement along Williams Parkway Boulevard – Ward 7**

Contact: Clifton Johnson, Real Estate Coordinator, Strategic Services and Initiatives

Report number: CAO's Office-2024-521

RECOMMENDATIONS:

1. That the report from Clifton Johnson, Real Estate Coordinator, Strategic Services and Initiatives to the Committee of Council Meeting of July 10, 2024, re: **Expropriation of Lands for the Road Improvement along Williams Parkway Boulevard – Ward 7**, be received;
2. That Council acting as the Approving Authority, pursuant to the Expropriations Act, R.S.O. 1990, c.E.26, as amended, enact a by-law in the form attached approving the expropriation of the property described as Part of Lot 8, Conc 3, EHS, Designated as Part 1 on Plan 43R-3239, (Lying E of the E limit of Williams Parkway on Plan M308 & N of Lionshead Lookout); T/W Part Rdal Btn Conc 2 & 3, Parts 8, 9 and 10 on Plan 43R-3239 as set out in 227161VS being all of PIN 14150-0906 (LT) for the purposes of Complete Street Improvements to Williams Parkway near the intersection with North Park Drive and Howden Boulevard, Ward 7; and,
3. That the by-law provide that the Commissioner, Public Works and Engineering, be authorized to execute all agreements and other documents, and serve and publish on behalf of The Corporation of the City of Brampton, all notices, applications, advertisements, agreements and other documents required by the Expropriations Act, R.S.O. 1990, c.E.26, as amended, in order to complete the expropriation of and settle the compensation for the said property based on terms and conditions acceptable to the Senior Manager, Realty Services , and in a form acceptable to the City Solicitor or designate.

OVERVIEW:

- **At its meeting of June 1, 2022, City Council passed By-law 132-2022, authorizing The Corporation of the City of Brampton, as expropriating**

authority, to make application for approval to expropriate lands required in connection with the Williams Parkway Complete Street Improvements Project from McLaughlin Road to North Park Drive.

- **In accordance with the approved Capital Program, Williams Parkway will undergo complete street improvements that include road improvements, intersection improvements, and active transportation improvements, enhanced landscaping and enhanced streetscaping.**
- **“Notices of Application for Approval to Expropriate” as required by the Expropriations Act, R.S.O. 1990, c.E.26, as amended (the “Act”) have been sent to the owner of and others having an interest in Part of Lot 8, Conc 3, EHS, Designated as Part 1 on Plan 43R-3239, (Lying E of the E limit of Williams Parkway on Plan M308 & N of Lionshead Lookout); T/W Part Rdal Btn Conc 2 & 3, Parts 8, 9 and 10 on Plan 43R-3239, as set out in 227161VS, being all of PIN 14150-0906 (LT) (the “Subject Property”) including the Trustee of the bankruptcy estate of the registered owner. As of the date of this report, no owners, or persons with an interest in the Subject Property have requested an Inquiry under Section 6(2) of the Act.**
- **Sufficient funding is available in the Public Works and Engineering capital budget.**

BACKGROUND:

Williams Parkway will undergo complete street improvements that include road improvements, intersection improvements, active transportation improvements, enhanced landscaping and enhanced streetscaping, from McLaughlin Road to North Park Drive. Please see Attachment 1 for Property Map.

At the June 1, 2022, meeting, City Council passed By-law 132-2022, authorizing The Corporation of the City of Brampton, as expropriating authority, to make application for approval to expropriate lands required in connection with the Williams Parkway Complete Street Improvements Project from McLaughlin Road to North Park Drive. Please see Attachment 1.

On June 21, 2022, a Notice of Application for Approval to Expropriate Lands was sent by registered mail to Bramalea Ltd., and the required publications of the Notice of Application for Approval to Expropriate Lands were completed. On June 29, 2022, the notice to Bramalea Ltd. was returned to sender.

CURRENT SITUATION:

Council approved the scope of work for complete street improvements to Williams Parkway and cancelled the six-lane widening. The existing road is in poor condition and requires rehabilitation, and or resurfacing. The current boulevard lacks active transportation infrastructure, and enhanced landscaping and streetscaping.

Following the service of the City's Notice of Application for Approval to Expropriate, the City was informed that MNP Ltd. is the trustee of the bankruptcy estate of Bramalea Ltd. Accordingly, the City also served the trustee with the Notice of Application for Approval to Expropriate on November 10, 2023. The City's external counsel advised that the trustee was seeking judicial authority in order to engage in negotiations with the City regarding the Subject Property. The City is currently moving forward to complete the expropriation and will negotiate compensation if and when the trustee receives court authorization.

No owners or persons with an interest in the Subject Property have requested an Inquiry under Section 6(2) of the Act as of the date of this report. Accordingly, Council as the Approving Authority, pursuant to the Act is in a position to enact a by-law to approve the expropriation of the Subject Property in the form attached hereto as Attachment 2 and authorize the City as the expropriating authority pursuant to the Act to proceed with the registration of the Certificate of Approval and Plan of Expropriation and the issuance of any and all required notices and statutory offer and to settle compensation payable pursuant to the Act.

Public Works & Engineering is in agreement with the expropriation of the Subject Property, as outlined in Attachment 2.

CORPORATE IMPLICATIONS:

Financial Implications:

Sufficient funding is available in the Public Works and Engineering capital budget.

Other Implications:

Legal Implications

Legal Services advises that external counsel is retained for the Williams Parkway widening expropriations.

STRATEGIC FOCUS AREA:

This report achieves the Growing Urban Centres and Neighbourhoods priority by focusing on transportation and connected infrastructure that is safe, convenient, efficient, and sustainable.

CONCLUSION:

This report recommends that a by-law be enacted by City Council to approve the expropriation of the Subject Property in the form set out in Attachment 2 and that the Commissioner, Public Works and Engineering be authorized to execute all agreements and other documents, and serve and publish on behalf of The Corporation of the City of Brampton, all notices, applications, advertisements, agreements and other documents required by the *Expropriations Act*, in order to complete the expropriation of and settle the compensation payable under the Act for the said property based on terms and conditions acceptable to the Senior Manager, Realty Services and in a form acceptable to the City Solicitor or designate.

Authored by:

Reviewed by:

Clifton Johnson
Real Estate Coordinator, Realty
Services

Rajat Gulati
Senior Manager, Realty Services

Approved by:

Approved by:

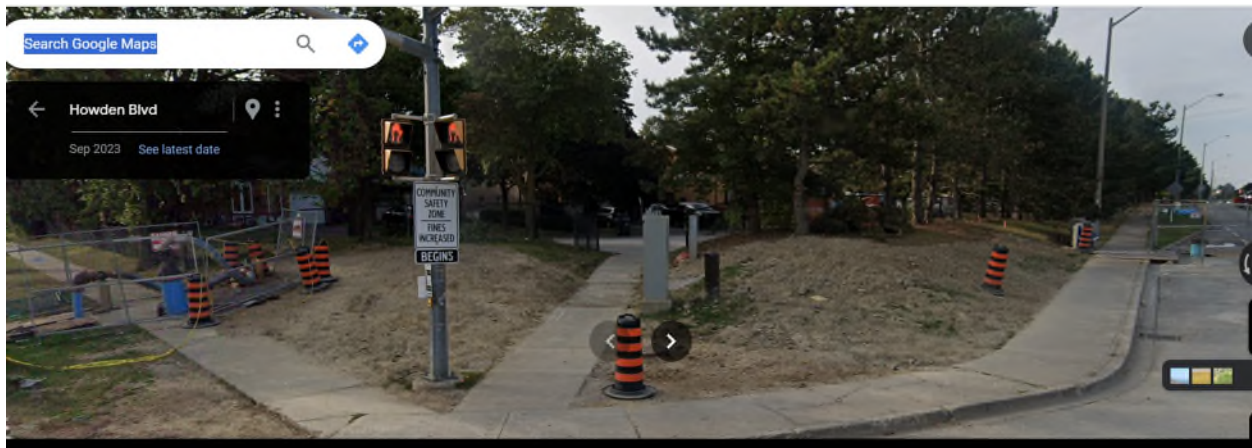
Peter Pilateris
Commissioner, Public Works and
Engineering

Marlon Kallideen
Chief Administrative Officer

Attachments:

- Attachment 1 – Property Map
- Attachment 2 – Draft By-law

Attachment 1
Property Map





THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 2024

To approve the Expropriation of Property Requirements for the purpose of Complete Street Improvements to Williams Parkway, near the Intersection with North Park Drive and Howden Boulevard, Ward 7

WHEREAS the Council of The Corporation of the City of Brampton, at its meeting of June 1, 2022, enacted By-law 132-2022 to authorize an Application for Approval to Expropriate certain lands for the purposes of the City's Complete Street Improvements to Williams Parkway;

AND WHEREAS Notice of Application for Approval to Expropriate the lands described in this by-law (the "Subject Lands") was served upon all registered owners of the Subject Lands and in accordance with the provisions of the Expropriations Act, R.S.O. 1990, c.E.26, as amended, and no owners have requested an Inquiry under s. 6(2) of the said Act;

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. That Council, acting as the Approving Authority, pursuant to the Expropriations Act, R.S.O. 1990, c.E.26, as amended, approves the expropriation of the following lands for the purposes of Complete Street Improvements to Williams Parkway near the intersection with North Park Drive and Howden Boulevard, Ward 7:
Part of Lot 8, Conc 3, EHS, Designated as Part 1 on Plan 43R-3239, (Lying E of the E limit of Williams Parkway on Plan M308 & N of Lionshead Lookout); T/W Part Rdal Btn Conc 2 & 3 on Parts 8, 9 and 10 on Plan 43R-3239, as set out in 227161VS being all of PIN 14150-0906 (LT).
2. That the Commissioner, Public Works and Engineering be authorized to execute all agreements and other documents, and serve and publish on behalf of The Corporation of the City of Brampton, all notices, applications, advertisements, agreements and other documents required by the *Expropriations Act*, R.S.O. 1990, c.E.26, as amended, in order to complete the expropriation of and settle the compensation for the said lands based on terms and conditions acceptable to the Senior Manager, Realty Services, and in a form acceptable to the City Solicitor or designate.

ENACTED and PASSED this day of July 2024.

Approved as to
form.
20 __/month/day
[Chris Pratt]

Patrick Brown, Mayor

Approved as to
content.
20 __/month/day
[Rajat Gulati]

Genevieve Scharback, City Clerk



Report
Staff Report
 The Corporation of the City of Brampton
 7/10/2024

Date: 2024-07-03

Subject: **Municipal Funding Agreement with AMO- Canada Community Building Fund**

Contact: Maja Kuzmanov, Senior Manager Accounting Services/Deputy Treasurer, Finance

Report number: Corporate Support Services-2024-609

RECOMMENDATIONS:

1. That the report from Maja Kuzmanov, Senior Manager Accounting Services/Deputy Treasurer, to the Council Meeting of July 10, 2024, re. **Municipal Funding Agreement with AMO- Canada Community- Building Fund (CCBF)** be received;
2. That a by-law be passed to authorize the Mayor and City Treasurer to execute the Municipal Funding Agreement (MFA) for the transfer of Canada Community-Building Fund between the Association of Municipalities of Ontario and The Corporation of the City of Brampton, in a form approved by the City Solicitor; and
3. That the City Treasurer be directed to deposit Canada Community-Building Fund receipts from AMO to Reserve Fund 91 established for this purpose.

OVERVIEW:

- **In 2005, the Association of Municipalities of Ontario (AMO) and the City of Brampton signed Federal Gas Tax Municipal Funding Agreement that flows federal Gas Tax revenue directly to municipalities in Ontario. In 2021, Federal Gas Tax Fund was officially renamed to Canada Community-Building Fund.**
- **Since then, the City has received \$287.9 million of Federal Gas Tax /CCBF funds from AMO.**

- **On April 1, 2024, Government of Canada, the Government of Ontario, AMO, and Toronto signed an extension to the Administrative Agreement for the transfer of funds until 2034.**
- **Under the new agreement Ontario municipalities will receive a predictable and stable funding stream between 2024 and 2034. Brampton's share over the first five years of this period is \$108.35 million.**
- **This report summarizes key changes from the previous agreement and criteria for participation in the program. New requirements related to housing have been introduced. In addition, changes to monitoring of the CCBF funds and insurance requirements are among the key changes.**
- **It is required that Council approve a by-law authorizing the execution of the Municipal Funding Agreement with AMO so the City of Brampton can receive the funding.**

BACKGROUND:

On June 17, 2005, Canada, Ontario, the Association of Municipalities of Ontario (AMO) and the City of Toronto signed a groundbreaking agreement under the Government of Canada's New Deal for Cities and Communities that flows federal gas tax revenue directly to municipalities in Ontario.

In February of 2010, AMO signed an extension to the Agreement for the Transfer of Federal Gas Tax Revenues.

On April 1, 2014, Canada, Ontario, AMO and Toronto signed a 10-year extension to the agreement for the transfer of federal Gas Tax Funds until 2023.

In 2021, Federal Gas Tax Fund was officially renamed to Canada Community-Building Fund.

Since 2005, the City has received \$287.9 million of federal Gas Tax /CCBF funds from AMO.

CURRENT SITUATION:

In a letter received from AMO in June, the City was formally advised that Canada, Ontario, AMO and Toronto signed an extension to the agreement for the transfer of Canada Community-Building Funds until 2034. The new Administrative Agreement for the transfer of Canada Community-Building Funds took effect on April 1, 2024.

Under the renewed 10-year Municipal Funding Agreement (MFA) Ontario municipalities will receive a predictable and stable funding stream between 2024 and 2034. The funding will be allocated to municipalities on a per-capita basis using 2021 census data.

The following payment schedule shows amount the City of Brampton will receive from AMO for the first 5 years of the agreement. Payments will be received semiannually on equal instalments.

2024	\$20,639,810.43
2025	\$21,499,802.53
2026	\$21,499,802.53
2027	\$22,359,794.63
2028	\$22,359,794.63

As part of the new Administrative Agreement, the Government of Canada committed to tie federal infrastructure funding to actions that increase the housing supply. As a result, new requirements related to housing have been introduced:

- Housing needs assessments (HNAs) are required for single-and lower-tier municipalities with a 2021 census population of 30,000 or more by March 31, 2025 (and are encouraged for other municipalities with housing pressures).
- Housing outcomes resulting from CCBF investment will need to be reported for each project that ended construction in the reporting year.
- Some related costs such as studies, strategies, or systems related to housing or land use are eligible under the capacity-building category.

Other key changes reflected in the new agreement include:

- Streamline some reporting requirements: CCBF funds are still expected to complement existing funding for municipal infrastructure, but municipalities are no longer required to monitor a “base amount” or the incremental use of funds.
- Insurance is still required but municipalities are no longer required to submit a Certificate of Insurance each year.
- The disaster mitigation category is now the resilience category.
- With limitations staff costs are now eligible under the capacity-building category.
- Equity requirement is introduced as municipalities are expected to consider GBA+ lenses when undertaking projects.
- Municipalities must retain records for at least six years.

The following section summarizes the pertinent eligibility requirements and permitted uses of the CCBF funds that will be paid to the City.

Eligibility requirements:

Under the new agreement municipal infrastructure projects may fall within the following 18 categories: local roads and bridges, short-sea shipping, short-line rail, regional and local airports, broadband connectivity, public transit, drinking water, wastewater, solid waste, community energy systems, brownfield redevelopment, sport infrastructure, recreation, culture, tourism, resilience, fire halls and capacity building.

Municipalities must demonstrate that projects are prioritized based on Asset Management planning in order to ensure they can build on the work to date and that they are not overburdened with new requirements.

Municipalities must also clearly demonstrate that the funding used for a project is incremental i.e. municipalities receiving CCBF funding cannot use it to displace current capital investment or result in corresponding reductions in capital investment. It must result in increased infrastructure investment in eligible categories equal to the amount of gas tax funding received.

Eligible Costs:

Following are eligible costs under the new CCBF agreement:

- Infrastructure investments – expenditures associated with acquiring, planning, designing, constructing, or renovating a tangible capital asset and any related debt financing charges specifically identified with that asset.
- Capacity-building costs – for projects eligible under the capacity-building category only, expenditures associated with the development and implementation of:
 - Capital investment plans, integrated community sustainability plans, integrated regional plans, housing needs assessments, or asset management plans;
 - Studies, strategies, systems, software, third-party assessments, plans, or training related to asset management;
 - Studies, strategies, systems, or plans related to housing or land use;
 - Studies, strategies, or plans related to the long-term management of infrastructure; and
 - Other initiatives that strengthen the Recipient's ability to improve local and regional planning.
- Joint communications and signage costs – expenditures directly associated with joint federal communication activities and with federal project signage.

- Employee costs – the costs of the Recipient’s employees for projects eligible under the capacity-building category only – provided that the costs, on an annual basis, do not exceed the lesser of:
 - 40% of the Recipient’s annual allocation (i.e., the amount of CCBF funding made available to the Recipient by AMO under Section **Error! Reference source not found.** of this Agreement); or
 - \$80,000

Outcomes Report

The annual reporting requirement on the eligible project outcomes continues under the new agreement. Under the extended Administrative Agreement on the Canada Community-Building Fund (CCBF), housing outcomes resulting from each Eligible Project that ended construction in the reporting year must be included, and specifically:

- The number of housing units enabled, supported, or preserved; and
- The number of affordable housing units enabled, supported, or preserved.

In addition, municipalities will report the impact of the CCBF on housing pressures tied to infrastructure gaps, the housing supply, and housing affordability.

CORPORATE IMPLICATIONS:

Financial Implications:

Brampton's allocation over the first five years of the new Administrative Agreement is \$108.35 million.

STRATEGIC FOCUS AREA:

This report fulfils Government & Leadership Strategic Focus Area through strict adherence to effective financial management policies and ensuring transparent and accountable financial operations.

CONCLUSION:

On April 1, 2024, Canada, Ontario, AMO and Toronto agreed on an extension to the agreement for the transfer of Canada Community Building Funds until 2034. Under the new agreement Ontario municipalities will receive a predictable and stable funding stream. Brampton share over the first five years of the new Administrative Agreement is \$108.35 million. The funding program requires Council to approve a by-law authorizing

the execution of the Municipal Funding Agreement with AMO so the City of Brampton can receive the funding.

Authored by:

Reviewed by:

Neena Parekh,
Manager
Accounting

Nash Damer,
Treasurer

Approved by:

Approved by:

Alex Milojevic
Commissioner
Corporate Support Services

Marlon Kallideen
Chief Administrative Officer

Attachments:

- Attachment 1 – Draft By-law to authorize execution of the Municipal Funding Agreement between The Association of Municipalities of Ontario and The Corporation of the City of Brampton



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2024

To authorize execution of the Municipal Funding Agreement
Between
The Association of Municipalities of Ontario
And
The Corporation of the City of Brampton

WHEREAS the Federal government has provided funding for Canada Community-Building Fund Revenues by signing the Administrative Agreement which took effect on April 1, 2024;

AND WHEREAS the Association of Municipalities of Ontario ("AMO") is carrying out the fund administration and coordinating role under said agreement;

AND WHEREAS AMO and The Corporation of the City Brampton ("the City") have previously entered into an Municipal Finding Agreement for the Transfer of Canda Comminuty-Building Fund Revenues Under the New Deal for Cities and Communities;

AND WHEREAS, AMO requires the City to enter into a Municipal Funding Agreement for the Transfer of Canda Comminuty-Building Fund Revenues in order that the City continues to receive its share of the Canda Comminuty-Building Fund;

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. The Mayor and the City Treasurer are hereby delegated the authority to execute on behalf of The City of Brampton the Municipal Funding Agreement for the Transfer of Canada Community Building Fund Revenues between the Association of Municipalities of Ontario and The Corporation of the City of Brampton, on such terms and conditions as may be satisfactory to the City Treasurer and in a form approved by the City Solicitor or designate.

ENACTED and PASSED this 10th day of July, 2024

Approved as to form.
____ / ____ / ____

Legal

Patrick Brown, Mayor

Approved as to content.
____ / ____ / ____

Treasurer

Genevieve Scharback, City Clerk



BRAMPTON

Report
Staff Report
 The Corporation of the City of Brampton
 7/10/2024

Date: 2024-07-10

Subject: **Recommendation Report – Downtown Revitalization Streetscape Project Update – Ward 1 & 3**

Contact: Anthony Obtinario, Manager, Downtown Revitalization Planning, Building & Growth Management Department

Report number: Planning, Bld & Growth Mgt-2024-608

RECOMMENDATIONS:

1. That the report from Anthony Obtinario, Manager, Downtown Revitalization, Planning, Building & Growth Management to the Committee of Council Meeting of July 10, 2025, re: **Recommendation Report – Downtown Revitalization Streetscape Project Update**, be received;
2. That Council approve a project scope update for the Downtown Revitalization Streetscape Project to include granite materials, construction of new traffic signals at six intersections, upgrade of existing streetlight power lines, updated engineering design, and contingency allowance with a total additional cost of \$6,515,000, pretax; and
3. That staff include the additional project scope cost in a future quarterly status report or 2025 Capital Budget for the Mayor's consideration.

OVERVIEW:

- **On September 29, 2021, Council directed (CW424-2021) staff to commence streetscaping work as part of the initial phase of the Integrated Downtown Plan. The project includes improvements to the pedestrian and public realm on Main and Queen Streets, coordinated with the Region of Peel's Downtown Brampton Phase 1 Watermain, Sanitary Sewer, and Road Reconstruction.**
- **The Region of Peel's Downtown Brampton Phase 1 project is proceeding to above-ground streetscaping construction following the completion of underground works in June 2024.**
- **This Council report seeks approval to transition to a granite streetscape material as a strategic decision to enhance the durability, longevity and aesthetics of the downtown streetscape project. Ultimately, this shift to granite will reduce the need for future reconstruction in the downtown**

area, thereby significantly minimizing impacts on residents and businesses.

- Staff consulted with the Downtown Brampton BIA to discuss the transition of the streetscape project to granite materials, and there were no objections.
- The additional cost for the project scope update is \$6,515,000, which includes the construction cost increase for granite materials of \$2,500,000, new traffic signals of \$2,800,000, a streetlight power line upgrade of \$700,000, engineering design fee of \$150,000, and a contingency allowance of \$365,000.
- Sufficient funding is available to commence construction in Fall 2024 for the construction cost for granite materials, streetlight power line replacement, and detail design costs. Staff will include the additional project scope cost in a future quarterly status report or 2025 Capital Budget for the Mayor's consideration.

BACKGROUND:

Downtown Revitalization Streetscape – An Interim Strategy

On September 29, 2021, Council directed (CW424-2021) staff to begin streetscaping work (Option 2) to implement an improved pedestrian and public realm as part of the first phase of the Integrated Downtown Plan, in full coordination with the Region of Peel's Downtown Brampton Phase 1 Watermain, Sanitary Sewer and Road Reconstruction. The 2021 staff report identified a total of five options for the streetscaping work, which also considered an ultimate solution with the possibility of an LRT surface route on Main Street. It was identified that Metrolinx's future Light Rail Transit (LRT) surface route would require new streetscape designs including reconstruction of any interim proposed streetscape work. To minimize any throw-away cost when LRT was constructed, but to also improve the streetscape in the interim, Council resolved on an improved Streetscape project that integrated cycling facilities, expanded the boulevard and public realm, installed new concrete pavers, rehabilitated storm sewers, and maintained current street trees and current light posts. It was assumed that Main Street LRT would address the out-of-scope elements for streetlights, storm sewers and full road reconstruction (at the time, staff also assumed that future Queen BRT/a future Queen St. project may address streetlights, storm sewers, and full road reconstruction).

