



Agenda
Committee of Council
The Corporation of the City of Brampton

Date: Wednesday, April 28, 2021
Time: 9:30 a.m.
Location: Council Chambers - 4th Floor, City Hall - Webex Electronic Meeting

Members:

| | |
|----------------------------------|----------------|
| Mayor Patrick Brown (ex officio) | |
| Regional Councillor R. Santos | Wards 1 and 5 |
| Regional Councillor P. Vicente | Wards 1 and 5 |
| City Councillor D. Whillans | Wards 2 and 6 |
| Regional Councillor M. Palleschi | Wards 2 and 6 |
| Regional Councillor M. Medeiros | Wards 3 and 4 |
| City Councillor J. Bowman | Wards 3 and 4 |
| City Councillor C. Williams | Wards 7 and 8 |
| Regional Councillor P. Fortini | Wards 7 and 8 |
| City Councillor H. Singh | Wards 9 and 10 |
| Regional Councillor G. Dhillon | Wards 9 and 10 |

NOTICE: In consideration of the current COVID-19 public health orders prohibiting large public gatherings and requiring physical distancing, in-person attendance at Council and Committee meetings will be limited to Members of Council and essential City staff only. Public attendance at meetings is currently restricted. It is strongly recommended that all persons continue to observe meetings online or participate remotely.

For inquiries about this agenda, or to make arrangements for accessibility accommodations for persons attending (some advance notice may be required), please contact:
Sonya Pacheco, Legislative Coordinator, Telephone 905.874.2178, TTY 905.874.2130
cityclerksoffice@brampton.ca

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

1. **Call to Order**

2. **Approval of Agenda**

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

4. **Consent**

In keeping with Council Resolution C019-2021, agenda items will no longer be pre-marked for Consent Motion approval. 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.

5. **Announcements**

6. **Government Relations Matters**

6.1. Staff