Stakeholder Input and Changing Conditions

During Main/Queen streetscape design discussions, staff heard from various stakeholders that an upgrade in material to granite was desired. The Downtown Brampton Business Improvement Area (BIA) has advocated for the revitalization of the downtown area with infrastructure, streetscape improvements, and an upgrade in streetscape material. At a meeting in May, the BIA noted that construction needs to

proceed as soon as possible to minimize impacts to local businesses. The update to granite material offers numerous benefits. Most importantly, it will reduce the need for future reconstruction and maintenance along the boulevards and downtown area, ultimately minimizing the impact on residents and businesses. Staff consulted with the Downtown Brampton BIA to discuss the transition of the streetscape project to granite materials, and there were no objections.

As part of the Get it Done Act, the Government of Ontario has designated the Hazel McCallion Line extension into Downtown Brampton a priority transit project in the province. Considering a tunnel option for LRT, and the Partial Streetscaping originally scoped as an interim solution to possible surface LRT, staff proceeded with an assessment of the granite cost and schedule requirements together with a review of other future downtown infrastructure project impacts to confirm the project objectives, deliverables, and the best path forward. In addition, it was confirmed that Metrolinx's Queen Street Bus Rapid Transit (BRT) will have minimal impact on the Streetscape project and only requiring minor intersection adjustments to facilitate bus turning movements.

CURRENT SITUATION:

Streetscape Design and Construction – Granite Impacts

The Region of Peel's Downtown Brampton Phase 1 project is proceeding to above-ground streetscaping construction with the completion of underground works in June 2024 and the recently completed asphalt resurfacing along Main Street to host the Farmer's Market. Subsequently, the contractor will be finalizing underground repairs and trench restorations along Queen Street (without the similar temporary asphalt resurfacing that was completed along Main Street since Queen Street streetscape works will be constructed first).

The City's design consultant, Jacob's has prepared a cost and schedule impact of including granite materials for the streetscape project. Subsequently, the contractor has provided their overall cost to include granite materials and identified a phased approach to proceed with construction this Fall with trench repairs, granite curbs, roadway, and boulevard preparation. The additional cost to implement the granite materials in the project is \$2,500,000.

Granite Benefits

Utilizing granite materials for a project offers numerous benefits, particularly durability and aesthetic appeal. Granite materials are known for their elegance, enhanced sophistication, natural strength, and durability, making them highly resistant to wear and tear, which ensures long-lasting beauty. The primary advantages of implementing granite within the boulevard is its higher quality and consistent appearance over time, enhancing the visual appeal of streetscapes, plazas, walkways, and other public areas, thus creating a more elevated and attractive environment.

In contrast, standard unit pavers in adjacent Garden Square, constructed in 2006, have shown natural weathering and material aging, leading to potential safety and tripping hazards and necessitating increased maintenance and repairs. A 2024 maintenance tender contract for Garden Square included a budget of \$100,000, including new concrete paver supply, as the original supply ran out. Since 2016, annual maintenance costs in Garden Square have ranged from \$20,000 to \$40,000 (exclusive of paver material costs) with complete replacement anticipated within 20 years of installation. Jacob's have identified that the granite materials costs have a 60% higher initial cost. However, in 20 years, granite will not require replacement, will recover its cost with an additional 25% savings, and will continue to be cost efficient beyond 50 years.

At the same time, staff are currently undertaking additional work to advance the redevelopment of Ken Whillans and Garden Square. An elevated longer-term solution for the squares would be to use granite as the surface treatment and early consultation work on the squares has indicated granite as a desired material for the redesign. To be consistent, the Streetscape project should also use granite to create a cohesive aesthetic in the downtown.

Infrastructure Review and Recommended Improvements

In addition to research on granite cost and schedule impacts, staff undertook an infrastructure review to confirm project objectives and identify any additional items that would not negatively impact project schedule but would improve the overall project. With the proposed granite materials providing a more long-term solution for the Streetscape project, there is an immediate need to replace the existing streetlight power lines. The Traffic Streetlight group has confirmed that the existing streetlight fixtures have been upgraded with LED technology, and the poles are currently in good condition, only requiring painting. Unfortunately, the underground power lines, inherited from Hydro Brampton in the early 1900s, are very old, and their condition is unknown. Recommendations at this stage are to replace the underground power lines in their existing location as an upgrade within the boulevard as part of the new streetscape construction. This approach will minimize disruptions to residents and businesses and ultimately save costs by integrating the work into the existing project. The additional cost to include the replacement of the underground streetlight power lines in the project is estimated at \$700,000.

The Streetscape Project has identified an essential need to install new traffic signals at six key intersections to complement the wider boulevard and new curb locations. The traffic signalization updates to the design were an unidentified cost, not included in the original project scope and budget. The project design drawings, including the traffic signalization, have already been finalized by our consultant. The cost for including construction of the new traffic signalization in the Region's contract is \$2.8 million.

Summary and Next Steps - Cost and Schedule

The cost for the project scope update to include granite materials, construction of new traffic signals at six intersections, replacement of existing streetlight power lines, updated engineering design, and contingency allowance is summarized as follows:

Items	Estimated Budget
Construction Cost Increase for Granite Materials	\$2,500,000
Construction Cost for New Traffic Signals	\$2,800,000
Construction Cost for Streetlight Power Line Replacement	\$700,000
Design Cost for Granite Materials	\$150,000
Contingency for Design & Construction (10%)	\$365,000
Total	\$6,515,000

To reduce costs, save time, and maintain consistency, the City is continuing to work with the existing consultant and contractor. Upon approval of the project scope update to granite materials, the consultant and contractor will initiate the project planning and implementation phases to ensure construction proceeds as soon as possible in the Fall of 2024. The consultant will immediately begin preparing drawings to facilitate the contractor's initial construction activities for Queen Street West. Simultaneously, the contractor will commence project planning, scheduling, and material ordering to begin construction for Fall 2024. During the initial construction phase, the consultant will continue updating the remaining design drawings, targeted for completion within six months. The incorporation of higher quality granite materials is expected to extend the construction completion timeline by six months, with Queen Street anticipated to be completed in early 2026 and Main Street by the middle of 2027.

Staff will also explore opportunities to implement streetscape improvements utilizing granite materials. This initiative, which can serve as a pilot project, would showcase granite benefits, and align with the strategic revitalization of downtown.

CORPORATE IMPLICATIONS:

Financial Implications:

Sufficient funding is available to commence construction in the Fall 2024 for the construction cost for granite materials, streetlight power line replacement, and detail design costs. Staff will include the additional project scope cost in a future quarterly status report or 2025 Capital Budget for the Mayor’s consideration.

Project	Budget Approved	Actuals	Commitments	Budget Remaining
---------	-----------------	---------	-------------	------------------

183866 – Downtown Improvements	\$24,009,000	\$5,590,294	\$13,738,937	\$4,609,770
--------------------------------	--------------	-------------	--------------	-------------

STRATEGIC FOCUS AREA:

This report directly aligns with the “Growing Urban Centres & Neighborhoods” theme in the Term of Council Priorities. The report supports the revitalization of the downtown including the delivery of an enhanced streetscape.

CONCLUSION:

This recommendation report is to obtain Council authorization for a project scope update for the Downtown Revitalization Streetscape Project to include granite materials, construction of new traffic signals at six intersections, upgrade of existing streetlight power lines, updated engineering design, and contingency allowance with a total additional cost of \$6,515,000, pretax.

The project shift to granite will elevate the overall design and aesthetic of the downtown and will reduce the need for near future reconstruction in the area, thereby significantly minimizing impacts on residents and businesses.

Authored by:

Reviewed by:

Anthony Obtinario, P.Eng.
 Manager, Downtown Revitalization
 Planning, Building & Growth
 Management Department

Andria Oliveira
 Director, Downtown Revitalization
 Planning, Building & Growth
 Management Department

Approved by:

Approved by:

Steve Ganesh, RPP, MCIP
 Commissioner, Planning, Building &
 Growth Management Department

Marlon Kallideen
 Chief Administrative Officer
 Office of the CAO



Minutes

Planning and Development Committee The Corporation of the City of Brampton

Monday, June 17, 2024

- Members Present: Regional Councillor M. Palleschi - Wards 2 and 6
Deputy Mayor H. Singh - Wards 9 and 10
Regional Councillor R. Santos - Wards 1 and 5
Regional Councillor P. Vicente - Wards 1 and 5
Regional Councillor N. Kaur Brar - Wards 2 and 6
Regional Councillor D. Keenan - Wards 3 and 4
Regional Councillor M. Medeiros - Wards 3 and 4
Regional Councillor P. Fortini - Wards 7 and 8
Regional Councillor G. Toor - Wards 9 and 10
City Councillor R. Power - Wards 7 and 8
- Staff Present: Angelo Ambrico, Acting Commissioner, Planning Building and Growth Management
Allan Parsons, Director, Development Services
Henrik Zbogor, Director, Integrated City Planning
David Vanderberg, Manager, Planning Building and Economic Development
Melinda Yogendran, Planner, Integrated City Planning
Wang Kei (Edwin) Li, Planner, Development Services
Harsh Padhya, Planner, Development Services
Yinzhou Xiao, Planner, Development Services
Chinoye Sunny, Planner, Development Services
Sadaf Shahid-Hussain, Planner, Development Services
Arjun Singh, Planner, Development Services
Satwant Hothi, Planner, Development Services
Noel Cubacub, Planner, Integrated City Planning
Tristan Costa, Planner, Integrated City Planning
Samantha DeLaPena, Planner, Development Services
Genevieve Scharback, City Clerk
Charlotte Gravlev, Deputy City Clerk
Gagandeep Jaswal, Acting Legislative Coordinator

1. **Call to Order**

The meeting was called to order at 7:01 p.m. and adjourned at 11:06 p.m.

As this Planning and Development Committee Meeting was conducted with electronic and in-person participation by Members of Council, the meeting started with calling the roll for attendance at the meeting, as follows:

Members present during roll call: Regional Councillor Palleschi (Chair), Deputy Mayor Singh, Regional Councillor Santos (arrived - 7:49 p.m.), Regional Councillor Vicente, Regional Councillor Brar, Regional Councillor Keenan, Regional Councillor Medeiros, Regional Councillor Fortini, Regional Councillor Toor, and City Councillor Power.

Members absent during roll call: Mayor Brown (ex officio).

2. **Approval of Agenda**

PDC107-2024

That the agenda for the Planning and Development Committee Meeting of June 17, 2024, be approved, as amended, as follows:

To add:

Item 9.1 - Discussion Item at the request of Chair Palleschi re: Surety Bonds, Letters of Credit and Development Charges

Carried

3. **Declarations of Interest under the Municipal Conflict of Interest Act**

Nil

4. **Consent Motion**

The following items listed with a caret (^) were considered to be routine and non-controversial by the Committee and were approved at one time.

(~~7.3, 7.4~~, 7.6, 7.7, 7.8, 7.9, 7.10, 8.1)

The following motion was considered:

PDC108-2024

That the following items to the Planning and Development Committee Meeting of June 17, 2024, be approved as part of Consent:

~~7.3, 7.4,~~ 7.6, 7.7, 7.8, 7.9, 7.10, 8.1

Carried

Note: Later in the meeting, on a two-thirds majority vote to re-open the question, the agenda was re-opened and Items 7.3 and 7.4 were removed from Consent and dealt with during the meeting (see **PDC122-2024** and **PDC123-2024** below).

5. Statutory Public Meeting Reports

5.1 Staff Presentation re: City-wide Community Improvement Plan for Affordable Housing

Items 6.10 and 7.1 were brought forward and dealt with at this time.

Henrik Zbogar, Director, Integrated City Planning, introduced the subject matter and the external consultants. Dalton Wudrich and Margaret Forbes, SHS Consulting presented an overview of the subject matter that included key topics, project overview, project plan, goal and objectives, enabling legislation, financial analysis methodology, financial analysis results, area context, program descriptions, evaluation framework, and next steps.

Sylvia Roberts, Brampton Resident, provided comments on the subject matter that included timelines for the number of residential units projects, market rentals, parking and associated costs, and transit services.

The following motion was considered:

PDC109-2024

1. That the presentation from Melinda Yogendran, Principal Planner/Supervisor, Integrated City Planning, to the Planning and Development Committee Meeting of June 17, 2024, re: **City-wide Community Improvement Plan for Affordable Housing**, be received;
2. That the report from Melinda Yogendran, Principal Planner/Supervisor, Integrated City Planning, to the Planning and Development Committee Meeting of June 17, 2024, re: City-wide Community Improvement Plan for Affordable Housing, be received; and
3. That the following delegation re: City-wide Community Improvement Plan for Affordable Housing to the Planning and Development Committee Meeting of June 17, 2024, be received:

1. Sylvia Roberts, Brampton Resident.

Carried

5.2 Staff Presentation re: City-initiated Zoning By-law Amendment - Changes in Residential Driveway Standards, Wards 1, 3, 4, 5, 7 and 8

Item 6.11 was brought forward and dealt with at this time.

David Vanderberg, Manager, Development Services, on behalf of Edwin Li, Planner, Integrated City Planning, presented an overview of the subject matter that included project background, principles underlying proposed change, development of proposed new standards, supporting data, proposed change to driveway standards, key issues and considerations, and next steps.

The following delegations addressed Committee and expressed their concerns, comments, and questions with respect to the subject application:

- Carol Danchuk, Brampton Resident
- Margaret Wise-Hellmuth, Brampton Resident
- Michelle Gauthier, Brampton Resident
- Cynthia Sri Pragash, Brampton Resident

Committee consideration of the matter included concerns, comments, and questions from the delegates with respect to the following:

- how the City will ensure there are enough resources to enforce compliance with related by-laws
- how the City will deal with already existing illegally widened driveways
- when the proposed changes will take effect
- environmental impact

The following motion was considered:

PDC110-2024

1. That the presentation from Edwin Li, Planner, Integrated City Planning, to the Planning and Development Committee Meeting of June 17, 2024, re: **City-initiated Zoning By-law Amendment - Changes in Residential Driveway Standards, Wards 1, 3, 4, 5, 7 and 8**, be received; and

2. That the following delegations re: City-initiated Zoning By-law Amendment - Changes in Residential Driveway Standards, Wards 1, 3, 4, 5, 7 and 8 to the Planning and Development Committee Meeting of June 17, 2024, be received:

1. Carol Danchuk, Brampton Resident
2. Margaret Wise-Hellmuth, Brampton Resident
3. Michelle Gauthier, Brampton Resident
4. Cynthia Sri Pragash, Brampton Resident.

Carried

5.3 Staff Presentation re: Application to Amend the Zoning By-law, G-Force Urban Planners, Jindal Developments Ltd., 1955 Cottrelle Boulevard, Ward 8, File: OZS-2023-0045

Items 6.8 and 11.14 were brought forward and dealt with at this time.

Harsh Padhya, Planner, Development Services, presented an overview of the application that included location overview, area context, site photos, development proposal, planning framework summary, official plan designation, Brampton plan designation, secondary plan designation, zoning by-law, zoning by-law amendment, key issues and considerations, and next steps.

In response to questions of clarification from Committee, staff outlined the difference between the proposed application and a previous one of a similar nature at the same location, which was refused by Committee.

The following delegations addressed Committee and expressed their concerns, comments, and questions with respect to the subject application:

- Cynthia Sri Pragash, Brampton Resident
- Raymond Carle, Brampton Resident
- Rupinder Kharbanda and Jasbeer Kharbanda, Brampton Residents

Committee consideration of the matter included concerns, comments, suggestions and questions from the delegates with respect to the following:

- traffic and safety concerns
- incompatibility with existing neighbourhood characteristics
- lack of commercial sites within the area

- lack of supporting infrastructure
- sightline concerns
- concerns surrounding the Ontario Land Tribunal appeal process

Manni Chauhan, G-Force Urban Planners, on behalf of the applicant, noted the amendments made to the proposed application to address concerns expressed by the residents.

The following motion was considered:

PDC111-2024

1. That the presentation from Harsh Padhya, Planner, Development Services, to the Planning and Development Committee Meeting of June 17, 2024, re: **Application to Amend the Zoning By-law, G-Force Urban Planners, Jindal Developments Ltd., 1955 Cottrelle Boulevard, Ward 8, File: OZS-2023-0045**, be received;
2. That the following delegations re: Application to Amend the Zoning By-law, G-Force Urban Planners, Jindal Developments Ltd., 1955 Cottrelle Boulevard, Ward 8, File: OZS-2023-0045 to the Planning and Development Committee Meeting of June 17, 2024, be received; and
 1. Cynthia Sri Pragash, Brampton Resident
 2. Raymond Carle, Brampton Resident
 3. Rupinder Kharbanda and Jasbeer Kharbanda, Brampton Residents
 4. Manni Chauhan, G-Force Urban Planners, on behalf of the applicant
3. That the following correspondence re: Application to Amend the Zoning By-law, G-Force Urban Planners, Jindal Developments Ltd., 1955 Cottrelle Boulevard, Ward 8, File: OZS-2023-0045 to the Planning and Development Committee Meeting of June 17, 2024, be received:
 1. Muhammad (Brian) Ilyas, Brampton Resident, dated June 17, 2024.

Carried

- 5.4 Staff Presentation re: Application to Amend the Zoning By-law, Korsiak Planning - Mattamy (Credit River) Limited, 10201 Mississauga Road and 0 Mississauga Road, Ward 6, File: OZS-2024-0030

In response to the Chair's query if anyone present would like to see a presentation, or delegate to this item, no one responded. Therefore, the Chair proceeded to adjourn this public meeting item.

The following motion was considered:

PDC112-2024

That the presentation from Yin Xiao, Principle Planner/Supervisor, Development Services, to the Planning and Development Committee Meeting of June 17, 2024, re: **Application to Amend the Zoning By-law, Korsiak Planning - Mattamy (Credit River) Limited, 10201 Mississauga Road and 0 Mississauga Road, Ward 6, File: OZS-2024-0030**, be received.

Carried

- 5.5 Staff Presentation re: Application to Amend the Official Plan and Zoning By-law, Amdev Property Group, 23, 25, 27, and 29 Mill Street North and 53 Nelson Street West, Ward 1, File: OZS-2024-0033

Items 6.4 and 11.5 were brought forward and dealt with at this time.

Chinoye Sunny, Planner, Development Services, presented an overview of the application that included location overview, area context, site photos, development proposal, tertiary plan, planning framework summary, official plan designation, Brampton plan designation, secondary plan designation, zoning by-law, zoning by-law amendment, key issues and considerations, and next steps.

Richard Domes, Gagnon Walker Domes, consultant on behalf of the applicant, presented an overview of the application that included site context, Brampton plan designation, site plan summary, ground floor context, bio-diversity corridor, landscape buffers, dimensions, and tertiary plan.

The following delegations addressed Committee and expressed their concerns, comments, and questions with respect to the subject application:

- Patrick Silva, Brampton Resident
- Sharon Fraser, Brampton Resident

Committee consideration of the matter included concerns, comments, and questions from the delegates with respect to the following:

- unsuitable location and possibility of changing the development site to a more suitable location

- insufficient existing infrastructure
- noise concerns
- support for medium density housing in the subject area

The following registered delegation was in attendance and withdrew their delegation:

1. Charles Foster, Brampton Resident

The following motion was considered:

PDC113-2024

1. That the presentation from Chinoye Sunny, Planner, Development Services, to the Planning and Development Committee Meeting of June 17, 2024, re: **Application to Amend the Official Plan and Zoning By-law, Amdev Property Group, 23, 25, 27, and 29 Mill Street North and 53 Nelson Street West, Ward 1, File: OZS-2024-0033**, be received;
2. That the following delegations re: Application to Amend the Official Plan and Zoning By-law, Amdev Property Group, 23, 25, 27, and 29 Mill Street North and 53 Nelson Street West, Ward 1, File: OZS-2024-0033 to the Planning and Development Committee Meeting of June 17, 2024, be received; and
 1. Richard Domes, Gagnon Walker Domes, on behalf of the applicant
 2. Patrick Silva, Brampton Resident
 3. Sharon Fraser, Brampton Resident
3. That the following correspondence re: Application to Amend the Official Plan and Zoning By-law, Amdev Property Group, 23, 25, 27, and 29 Mill Street North and 53 Nelson Street West, Ward 1, File: OZS-2024-0033 to the Planning and Development Committee Meeting of June 17, 2024, be received:
 1. Patrick and Theresa Silva, Brampton Residents, dated June 2, 2024
 2. Kim McDonald-Taylor, Brampton Resident, dated May 28, 2024
 3. Louise Humphreys, Brampton Resident, dated June 11, 2024
 4. Bernard Cassar, Brampton Resident, dated June 11, 2024
 5. Cassar Property Management Inc., dated June 11, 2024

6. Mark Figiel, Brampton Resident, dated June 11, 2024.

Carried

5.6 Staff Presentation re: Application to Amend the Official Plan and Zoning By-law, SGL Planning and Design Inc., Constantine Enterprises Inc., 104 and 118 Queen Street West, Ward 1, File: OZS-2024-0034

Items 6.2 and 11.6 were brought forward and dealt with at this time.

Chinoye Sunny, Planner, Development Services, presented an overview of the application that included location overview, area context, site photos, development proposal, tertiary plan, planning framework summary, official plan designation, Brampton plan designation, secondary plan designation, zoning by-law, zoning by-law amendment, key issues and considerations, and next steps.

Raymond Ziemba, SGL Planning and Design Inc., presented an overview of the application that included site context, existing and planned transportation, strategic growth areas, Brampton plan designation, development proposal, official plan amendment, zoning by-law amendment, and engagement and next steps.

The following delegations addressed Committee and expressed their concerns, comments, and questions with respect to the subject application:

- Emma Jones, Brampton Resident
- Charles Foster, Brampton Resident
- Sonja and David Thiessen, Brampton Residents
- Telma Melo, Brampton Resident
- Sylvia Roberts, Brampton Resident

Committee consideration of the matter included concerns, comments, and questions from the delegates with respect to the following:

- concerns surrounding size and scale of the proposed development
- misalignment with current landscape of the area
- sightline and privacy concerns
- potential impact to heritage buildings and infrastructure
- traffic concerns

- the proposed development does not comply with zoning regulations surrounding setbacks
- dust and noise concerns
- insufficient infrastructure to support increased density
- inadequate parking availability
- environmental impact and concerns

The following motion was considered:

PDC114-2024

1. That the presentation from Chinoye Sunny, Planner, Development Services, to the Planning and Development Committee Meeting of June 17, 2024, re: **Application to Amend the Official Plan and Zoning By-law, SGL Planning and Design Inc., Constantine Enterprises Inc., 104 and 118 Queen Street West, Ward 1, File: OZS-2024-0034**, be received;
2. That the following delegations re: Application to Amend the Official Plan and Zoning By-law, SGL Planning and Design Inc., Constantine Enterprises Inc., 104 and 118 Queen Street West, Ward 1, File: OZS-2024-0034 to the Planning and Development Committee Meeting of June 17, 2024, be received; and
 1. Emma Jones, Brampton Resident
 2. Charles Foster, Brampton Resident
 3. Sonja and David Thiessen, Brampton Residents
 4. Telma Melo, Brampton Resident
 5. Sylvia Roberts, Brampton Resident
 6. Raymond Ziemba, SGL Planning and Design Inc.
3. That the following correspondence re: Application to Amend the Official Plan and Zoning By-law, SGL Planning and Design Inc., Constantine Enterprises Inc., 104 and 118 Queen Street West, Ward 1, File: OZS-2024-0034 to the Planning and Development Committee Meeting of June 17, 2024, be received:
 1. Emma O'Malley, Brampton Resident, dated May 29, 2024
 2. Emma Jones, Brampton Resident, dated June 10, 2024 (petition)

3. Cassar Property Management Inc., dated June 11, 2024
4. Bernard Cassar, Brampton Resident, dated June 11, 2024.

Carried

- 5.7 Staff Presentation re: Application to Amend the Official Plan and Zoning By-law, Gagnon Walker Domes Ltd., 2766321 Ontario Inc., 0 and 11860 Bramalea Road, Ward 9, File: OZS-2024-0036

Items 6.6 and 11.9 were brought forward and dealt with at this time.

Chinoye Sunny, Planner, Development Services, presented an overview of the application that included location overview, area context, site photos, development proposal, tertiary plan, planning framework summary, official plan designation, Brampton plan designation, secondary plan designation, block plan designation, zoning by-law, zoning by-law amendment, key issues and considerations, and next steps.

Michelle Harris and Marc DeNardis, Gagnon Walker Domes, presented an overview of the application that included site context, architectural site plan, circulation plan, landscape concept plan, sustainability score, and related technical studies, reports, and plans.

The following motion was considered:

PDC115-2024

1. That the presentation from Chinoye Sunny, Planner, Development Services, to the Planning and Development Committee Meeting of June 17, 2024, re: **Application to Amend the Official Plan and Zoning By-law, Gagnon Walker Domes Ltd., 2766321 Ontario Inc., 0 and 11860 Bramalea Road, Ward 9, File: OZS-2024-0036**, be received;
2. That the following delegation re: Application to Amend the Official Plan and Zoning By-law, Gagnon Walker Domes Ltd., 2766321 Ontario Inc., 0 and 11860 Bramalea Road, Ward 9, File: OZS-2024-0036 to the Planning and Development Committee Meeting of June 17, 2024, be received; and
 1. Michelle Harris and Marc DeNardis, Gagnon Walker Domes, on behalf of the applicant
3. That the following correspondence re: Application to Amend the Official Plan and Zoning By-law, Gagnon Walker Domes Ltd., 2766321 Ontario Inc., 0 and 11860 Bramalea Road, Ward 9, File: OZS-2024-0036 to the

Planning and Development Committee Meeting of June 17, 2024, be received:

1. Keith MacKinnon, KLM Planning, on behalf of Patilda Construction Inc., DG Group, dated June 14, 2024
2. Andrew Orr, Brampton Resident, dated June 15, 2024.

Carried

- 5.8 Staff Presentation re: Application to Amend the Zoning By-law, 2798536 Ontario Inc., 0 Highway 50, Ward 10, File: OZS-2024-0008

Item 11.7 was brought forward and dealt with at this time.

In response to the Chair's query if anyone present would like to see a presentation, or delegate to this item, no one responded. Therefore, the Chair proceeded to adjourn this public meeting item.

The following motion was considered:

PDC116-2024

1. That the presentation from Sadaf Shahid-Hussain, Planner, Development Services, to the Planning and Development Committee Meeting of June 17, 2024, re: **Application to Amend the Zoning By-law, 2798536 Ontario Inc., 0 Highway 50, Ward 10, File: OZS-2024-0008**, be received; and
2. That the correspondence from Joseph Plutino, Mainline Planning Services Inc., dated June 11, 2024, re: Application to Amend the Zoning By-law, 2798536 Ontario Inc., 0 Highway 50, Ward 10, File: OZS-2024-0008 to the Planning and Development Committee Meeting of June 17, 2024, be received.

Carried

- 5.9 Staff Presentation re: Application to Amend the Zoning By-law, Gagnon Walker Domes, 23 Railroad Inc., 17595031 Railroad ME Inc., and 5519273548 Railroad ME Inc., Railroad Street, Mill Street North, and Elizabeth Street North, Ward 1, File: OZS-2024-0032

Item 6.5 was brought forward and dealt with at this time.

Arjun Singh, Planner, Development Services, presented an overview of the application that included location overview, area context, site photos, development proposal, tertiary plan, planning framework summary, official plan designation, Brampton plan designation, secondary plan designation, zoning by-law, zoning by-law amendment, key issues and considerations, and next steps.

Andrew Walker, Gagnon Walker Domes, presented an overview of the application that included site context, Brampton plan designation, site plan summary, preliminary renderings and landscape plan, tertiary plan, and related technical studies, reports, and plans.

Sharon Fraser, Brampton Resident, expressed support for the subject application, noting that the existing infrastructure and services in the area are adequate and can support the increased density. The resident suggested taking into consideration the aesthetics of the ground floor of the proposed development to ensure compatibility with the area and surrounding nature.

The following motion was considered:

PDC117-2024

1. That the presentation from Arjun Singh, Planner, Development Services, to the Planning and Development Committee Meeting of June 17, 2024, re: **Application to Amend the Zoning By-law, Gagnon Walker Domes, 23 Railroad Inc., 17595031 Railroad ME Inc., and 5519273548 Railroad ME Inc., Railroad Street, Mill Street North, and Elizabeth Street North, Ward 1, File: OZS-2024-0032**, be received; and
2. That the following delegations re: Application to Amend the Zoning By-law, Gagnon Walker Domes, 23 Railroad Inc., 17595031 Railroad ME Inc., and 5519273548 Railroad ME Inc., Railroad Street, Mill Street North, and Elizabeth Street North, Ward 1, File: OZS-2024-0032 to the Planning and Development Committee Meeting of June 17, 2024, be received:
 1. Andrew Walker, Gagnon Walker Domes, on behalf of the applicant
 2. Sharon Fraser, Brampton Resident.

Carried

- 5.10 Staff Presentation re: Application to Amend the Zoning By-law, The Biglieri Group, on behalf of 1000469464 Ontario Inc., 0 Rollingwood Drive, Ward 4, File: OZS-2024-0028

Items 6.9 and 11.10 were brought forward and dealt with at this time.

Satwant Hothi, Planner, Development Services, presented an overview of the application that included location overview, area context, site photos, development proposal, planning framework summary, official plan designation, Brampton plan designation, secondary plan designation, zoning by-law, zoning by-law amendment, key issues and considerations, and next steps.

The following delegations addressed Committee and expressed their concerns, comments, suggestions and questions with respect to the subject application:

- Manjit Jassi and David Dhanoa, Brampton Residents
- Amandeep Malhi, Brampton Resident
- Harjot Dhanda, Brampton Resident

Committee consideration of the matter included concerns, comments, suggestions and questions from the delegates with respect to the following:

- traffic and safety concerns
- inadequate parking
- insufficient services and infrastructure to support increased density
- elimination of green space
- suggested further public engagement

Rachelle Larocque, The Biglieri Group, spoke on behalf of the applicant and addressed some of the concerns raised by residents, noting that the proposed development aligns with the City's designation and parking requirements. It was further noted that a traffic study was completed, which identified that the roads in the area will be able to accommodate the proposed development, and that the existing infrastructure and amenities are also sufficient. In addition, the applicant is working on modifying the proposal to address concerns raised regarding the proposed townhomes fronting Rollingwood Drive.

The following motion was considered:

PDC118-2024

1. That the presentation from Satwant Hothi, Planner, Development Services, to the Planning and Development Committee Meeting of June 17, 2024 re: **Application to Amend the Zoning By-law, The Biglieri Group, on behalf of 1000469464 Ontario Inc., 0 Rollingwood Drive, Ward 4, File: OZS-2024-0028**, be received;

2. That the following delegation re: Application to Amend the Zoning By-law, The Biglieri Group, on behalf of 1000469464 Ontario Inc., 0 Rollingwood Drive, Ward 4, File: OZS-2024-0028 to the Planning and Development Committee Meeting of June 17, 2024, be received; and
 1. Rachele Larocque, The Biglieri Group, on behalf of the applicant
 2. Manjit Jassi and David Dhanoa, Brampton Residents
 3. Amandeep Malhi, Brampton Resident
 4. Harjot Dhanda, Brampton Resident
3. That the following correspondence re: Application to Amend the Zoning By-law, The Biglieri Group, on behalf of 1000469464 Ontario Inc., 0 Rollingwood Drive, Ward 4, File: OZS-2024-0028 to the Planning and Development Committee Meeting of June 17, 2024, be received:
 1. Manjit Jassi, Brampton Resident, dated June 16, 2024 (includes petition).

Carried

6. Public Delegations (5 minutes maximum)

- 6.1 Delegation re: Request to Waive Zoning By-law Amendment Application Fee, New Life Community Church (NLCC), 9281 Goreway Drive, Ward 8

Item 11.12 was brought forward and dealt with at this time.

Ian Jones, BGI Group, on behalf of New Life Community Church (NLCC), provided a brief introduction to the NLCC and requested relief from the application fee related to zoning by-law amendments in order to continue to provide not-for-profit rental housing.

The following motion was considered:

PDC119-2024

1. That the delegation from Ian Jones, BGI Group, on behalf of New Life Community Church (NLCC), re: **Request to Waive Zoning By-law Amendment Application Fee, New Life Community Church (NLCC), 9281 Goreway Drive, Ward 8** to the Planning and Development Committee Meeting of June 17, 2024, be received; and
2. That the correspondence from Rev. Darryl Price, New Life Community Church, dated June 3, 2024, re: Request to Waive Zoning By-law

Amendment Application Fee, New Life Community Church (NLCC), 9281 Goreway Drive, Ward 8 to the Planning and Development Committee Meeting of June 17, 2024, be received.

Carried

- 6.2 Delegation re: Application to Amend the Official Plan and Zoning By-law, SGL Planning and Design Inc., Constantine Enterprises Inc., 104 and 118 Queen Street West, Ward 1, File: OZS-2024-0034

Dealt with under Item 5.6 - Recommendation PDC114-2024

- 6.3 Delegation re: Application to Amend the Zoning By-law, Bousfields Inc., c/o Litwillow Holdings Ltd., 2 Bartley Bull Parkway, Ward 3, File: OZS-2021-0010

Items 7.5 and 11.1 were brought forward and dealt with at this time.

The following delegations addressed Committee and expressed their concerns, comments, suggestions and questions with respect to the subject application:

- Jason Lodder, Brampton Resident
- John Collins, Brampton Resident
- Donald MacKenzie, Brampton Resident

Committee consideration of the matter included concerns, comments, suggestions and questions from the delegates with respect to the following:

- negative impact to quality of life and personal enjoyment of property
- the proposed development does not comply with existing policies regarding building heights
- misalignment with the Brampton official plan and secondary plan
- proposed height does not fit with existing layout of neighbourhood
- shadowing and privacy concerns
- traffic concerns

Regional Councillor Keenan commented on the importance of new developments being cohesive with existing communities and requested staff to keep this in mind for future reports. Councillor Keenan highlighted various concerns with the subject application and proposed a motion of refusal.

Regional Councillor Medeiros also provided comments on the already existing high-density of the subject area and potential environmental effects of the proposed development.

The following motion was considered:

PDC120-2024

1. That the report from Edwin Li, Planner, Development Services, to the Planning and Development Committee Meeting of June 17, 2024, re: **Application to Amend the Zoning By-law, Bousfields Inc., c/o Litwillow Holdings Ltd., 2 Bartley Bull Parkway, Ward 3, File: OZS-2021-0010**, be received;
2. That the following delegations re: Application to Amend the Zoning By-law, Bousfields Inc., c/o Litwillow Holdings Ltd., 2 Bartley Bull Parkway, Ward 3, File: OZS-2021-0010 to the Planning and Development Committee Meeting of June 17, 2024, be received;
 1. Jason Lodder, Brampton Resident
 2. John Collins, Brampton Resident
 3. Donald MacKenzie, Brampton Resident
3. That the following correspondence re: Application to Amend the Zoning By-law, Bousfields Inc., c/o Litwillow Holdings Ltd., 2 Bartley Bull Parkway, Ward 3, File: OZS-2021-0010 to the Planning and Development Committee Meeting of June 17, 2024, be received; and
 1. Jason Lodder, Brampton Resident, dated May 4, 2024
4. That the application for an Amendment to the Zoning By-law, submitted by Bousfields Inc., on behalf of Litwillow Holdings Ltd. (File: OZS-2021-0010), be **refused**, on the basis that:
 1. The proposed development is not compatible with the surrounding character of the existing built form,
 2. The size and scale of the proposed development will have undue traffic impact to the existing community taking into account the already approved developments just west of this proposed site,
 3. The development will have a negative effect on the ecosystem of Kiwanis Memorial Park and the Etobicoke Creek,

4. The scale and massing of the proposed development does not fit within the existing street context.

A recorded vote was requested and the motion carried as follows:

Yea (10): Regional Councillor Palleschi, Deputy Mayor Singh, Regional Councillor Santos, Regional Councillor Vicente, Regional Councillor Kaur Brar, Regional Councillor Keenan, Regional Councillor Medeiros, Regional Councillor Fortini, Regional Councillor Toor, and City Councillor Power

Carried (10 to 0)

- 6.4 Delegation re: Application to Amend the Official Plan and Zoning By-law, Amdev Property Group, 23, 25, 27, and 29 Mill Street North and 53 Nelson Street West, Ward 1, File: OZS-2024-0033

Dealt with under Item 5.5 - Recommendation PDC113-2024

- 6.5 Delegation re: Application to Amend the Zoning By-law, Gagnon Walker Domes, 23 Railroad Inc., 17595031 Railroad ME Inc., and 5519273548 Railroad ME Inc., Railroad Street, Mill Street North, and Elizabeth Street North, Ward 1, File: OZS-2024-0032

Dealt with under Item 5.9 - Recommendation PDC117-2024

- 6.6 Delegation re: Application to Amend the Official Plan and Zoning By-law, Gagnon Walker Domes Ltd., 2766321 Ontario Inc., 0 and 11860 Bramalea Road, Ward 9, File: OZS-2024-0036

Dealt with under Item 5.7 - Recommendation PDC115-2024

- 6.7 Delegation re: Application to Amend the Zoning By-law, Kaneff Group, 210 and 220 Steeles Avenue West, Ward 3, File: OZS-2022-0023

Item 7.4 and 11.11 were brought forward and dealt with at this time.

Rajashree Basu, Brampton Resident, expressed questions and concerns surrounding the subject application, which borders her property, and requested further information and engagement to address how this will affect her as a property owner.

Committee advised staff to work with the resident to address the concerns raised.

The following motion was considered:

PDC121-2024

1. That the report from Harsh Padhya, Planner, Development Services, to the Planning and Development Committee of June 17, 2024 re: **Application to Amend the Zoning By-law, Kaneff Group, 210 and 220 Steeles Avenue West, Ward 3, File: OZS-2022-0023**, be received;
2. That the application for an Amendment to the Zoning By-law submitted by Kaneff Group, (File: OZS-2022-0023) be approved, on the basis that it represents good planning, has regard for the Planning Act, is consistent with Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City's Official Plan, and for the reasons set out in this Recommendation Report;
3. That the amendment to the Zoning By-law generally in accordance with the attached Attachment 13 to this report be adopted;
4. That no further notice or public meeting be required for the attached Zoning By-law Amendment pursuant to Section 34 of the Planning Act, R.S.O. c.P. 13, as amended;
5. That the delegation from Rajashree Basu, Brampton Resident, re: Application to Amend the Zoning By-law, Kaneff Group, 210 and 220 Steeles Avenue West, Ward 3, File: OZS-2022-0023 to the Planning and Development Committee Meeting of June 17, 2024, be received; and
6. That the correspondence from Alexander J. Suriano, Aird & Berlis LLP, on behalf of Hillside TO Properties Inc., dated June 17, 2024, re: Application to Amend the Zoning By-law, Kaneff Group, 210 and 220 Steeles Avenue West, Ward 3, File: OZS-2022-0023 to the Planning and Development Committee Meeting of June 17, 2024, be received.

Carried

- 6.8 Delegation re: Application to Amend the Zoning By-law, G-Force Urban Planners, Jindal Developments Ltd., 1955 Cottrelle Boulevard, Ward 8, File: OZS-2023-0045

Dealt with under Item 5.3 - Recommendation PDC111-2024

- 6.9 Delegation re: Application to Amend the Zoning By-law, The Biglieri Group, on behalf of 1000469464 Ontario Inc., 0 Rollingwood Drive, Ward 4, File: OZS-2024-0028

Dealt with under Item 5.10 - Recommendation PDC118-2024

6.10 Delegation re: City-wide Community Improvement Plan for Affordable Housing

Dealt with under Item 5.1 - Recommendation PDC109-2024

6.11 Delegation re: City-initiated Zoning By-law Amendment - Changes in Residential Driveway Standards, Wards 1, 3, 4, 5, 7 and 8

Dealt with under Item 5.2 - Recommendation PDC110-2024

7. Staff Presentations and Planning Reports

7.1 Staff Report re: City-wide Community Improvement Plan for Affordable Housing

Dealt with under Item 5.1 - Recommendation PDC109-2024

7.2 Staff Report re: City-initiated By-law - Right of Entry for Maintenance (Friendly Neighbour By-law)

Item 11.8 was brought forward and dealt with at this time.

Committee referred agenda items 7.2 and 11.8 to the June 19, 2024 meeting of Committee of Council.

The following motion was considered:

PDC122-2024

1. That the report from Noel Cubacub, Planner, Integrated City Planning, to the Planning and Development Committee Meeting of June 17, 2024 re: **City-initiated By-law - Right of Entry for Maintenance (Friendly Neighbour By-law)**, be **referred** to the Committee of Council meeting of June 19, 2024; and
2. That the following correspondence re: City-initiated By-law - Right of Entry for Maintenance (Friendly Neighbour By-law) to the Planning and Development Committee Meeting of June 17, 2024, be **referred** to the Committee of Council meeting of June 19, 2024:
 1. Mitchell Taleski, Paradise Developments, dated June 12, 2024
 2. Victoria Mortelliti, BiLD, dated June 13, 2024.

Carried

7.3 Staff Report re: City-initiated Official Plan Amendment to the Vales of Castlemore North Secondary Plan Area 49, Ward 10

Item 11.13 was brought forward and dealt with at this time.

Committee deferred agenda items 7.3 and 11.13 to a future meeting of the Planning and Development Committee.

The following motion was considered:

PDC123-2024

1. That the report from Tristan Costa, Planner, Integrated City Planning, to the Planning and Development Committee Meeting of June 17, 2024, re: **City-initiated Official Plan Amendment to the Vales of Castlemore North Secondary Plan Area 49, Ward 10**, be **deferred** to a future meeting of the Planning and Development Committee; and
2. That the following correspondence re: City-initiated Official Plan Amendment to the Vales of Castlemore North Secondary Plan Area 49, Ward 10 to the Planning and Development Committee Meeting of June 17, 2024, be **deferred** to a future meeting of the Planning and Development Committee:
 1. Keith MacKinnon, KLM Planning, on behalf of Sandringham Place Inc., DG Group, dated June 17, 2024.

Carried

- 7.4 Staff Report re: Application to Amend the Zoning By-law, Kaneff Group, 210 and 220 Steeles Avenue West, Ward 3, File: OZS-2022-0023

Dealt with under Item 6.7 - Recommendation PDC121-2024

- 7.5 Staff Report re: Application to Amend the Zoning By-law, Bousfields Inc., c/o Litwillow Holdings Ltd., 2 Bartley Bull Parkway, Ward 3, File: OZS-2021-0010

Dealt with under Item 6.3 - Recommendation PDC120-2024

- 7.6 Staff Report re: Application to Amend the Zoning By-law and for a Draft Plan of Subdivision, Glen Schnarr and Associates Inc., 10307 Clarkway Developments Limited, 10307 Clarkway Drive, Ward 10, File: OZS-2021-0057

The following motion was approved on consent:

PDC124-2024

1. That the report from Arjun Singh, Planner, Development Services, to the Planning and Development Committee Meeting of June 17, 2024, re: **Application to Amend the Zoning By-law and for a Draft Plan of Subdivision, Glen Schnarr and Associates Inc., 10307 Clarkway**

Developments Limited, 10307 Clarkway Drive, Ward 10, File: OZS-2021-0057, be received;

2. That the application for an Amendment to the Zoning By-law and for a Draft Plan of Subdivision submitted by Glen Schnarr and Associates., on behalf of 10307 Clarkway Developments Limited. (File: OZS-2021-0057), be approved, on the basis that it represents good planning, including that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City's Official Plan, and for the reasons set out in this Recommendation Report;
3. That the amendment to the Zoning By-law, generally in accordance with the attached Attachment 11 to this report be adopted; and
4. That no further notice or public meeting be required for the attached Zoning By-law Amendment pursuant to Section 34 (10.4) of the Planning Act, R.S.O., as amended.

Carried

- 7.7 Staff Report re: Application for Temporary Zoning By-law Amendment, Brutto Planning Consultant Ltd., Highway 50 Business Park Ltd., 11176 Highway 50, Ward 10, File: OZS-2023-0042

The following motion was approved on consent:

PDC125-2024

1. That the report from Angelo Ambrico, Manager, Development Services, to the Planning and Development Committee Meeting of June 17, 2024, re: **Application for Temporary Zoning By-law Amendment, Brutto Planning Consultant Ltd., Highway 50 Business Park Ltd., 11176 Highway 50, Ward 10, File: OZS-2023-0042**, be received;
2. That the application for Temporary Zoning By-law Amendment, submitted by Brutto Planning Consultant Ltd., on behalf of Highway 50 Business Park Ltd., be approved on the basis that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City's Official Plan, and for the reasons set out in the Recommendation Report;
3. That in accordance with the Planning Act, Council supports the proposed temporary use for a period of up to 3 years from the date of adoption of

the By-law included as Attachment 10 to this report. Should the Ministry of Transportation (MTO) confirm that the temporary use may continue to a date after September 2025, an amending by-law to reflect the new expiry date shall be advanced for Council adoption, and no further public meeting shall be required pursuant to Section 34(17) of the Planning Act;

4. That the amendment to the Zoning By-law generally in accordance with the attached Attachment 10 to this report be adopted; and
5. That no further notice or public meeting be required for the attached Zoning By-law Amendment pursuant to Section 34 of the Planning Act, R.S.O. c.P. 13, as amended.

Carried

- 7.8 Staff Report re: Application to Amend the Official Plan and Zoning By-law, Mainline Planning Services Inc., 7835 Mississauga Road Holdings Inc., 7835 Mississauga Road, Ward 6, File: OZS-2024-0009

The following motion was approved on consent:

PDC126-2024

1. That the report from Arjun Singh, Planner, Development Services, to the Planning and Development Committee Meeting of June 17, 2024, re: **Application to Amend the Official Plan and Zoning By-law, Mainline Planning Services Inc., 7835 Mississauga Road Holdings Inc., 7835 Mississauga Road, Ward 6, File: OZS-2024-0009**, be received;
2. That the application for an Amendment to the Zoning By-law and Official Plan, submitted by Mainline Planning Services Inc., on behalf of 7835 Mississauga Road Holdings Inc. (File: OZS-2024-0009), be approved, on the basis that it represents good planning, including that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City's Official Plan, and for the reasons set out in this Recommendation Report;
3. That the amendment to the Zoning By-law, generally in accordance with the attached Attachment 10 to this report, be adopted;
4. That the amendment to the Official Plan, generally in accordance with the attached Attachment 11 to this report, be adopted; and

5. That no further notice or public meeting be required for the attached Zoning By-law Amendment and Official Plan Amendment pursuant to Section 34 (10.4) and Section 22 (6.1) of the Planning Act, R.S.O., as amended.

Carried

- 7.9 Staff Report re: Application for Temporary Zoning By-law Amendment, Falcon Investment Group Inc., Blackthorn Development Corp., 11462 Coleraine Drive, Ward 10, File: OZS-2023-0029

The following motion was approved on consent:

PDC127-2024

1. That the report from Angelo Ambrico, Manager, Development Services, to the Planning and Development Committee Meeting of June 17, 2024, re: **Application for Temporary Zoning By-law Amendment, Falcon Investment Group Inc., Blackthorn Development Corp., 11462 Coleraine Drive, Ward 10, File: OZS-2023-0029**, be received;
2. That the application for Temporary Zoning By-law Amendment, submitted by Blackthorn Development Corp., on behalf of Falcon Investment Group Inc., be approved on the basis that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City's Official Plan, and for the reasons set out in the Recommendation Report;
3. That in accordance with the Planning Act, Council supports the proposed temporary use for a period of up to 3 years from the date of adoption of the by-law included as Attachment 11 to this report. Should the Ministry of Transportation (MTO) confirm that the temporary use may continue to a date after September 2025, an amending by-law to reflect the new expiry date (which will not exceed the three year limit) shall be advanced for Council adoption, and no further public meeting shall be required pursuant to Section 34(17) of the Planning Act;
4. That prior to staff forwarding the by-law for Council enactment, written confirmation is to be received from the Ministry of Transportation confirming that they have no objection to the temporary use by-law; and revisions to the Traffic Impact Study (TIS) to resolve remaining technical issues and update the methodology for trip generation are to be received

to the satisfaction of the Commissioner of Public Works at the Region of Peel;

5. That the amendment to the Zoning By-law generally in accordance with the attached Attachment 11 to this report be adopted; and,
6. That no further notice or public meeting be required for the attached Zoning By-law Amendment pursuant to Section 34 of the Planning Act, R.S.O. c.P. 13, as amended.

Carried

- 7.10 Staff Report re: Application for Temporary Zoning By-law Amendment, Mayfield Investment Group Corp., Design Plan Services Inc., 11470 Coleraine Drive, Ward 10, File: OZS-2023-0032

The following motion was approved on consent:

PDC128-2024

1. That the report from Angelo Ambrico, Manager, Development Services, to the Planning and Development Committee Meeting of June 17, 2024, re: **Application for Temporary Zoning By-law Amendment, Mayfield Investment Group Corp., Design Plan Services Inc., 11470 Coleraine Drive, Ward 10, File: OZS-2023-0032**, be received;
2. That the application for Temporary Zoning By-law Amendment, submitted by Design Plan Services Inc., on behalf of Mayfield Investment Group Corp., be approved on the basis that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City's Official Plan, and for the reasons set out in the Recommendation Report;
3. That in accordance with the Planning Act, Council supports the proposed temporary use for a period of up to 3 years from the date of adoption of the By-law included as Attachment 11 to this report. Should the Ministry of Transportation (MTO) confirm that the temporary use may continue to a date after September 2025, an amending by-law to reflect the new expiry date shall be advanced for Council adoption, and no further public meeting shall be required pursuant to Section 34(17) of the Planning Act;
4. That prior to staff forwarding the by-law to Council for enactment, written confirmation is to be received from the Ministry of Transportation confirming that they have no objection to the temporary use by-law; and

revisions to the Traffic Impact Study (TIS) to resolve remaining technical issues and update the methodology for trip generation are to be received to the satisfaction of the Commissioner of Public Works at the Region of Peel;

5. That the amendment to the Zoning By-law generally in accordance with the attached Attachment 11 to this report be adopted; and,
6. That no further notice or public meeting be required for the attached Zoning By-law Amendment pursuant to Section 34 of the Planning Act, R.S.O. c.P. 13, as amended.

Carried

7.11 Staff Report re: Alternative Process to City-Initiated Secondary Plan Amendment through Precinct Planning, Gore Meadows Secondary Plan Area 56, Ward 10

Committee deferred this item to a future meeting of the Planning and Development Committee.

The following motion was considered:

PDC129-2024

That the report from Samantha Dela Pena, Planner, Development Services, to the Planning and Development Committee Meeting of June 17, 2024, re:

Alternative Process to City-Initiated Secondary Plan Amendment through Precinct Planning, Gore Meadows Secondary Plan Area 56, Ward 10, be **deferred** to a future meeting of the Planning and Development Committee.

Carried

8. Committee Minutes

8.1 Minutes - Brampton Heritage Board - May 21, 2024

The following motion was approved on consent:

PDC130-2024

That the Minutes of the Brampton Heritage Board meeting of May 21, 2024, Recommendations HB018-2024 - HB025-2024, to the Planning and Development Committee Meeting of June 17, 2024, be approved as published and circulated.

The recommendations were approved as follows:

HB018-2024

That the agenda for the Brampton Heritage Board meeting of May 21, 2024 be approved as amended **to add** the following:

14.1 Announcement at the request of Steve Collie, Co-Chair, re: **Michael Avis, Celebration of Life**

HB019-2024

1. That the report from Arpita Jambekar, Heritage Planner, dated May 1, 2024, to the Brampton Heritage Board Meeting of May 21, 2024, re: **Heritage Conservation Plan, 12061 Hurontario Street - Ward 2**, be received;
2. That the Heritage Conservation Plan, prepared by Giaimo Architects, dated January 17, 2024, be received;
3. That a Heritage Easement Agreement for the property at 12061 Hurontario Street be endorsed; and,
4. That the Heritage Protection Plan and Commemoration Plan, prepared by Giaimo Architects, recommended in the Heritage Conservation Plan be approved.

HB020-2024

1. That the report from Arpita Jambekar, Heritage Planner, to the Brampton Heritage Board Meeting of May 21, 2024, re: **Heritage Impact Assessment, 55-65 Park Street – Ward 1**, be received;
2. That the Heritage Impact Assessment for the properties at 55-65 Park Street prepared by Letourneau Heritage Consultants (LHC) dated August 9, 2023 be received; and,
3. That as designs for the proposed townhouse podium progress, the materiality and design of the townhouse podium further consider the eclectic nature of the surrounding residential buildings.

HB021-2024

1. That the report from Tom Tran, Heritage Planner, to the Brampton Heritage Board Meeting of May 21, 2024, re: **Heritage Permit Application – 1300 Steeles Avenue E – Ward 3**, be received; and,

2. That the Heritage Permit application for 1300 Steeles Avenue E to undertake the following be approved:
 - i. Restore and repaint exterior metal cladding;
 - ii. Remove the deteriorated privacy window film on the upper floor.

HB022-2024

1. That the report from Arpita Jambekar, Heritage Planner, dated April 17, 2024, to the Brampton Heritage Board Meeting of May 21, 2024, re: **Heritage Permit Application – 860-870 North Park Drive –Ward 7**, be received;
2. That the Heritage Permit application for 860-870 North Park Drive for the construction of the new one-storey commercial building be approved, subject to the following condition:
 - i. That Archeological monitoring be carried out on site during the excavation process.

HB023-2024

1. That the report from Arpita Jambekar, Heritage Planner, to the Brampton Heritage Board Meeting of May 21, 2024, re: **Intention to rename Designated Heritage Property Incentive Grant Program**, be received;
2. That the renaming of the Heritage Grant to “Paul Willoughby Heritage Incentive Grant” be approved; and,
3. That staff be authorized to publish and serve the Public Notice of renaming of the Heritage Incentive Grant Program.

HB024-2024

1. That the report from Arpita Jambekar, Heritage Planner, to the Brampton Heritage Board Meeting of May 21, 2024, re: **Information Report –11722 Mississauga Road (Dolson House), Ward 6**, be received;
2. That the recommendation to Repeal of Designation By-law for the property be approved.

HB025-2024

That Brampton Heritage Board do now adjourn to meet again on June 18, 2024 at 7:00 p.m.

9. Other Business/New Business

9.1 Discussion Item at the request of Chair Palleschi re: Surety Bonds, Letters of Credit and Development Charges

Chair Palleschi commented that the City currently uses letters of credit, which can hold up potential future investments within the City. He requested staff to explore the alternative possibility of using surety bonds.

The following motion was considered:

PDC131-2024

Whereas in 2023, Brampton launched its Municipal Brampton Housing Pledge, outlining the City's commitment to the Province's goal of achieving 1.5 million new housing units by 2031, with the specific municipal target of 113,000 new homes;

Whereas the Ontario Housing Affordability Task Force has identified options that the Province and its municipalities could adopt to help achieve these targets, including the use of surety bonds for development agreements;

Whereas the City of Brampton is committed to unlocking more housing, streamlining development approvals, removal of barriers, and accelerated planning in support of the Province's housing target;

Therefore, be it resolved that Council direct staff to report back to the Planning and Development Committee on the potential use of surety bonds as a financial security for development projects to secure municipal agreements.

Carried

10. Referred/Deferred Matters

Nil

11. Correspondence

11.1 Correspondence re: Application to Amend the Zoning By-law, Bousfields Inc., c/o Litwillow Holdings Ltd., 2 Bartley Bull Parkway, Ward 3, File: OZS-2021-0010

Dealt with under Item 6.3 - Recommendation PDC120-2024

11.2 Correspondence from the Honourable Paul Calandra, Minister, Municipal Affairs and Housing, dated May 27, 2024, re: Proposed Amendments to Ontario Regulation 525/97 to Exempt Certain Official Plan Matters from Approval under the Planning Act

The following motion was considered:

PDC132-2024

That the following correspondence from the Honourable Paul Calandra, Minister, Municipal Affairs and Housing, dated May 27, 2024, re: **Proposed Amendments to Ontario Regulation 525/97 to Exempt Certain Official Plan Matters from Approval under the Planning Act**, to the Planning and Development Committee Meeting of June 17, 2024, be received.

Carried

11.3 Correspondence from the Honourable Paul Calandra, Minister, Municipal Affairs and Housing, dated May 28, 2024, re: Bill 162, Get It Done Act, 2024 Receives Royal Assent

The following motion was considered:

PDC133-2024

That the following correspondence from the Honourable Paul Calandra, Minister, Municipal Affairs and Housing, dated May 28, 2024, re: **Bill 162, Get It Done Act, 2024 Receives Royal Assent**, to the Planning and Development Committee Meeting of June 17, 2024, be received.

Carried

11.4 Correspondence from Raghbir Chaggar, Gobind Marg Charitable Trust Ontario, dated June 5, 2024, re: Request to Reinstate Ministerial Zoning Order (MZO) for Gobind Marg Charitable Trust and Gobind Sarvar

Regional Councillor Toor commented that the subject site previously had a Ministerial Zoning Order (MZO), which was inadvertently affected by changes made at the municipal level. Councillor Toor directed staff to request the Provincial Government to reinstate the MZO.

The following motion was considered:

PDC134-2024

Whereas on September 29, 2021, the City of Brampton passed Resolutions C329-2021 and C330-2021 endorsing support for four separate Ministerial Zoning Order (MZO) requests – one of them being a request from the Gobind Marg Charitable Trust Ontario to develop lands municipally known as Part of Lot 16, Concession 11 ND (5253 Countryside Dr. / Coleraine Dr.) in the City of Brampton as a state-of-the art integrated school and place of worship;

Whereas on January 28, 2022, the Ministry of Municipal Affairs and Housing issued O.Reg 38/22 to facilitate the development of an integrated elementary and secondary school and associated place of worship;

Whereas on March 5, 2024, the Gobind Marg Charitable Trust submitted a site plan pre-consultation application for development of the site (PRE-2024-0034) to demonstrate progress towards development of the subject lands;

Whereas on April 10, 2024, the City of Brampton received a letter from the Ministry of Municipal Affairs and Housing indicating the Minister has revoked O.Reg 38/22, given insufficient progress of development approvals associated with the site;

Whereas the MZO request by the Gobind Marg Charitable Trust continues offer an opportunity for the city to work collaboratively with relevant stakeholders to develop the site in a manner that supports a mix of employment and institutional land use to enrich the community for residents of Brampton;

NOW THEREFORE BE IT RESOLVED,

THAT the Commissioner of Planning, Building and Growth Management be directed to meet with the Ministry of Municipal Affairs and Housing and Gobind Marg Charitable Trust and facilitate meetings concerning possible re-consideration of the April 10, 2024, Ministerial Decision to revoke O.Reg 38/22.

A recorded vote was requested and the motion carried as follows:

Yea (10): Regional Councillor Palleschi, Deputy Mayor Singh, Regional Councillor Santos, Regional Councillor Vicente, Regional Councillor Kaur Brar, Regional Councillor Keenan, Regional Councillor Medeiros, Regional Councillor Fortini, Regional Councillor Toor, and City Councillor Power

Carried (10 to 0)

- 11.5 Correspondence re: Application to Amend the Official Plan and Zoning By-law, Amdev Property Group, 23, 25, 27, and 29 Mill Street North and 53 Nelson Street West, Ward 1, File: OZS-2024-0033

Dealt with under Item 5.5 - Recommendation PDC113-2024

- 11.6 Correspondence re: Staff Presentation re: Application to Amend the Official Plan and Zoning By-law, SGL Planning and Design Inc., Constantine Enterprises Inc., 104 and 118 Queen Street West, Ward 1, File: OZS-2024-0034

Dealt with under Item 5.6 - Recommendation PDC114-2024

- 11.7 Correspondence re: Application to Amend the Zoning By-law, 2798536 Ontario Inc., 0 Highway 50, Ward 10, File: OZS-2024-0008

Dealt with under Item 5.8 - Recommendation PDC116-2024

- 11.8 Correspondence re: City-initiated By-law - Right of Entry for Maintenance (Friendly Neighbour By-law)

Dealt with under Item 7.2 - Recommendation PDC122-2024

- 11.9 Correspondence re: Application to Amend the Official Plan and Zoning By-law, Gagnon Walker Domes Ltd., 2766321 Ontario Inc., 0 and 11860 Bramalea Road, Ward 9, File: OZS-2024-0036

Dealt with under Item 5.7 - Recommendation PDC115-2024

- 11.10 Correspondence re: Application to Amend the Zoning By-law, The Biglieri Group, on behalf of 1000469464 Ontario Inc., 0 Rollingwood Drive, Ward 4, File: OZS-2024-0028

Dealt with under Item 5.10 - Recommendation PDC118-2024

- 11.11 Correspondence re: Application to Amend the Zoning By-law, Kaneff Group, 210 and 220 Steeles Avenue West, Ward 3, File: OZS-2022-0023

Dealt with under Item 6.7 - Recommendation PDC121-2024

- 11.12 Correspondence re: Request to Waive Zoning By-law Amendment Application Fee, New Life Community Church (NLCC), 9281 Goreway Drive, Ward 8

Dealt with under Item 6.1 - Recommendation PDC119-2024

- 11.13 Correspondence re: City-initiated Official Plan Amendment to the Vales of Castlemore North Secondary Plan Area 49, Ward 10

Dealt with under Item 7.3 - Recommendation PDC123-2024

- 11.14 Correspondence re: Application to Amend the Zoning By-law, G-Force Urban Planners, Jindal Developments Ltd., 1955 Cottrelle Boulevard, Ward 8, File: OZS-2023-0045

Dealt with under Item 5.3 - Recommendation PDC111-2024

12. Councillor Question Period

Nil

13. Public Question Period

Domenic, Spray Booth Solutions Ltd., referenced Item 7.10 on the agenda, and inquired, via email, regarding the following:

- How will trucks access the subject property
- explanation of the term "temporary" in temporary zoning amendment
- When will the temporary zoning amendment commence
- How will the City verify compliance with outlined requirements
- environmental concerns
- parking enforcement concerns

Committee directed staff to reach out to Domenic, as well as the area Councillors, to address the questions and concerns raised.

14. Closed Session

Nil

15. Adjournment

PDC135-2024

That the Planning and Development Committee do now adjourn to meet again for a Regular Meeting on Monday, July 8, 2024, at 7:00 p.m. or at the call of the Chair.

Carried

Regional Councillor M. Palleschi, Chair

Subject:

FW: [EXTERNAL]AMO Advocacy on Homelessness Encampments

From: Colin Best <amopresident@amo.on.ca>

Sent: Wednesday, July 3, 2024 11:27 AM

To: MayorBrown <MayorBrown@brampton.ca>

Subject: [EXTERNAL]AMO Advocacy on Homelessness Encampments

Caution: This email originated from outside the organization. Do not click links or open attachments that you do not trust or are not expecting.



AMO Advocacy on Homelessness Encampments

Dear Clerks and Heads of Council of Municipal Governments Across Ontario:

The AMO President and Board is requesting that this letter be shared with all elected council members and administrative heads (i.e., CAO, City Manager) in your municipality. Please post as an information item in your next council meeting agenda.

On behalf of its municipal members, the Association of Municipalities of Ontario (AMO) is urgently calling for provincial and federal leadership and action to address the growing crisis of homelessness encampments in communities across Ontario.

On July 2nd, AMO released a new policy paper [Homeless Encampments in Ontario: A Municipal Perspective](#) detailing the state of this crisis and evidence-based actions that must be taken.

Municipal governments are at the front lines of the homelessness crisis without the resources or tools to support our residents and communities. We are asking the provincial and federal governments to work collaboratively with

each other and municipalities. These are complex issues that require comprehensive responses from all orders of government working together.

For further resources and information, please visit www.amo.on.ca

Sincerely,

A handwritten signature in dark ink, reading "Colin Best". The signature is written in a cursive style with a long, sweeping horizontal line extending to the right.

Colin Best

President, Association of Municipalities of Ontario (AMO)

*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.

Association of Municipalities of Ontario

To unsubscribe, please| [Opt Out](#)

155 University Ave Suite 800 | Toronto, ON M5H 3B7 CA



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2024

To enact a bylaw to stop up and close as a public highway and declare surplus land described as Part 19 on Plan 43R-41072; and declare surplus portions of Reserve Blocks 18 and 19 on Plan 43M-1927 identified Parts 11, 12 & 32 on Plan 43R-41072 as surplus

WHEREAS it is deemed expedient to stop up and close, as public highway, to the requirements of the City of Brampton land described as Part 19 on Reference Plan 43R-41072 being a portion of Lagerfeld Drive, Plan 43M-1927 being part of PIN 14364-2251 (LT);

AND WHEREAS it is deemed expedient to declare surplus to the requirements of the City of Brampton land described as Part 19 Reference on Plan 43R-41072 being a portion of Lagerfeld Drive, Plan 43M-1927 being part of PIN 14364-2251 (LT), approximately 12.6m² in area; land described as Part 11 on Reference Plan 43R-41072 being Part of reserve block 18 on Registered Plan 43M-1927 being part of PIN 14364-2238 (LT), approximately 2.3m² in area; and Parts 12 and 32 on Reference Plan 43R-41072 being Part of reserve block 19 on Registered Plan 43M-1927 being part of PIN 14364-2239 (LT), approximately 2.4m² in area;

AND WHEREAS the procedures of Notice for Surplus Declaration and Close a public highway required by By-Law 160-2004, as amended, have been followed;

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. That City owned Part 19 on RPlan 43R-41072 is hereby stopped up and closed to the requirements of the City of Brampton
2. That City owned Parts 19, 11, 12 and 32 on RPlan 43R-41072 are hereby declared surplus to the requirements of the City of Brampton, to be sold at fair market value on an "As Is – Where Is" basis to the adjacent landowner.
3. This By-law takes effect on the date of its passing.

ENACTED and PASSED this 10th day of July, 2024.

Approved as to
form.
2024/07/04
S. Sood

Patrick Brown, Mayor

Approved as to
content.
2024/07/04
R. Gulati

Genevieve Scharback, City Clerk



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2024

To approve the Expropriation of Lands for the Downtown Brampton Flood Protection (DBFP) Project – Wards 1 & 3

WHEREAS the Council of The Corporation of the City of Brampton, at its meetings of November 28, 2022, October 18, 2023 and February 7, 2024 enacted By-laws 227-2022, 176-2023 and 14-2024 respectively, to authorize Applications for Approval to Expropriate certain lands for the purposes of the Downtown Brampton Flood Protection Project (DBFP) and all works ancillary thereto;

AND WHEREAS Notices of Application for Approval to Expropriate the lands described in Attachment 1 to this by-law (the “Subject Lands”) were served upon all registered owners of the Subject Lands and in accordance with the provisions of the *Expropriations Act*, 1990, c.E.26, as amended, and no owners have requested an Inquiry under s. 6(2) of the said Act;

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. That Council, acting as the Approving Authority, pursuant to the Expropriations Act, R.S.O. 1990, c.E.26, as amended, approves the expropriation of the lands and interests described in Attachment 1, for the purposes of implementing of the Downtown Brampton Flood Protection Project and all works ancillary thereto; and
2. That the Commissioner, Planning, Building and Growth Management, be authorized to execute all agreements and other documents, and serve and publish on behalf of The Corporation of the City of Brampton, all notices, applications, advertisements, agreements and other documents required by the Expropriations Act, R.S.O. 1990, c.E.26, as amended, in order to complete the expropriation of and settle the compensation for the said lands and interests based on terms and conditions acceptable to the Senior Manager, Realty Services, and in a form acceptable to the City Solicitor or designate.

ENACTED and PASSED this 10 day of July, 2024.

Approved as to
form.
2024/07/04
C. Pratt

Patrick Brown, Mayor

Approved as to
content.
20 __/month/day
[insert name]

Genevieve Scharback, City Clerk

**Attachment 1
Property Requirements**

Address and PIN	Approximate Taking Size and Requirement	Legal Description
134 John Street PIN 140350018	Entire Property	PT LTS 34 & 35 RAILWAY BLK PL BR5 AS IN BR44209 EXCEPT EASEMENT THEREIN; BRAMPTON
10 Scott Street PIN 141250075	Entire Property	PT LT 51, WELLINGTON BLK, PL BR5 AS IN RO1166774; CITY OF BRAMPTON
125 Queen Street East PIN 140350012	Entire Property	LTS 7 & 8 RAILWAY BLK PL BR5 EXCEPT PT 1 43R16193; T/W RO871328; BRAMPTON
Peel Standard Condominium Corporation No. 907 100 John Street (may also be municipally known as 123 John Street) Parts of PINS 19907-0001 to and including 19907-0751	Partial Fee 840 Square Meters	PART OF THE COMMON ELEMENTS OF PEEL STANDARD CONDOMINIUM PLAN NO. 907; CITY OF BRAMPTON; Designated as Part 22, Plan 43R33170
8 Scott Street Part of PIN 141250074	Partial Fee 3.13 Square Meters	PART OF LOT 51, WELLINGTON BLOCK, REGISTERED PLAN BR5; City of Brampton designated as Parts 1 and 2 on Reference Plan 43R-41414
63 Nelson Street Part of PIN 141250076	Partial Fee 86.15 Square Meters	PART OF LOT 49, WELLINGTON BLK, REGISTERED PLAN BR5; City of Brampton designated as Part 1 on Reference Plan 43R-41417
100 Ken Whillans Drive Part of PIN 141280405	Partial Fee 2514.57 Square Meters	PART OF BLOCK 11, REGISTERED PLAN 43M-527; City of Brampton designated as Parts 1, 2 and 3 on Reference Plan 43R-41416



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2024

To approve the Expropriation of Property Requirements for the purpose of Complete Street Improvements to Williams Parkway, near the Intersection with North Park Drive and Howden Boulevard, Ward 7

WHEREAS the Council of The Corporation of the City of Brampton, at its meeting of June 1, 2022, enacted By-law 132-2022 to authorize an Application for Approval to Expropriate certain lands for the purposes of the City's Complete Street Improvements to Williams Parkway;

AND WHEREAS Notice of Application for Approval to Expropriate the lands described in this by-law (the "Subject Lands") was served upon all registered owners of the Subject Lands and in accordance with the provisions of the *Expropriations Act*, R.S.O. 1990, c.E.26, as amended, and no owners have requested an Inquiry under s. 6(2) of the said Act;

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. That Council, acting as the Approving Authority, pursuant to the *Expropriations Act*, R.S.O. 1990, c.E.26, as amended, approves the expropriation of the following lands for the purposes of Complete Street Improvements to Williams Parkway near the intersection with North Park Drive and Howden Boulevard, Ward 7:
Part of Lot 8, Conc 3, EHS, Designated as Part 1 on Plan 43R-3239, (Lying E of the E limit of Williams Parkway on Plan M308 & N of Lionshead Lookout); T/W Part Rdal Btn Conc 2 & 3 on Parts 8, 9 and 10 on Plan 43R-3239, as set out in 227161VS being all of PIN 14150-0906 (LT).
2. That the Commissioner, Public Works and Engineering be authorized to execute all agreements and other documents, and serve and publish on behalf of The Corporation of the City of Brampton, all notices, applications, advertisements, agreements and other documents required by the *Expropriations Act*, R.S.O. 1990, c.E.26, as amended, in order to complete the expropriation of and settle the compensation for the said lands based on terms and conditions acceptable to the Senior Manager, Realty Services, and in a form acceptable to the City Solicitor or designate.

ENACTED and PASSED this 10th day of July, 2024.

Approved as to
form.
2024/07/04
C. Pratt

Patrick Brown, Mayor

Approved as to
content.
2024/07/04
Rajat Gulati

Genevieve Scharback, City Clerk



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2024

To authorize execution of the Municipal Funding Agreement
Between
the Association of Municipalities of Ontario
And
The Corporation of the City of Brampton

WHEREAS the Federal government has provided funding for Canada Community-Building Fund Revenues by signing the Administrative Agreement which took effect on April 1, 2024;

AND WHEREAS the Association of Municipalities of Ontario ("AMO") is carrying out the fund administration and coordinating role under said agreement.

AND WHEREAS AMO and The Corporation of the City Brampton ("the City") have previously entered into an Municipal Finding Agreement for the Transfer of Canda Community-Building Fund Revenues Under the New Deal for Cities and Communities;

AND WHEREAS, AMO requires the City to enter into a Municipal Funding Agreement for the Transfer of Canda Community-Building Fund Revenues in order that the City continues to receive its share of the Canda Community-Building Fund;

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. The Mayor and the City Treasurer are hereby delegated the authority to execute on behalf of The City of Brampton the Municipal Funding Agreement for the Transfer of Canada Community Building Fund Revenues between the Association of Municipalities of Ontario and The Corporation of the City of Brampton, on such terms and conditions as may be satisfactory to the City Treasurer and in a form approved by the City Solicitor or designate.

ENACTED and PASSED this 10th day of July, 2024.

Approved as to
form.
2024/07/04
S. Akhtar

Patrick Brown, Mayor

Approved as to
content.
2024/07/03
Nash Damer

Genevieve Scharback, City Clerk



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2024

To regulate site alterations within the City of Brampton, and to repeal By-law 143-95 and By-law 30-92

WHEREAS Subsection 8(1) of the [Municipal Act, 2001](#), S.O. 2001, c. 25, as amended, (hereinafter the “Municipal Act, 2001”) provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

AND WHEREAS Section 9 of the [Municipal Act, 2001](#), as amended, provides that a municipality has the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority under any Act;

AND WHEREAS Subsection 11(1) of the [Municipal Act, 2001](#), as amended, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS Subsection 11(2) of the [Municipal Act, 2001](#), as amended, provides that a municipality may pass by-laws respecting: in paragraph 5, Economic, social, and environmental well-being of the municipality; in paragraph 6, Health, safety, and well-being of persons; in paragraph 8, Protection of persons and property, including consumer protection;

AND WHEREAS Section 23.2 of the [Municipal Act, 2001](#), as amended, permits a municipality to delegate certain legislative and quasi-judicial powers where the council of the municipality is of the opinion that the power being delegated is of a minor nature;

AND WHEREAS Section 129 of the [Municipal Act, 2001](#), as amended, authorizes a municipality to prohibit and regulate with respect to noise, vibration, and dust;

AND WHEREAS Subsection 135(1) of the [Municipal Act, 2001](#), as amended, authorizes local municipalities to pass by-laws to prohibit or regulate the destruction or injuring of trees;

AND WHEREAS Section 142 of the [Municipal Act, 2001](#), as amended, authorizes a municipality to pass by-laws to prohibit, regulate, or require a Permit for, and impose conditions upon, the placing or dumping of Fill, removal of Topsoil or alteration of the grade of land in any defined area or areas in the City of Brampton, including conservation authority regulated areas;

AND WHEREAS Subsection 391(1) of the [Municipal Act, 2001](#), as amended, authorizes a municipality to impose fees or charges for services and activities carried out under this By-law;

AND WHEREAS Section 434.1 of the [Municipal Act, 2001](#), as amended, authorizes a municipality to require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under the *Municipal Act, 2001*.

AND WHEREAS the Official Plan for The Corporation of the City of Brampton contains specific policies for site alteration, pre-servicing, grading, and use of soil on sites;

AND WHEREAS the City Council of The Corporation of the City of Brampton deems it appropriate to enact this By-law for the purposes set out below:

- a) To protect agricultural resources and natural heritage features from Negative Impacts;
- b) To prevent drainage issues and public nuisances;
- c) To maintain existing Drainage patterns and prevent erosion and sedimentation;
- d) To prevent interference and damage to watercourses or water bodies;
- e) To maintain ground and surface water quality;
- f) To prevent the discharge of a contaminant into the natural environment;
- g) To prevent the degradation of the pre-existing Soil and groundwater quality;
- h) To designate Haul Routes to minimize, interference and disturbances;
- i) To minimize disturbances to landform characteristics;
- j) To prevent the importation of hazardous materials;
- k) To apply best practices for the proper management of excess soil; and,
- l) To ensure the proponent of the Site Alteration project pays for all applicable costs.

NOW THEREFORE the City Council of The Corporation of the City of Brampton ENACTS as follows:

CONTENTS

PART 1 INTERPRETATION AND APPLICATION 5

1 Short Title 5

2 Interpretation 5

3 Application 11

4 Exemptions 11

PART 2 ADMINISTRATION 13

5 Administration 13

PART 3 REGULATIONS AND PROHIBITIONS 13

6 General Regulations 13

7 Prohibitions 14

8 Prohibited Areas 16

9 Potential Contamination 17

PART 4 PERMIT ADMINISTRATION 17

10 Small Scale Site Alteration Permit 17

11 Large Scale Site Alteration Permit 18

12 Application Requirements 18

13 Permit Conditions 18

14 Permit Issuance 19

15 Undertaking Work 20

16 Appeals 20

17 Expiry 21

18 Renewal 21

19 Revocation 21

20 Transfer 22

PART 5 LARGE SCALE SITE ALTERATIONS 22

21 General 22

23 Permit Issuance 23

24 Site Alteration Agreement 24

PART 6 ENFORCEMENT 24

25 Inspection 24

26 Orders 25

27 Remedial Work..... 26

PART 6 PENALTIES 27

28 Offences 27

29 Administrative Penalties 28

30 Fines..... 28

PART 7 FEES 29

31 Permit Fees 29

32 Tipping Fees..... 29

33 Security Deposit 30

PART 8 SEVERABILITY 31

PART 9 CONFLICT 31

PART 10 EFFECTIVE DATES AND REPEAL OF PREDECESSOR BY-LAWS 31

SCHEDULE 1 TO SITE ALTERATION BY-LAW | FEES 33

SCHEDULE 2 TO SITE ALTERATION BY-LAW | PERMIT APPLICATION..... 34

SCHEDULE 3 TO SITE ALTERATION BY-LAW | PERMIT TERMS AND CONDITIONS. 44

SCHEDULE 4 TO SITE ALTERATION BY-LAW | LARGE SCALE SITE ALTERATION
AGREEMENTS 46

SCHEDULE 5 TO SITE ALTERATION BY-LAW | SITE EROSION CONTROL
MEASURES 48

PART 1 INTERPRETATION AND APPLICATION

1 Short Title

1.1 This By-law may be referred to as the “Site-Alteration By-law.”

2 Interpretation

2.1 Wherever a word is used in this By-law with its first letter capitalized, the term is being used as it is defined in this By-law.

2.2 References in this By-law to any statute or statutory provision include references to that statute or statutory provision as it may from time to time be amended, extended, or re-enacted.

2.3 References in this By-law to items in the plural include the singular, and references to the singular include the plural, as applicable.

2.4 The words “include,” “includes” and “including” are not to be read or interpreted as limiting words, phrases, or descriptions that precede them.

2.5 In this By-law,

“Adverse Effect” means one or more of:

- a) Impairment of the quality of the natural environment for any use that can be made of it;
- b) Injury or damage to property or plant or animal life;
- c) Harm or material discomfort to any person;
- d) An adverse effect on the health of any person;
- e) Impairment of the safety of any person;
- f) Rendering any property or plant or animal life unfit for human use;
- g) Loss of enjoyment of normal use of property; and
- h) Interference with the normal conduct of business;

“Application” means an application to the Commissioner made under Part 4 or 5 of this By-law;

“By-law” and “Site-Alteration By-law” means this By-law;

“City” means The Corporation of the City of Brampton or the land within the municipal boundaries of the City of Brampton, as the context requires;

“Contaminant” means any solid, liquid, gas, odour, heat, sound, vibration, radiation, or combination of any of them resulting directly or indirectly from human activities that cause or may cause an Adverse Effect;

“Commercial Fill Operation” means a Large Scale Site Alteration which meets one or more of the following criteria:

- a) The Placing or Dumping of fill is for commercial benefit or gain, whether for the owner or occupier of the land or for a third party, including the Placing or Dumping of Fill involving remuneration paid, or any other form of consideration provided, to the Owner or occupier of the land or a third party, whether or not the remuneration or consideration is the sole reason for the Placing or Dumping of the Fill;
- b) The Placing or Dumping of Fill is for a commercial purpose;
- c) The Fill is obtained from more than one source site and there is no Fill Management Plan in effect; and
- d) The Fill is generated as a function of a waste soil treatment and/or remediation facility, whether or not such facility is operated under an Environmental Compliance Approval;

"Drainage" means the movement of water to a place of disposal, whether by way of the natural characteristics of the ground surface or by an artificial method;

"Dumping" means the depositing of fill in a location other than where the fill was obtained and includes the movement and depositing of fill from one location on a property to another location on the same property;

“Environmentally Sensitive Areas” means any area deemed to have ecological significance, defined, and designated as environmentally sensitive by section 4.6.10 and Schedule D of the Official Plan, but not limited to, terms such as Environmental Protection Areas and Environmentally Significant Areas;

“Excess Soil” means soil, crushed rock, or soil mixed with rock or crushed rock, which has been excavated as part of a project and removed from the project area for the project;

“Fill” includes Soil, subsoil, Topsoil, stone, sod, turf, clay, sand, gravel, or other such similar material, either singly or in combination, capable of being removed from or deposited on lands;

“Grade” means the elevation of the ground surface and shall be more particularly defined as follows:

- a) “Existing Grade” means the elevation of the existing ground surface of the lands upon which the Placing, Dumping, cutting, or removal of Fill or altering of the grade is proposed and of abutting ground surface up to 3 m wide surrounding such lands, except where such activity has occurred in contravention of this By-law, then Existing Grade shall mean the ground surface of such lands as they existed prior to the said activity requiring a permit under this By-law;
- b) “Proposed Grade” means the proposed finished elevation of the ground surface after fill is dumped or placed, the grade altered, or the Topsoil removed; and

- c) “Finished Grade” means the approved elevation of the ground surface of lands upon which fill has been placed, dumped, cut, or removed or the grade altered in accordance with this By-law;

“Hauler” means an owner/operator of a vehicle transporting excess soil, including liquid soil;

“Haul Routes” mean routes defined by the Commissioner as part of a Permit, or any agreement made under this By-law that describes which routes must be followed when transporting Fill to or from the Site;

“Hydrologically Sensitive Features” include permanent and intermittent streams, wetlands, kettle lakes, seepage areas, and springs;

“Insurance” includes Commercial General Liability Insurance and Pollution Liability Insurance, or any other Insurance as deemed necessary by the Commissioner;

“Key Natural Heritage Features” include wetlands, significant portions of the habitat of endangered, threatened, or special concern species, fish habitat, areas of natural and scientific interest, significant valley lands, woodlands, and wildlife habitat;

“Large Scale Site Alteration” means a Site Alteration involving more than 1,000 cubic metres (approximately 100 triaxle truckloads) of Fill within a twelve (12) month period or where the elevation of the site significantly increases or decreases from the existing grade;

“Liquid Soil” means soil that has a slump of more than 150 millimetres using the Test Method for the Determination of “Liquid Waste” (slump test) set out in Schedule 9 to Regulation 347;

“Minor Landscaping” means yard maintenance activities, lawn dressing, driveway resurfacing, installation of flower beds and vegetable gardens, installation of walkways or pathways, and similar landscaping features on residential properties, that do not adversely alter an existing drainage system approved by the City, a Stormwater Management Facility, or easement in favour of the City; but, does not include the installation or removal of retaining walls or the installation of an in-ground pool.

“Negative Impact” means:

- a) Potential risks to human health and safety and degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple, or successive development. Negative impacts should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;

- b) Degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple, or successive development or site alteration activities;
- c) In regard to fish habitat, any permanent alteration to, or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act; and
- d) In regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple, or successive development or site alteration activities.

“Officer” means a person employed by the City and appointed as a Municipal Law Enforcement Officer or any other person duly appointed by the City Council to administer the provisions of this By-law;

“Owner” means:

- a) The registered Owner of a Site, including any heirs, assigns, Personal representatives, and successors in title;
- b) Mortgagee in possession of the Site;
- c) The Person for the time being managing or receiving the rent of the Site or premises in connection with which the word is used whether on their account or as agent or trustee of any other Person, or who would so receive the rent if such land and premises were let; or
- d) A lessee or Occupant of the Site who, under the terms of a lease, is required to Repair and maintain the Site in accordance with the standards for maintenance and occupancy of the Site.

“Permit” means a Site Alteration Permit issued pursuant to this By-law and includes any agreements entered into by the City and the Owner of the land to which the Site Alteration applies;

“Permit Holder” means a Person to which a Permit has been issued;

“Person” means an individual, multiple persons, partnership, heirs or legal representatives, a corporation, or commissioner, director, or officer of a corporation;

"Placing" means the distribution of fill on lands to establish a finished grade higher or lower than the existing grade, and includes soil stripping;

"Ponding" means where Placing or Dumping of fill or alteration of grade has concentrated the flow of surface water and impaired drainage leading to collected surface water that remains standing in excess of 48 hours in an area;

“Project” means, any project that involves the excavation of soil and includes,

- a) Any form of development or site alteration,

- b) The construction, reconstruction, erecting, or placing of a building or structure of any kind,
- c) The establishment, replacement, alteration, or extension of infrastructure, or
- d) Any removal of liquid soil or sediment from a surface water body;

“Prohibited Area” means

- a) Environmentally Sensitive or Significant Areas;
- b) Natural Heritage System designated Areas;
- c) Core Areas of the Greenlands System;
- d) Provincially Significant Wetlands;
- e) Valleylands or Watercourse Corridors;
- f) Core Woodlots;
- g) Significant Wildlife Habitat;
- h) Floodplains and Hazardous Lands;
- i) Hydrogeologically Sensitive Areas;
- j) Conservation Plan or as designated by the Official Plan
- k) Wellhead Protection Areas, Significant Ground Water Recharge Areas, or High Aquifer Vulnerability Areas as designated in Source Water Protection Plans, or the Official Plan for the City of Brampton; and,
- l) Lands previously licensed or permitted and used as a pit or quarry under the Aggregate Resources Act (or any predecessor legislation thereof), or otherwise, whether such lands have been rehabilitated or not.

“Project Area” means, with respect to a project, a single property or adjoining properties on which the project is carried out;

“Project Leader” means, in respect of a project, the person or persons who are ultimately responsible for making decisions relating to the planning and implementation of the project;

“Qualified Person” means a person qualified as defined within Ontario Regulation 153/04 – “Qualified Person, other than Risk Assessment” as amended;

“Receiving Site” means the property to which Fill is transported and will include the term “Site;”

“Rules for Soil Management and Excess Soil Quality Standards” is adopted by reference in O. Reg. 406/19 (On-Site and Excess Soil Management) made under the Environmental Protection Act, R.S.O. 1990, c. E.19

"Retaining Wall" means a concrete or concrete product wall or other material approved by the Commissioner designed to contain and support fill that has a finished grade higher than that of adjacent lands;

“Site” means land or property upon which there has been a Site Alteration or upon which a Site Alteration is proposed and will include the term “Receiving Site;”

“Site Alteration” means any activity that involves the Dumping, removing, moving, excavating, or grading of soil or fill or alters the grade (topography) of land, but does not include Minor Landscaping;

“Site Alteration Agreement” means a legal agreement between the property Owner and the City which is Registered on Title to the lands on which the Site Alteration is to take place;

“Small Scale Site Alteration” means any Site Alteration undertaken on a Property within a twelve (12) month period where:

- a) The cumulative volume of Fill does not exceed one thousand cubic metres (1,000m³), equivalent to one hundred (100) triaxle truckloads;
- b) The total area of the Property subject to the Site Alteration, excluding all buildings, structures, and fixed features, does not surpass one hectare (1ha);

“Soil” means unconsolidated naturally occurring mineral particles and other naturally occurring materials resulting from the natural breakdown of rock or organic matter by physical, chemical, or biological processes that are smaller than 2 millimetres in size or that pass the US #10 sieve.

“Stormwater Management Facilities” means any rooftop storage, flow control device, tank, pond, stormwater wetland, oil grit separator, water quality unit, manufactured treatment device, rainwater harvesting system, or low-impact development practice created to control stormwater quantity, quality, water balance, or erosion.

"Swale" means a shallow depression in the ground sloping to a place of disposal of surface water for the purpose of providing a method of Drainage; and

“Topsoil” means those horizons in a Soil profile, commonly known as the “A” and “O” horizons, containing organic material and includes deposits of partially decomposed organic matter such as peat.

3 Application

- 3.1 The Schedules appended to this By-law are incorporated into and form part of this By-law.
- 3.2 The provisions of this By-law, as amended from time to time, shall form part of the development approval process governed by the *Planning Act*.
- 3.3 An application for a permit may be processed concurrently with an application submitted pursuant to the *Planning Act* and may form part of the technical information requested in order to consider the planning application complete.
- 3.4 This By-law applies to all land in the City of Brampton, including areas within the Conservation Authority regulated areas.

4 Exemptions

- 4.1 This By-law shall not apply to Site alterations that:
 - (1) Are undertaken by the City or a local board of the City;
 - (2) Are imposed after December 31, 2002, as a condition to the approval of a Site Plan, a Plan of Subdivision, or a Consent under sections 41, 51, or 53, respectively, of the Planning Act or as a requirement of a Site Plan Agreement or Subdivision Agreement entered into under those sections;
 - (3) Are imposed after December 31, 2002, as a condition to a Development Permit authorized by regulation made under section 70.2 of the Planning Act or as a requirement of an agreement entered into under that regulation;
 - (4) Are undertaken by a Transmitter or Distributor, as those terms are defined in section 2 of the Electricity Act, 1998 for the purpose of constructing and maintaining a Transmission System or a Distribution System, as those terms are defined in that section;
 - (5) Are undertaken on land described in a licence for a pit or quarry or a permit for a wayside pit or wayside quarry issued under the Aggregate Resources Act;
 - (6) Are undertaken on land in order to lawfully establish and operate or enlarge any pit or quarry on land that has not been designated under the *Aggregate Resources Act* or a predecessor of that Act, and on which a pit or quarry is a permitted land use under a By-law passed under section 34 of the *Planning Act*;
 - (7) Are undertaken as an incidental part of drain construction under the *Drainage Act* or the *Tile Drainage Act, 2001*;
 - (8) Are for the purpose of Minor Landscaping on residential properties; and,

- (9) Are incidental to a normal farm practice including such removal/placement as an incidental part of sod-farming, greenhouse operations, and nurseries for horticultural products, provided that associated stockpiles,
 - a) Are used, depleted, and refreshed on a continuous basis during periods when the stockpiles are actively in use in the agricultural operation;
 - b) Are removed and the existing grade restored while the agricultural operation is suspended or during periods when the stockpiles are not actively in use in the agricultural;
 - c) No stockpile remains substantially unchanged for longer than 6 months; and
 - d) Does not include the removal of Topsoil for sale, exchange, or other disposition.

4.2 The following activities are exempt from the requirement for a permit:

- (1) The use, operation, establishment, alteration, enlargement, or extension of a waste disposal site within the meaning of Part V of the *Environmental Protection Act*;
- (2) Are in relation to the construction of a building pursuant to a valid building permit associated with the erection of a building, structure, or on-site sewage system and the Site plan accompanying the building application provides sufficient information to determine that the placement of Fill conforms with the provisions of the By-law, and the quantity of Fill, if any, is deemed necessary and reasonable by the Commissioner; and,
- (3) Are for the purpose of filling in an inground pool provided that the existing grade of the property is not changed and/or altered and where the total cut or fill volume is not more than 100 m³.

4.3 Notwithstanding Section 4.2, all Site Alteration activities, whether exempt from permit requirements or not, shall comply with the remainder of the By-law.

4.4 Any Person conducting a Site Alteration that is exempt from requiring a Permit must be able to demonstrate to the satisfaction of the City, at any time upon request, the applicability of the exception in accordance with this By-law.

PART 2 ADMINISTRATION

5 Administration

- 5.1 This By-law shall be administered and enforced by the Commissioner and their designate(s).

PART 3 REGULATIONS AND PROHIBITIONS

6 General Regulations

- 6.1 Every person who intends on carrying out any activity connected to a site alteration personally or through another person is required by this By-law to apply to the City for a permit by submitting all of the information prescribed in this By-law and by paying the prescribed fee.
- 6.2 Where there is a planning application that involves an approval, no physical change or Site Alterations shall occur until the issuance of a permit pursuant to this By-law and/or the receipt of final approval of any applicable planning applications.
- 6.3 The issuance of a Permit does not relieve the Owner and Permit Holder from any responsibility to obtain all other approvals that may be required from any level of government or authority having jurisdiction or any agencies thereof.
- 6.4 A Permit is not transferable to another Site.
- 6.5 The conditions for a Large-Scale Site Alteration shall be in addition to all other requirements and conditions described in this By-law.
- 6.6 Notwithstanding any other provision of this By-law, the Commissioner may require any applicant to enter into an Agreement with the City which shall be registered on Title to the Lands.
- 6.7 Every person who performs a site alteration with a valid permit shall notify the permit issuer within forty-eight (48) hours prior to commencing any work.
- 6.8 Every Owner shall keep and maintain the records described in 6.9 in a good and businesslike manner.
- 6.9 Every Owner shall make the following records available for inspection upon the request of an Officer:
- (1) The full and complete legal name and business name, if different from the legal name, of each hauler that attends the Owner's or Permit Holder's Site;
 - (2) The commercial vehicle registration number of each hauler;
 - (3) The motor vehicle permit number of the motor vehicles owned and operated by each hauler;

- (4) The date and time of each delivery of Fill;
- (5) The point of origin of each delivery of Fill;
- (6) The volume of each delivery of Fill; and,
- (7) The content of material of each delivery of Fill.

6.10 Every Person shall comply with an order issued under this By-law.

6.11 Every Person who has dumped or placed a Fill or caused a Fill to be dumped or placed on a Site contrary to this By-law or not in conformity with a Permit is responsible for the removal of such Fill.

7 Prohibitions

7.1 No Person shall cause, permit, or perform a Site Alteration except in conformity with the requirements of Ontario Regulation 406/19 and Ontario Regulation 153/04.

7.2 No Person shall cause, permit, or perform a Site Alteration on any lands except in conformity with the City's Official Plan, policies, by-laws, and any applicable Provincial Plans and Statements.

7.3 No Person shall cause, permit, or perform a Site Alteration except in conformity with this By-law.

7.4 No Person shall cause, permit, or perform a Site Alteration on any lands unless it is done at the request of or with the consent of the Owner of the Land where the Site Alteration is to occur.

7.5 No person shall cause, permit, or perform a Site Alteration on City-owned lands.

7.6 No Person shall operate a Commercial Fill Operation within the City, except where exempt under Section 4.

7.7 No Person shall cause, permit, or perform a Site Alteration within the City except in accordance with a Permit having been issued under this By-law.

7.8 No Person shall cause, permit, or perform a Site Alteration except in conformity with the terms and conditions of any Permit issued under this By-law.

7.9 No person shall cause, permit, or perform a Large Scale Site Alteration within the City except in accordance with the terms and conditions of a Large Scale Site Alteration Permit and Agreement having been issued under this By-law.

7.10 No person shall cause, permit, or perform a Site Alteration where the fill is placed, dumped, or used that contains trash, rubbish, glass, contaminants, organic materials, or liquid or toxic chemicals.

7.11 No person shall cause, permit, or perform a Site Alteration unless the drainage system for the lands is provided in accordance with the Corporation's By-laws and

the Commissioner is satisfied that provision has been made for surface and stormwater drainage where such drainage is not provided by natural gradients or a swale.

- 7.12 No Person shall authorize the transport of Fill in a heavy truck on a highway where a By-law prohibits the movement, driving, or operation of a heavy truck on a highway, or portion thereof, unless otherwise permitted under the Traffic By-law 93-93, as amended, or any successor By-law.
- 7.13 Where Fill is transported over a highway or portion thereof that does not permit the movement, driving, or operation of a heavy truck, the Permit Holder shall be responsible for any damage occurring to that highway as a result of the transportation of the Soil.
- 7.14 Every Person in the execution of an authorized Site Alteration shall take necessary and adequate measures to prevent the depositing of dust, dirt, mud, or debris onto a highway.
- (1) Where dust, dirt, mud, or debris is deposited onto a highway, the Owner, Permit Holder, or Project Leader shall clear the highway of all dust, dirt, mud, or debris.
- 7.15 No Person shall cause, permit, or perform a Site Alteration:
- (1) Anytime between the hours of seven o'clock in the afternoon (7:00 pm) and seven o'clock in the forenoon (7:00 am) the next day;
- (2) Any time before nine o'clock in the forenoon (9:00 am) on Saturdays, Sundays, and Statutory Holidays;
- (3) During any period in which a wind warning for the area has been issued by Environment Canada;
- (4) During any period in which a smog advisory for the area has been issued by the Ontario Ministry of the Environment, conservation, and Parks;
- (5) During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, thick fog, etc.); and
- (6) During any situation where Site Alteration activities would adversely impact adjacent landowners including but not limited to:
- a) Brush fires;
- b) Floods; and
- c) Unsuitable road conditions.
- 7.16 No Person shall undertake a Site Alteration which may result in an adverse effect, including:
- (1) Adverse erosion and environmental impacts on and off-site;

- (2) Blockage of a Swale, drainage channel, ditch, or watercourse;
- (3) Siltation in a watercourse, wetland, or storm sewer;
- (4) Transportation of silt to adjacent, neighbouring, or downstream properties;
- (5) Pollution of a watercourse;
- (6) Flooding or Ponding on adjacent lands;
- (7) Impacting Drainage on another property;
- (8) Flooding or Ponding caused by a watercourse overflowing its banks;
- (9) Hindering the orderly development of any lands;
- (10) Detrimental effect on the quality and quantity of water in a well;
- (11) Detrimental effect on any trees of a caliper of 75mm Diameter at breast height (dbh) or more located on the lands;
- (12) Detrimental effect on matters of inherent biological sensitivity such as, but not limited to aquifer recharge, Soil permeability, water quality, and wildlife habitat;
- (13) Unauthorized injury or destruction of a tree which is subject to tree protection measures unless specifically authorized;
- (14) A loss or detrimental effect on the natural environment, including but not restricted to lands designated as environmentally significant, however, expressed in Official Plans or Zoning By-laws, including designations of areas as environmentally sensitive, environmental protection, as being of environmental concern and as being ecologically significant;
- (15) Adversely affects the quality or quantity of water in a well, pond, or watering hole intended for use as a source of water for agriculture or human consumption;
- (16) A detrimental effect on the growth and or harvest of fruit, vegetables or crops, landscaping, and gardens;
- (17) A detrimental effect on the visual amenities of the land such that it constitutes an unreasonable interference with the enjoyment of property;
- (18) A detrimental effect on areas of archaeological significance; or
- (19) Contamination of or the degradation of the environmental quality of land.

8 Prohibited Areas

- 8.1 No Person shall cause, permit, or perform a Site Alteration or Large Scale Site Alteration in a Prohibited Area.
- 8.2 Notwithstanding Section 8.1, a Site Alteration, including a Large Scale Site Alteration, may be permitted in a Prohibited Area if:

- (1) The Site Alteration is authorized by a Building Permit issued by the City or any other Development Agreement with the City;
- (2) The Site Alteration is exempted by Section 4 of this By-law;
- (3) The Site Alteration is in accordance with provincial and federal requirements;
- (4) The Site Alteration is a provincial or federal work or undertaking where the Commissioner determines that the core of the power under which it is established would be seriously and significantly impaired by the prohibition; or,
- (5) The Site Alteration is otherwise explicitly permitted and there are no Negative Impacts on the natural features and/or area or their ecological functions.

9 Potential Contamination

- 9.1 If, at any time, any Person performing Site Alteration, or an employee, agent, or contractor of a Person performing Site Alteration makes an observation of the Site or any Fill being excavated, moved, transported, or deposited on the Site, including any visual or olfactory observation, that the Fill may be affected by Contaminants they shall:
- (1) Immediately cease the Site Alteration; and,
 - (2) Immediately notify the Commissioner.
- 9.2 Where Fill may be affected by Contaminants, the permit holder shall immediately remove and remediate the potentially contaminated Fill to the satisfaction of the Commissioner.
- 9.3 No Person shall resume a Site Alteration until authorized by the Commissioner.

PART 4 PERMIT ADMINISTRATION

10 Small Scale Site Alteration Permit

- 10.1 Any Person performing a Small Scale Site Alteration having a total cumulative volume of less than one thousand cubic metres (1,000 m³) on one hectare (1ha) or less in a 12-month period shall obtain a Small Scale Site Alteration permit prior to commencing work.
- 10.2 The maximum volume calculation excludes any Site Alteration conducted under the approval of any other legal instrument of the City such as a Building Permit; and,
- 10.3 Details on the application requirements for the Small Scale Site Alteration Permit are provided in Schedule 2 of this By-law.

11 Large Scale Site Alteration Permit

- 11.1 Any Person performing a Large Scale Site Alteration having a total cumulative volume of more than one thousand cubic metres (1000 m³) or more within a 12-month period, or where there is a significant change in elevation and/or grade, shall obtain a Large Scale Site Alteration permit prior to commencing work.
- 11.2 A Large Scale Site Alteration is prohibited without the prior approval of the City Council.
- 11.3 Details on the application requirements for the Large Scale Site Alteration Permit are provided in Part 5 and Schedule 4 of this By-law.

12 Application Requirements

- 12.1 An application to the Commissioner for the issuance, renewal, amendment, or revocation of a Permit shall be made in a form and a manner approved by the Commissioner, containing all requirements set out in Schedule 2 to this By-law and any other information that is required by the Commissioner.
- 12.2 An application for a permit shall be deemed incomplete, and no permit shall be issued if:
- (1) The application has not been completed in full;
 - (2) The application is missing any such requirements listed in this By-law, or Schedules hereto; or,
 - (3) The application or renewal fee in Schedule 1 has not been paid.

13 Permit Conditions

- 13.1 Following receipt of an application, the Commissioner may issue a permit where the Commissioner is satisfied that the applicant has complied or will comply with the required terms and conditions found in Schedule 3 to this By-law.
- 13.2 The Commissioner may, at their sole and absolute discretion, require that, as a condition of the issuance of a permit, the registered owner of the land and any other persons deemed appropriate, enter into an agreement respecting the work contemplated by the permit containing such terms and conditions as the Commissioner considers appropriate.
- 13.3 Notwithstanding any other provisions of this By-law, the Commissioner may at their sole discretion, waive certain requirements of Section 12 and Schedule 3 after taking into consideration the proposed works and the anticipated impacts to the Site, adjacent properties, and the surrounding environment.
- 13.4 Notwithstanding any other provisions of this By-law, the Commissioner may at their sole discretion, require one or more of the provisions as set out in Part 5 and

Schedule 4 be complied with for any Permit being considered or issued by the City, after taking into consideration the proposed works and the anticipated impacts to the Site, adjacent properties and the surrounding environment.

- 13.5 The Commissioner may attach such other conditions to a Permit that, in the opinion of the Commissioner, are reasonably required to protect the economic, social, and environmental well-being of the City and the health, safety, and well-being of Persons as a result of anticipated impacts of the Site Alteration.

14 Permit Issuance

- 14.1 Notwithstanding any other provisions of this By-law, a Permit may be issued where the Commissioner is satisfied that:

- (1) The proposed site alteration does not contravene this By-law;
- (2) The primary use of the Site is not for the depositing of Fill on the Site;
- (3) The proposed Site Alteration is necessary for the purpose identified in the application;
- (4) All other Permits, application material, background studies, agreements, documents, and reports have been received, reviewed, and approved to the satisfaction of the Commissioner;
- (5) If required by Section 11 of this By-law, the applicant has entered into the agreement referred to in Part 5 and Schedule 4;
- (6) In addition to compliance with all other requirements, the intended use for the filled areas, where applicable, is a permitted use under the City's Official Plan, the City's Zoning By-law, Conservation Plan as applicable;
- (7) All applicable agencies and authorities have been notified and have provided comments, to the satisfaction of the Commissioner;
- (8) All applicable fees and expenses for services described in Schedule 4 have been satisfied by the Owner;
- (9) The proposed final elevations and resulting Drainage pattern, the design of any Retaining Wall, the type of Fill to be used, and the method of Placing or Dumping of Fill, are all in accordance with prevailing City of Brampton design standards and proper engineering practice;
- (10) The height of any Retaining Wall to be constructed shall not exceed 1 metre;
- (11) The design and installation of the Retaining Wall which exceeds 1 metre in height has been certified by an engineer;
- (12) The main haulage routes and proposed truck traffic to and from the Site do not pose detrimental effects to the immediate area or nearby communities;

- (13) There is no detrimental effect on any healthy 75 mm caliper or larger trees located on the lands; and,
- (14) Any other matters that the Commissioner considers relevant.

15 Undertaking Work

15.1 Every Person who undertakes a Site Alteration that involves placing or Dumping Fill, shall:

- (1) Provide a Retaining Wall which does not encroach upon abutting lands, either above or below the Existing Grade, such Retaining Wall is to be constructed to the satisfaction of the Commissioner. The Commissioner may require that a Retaining Wall be constructed where:
 - a) Erosion of Fill onto abutting lands may occur; or
 - b) The Finished Grade of the lands at the property line is higher than that of the Existing Grade of the abutting lands;
- (2) Ensure that the Finished Grade surface is protected by sod, turf, seeding for grass, greenery, asphalt, concrete, or other means, either singly or in combination;
- (3) Ensure that Fill shall not be placed around the perimeter of any existing building to an elevation higher than 150 millimetres below the ground floor, level of such building unless such building and its foundation walls are raised in a manner satisfactory to the Commissioner;
- (4) Ensure that no trench in which piping is laid forming part of the Drainage system shall be covered and backfilled until the work has been inspected and approved by the Commissioner;
- (5) Provide such protection for trees as may be required pursuant to the City of Brampton's tree By-law;
- (6) Provide the Site erosion control measures set out in Schedule 5 to this bylaw; and
- (7) Confirm that the property where the proposed Site Alteration is to take place is not within any of the Prohibited Areas.

15.2 Upon a request from the City or its agents, the Owner shall make the Site available for inspection.

16 Appeals

16.1 An applicant for a Permit pursuant to this By-law may appeal to the Brampton Appeal Tribunal (the "Tribunal"):

- (1) Where the applicant objects to a condition in the Permit, within thirty (30) days from the issuance of a Permit; or
- (2) Where the City refuses to or does not issue a Permit within forty-five (45) days from the date the application is received, within thirty (30) days from the expiration of the forty-five (45) days.

16.2 The Tribunal may make an order:

- (1) Upholding the decision of the City;
- (2) Requiring the City to vary any condition in a Permit; or
- (3) Requiring the City to issue a Permit on such conditions as the Tribunal considers appropriate.

16.3 The decision of the Tribunal is final.

17 Expiry

17.1 A Site Alteration Permit expires on the date set out in the Permit.

18 Renewal

18.1 A Permit that has not expired may be renewed by the Commissioner within three months before the date of expiry upon the submission of a written request to the Commissioner accompanied by a payment of one-half of the original Permit Application Fee, provided that the proposed work which was the subject of the Permit has not been revised.

18.2 A Permit that has been renewed in accordance with this section shall thereafter be treated as a new Permit.

18.3 A Large Scale Site Alteration permit shall not again be renewed unless specifically stated in a Site Alteration Agreement.

19 Revocation

19.1 The Commissioner may revoke the Permit for the following reasons:

- (1) It was obtained on mistaken, false, or incorrect information;
- (2) It was issued in error;
- (3) The Owner or Permit holder requests in writing that it be revoked;
- (4) The terms of a Site Alteration Agreement and/or Permit under this By-law have not been complied with;
- (5) Work authorized under the Permit has not commenced prior to its expiry date;

- (6) The Owner has failed to comply with the provisions of this By-law; or
- (7) The land has been transferred and the new Owner has not complied with the requirements under this section of the By-law.

19.2 Where a Permit has been revoked under Section 18 or for any other reason pursuant to this By-law, the Permit holder shall forthwith cease all work under the revoked Permit and restore the Site to conditions acceptable to the Commissioner.

20 Transfer

20.1 A Permit shall be deemed to be canceled upon the transfer of ownership of the Site as of the date of the transfer unless the new Owner provides a written commitment to comply with all conditions under which the Permit was issued, prior to the transfer of the Site, including compliance with this By-law and Financial Assurance in a form and amount acceptable to the Commissioner, at which time any Financial Assurance previously provided by the original Permit holder pursuant to this By-law.

20.2 A Permit is not transferable to another Site.

PART 5 LARGE SCALE SITE ALTERATIONS

21 General

21.1 Notwithstanding any other provisions of this By-law, the requirements set out in this section shall be in addition to all other requirements and conditions described in this By-law.

21.2 An application for Large Scale Site Alterations shall not be considered for approval until the City Council has considered the application at a public meeting at which the applicant or any interested members of the public will have an opportunity to make representation.

22 Public Notice

22.1 In accordance with the City's Official Plan, a notice of the Public Meeting shall be given to all persons assessed in respect of land to which the proposed Large Scale Site Alteration applies and within 240 metres of the subject property as shown on the last revised assessment roll.

22.2 Notice of any Public Meeting will be given at least 20 days prior to the date of the meeting.

22.3 Notice of the public meeting shall be provided to property owners and agencies as approved and specified by the Commissioner.

22.4 Notwithstanding Section 22.2, notice periods under this section may be amended by the Commissioner as they consider appropriate.

22.5 The means of notice, may include at least one of the following, at the discretion of the Commissioner:

- (1) News release;
- (2) Notice through local, regional, or provincial news media, such as television, radio, newspapers and magazines;
- (3) Door to door flyers;
- (4) Signs;
- (5) Mailings to members of the public;
- (6) Mailings to adjacent property owners;
- (7) Actual notice to community leaders and political representatives;
- (8) Actual notice to community organizations, including environmental organizations; and/or
- (9) Any other means of notice that would facilitate more informed public participation in decision-making on the proposal.

22.6 Notice, as described above, shall include the following:

- (1) A brief description of the Site Alteration activities;
- (2) A statement when and where members of the public can review written information about the proposed Site Alteration application;
- (3) An invitation to members of the public to submit written comments on the proposed Site Alteration application; and
- (4) An invitation to members of the public to attend a public meeting.

22.7 Following the public meeting, the Owner shall submit a report to the Commissioner for City Council consideration setting out all changes they made in response to any public concerns received during the public consultation period.

23 Permit Issuance

23.1 A Permit for a Large Scale Site Alteration may be issued if, in addition to the requirements in Section 14, the following items have been addressed to the satisfaction of the City Council:

- (1) The effect of the Large Scale Site Alteration on the environment;
- (2) The effect of the Large Scale Site Alteration on nearby communities;
- (3) Any comments provided by adjacent municipalities and agencies in which the Site is located;

- (4) Concerns of the public and the proponent's responses to those concerns;
- (5) Any possible effects on ground and surface water resources;
- (6) Any possible effects of the Large Scale Site Alteration on existing agricultural resources;
- (7) Any planning and land use considerations;
- (8) The main haulage routes and proposed truck traffic to and from the Site;
- (9) The quality and quantity of Fill being proposed;
- (10) The applicant's history of compliance with regards to Fill importation; and
- (11) Any other matters that the City Council considers appropriate.

23.2 The City does not warrant in any way that approval of any Project is guaranteed, or that there is necessarily any entitlement whatsoever to obtain a Permit under this By-law.

23.3 Written reasons shall be provided by the Commissioner and/or City Council if a Permit is refused.

24 Site Alteration Agreement

24.1 For all Large Scale Alterations, the Owner shall, in addition to providing a complete permit application as detailed in this By-law, enter into a Site Alteration Agreement with the City which shall be Registered on Title to the land on which the Site Alteration is to be performed.

24.2 A Site Alteration Agreement may contain any of the requirements found in Schedule 4 at the discretion of the Commissioner and approved by the City Council.

24.3 Notwithstanding any other provisions of this By-law, the Commissioner, with the consent of the City Council, may waive certain requirements of the Site Alteration Agreement as described in this section and in Schedule 4, or require that further studies be completed or further requirements be added to the Agreement after taking into consideration the proposed works, the anticipated impacts to the Site, adjacent properties and the surrounding environment.

PART 6 ENFORCEMENT

25 Inspection

25.1 No Person shall hinder or obstruct or attempt to hinder or obstruct any Person who is exercising a power or performing a duty under this By-law.

25.2 An Officer may at any reasonable time, enter and inspect any land for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

- (1) This By-law;
- (2) A direction or order of the municipality;
- (3) A condition of a permit or agreement issued under this By-law; or,
- (4) An order made under section 431 of the *Municipal Act, 2001*.

25.3 For the purposes of an inspection under Section 24.2, the Officer may:

- (1) Require the production for inspection of documents or things relevant to the Inspection;
- (2) Inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- (3) Require information from any Person concerning a matter related to the Inspection; and
- (4) Alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples, or photographs necessary for the purposes of the Inspection.

25.4 A receipt shall be provided for any document or thing removed under 8.5 and the document or thing shall be promptly returned after the copies or extracts are made.

25.5 A sample taken under Section 24.3 shall be divided into two parts, and one part shall be delivered to the Person from whom the sample is taken, if the Person so requests at the time the sample is taken and provides the necessary facilities.

25.6 If a sample is taken under Section 24.3 and the sample has not been divided into two parts, a copy of any report on the sample shall be given to the Person from whom the sample was taken.

26 Orders

26.1 Where an Officer is satisfied that a contravention of the By-law has occurred, the officer may make an order requiring the person who contravened the By-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity.

26.2 Where an Officer is satisfied that a contravention of the By-law has occurred, the officer may make an order requiring the person who contravened the By-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to do work to correct the contravention.

26.3 Orders issued pursuant to subsection 25.1 and 25.2 shall set out in writing:

- (1) The Municipal address or legal description of the land;
- (2) The reasonable particulars of the contravention(s);

- (3) The date by which the order must be complied with; and,
- (4) If applicable, the work to be completed.

26.4 An order issued pursuant to Section 25.2 of this By-law may require a Person to undertake all necessary work, including:

- (1) Cease all work in respect of the Site Alteration;
- (2) Remove the Fill;
- (3) Fill in any excavations or ponds; and/or
- (4) Complete all the work necessary to:
 - a) Eliminate any hazard or potential hazard resulting from the alteration of the Grade or the Placing, Dumping, or removal of Fill and restore the land to a condition of safety and/or its original environmental condition, to the satisfaction of the Commissioner;
 - b) Restore the land to its former condition prior to the alteration of the Grade of the land or to the Placing, Dumping, cutting, or removal of the Fill on the land or other Site Alteration to the satisfaction of the Commissioner;
 - c) Undertake such further investigations as required by the Commissioner to identify the extent of any breach of this By-law and do work to correct the contravention, as deemed appropriate by the Commissioner.

26.5 An order under section 25.2 may require work to be done even though the facts which constitute the contravention of the By-law were present before the By-law making them a contravention came into force.

26.6 An order issued under this By-law may be served personally or served by email or mail to the last known email or mailing address of the Person and such other persons affected by it as determined by the Inspector.

26.7 A copy of the order may be posted on any Site or property to which the contravention applies.

26.8 If an order is served by registered mail, the service shall be deemed to have been made five (5) days after mailing.

27 Remedial Work

27.1 Where a Person has dumped or placed Fill or caused Fill to be dumped or placed on lands contrary to this By-law or not in conformity with a Permit being issued, that Person shall remove such Fill.

- 27.2 Employees or agents of the City may enter the Site at any reasonable time without a warrant in order to affect the required work where an Order to do so made under this By-law has not been complied with.
- 27.3 The costs incurred by the City in so doing shall be paid by the Owner of the land and may be recovered by the City by adding the costs to the tax roll and collecting them in the same manner as property taxes; or drawing on the financial assurance provided.
- 27.4 Where archaeological resources have been discovered or identified at a Site, the Commissioner may make an order directing the Owner if he or she reasonably believes that the requirements specified in the order are necessary and advisable so as to protect the archaeological resources.
- 27.5 If a Person is convicted of an offence for contravening an order to stop the injuring or destruction of trees, the court in which the conviction has been entered, or any court of competent jurisdiction thereafter, may order the Person to rehabilitate the land or plant or replant trees in such manner and within such period as the court considers appropriate, including any silvicultural treatment necessary to re-establish the trees.
- 27.6 In addition to any fine or any other penalty, any Person who is convicted of contravening a provision of this By-law, the terms and conditions of a Permit issued pursuant to this By-law, or an order issued pursuant to this By-law and Section 444(1) or 445(1) of the *Municipal Act, 2001*, may be ordered by a court of competent jurisdiction at the expense of the Person to:
- (1) Rehabilitate the land;
 - (2) Remove the Fill placed or dumped;
 - (3) Restore the Grade of the land to its original condition; and
 - (4) Replace damaged trees, shrubs, etc.

PART 6 PENALTIES

28 Offences

- 28.1 Every Person who contravenes a provision of this By-law and every director or officer of a corporation who concurs in such contravention by the corporation is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the *Provincial Offences Act*, R.S.O, 1990, c. P.33, and the *Municipal Act, 2001*, as both may be amended from time to time.
- 28.2 Every person who hinders or obstructs, or attempts to hinder or obstruct, any person who is exercising a power or performing a duty under this By-law is guilty of an offence.

28.3 Every person who neglects or refuses to produce any information or thing or to provide any information required by any person acting pursuant to a court order under a court order is guilty of an offence.

28.4 Every person who contravenes an order made under this By-law is guilty of an offence.

29 Administrative Penalties

29.1 An Officer may require a Person, subject to the conditions set out within the Administrative Penalties (Non-Parking) By-law 218-2019, as amended, or successor By-law, to pay an administrative penalty if the Inspector is satisfied that the Person has failed to comply with:

- (1) A provision within this By-law;
- (2) The terms or conditions of a Permit issued under this By-law;
- (3) An Agreement made under this By-law; or
- (4) An Order issued under this By-law.

29.2 Every Person who is served a Penalty Notice pursuant to section 28.1 is liable to pay to the City of Brampton an administrative penalty in the amount set out in the Administrative Penalties (Non-Parking) By-law 218-2019, as amended.

30 Fines

30.1 Every Person who is guilty of an offence is liable to a fine, and such other penalties, as provided for in the *Provincial Offences Act*, as amended, and the *Municipal Act, 2001* as amended.

30.2 Every Person charged with an offence under this By-law by the laying of an information under Part III of the *Provincial Offences Act*, as amended, upon conviction, is liable pursuant to the *Municipal Act, 2001*, to the following fines:

- (1) To a minimum fine of \$500 and a maximum fine of \$100,000;
- (2) In the case of a continuing offence, for each day or part of a day that the offence continues, a minimum fine of \$500 and a maximum fine not exceeding \$10,000, and the total daily fines are not limited to \$100,000; and,
- (3) In the case of a multiple offence, for each offence included in the multiple offence, a minimum fine of \$500, and a maximum fine not exceeding \$10,000, and the total of all fines for each included offence is not limited to \$100,000.

30.3 Where a Person is convicted of an offence under this By-law, in addition to any other remedy or any penalty imposed, the court in which the conviction has been entered, and any court of competent jurisdiction, may make an Order prohibiting the continuation or repetition of the offence by the Person convicted.

30.4 An offence under this By-law may constitute a continuing offence as set out in the *Municipal Act, 2001*, and for greater clarity includes:

- (1) Where Fill has been placed at a Site in contravention of any provision of this By-law, and the contravention has not been corrected, the contravention of the provision shall be deemed to be a continuing offence for each day or part of a day that the contravention remains uncorrected.
- (2) Where an Order has been issued under this By-law, and the Order has not been complied with, the contravention of the Order shall be deemed to be a continuing offence for each day or part of a day that the Order is not complied with.

30.5 For the purposes of this By-law, a “multiple offence” means an offence in respect of two or more acts or omissions each of which separately constitutes an offence and is a contravention of the same provision of this By-law.

30.6 A special fine may be imposed in addition to a fine imposed under Section 29.2 in circumstances where there is economic advantage or gain from the contravention of this By-law and the maximum amount of the special fine may exceed \$100,000.

30.7 A special fine may include but is not limited to:

- (1) \$10.00 for each cubic metre of Fill deposited in excess of the amount allowed in a Permit, or deposited beyond the geographic limits of the Permit, or deposited without first having obtained the required Permit;
- (2) Where the Fill is found to contain Contaminant levels that exceed Table 2 Standards from the Soil and Groundwater and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act as prescribed in this By-law, greater fines of not less than \$100 per cubic metre may be imposed.

PART 7 FEES

31 Permit Fees

31.1 The fee for a Permit application and renewal shall be in accordance with Schedule 1 of this By-law, which may be amended from time to time.

32 Tipping Fees

32.1 Tipping fees as identified in the User Fee By-law, shall be provided by the Owner to the City at intervals set out by the City and shall be used for the purposes set out in Schedule 4 Section 1.2(6), as applicable.

33 Security Deposit

- 33.1 The Owner may be required to provide a security deposit, which shall act as Financial Assurance, to be used to remedy any breach of the By-law, Permit, or Site Alteration Agreement to be drawn on by the City at its sole discretion.
- 33.2 Without limiting the generality of the foregoing, the Financial Assurance may be used to but is not limited to:
- (1) return the land to a condition satisfactory to the Commissioner;
 - (2) pay any outstanding amounts owed by the Owner related to the Permit;
 - (3) cover 100% of the estimated cost to maintain Site control measures and stabilize the Site;
 - (4) undertake other works as identified by the Commissioner in Section 33.1 & 27.
- 33.3 The Financial Assurance shall be in an amount determined by the Commissioner.
- 33.4 The Financial Assurance must be in the form of an irrevocable Letter of Credit in a form acceptable to the City Treasurer, a certified cheque, or cash.
- 33.5 A Letter of Credit or other securities must remain in effect for the full life of the Permit.
- 33.6 Any Letter of Credit and its subsequent renewal forms shall contain a clause stating that 60 days written notice must be provided to the City prior to its expiry or cancellation.
- 33.7 The Financial Assurance must be replenished in full by the Permit Holder within 30 days whenever it is drawn upon.
- 33.8 It is the responsibility of the Permit holder to obtain the written approval of the Commissioner that the Site has been adequately reinstated and stabilized in accordance with this By-law and the plans and the Permit and to request that the City carry out a final inspection of the Site and obtain the written approval of the Commissioner that this By-law and terms and conditions of the Permit have been complied with by the Permit holder.
- 33.9 When the provisions in section 33.8 have been fully complied with, to the satisfaction of the Commissioner, the Financial Assurance shall be released.
- 33.10 If the Permit expires or is revoked, the securities are to remain in effect until the Site is restored to a condition acceptable to the Commissioner and within a timeframe approved by the Commissioner.
- 33.11 Notwithstanding any other provision in this part, the Owner may be required to maintain the Financial Assurance until all Site monitoring, applicable sampling, and

remediation is completed, as required in the Permit, to the satisfaction of the Commissioner.

PART 8 SEVERABILITY

- 34** In the event that any provision or part of a provision in this By-law is found to be invalid or unenforceable for any reason whatsoever, then the particular provision or part thereof shall be deemed to be severed from the remainder of the By-law and all other provisions or parts thereof shall remain in full force and effect and shall be valid and enforceable to the fullest extent permitted by law.

PART 9 CONFLICT

- 35** Where there is a conflict between a provision of this By-law and a provision in any other By-law, the provision that preserves cultural heritage resources shall prevail, subject to the greater paramountcy of provisions that protect the health or safety of persons.

PART 10 EFFECTIVE DATES AND REPEAL OF PREDECESSOR BY-LAWS

36 Transition

- 36.1** Notwithstanding the repeal of By-law 143-95 and 30-92 and all amendments thereto, those by-laws shall continue to apply to acts, omissions, or occurrences and to any offences that took place prior to the enactment of this By-law.
- 36.2** Any Permit valid and binding at the date of enactment of this By-law shall not require further authorization pursuant to this By-law until the Permit expires or is otherwise terminated.
- 36.3** The Commissioner shall not permit any renewals of Permits issued under the predecessor By-law.
- 36.4** Any charges laid under a previously repealed by-law shall remain valid.

37 Repeal

- 37.1** That By-law 143-95 as amended, and By-law 30-92 as amended, are hereby repealed.

38 Effective Dates

- 38.1** This By-law, with the exception of Part 5, shall come into full effect and force on the 10th day of July 2024.
- 38.2** Part 5 of this By-law shall come into full effect and force on November 1, 2024.

ENACTED and PASSED this 10th day of July 2024.

Approved as to
form.
2024/06/27
Colleen Grant

Patrick Brown, Mayor

Approved as to
content.
2024/06/27
Michael Heralall

Genevieve Scharback, City Clerk

SCHEDULE 1 TO SITE ALTERATION BY-LAW | FEES

Type of Site Alteration	Permit Fee	Renewal	Refundable Securities	Tipping Fees
Small Scale Site Alteration Permit	\$450	\$225	N/A	N/A
Large Scale Site Alteration Permit (Other than subdivisions and site plans)	\$1,800	\$900	Taken under the Site Alteration agreement process	\$1 per m3
Site Alteration Permit – Subdivisions	\$1,800	N/A	Taken under the Site Plan or subdivision process	N/A
Site Alteration Permit – Site Plans	\$750	N/A	Taken under the Site Plan or subdivision process	N/A

SCHEDULE 2 TO SITE ALTERATION BY-LAW | PERMIT APPLICATION

1 General

- 1.1 The complete application can be found at www.brampton.ca (search for Site Alteration Permit).
- 1.2 An applicant shall complete all of the requirements detailed in Section 12, in addition to any requirements in this Schedule, which may be amended from time to time.
- 1.3 Requirements found in this Schedule may vary depending on the scope and scale of the work proposed.
- 1.4 City staff shall be consulted before applying if the scope of work involves walkways and/or patio slabs of residential properties.
- 1.5 The Commissioner may, prior to the issuance of a Permit, require the applicant to enter into an agreement which may be registered on title to the subject lands containing such requirements as the Commissioner considers necessary to ensure that the Placing or Dumping of Fill is done in accordance with prevailing City of Brampton design standards and proper engineering principles.
- 1.6 Such agreement may contain a provision that the applicant post with the City security in an amount determined by the Commissioner to ensure the performance of the applicant's obligations under the agreement.
- 1.7 All applicants shall submit:
 - (1) A complete application in the form prescribed by the Commissioner; and
 - (2) The applicable Permit fee is calculated in accordance with Schedule 1 to this By-law.

2 Erosion and Sediment Control Plan

- 2.1 The Commissioner may require the applicant to submit an Erosion and Sediment Control Plan, which shall include:
 - (1) A key map showing the location of each lot, including the nearest major intersection and north arrow;
 - (2) The lot boundaries and number of hectares of each lot;
 - (3) The location and use of the buildings and other structures adjacent to each lot;
 - (4) The location, dimensions, and use of the buildings and other structures existing or proposed to be erected on each lot;

- (5) The location of lakes, streams, wetlands, channels, ditches, other watercourses, and other bodies of water on and within a minimum of thirty (30) metres beyond each lot boundary;
- (6) The Regional Storm Flood Plain and Conservation Authority Fill Regulation lines;
- (7) The location of the predominant Soil types;
- (8) All existing buildings, the species and size in caliper of all trees, the location of all shrubs and driveways on each lot, and all easements and rights-of-way over, under, across, or through each lot;
- (9) The location and dimensions of any existing and proposed stormwater drainage systems and natural drainage patterns on and within a minimum of thirty (30) metres beyond each lot boundary;
- (10) The location and dimensions of utilities, structures, roads, highways, and paving located within a minimum of thirty (30) metres beyond each lot boundary;
- (11) The existing lot topography at a contour interval not to exceed one-half of one metre and to extend a minimum of thirty (30) metres beyond each lot boundary;
- (12) Cross-section of the existing and proposed final elevations of each lot;
- (13) The location and dimensions of all proposed land disturbing activities, including construction access road;
- (14) The location and dimensions of all temporary Soil or dirt stockpiles;
- (15) The location, dimensions, design details, and design calculations of all construction erosion and sediment control (ESC) measures necessary to meet the requirements of Schedule 5 of this By-law;
- (16) A schedule of the anticipated starting and completion dates of each land disturbing or land developing activity including the installation of construction site erosion control measures needed to meet the requirements of Schedule 5 to this By-law;
- (17) Provisions for the inspection and maintenance of the construction site ESC and dust control measures during construction and after as required;
- (18) The scale, either 1:500 or 1:1000, of the drawing (each drawing and control plan to be in metres);
- (19) Any other necessary information with respect to each lot; and,
- (20) An indication on the drawing of directions of overland flow and overland flow route.

3 Fill Importation and Exportation

3.1 In addition to the above, where fill is imported or exported, the Commissioner may require the applicant to submit:

- (1) Proposed final elevations and Drainage system to be used upon completion of the filling operation;
- (2) A description of the proposed Fill;
- (3) A plan showing the design details to proper scale of any Retaining Wall that may be required and the dimensions of any materials to be used in the construction of such Retaining Wall; and
- (4) Security in a form and amount to be determined by the Commissioner to secure the performance of the work for which the Permit was obtained. The Commissioner may require an Order to agree that the Commissioner may use the security to recover the cost of the City performing any required work which the Order has failed to perform.
- (5) Provide the Municipal address including the property size of the land on which the Fill is to be placed, dumped, or other Site Alteration is to occur;
- (6) Provide the legal description of the land upon which the Fill is to be dumped or placed or other Site Alteration is to occur;
- (7) Provide the Official Plan designation and zoning of the property;
- (8) Provide the name, address, and contact information of the Owner of the land upon which the Fill is to be received and placed or dumped, including written acknowledgment and written acceptance of the Fill material being transported to his/her property;
- (9) Provide the name, address, and contact information of the agent authorized by the Owner of the land upon which the Fill is to be placed, dumped, cut, or removed or other Site Alteration is to occur;
- (10) Provide the name, address, and contact information of the consultant engineers authorized by the Owner of the land upon which the Fill is to be placed, dumped, cut, or removed or other Site Alteration is to occur;
- (11) Provide the name, address, and contact information of the contractor authorized by the Owner of the land upon which the Fill is to be placed, dumped, cut, or removed or other Site Alteration is to occur;
- (12) Provide the applicable fees calculated in accordance with the rates set out in Schedule 1;
- (13) Provide a brief description of the proposed works that have been identified on the Site Plan;
- (14) Provide a work schedule for the proposed Site Alteration works;
- (15) Provide the proposed Grades and Drainage systems upon completion of Site Alteration operations and as shown on the Site Plan;

- (16) Provide an estimated volume of Fill to be imported to achieve the Proposed Grades;
- (17) Provide a brief description of the Fill being placed or dumped;
- (18) Provide all source location(s) of the Fill being placed or dumped including environmental Soil tests, and Soil permeability tests if required by the Commissioner;
- (19) Provide the location, dimensions, details, design calculations, and estimated costs for the supply, installation, and maintenance of all construction site control measures necessary to meet the requirements of this By-law including sediment and erosion control measures as prepared by a Certified Inspector of Erosion and Sediment Control (CIESC) who will oversee the implementation and administration of the Erosion and Sediment Control Plan during construction and after as required;
- (20) Ensure that all dust and mud control measures are implemented and utilized during construction and after as required;
- (21) Ensure that all proposed ground covering to be used upon completion of the Site Alteration operation;
- (22) Provide specific details regarding proposed Haul Routes to and from the Site, including the routes to be used and the times these routes will be used;
- (23) Provide securities to ensure the Owner's obligations according to a Site Alteration Permit shall be in accordance with Schedule 1 of this By-law;
- (24) Provide any other requirements the Commissioner deems necessary.

4 Qualified Persons

4.1 In addition to any other requirements, the Commissioner may require the applicant to:

- (1) Retain a Qualified Person to prepare a Site Plan which meets the requirements of Schedule 2;
- (2) Retain an appropriately qualified consultant or Qualified Person, to the reasonable satisfaction of the Commissioner, to undertake any tests or studies that the Commissioner deems necessary to complete any background studies as detailed in Schedule 2;
- (3) Consult with other Persons or bodies about the application and report to the Commissioner on the results of the consultation; and
- (4) Provide confirmation that the other Persons or bodies consulted did not raise any objections to the application or that these objections have been resolved to the satisfaction of the Person or bodies consulted.
- (5) Retain a qualified consultant or Qualified Person to prepare a report or reports, to the reasonable satisfaction of the Commissioner, that demonstrate

how the proposed operations are in compliance with the Ontario Regulation (O. Reg. 406/19) and the Ministry of the Environment Conservation and Parks document entitled, “Rules for Soil Management and Excess Soil Quality”.

5 Site Plan

5.1 The Site Plan shall be based on an identified legal survey of the Site if required by the Commissioner. The Site Plan shall be prepared by a Qualified Person and shall include the following:

- (1) A key plan showing the location of the Site and a minimum of 30 meters beyond the Site;
- (2) The scale of the drawing in meters, ranging from 1:500 to 1:1000 as deemed appropriate by the Commissioner;
- (3) Property lines of the lands where the proposed Site Alterations are to be undertaken, including dimensions and the number of hectares of the Site;
- (4) The location, dimensions, elevations, and use of buildings and other structures existing or proposed to be erected on the Site;
- (5) The current and proposed use of the Site as well as the location, dimensions, and use of buildings and other structures adjacent to the Site;
- (6) Detailed locations, including dimensions, identifying the proposed locations for the placement of Fill on the lands;
- (7) A scale drawing of any proposed Retaining Wall including a description, dimensions, and materials to be used in the construction of such Retaining Wall, that may be required by the Commissioner if:
- (8) Erosion on adjacent lands may occur as a result of the work which is the subject of the Permit; and/or
- (9) The Finished Grade of the Site is of a higher elevation at a property line than that of the Existing Grade at the same property line of adjacent lands;
- (10) For a calculated Site Alteration volume of less than 1000 m³, existing spot elevations on a 3 m grid across the property and 15 m beyond the property lines to clearly show the existing topography of the property and the adjacent lands;
- (11) For a calculated Site Alteration volume of greater than 1000 m³, a topographic survey producing a 0.5 m contour interval, certified by a licensed professional engineer or Ontario Land Surveyor, defining all material and man-made features, including top and bottom of slopes, Drainage patterns, tree lines, buildings, and stockpiles on the lands and 30 m beyond;
- (12) The property lines to clearly show the detailed existing topography of the property and the adjacent lands;

- (13) The location of Environmentally Sensitive Areas, lakes, streams, channels, ditches, Swales, water courses, and other bodies of water on the Site and 30 m beyond the property lines;
- (14) The location, dimensions, and invert elevations of any existing and proposed stormwater Drainage systems, sewers, Drainage pipes, culverts, inlet chambers, Drainage tiles, septic beds, and natural Drainage patterns on and 30 m beyond the property lines;
- (15) The location and dimensions of utilities, roads, and highways;
- (16) The location, diameter, species, and drip line of all trees with a caliper measuring 75 mm or greater diameter at breast height (dbh), all other vegetation, and field crops are to be identified in masses showing the outline of the canopy or vegetation limit created by the massing;
- (17) All existing vegetation 3 m beyond the property lines including Municipal trees, individually locating all trees with a caliper measuring 75 mm or greater at dbh. All other vegetation to be identified in masses showing the outline of canopy or vegetation limit created by the massing;
- (18) The location and description of the predominant Soil types;
- (19) The location and dimensions, of all proposed temporary Soil or Fill stockpiles;
- (20) The location, dimensions, height, and slopes of any proposed berms;
- (21) The proposed final elevations of the Site Alteration works;
- (22) The location and dimensions of all proposed land disturbances;
- (23) The location of all wetlands, floodplains, shoreline, top-of-bank features, and approximate regulation limits of the applicable Conservation Authority;
- (24) Detailed erosion control plans will be reviewed/approved as part of subsequent approvals;
- (25) The location of Provincially Significant Wetlands within 120 m of the property; and
- (26) Any additional information deemed necessary by the Commissioner.

6 Background Studies

6.1 The Commissioner may require the applicant to undertake and submit any tests or studies relating to:

- (1) Confirmation of the surrender of the license if the Site has been previously licensed by the Ministry of Natural Resources;
- (2) Confirmation from the Region or Province that the proposed traffic and road access components of the Site Alteration operation meet their requirements

and provide any Site-specific conditions imposed by the Region, County, or Province;

- (3) Confirmation from the applicable regulating agency that the proposed Site Alteration meets all tree protection policies or By-laws that prohibit or regulate the destruction or injuring of trees and provide any Site-specific conditions imposed by the applicable authority;
- (4) Confirmation of on-site presence or absence of any endangered, threatened species or Species of Special Concern as designated and defined in the Endangered Species Act;
- (5) An Archaeological Assessment where the Site Alteration has the potential to disturb archaeological resources;
- (6) All assessments of Soil quality and groundwater quality at the Receiving Site in order to establish the current, ambient Site condition;
- (7) Any relevant landform conservation plan prepared to the reasonable satisfaction of the Commissioner; and
- (8) Any other studies or reports the Commissioner deems necessary.

7 Additional Requirements for Excess Soil

7.1 Where Excess Soil (as defined by Ontario Regulation (O. Reg.) 406/19), will be generated from a Project Area and is anticipated to be more than 100 cubic metres, as part of any Site Alteration Permit application, the applicant shall be required to submit an Excess Soil Management Plan (the Plan) prepared by a Qualified Person (“QP”), as defined under the O. Reg. 153/04.

- (1) This Plan shall be in accordance with O. Reg. 406/19 and cover all aspects of Soil storage and management as prescribed by the Rules for Soil Management and Excess Soil Quality document that can be found at www.ontario.ca (search for Rules for soil management and excess soil quality standards)
- (2) The Plan shall consider the beneficial reuse of Excess Soil on-site or locally to the maximum extent possible;
- (3) The Plan shall identify the applicable planning documents and registration requirements, in compliance with the regulation;
- (4) The Plan shall identify Soil quality characterization requirements for both excess Fill leaving the Site and imported Fill brought to the Site;
- (5) The Plan shall include details about ongoing Site management, movement of Fill, and volumes-based requirements in compliance with the regulation and Soil Rules Document
- (6) A Contingency Plan for managing Soil where there is quantity creep that results in exceeding originally anticipated volumes and

- (7) The Plan shall also specify the quality of any imported Fill material to the Project Area. The Plan shall include details on the required documentation supporting the suitability of the Fill material, in accordance with the Regulation 406/19
- (8) The Plan shall include a qualifying statement from the QP, confirming that the Project Leader or their designated Person shall hold the full responsibility of regulatory compliance under O. Reg. 406/19, for the duration of the Project.

7.2 At Project completion the QP shall issue a Declaration Letter confirming the following:

- (1) Confirm that the Soil activities were completed as per the Soils Management Plan (SMP), without any deviations and final quantities of Excess Soil generated and the disposal details (a Soil Destination Assessment Report can be attached to provide the required details). If any deviations to the SMP were encountered, details on the actions taken must be provided.
- (2) Where imported Fill was brought on the Site, the QP shall confirm the quantity and the quality of the Fill brought on the Site.
- (3) Confirm that all Excess Soil management activities were in compliance with O. Reg. 406/19.

7.3 Where Excess Soil (as defined by Ontario Regulation (O. Reg.) 406/19), will be generated from a Project Area and is anticipated to be less than 100 cubic metres:

- (1) A declaration letter, prepared by a Qualified Person (QP) as defined under the O. Reg. 153/04, shall be submitted confirming excess Fill generated will be 100 cubic metres or less and as such O. Reg. 406/19 requirements are not applicable.

7.4 Where Excess Soil (as defined by Ontario Regulation (O. Reg.) 406/19), will be generated from a Project Area and is anticipated to be more than 100 cubic metres, however, the Project is exempt from the planning, registration, or other requirements of the regulation:

- (1) A declaration letter, prepared by a Qualified Person (QP) as defined under the O. Reg. 153/04, shall be submitted confirming the exemption under which the Project qualifies, supported by an Assessment of Past Uses report, completed within the last 18 months or any other applicable document (if required) to support the exemption.

7.5 Where all Soil, generated from an excavation within the Project Area is anticipated to be reused within the Project Area and will not become Excess Soil (as defined by Ontario Regulation (O. Reg.) 406/19), and if the Project is exempt from the planning, registration, or other requirements of the regulation:

- (1) A declaration letter, prepared by a Qualified Person (QP) as defined under the O. Reg. 153/04, shall be submitted confirming the above.

- 7.6 Where Fill is being transported to the Site/received by the Site, from any other source Site, the application shall contain:
- (1) The address and legal description of each source Site;
 - (2) A statement of the nature of the Project on each source Site that is generating the Fill to be transported to the Site;
 - (3) The volume of Fill to be transported to the Site from each source Site;
 - (4) The contact details for the Person responsible for the Project on each source Site;
 - (5) The assessment of past uses report for each source Site, as applicable;
 - (6) A copy of the detailed sampling and analysis plan and Soil characterization report for all Fill excavated from each source Site, as applicable, and confirmation from a Qualified Person retained by the registered Order of the source Site stating that the Fill to be transported to the Site meets the Soil quality applicable to the Site;
 - (7) The contact details of a Person from the source Site, who has knowledge of all the source Sites and who is able to provide information with respect to the above;
 - (8) A Traffic and Transportation Management Plan - the proposed Haul Routes, daily truck volume, and hours of operation of truck traffic to and from the Site;
 - (9) The above reports and details as mentioned in subsections (1) to (6) supra, shall be prepared and submitted by a Qualified Person representing the source Site Owner.
- 7.7 Where imported Fill is brought on Site, the Soil quality standards shall be the standards set out in Table 1 of the Soil, Ground Water, and Sediment Standards, referenced in O. Reg. 153/04, as applicable to the use of the Site described in the Permit application, unless the applicant submits a Fill Management Plan prepared by a Qualified Person and demonstrates to the satisfaction of the City that a less stringent standard is appropriate.
- 7.8 A declaration letter prepared by a Qualified Person, confirming the movement of Fill is in compliance with the requirements of O. Reg. 406/19, as amended shall be submitted.
- 7.9 Where imported Fill is anticipated to be all granular sourced out from Ministry approved pit/quarry, the QP's declaration letter may include details about the same (as all material from a pit/quarry is exempt from the Excess Soil Reuse Regulation, no Excess Soil/Fill management plan is required).

- 7.10 Once excess Fill has been taken off-site and/or imported Fill is brought/placed on Site, the QP may confirm that the Site work has been/was completed as per the SMP and/or declaration letter issued, along with documents to confirm the quantity and quality of Fill and if there were any deviations, provide details about the same, prior to the permit closure.

SCHEDULE 3 TO SITE ALTERATION BY-LAW | PERMIT TERMS AND CONDITIONS

1 Terms and Conditions

- 1.1 The Owner may be required to notify the Commissioner of the commencement, the completion, and the various stages of performance of the Site Alteration.
- 1.2 The Owner may be required to make the commencement, the completion, and the various stages available for inspection by the City or its agents, upon request.
- 1.3 The terms and conditions of any Permit issued under this By-law, and any Site Alteration Agreement entered into with the City, may include, but are not limited to:
 - (1) In addition to the stipulations under Part 3 of this By-law, all Fill used is material that does not contain any putrescible organic material and does not contain cement fines, exposed rebar, asphalt, glass, debris, plastic, demolition materials, wood with paint or coatings, decomposable materials, petroleum products, hydrocarbon materials, hazardous waste or salt impacted Soils and, that passes a slump test as outlined in the Ontario General Waste Management Regulation O. Reg. 347 and that is free of staining and hydrocarbon odour; and,
 - (2) All imported Fill and Topsoil, regraded or distributed on a Receiving Site, shall not introduce any new Contaminant, and shall not increase the concentration of an existing Contaminant on the lands.
- 1.4 Fill shall meet the standards:
 - (1) Set out in Table 1: Full Depth Background Site Condition Standards from the Soil and Ground Water and Sediment Standards for Use Under Part XV.1 of the *Environmental Protection Act*. 2011 referenced in O. Reg. 153/04 as amended, for the established property use as agreed to by the Commissioner; or
 - (2) Set out in Table 2 Standards from the Soil and Ground Water and Sediment Standards for Use Under Part XV.1 of the *Environmental Protection Act* for the established property use only if the ambient Soil is pre-assessed to be of this quality and for all parameters contained in Table 2, and as approved by the Commissioner.
- 1.5 Notwithstanding Section 1.1(1), Fill that is Topsoil, sod or turf materials shall meet Table 1 Standards.
- 1.6 If archaeological resources are discovered or identified during the Site Alteration, even after the issuance of a Permit, the Owner shall immediately cease all activity on the Site contact the Commissioner, and take such actions as defined by the Commissioner or other responsible agency to address, safeguard, and protect the resources.
- 1.7 Erosion and sedimentation control measures shall be provided around any area that may be disturbed in a manner satisfactory to the Commissioner prior to the commencement of the Site Alteration and shall be maintained in good working order until the Site has been stabilized and Fill operations completed.
- 1.8 All Fill shall be properly compacted using acceptable engineering practices, as appropriate, unless it is being stockpiled on the Site for future use in accordance with all applicable By-laws and zoning for the City, and grading plans and timelines as approved by the Commissioner.
- 1.9 The Commissioner may restrict the hours of operation and days of operation permitted beyond those restrictions found in this By-law.
- 1.10 Haul Routes for the transportation of Fill and Topsoil authorized for placement, Dumping, or removal at the Receiving Site may be designated to and/or from a Receiving Site by the Commissioner to minimize damage to the City of Brampton's roads and minimize interference and/or disturbance to the City's residents and

businesses in accordance with a Permit or Site Alteration Agreement issued by the City, if applicable.

- 1.11 The Commissioner may restrict the daily volume of truckloads to ensure adequate Municipal oversight of the operations, ensure traffic safety, and address reasonable concerns regarding quality of life issues for citizens along the Haul Route and in the vicinity of the proposed Site Alteration works.
- 1.12 The existing Topsoil on lands subject to Site Alterations shall be preserved by removing and stockpiling it for use as final cover prior to the performance of any Site Alteration work, as applicable.
- 1.13 The Owner shall keep all records associated with the requirements in this By-law in a good and business-like manner for review by the Commissioner at his/her request, or as required by any Site Alteration Agreement authorized under this By-law, for a minimum of seven (7) years after the completion of the Site-Alteration and associated activities at the discretion of the Commissioner.

SCHEDULE 4 TO SITE ALTERATION BY-LAW | LARGE SCALE SITE ALTERATION AGREEMENTS

1 Site Alteration Agreements

- 1.1 A Site Alteration Agreement shall contain the following plans and information, at a minimum:
- (1) Fill Management Plan;
 - (2) Ground Water Monitoring Plan;
 - (3) Grading Plan/Site Plan;
 - (4) Mud and Dust Control Plan;
 - (5) Sediment and Erosion Control Plan;
 - (6) Approved Haul Route Plan;
 - (7) MTO, Region Permits (as applicable);
 - (8) Complaint Response Protocol;
 - (9) Proof of Insurance;
 - (10) Terms of Reference for the Public Liaison Committee (PLC) (if a PLC is deemed necessary by the Commissioner);
 - (11) Financial Assurance acceptable to the Commissioner; and
 - (12) Pre-assessment information relating to the quality of the ambient Soil and groundwater on the Receiving Site as well as the existing topography of the Site.
- 1.2 Such Site Alteration Agreement shall require that the Owner retain a Qualified Person to prepare, implement, and supervise a Fill Management Plan. Such Fill Management Plan (FMP) shall follow the FMP Model provided in Schedule C of this By-law and shall contain such requirements as found therein at the discretion of the Commissioner and approved by City Council and shall be in conformity with the MOECP BMP.
- 1.3 The Site Alteration Agreement shall require that the Owner:
- (1) Retain a Qualified Person to ensure that the Site Alteration operations are proceeding in accordance with sound engineering and environmental best practices and the approved Site Alteration Agreement, including all Appendices to such Agreement;
 - (2) Retain a Qualified Person to report in writing on a regular basis or as determined by the Commissioner that the Site Alteration is in accordance with the approved Site Alteration Agreement including all Appendices, the Permit, and the By-law;
 - (3) Require that the Site Alteration be completed by a specified date as noted in the Permit;
 - (4) Comply with the applicable Soil, Groundwater, and Sediment Standards for use under Part XV.1 of the EPA and the Management of Excess Soil – A Guide for Best Management Practices, January 2014;
 - (5) Engage an Ontario Land Surveyor to prepare any plans requested by the Commissioner to identify the volume, extent, and location of any Fill placed, dumped, cut, or removed as part of the Site Alteration; and
 - (6) Acknowledge the City shall recover its costs for:
 - a) Administering the By-law;
 - b) Road repairs and other maintenance projects related to or caused by the Site Alteration Project;
 - c) Engagement of lawyers, engineers, hydrologists, environmental consultants, arborists, landscapers, or any other consultant that is reasonable and necessary in order to evaluate studies and/or agreements and to provide assistance to the Commissioner throughout the Site Alteration process, including, but not limited to, peer review, quality control/assurance, inspection, sampling, borehole testing, and operational compliance review.

- (7) Provide a security deposit, which shall act as Financial Assurance, to be used to remedy any breach of the By-law, Permit, or Site Alteration Agreement to be drawn on by the City at its sole discretion, and, without limiting the generality of the foregoing, such security may be used to return the land to a condition satisfactory to the Commissioner and to pay any outstanding amounts owed by the Owner that relate to the Permit;
- (8) Indemnify the City for any liability, costs, damages, or losses incurred directly or indirectly caused by the issuance of a Permit or signing of a Site Alteration Agreement and provide Insurance, if deemed necessary, to the satisfaction of the Commissioner;
- (9) Provide a Security Plan to the Commissioner that shall include gating the Site and signs prohibiting unauthorized access; and
- (10) Provide a report from a Qualified Person that they are satisfied that the Site Alteration will not result in any of the prohibited reactions as defined in Section 7.1(6), supra.

SCHEDULE 5 TO SITE ALTERATION BY-LAW | SITE EROSION CONTROL MEASURES

1 Land Disturbing Activities

- 1.1 The following criteria apply to land disturbing activities caused by the Placing or Dumping of Fill that result in runoff leaving the lot:
- (1) Channelized runoff from adjacent areas passing through the lot shall be diverted around disturbed areas, if practical. Otherwise, the channel shall be protected by silt fences being placed along the channel edges to reduce sediment reaching the channel;
 - (2) All activities on the lot shall be conducted in a logical sequence to minimize the area of bare Soil exposed at any one time;
 - (3) Any Soil or dirt storage piles containing more than one hundred cubic metres of material shall not be located within a downslope Drainage length of less than ten (10) metres to a roadway or Drainage channel. If remaining for more than thirty (30) days, said Soil or dirt storage piles shall be stabilized by mulching, vegetative cover, tarps, or other means. Erosion from Soil or dirt storage piles that will be in existence for less than thirty (30) days shall be controlled by silt fence barriers around the pile or approved alternative measure in accordance with City Standard Details;

2 Inspection

- 2.1 The control measures shall be inspected and maintained as follows:
- (1) Inspections of ESC measures are to be conducted at a frequency specified per the ESC plan, for dry weather periods (active and inactive construction phases), after Significant Storm Events and Significant Snowmelt Events, and after any extreme weather events.
 - (2) Any deficiencies shall be addressed, and any required maintenance actions(s) shall be undertaken as soon as practicable once they have been identified.
 - (3) Inspections and maintenance of the temporary ESC measures shall continue until they are no longer required.
 - (4) Records of inspections shall be submitted to the City. Each record must include the name of the inspector, the date of inspection, visual observations, and the remedial measures, if any, undertaken to maintain the temporary ESC measures.

3 Runoff Control Measures

- 3.1 Runoff from the entire disturbed area on the lot shall be controlled as follows:
- (1) Temporary ESC measures shall be installed in advance of and maintained during any construction activity;
 - (2) All disturbed ground left inactive shall be stabilized by seeding, sodding, mulching, or covering, or other equivalent control measure. The period of time inactivity shall be at the discretion of the Commissioner, but shall not exceed thirty (30) days or such longer period as deemed advisable at the discretion of the Commissioner;
 - (3) A Site Alteration Permit Holder or applicant for a Site Alteration Permit who has also applied for but not yet received a building Permit or any other necessary Permit may be granted an extension to the Permit at the discretion of the Commissioner, provided that said applicant or Permit Holder provides satisfactory proof that he has made his best efforts to have said building or other necessary Permit issued;
 - (4) For a lot with less than four (4) hectares disturbed at one time and slopes less than twelve (12) percent Grade, silt fences or approved alternative control measures shall be placed along all side slope and downslope sides of the lot in accordance with City Standard Details;

- (5) For a lot with four (4) or more hectares disturbed at one time or with slopes greater than twelve (12) percent Grade, or if a channel originates in the disturbed area, one or more sedimentation basins shall be constructed. Each sedimentation basin shall have a surface area of at least one (1) percent of the area draining to the basin and at least one (1) metre of depth, storage in accordance with the Erosion and Sediment Control Guideline for Urban Construction 2019 by TRCA (as amended) and be constructed in accordance with design specifications acceptable to the Commissioner. Sediment shall be removed periodically to maintain a permanent pool depth of at least one (1) metre;
- (6) For a lot located adjacent to existing residential areas, a silt fence may be required around the entire perimeter of the lots;
- (7) A three (3) metre wide buffer strip or silt fence shall be provided along the perimeter of the downslope sides of the lot;
- (8) The Canadian Standards Association (CSA) W202 Erosion and Sediment Control Inspection and Monitoring Standard and the Erosion and Sediment Control Guideline for Urban Construction 2019 by TRCA (as amended). Are to be followed;
- (9) For a lot with extensive Fill requirements, the Commissioner may waive the requirements for stabilization of disturbed land after thirty (30) days of inactivity provided that the ESC measures have been implemented to the satisfaction of the Commissioner;
- (10) A three (3) metre wide buffer strip or silt fence shall be provided along the perimeter of the downslope sides of the lot;
- (11) The sediment control guidelines prepared by the Credit Valley Conservation Authority and Ministry of Natural Resources for the Province of Ontario dated April 1991, are to be followed; and
- (12) For a lot with extensive Fill requirements, the Commissioner may waive the requirements for stabilization of disturbed land after thirty (30) days of inactivity provided that the sediment control measures have been implemented to the satisfaction of the Commissioner.



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2024

To amend Administrative Penalties (Non-Parking) By-law 218-2019, as amended

WHEREAS By-law _____-2024 ("Site Alteration By-law") was enacted to regulate site alterations within the City of Brampton;

AND WHEREAS By-law 218-2019 "Administrative Penalties (Non-Parking) Bylaw" was enacted to provide for a system of administrative penalties for designated by-laws;

AND WHEREAS City Council for The Corporation of the City of Brampton deems it appropriate to provide for administrative penalties to enforce the provisions of the Site Alteration By-law;

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. That Schedule "A" of By-law 218-2019 is hereby further amended by adding the following section:

SITE ALTERATION BY-LAW _____-2024

16. For the purpose of Section 3 of this By-law:

- a. Column 1 in the following table lists the provisions in Site Alteration By-law [Number]-2024, as amended, that are hereby designated for the purposes of section 434.1 of the *Municipal Act*, 2001;
- b. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1;
- c. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.

Item	Column 1 Designated Provision	Column 2 Short Form Wording	Column 3 Administrative Penalty		
			1 st Offence	2 nd Offence	3 rd Offence
1	6.7	Fail to provide notification prior to the commencement of work.	250	500	750
2	6.8	Fail to maintain records in a good and businesslike manner.	250	500	750

3	6.9	Fail to make records available for inspection upon request.	250	500	750
4	6.10	Fail to comply with an order.	450	800	1,250
5	6.11	Fail to remove fill dumped or placed contrary to the By-law or a Permit.	250	500	750
6	7.3	Cause, permit, or perform a site alteration in contravention of the By-law.	250	500	750
7	7.4	Cause, permit, or perform a site alteration without the consent of the owner of the land.	450	800	1,250
8	7.5	Cause, permit, or perform a site alteration on City-owned lands.	800	1,250	1,800
9	7.6	Operate a Commercial Fill Operation	1,250	1,800	2,400
10	7.7	Cause, permit, or perform a site alteration without a permit.	450	800	1,250
11	7.8	Fail to comply with the terms or conditions of a Site Alteration permit.	250	500	750
12	7.9	Cause, permit, or perform a large scale site alteration without a permit.	800	1,250	1,800
13	7.10	Cause or permit fill to be used that that contains prohibited material.	450	800	1,250
14	7.11	Cause, permit, or perform a site alteration without providing an approved drainage system.	450	800	1,250
15	7.14	Failure to adequately prevent the depositing of dust, dirt, mud, or debris onto a highway.	250	500	750
16	7.14(1)	Failure to clear the highway of all dust, dirt, mud, or debris from a highway.	250	500	750
17	7.15	Cause, permit, or perform a site alteration during a prohibited time or condition.	250	500	750
18	7.16	Cause, permit, or perform a site alteration that results in an adverse effect.	250	500	750
19	8.1	Cause, permit, or perform a site alteration in a prohibited area.	1,250	1,800	2,400
20	9.1(1)	Fail to immediately cease a site alteration affected by contaminants.	1,250	1,800	2,400
21	9.1 (2)	Fail to notify the Commissioner about the presence of contaminated fill.	1,250	1,800	2,400
22	9.2	Fail to remediate site containing contaminated fill.	1,250	1,800	2,400
23	15.1	Fail to make a site available for inspection upon request	250	500	750

24	25.1	Hinder or obstruct, or attempt to hinder or obstruct.	250	500	750
----	------	---	-----	-----	-----

ENACTED and PASSED this 10th day of July, 2024.

Approved as to
form.
2024/06/27
Colleen Grant

Patrick Brown, Mayor

Approved as to
content.
2024/06/27
Michael Heralall

Genevieve Scharback, City Clerk



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2024

To amend User Fee By-law 380-2003, as amended

WHEREAS By-law _____-2024 ("Site Alteration By-law") was enacted to regulate site alterations within the City of Brampton;

AND WHEREAS the Fill By-law 143-95 was repealed;

AND WHEREAS By-law 380-2003 was enacted to impose fees and charges;

AND WHEREAS Schedule E to City's User Fee By-law 380-2003 includes the schedule of fees related to the Public Works and Engineering Fees/Charges;

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. That Schedule "E" of By-law 380-2003 is hereby further amended as follows:

a) By deleting the following lines in their entirety:

Goods and/or Services	Fee Unit	Tax Applicable	Current Fee	Fee Applicable as of Effective Date	Effective Date
Fill Permits: Residential	Each	No	\$50.00	\$50.00	Current
Fill Permits: Other Property (Industrial)	Each	No	\$125	\$125	Current

b) By adding the following lines:

Goods and/or Services	Fee Unit	Tax Applicable	Current Fee	Fee Applicable as of Effective Date	Effective Date
Small Scale Site Alteration Permit - Application	Each	No	/	\$450	Current
Small Scale Site Alteration Permit - Renewal	Each	No	/	\$225	Current
Large Scale Site Alteration Permit - Application	Each	No	/	\$1,800	Current
Large Scale Site Alteration Permit - Renewal	Each	No	/	\$900	Current
Large Scale Site Alteration -Tipping Fees	Per m ³	No	/	\$1	Current
Site Alteration Permit – Subdivisions	Each	No	\$500+ (\$25/Ha)	\$1,800	Current

Site Alteration Permit – Site Plan	Each	No	\$125	\$750	Current
---------------------------------------	------	----	-------	-------	---------

ENACTED and PASSED this 10th day of July, 2024.

Approved as to
form.
2004/06/27
Colleen Grant

Patrick Brown, Mayor

Approved as to
content.
2024/06/27
Michael Heralall

Genevieve Scharback, City Clerk



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2024.

To amend the Schedules of Traffic By-law 93-93, relating to THROUGH HIGHWAYS (Schedule III) and STOP SIGNS (Schedule IV)

WHEREAS the Council for The Corporation of the City of Brampton has adopted and the Traffic and Parking By-law No. 93-93, (“By-law 93-93”) as amended to regulate the use of highways and parking in the City of Brampton;

AND WHEREAS pursuant to subsection 11 (3) 1 of the *Municipal Act, 2001*, a by-law may be passed by a council of a municipality relating to the regulation of highways and parking within the municipality;

AND WHEREAS the Council of The Corporation of the City of Brampton is desirous of adopting a by-law to further amend By-law 93-93 by amending THROUGH HIGHWAYS (Schedule III) and STOP SIGNS (Schedule IV);

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. By-law 93-93 as amended, is hereby further amended by ADDING the following items to Schedule III:

THROUGH HIGHWAYS

COLUMN 1 HIGHWAY	COLUMN 2 BETWEEN
Crown Victoria Drive	The east limit of Creditview Road and the north limit of Sugarhill Drive/ Tawnberry Circle
Crown Victoria Drive	The south limit of Sugarhill Drive/ Tawnberry Circle and the north limit of Buick Blvd
Sugarhill Drive	The east limit of Crown Victoria Drive and the west limit of Rambling Oak Drive/ Crannyfield Drive
Sugarhill Drive	The east limit of Rambling Oak Drive/ Crannyfield Drive and the west limit of Brisdale Drive

2. By-law 93-93 as amended, is hereby further amended by ADDING the following items to Schedule IV:

STOP SIGNS

COLUMN 1 INTERSECTION or LOCATION	COLUMN 2 FACING TRAFFIC
Crown Victoria Drive and Sugarhill Drive/ Tawnberry Circle	Southbound on Crown Victoria Drive
Crown Victoria Drive and Sugarhill Drive/ Tawnberry Circle	Eastbound on Tawnberry Circle
Crown Victoria Drive and Sugarhill Drive/ Tawnberry Circle	Northbound on Crown Victoria Drive
Crown Victoria Drive and Sugarhill Drive/ Tawnberry Circle	Westbound on Sugarhill Drive
Rambling Oak Drive/ Crannyfield Drive and Sugarhill Drive	Westbound on Sugarhill Drive
Rambling Oak Drive/ Crannyfield Drive and Sugarhill Drive	Southbound on Rambling Oak Drive
Rambling Oak Drive/ Crannyfield Drive and Sugarhill Drive	Eastbound on Sugarhill Drive
Rambling Oak Drive/ Crannyfield Drive and Sugarhill Drive	Northbound on Crannyfield Drive

ENACTED and PASSED this TH day of , 2024.

<p>Approved as to form.</p> <p>2024/07/02</p> <p>Colleen Grant</p>
--

Patrick Brown, Mayor

<p>Approved as to content.</p> <p>2024/07/2</p> <p>Kevin Minaker</p>
--

Genevieve Scharback, City Clerk



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2024

To accept and assume works in

Registered Plan 43M-2050

WHEREAS the Council of the Corporation of the City of Brampton has, by resolution, directed that all works constructed and installed in accordance with the subdivision agreement for Registered Plan 43M-2050 be accepted and assumed;

AND WHEREAS Council has authorized the City Treasurer to release all the securities held by the City; save and except for the amount of \$15,000 which shall be held by the City until such time as the Director, Environment & Development Engineering is satisfied that the warranty period in respect of landscape works has expired; and

AND WHEREAS it is deemed expedient to accept and assume the streets as shown on Registered Plan 43M-2050 as part of the public highway system.

NOW THEREFORE the Council of The Corporation of the City of Brampton hereby **ENACTS** as follows:

1. All of the works constructed and installed in accordance with the subdivision agreement for Registered Plan 43M-2050 are hereby accepted and assumed.
2. The lands described in Schedule A to this by-law are hereby accepted and assumed as part of the public highway system of the City of Brampton.

ENACTED and PASSED THIS 10th day of July 2024.

Approved as to form.
2024/06/14
MR

Patrick Brown, Mayor

Approved as to content.
2024/06/03
L. Totino

Peter Fay, City Clerk

SCHEDULE A TO BY-LAW NO. _____

Registered Plan 43M-2050

Rivermont Road, Brushwood Drive, Dalbeattie Drive, Quinton Ridge,
Rolling Rock Way, Street Widening Block 65 to be part of Heritage Road

City of Brampton
Regional Municipality of Peel



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2024

To establish certain lands as part of public highway system (Cadillac Crescent)

WHEREAS it is deemed expedient to establish certain lands as part of the public highway system.

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. The lands acquired by The Corporation of the City of Brampton and described as being Block 572 on Plan 43M-1550 is hereby established as part of the public highway system to be part of Cadillac Crescent.

ENACTED and PASSED this 10th day of July, 2024.

Approved as to
form.

2024/07/04

MR

Patrick Brown, Mayor

Approved as to
content.

2024/07/04

Frank Mazzotta

Genevieve Scharback, City Clerk

(21T-19008B/AS)



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2024

To establish certain lands as part of the public highway system (Buick Boulevard)

WHEREAS it is deemed expedient to establish certain lands as part of the public highway system.

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. The lands acquired by The Corporation of the City of Brampton and described as Part of Lot 15, Concession 3 West of Hurontario Street, designated as Parts 4, 5, 22 and 23 on Plan 43R-27302 are hereby established as part of the public highway system to be part of Buick Boulevard.

ENACTED and PASSED this 10th day of July, 2024.

Approved as to
form.
2024/07/04
MR

Patrick Brown, Mayor

Approved as to
content.
2024/06/28
Frank Mazzotta

Genevieve Scharback, City Clerk

(21T-20008B/AS)



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2024

To confirm the proceedings of Council
at its Regular Meeting held on July 10, 2024

The Council of The Corporation of the City of Brampton ENACTS as follows:

1. THAT the action of the Council at its Regular Meeting of July 10, 2024 in respect to each report, motion, resolution or other action passed and taken by the Council at its meeting, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by its separate by-law; and
2. THAT the Mayor and the proper officers of the city are hereby authorized and directed to do all things necessary to give effect to the said action, or to obtain approvals where required, and except where otherwise provided, the Mayor and the Clerk are hereby directed to execute all documents necessary in that behalf and to affix the corporate seal of the City to all such documents. Where the subject matter of any such action is within a sphere or jurisdiction assigned to The Corporation of the City of Brampton pursuant to section 11 of the Municipal Act, 2001, the authority granted by this section includes the use of natural person powers under section 8 of the Municipal Act, 2001; and
3. THAT this by-law, to the extent to which it provides authority for or constitutes the exercise by the Council of its powers to proceed with, or to provide any money for, any undertaking, work, project, scheme, act, matter or thing which requires an approval in addition to the approval of the Council, shall not take effect until the additional approval has been obtained.

Dated at the City of Brampton this 10th day of July, 2024.

Patrick Brown, Mayor

Genevieve Scharback, City Clerk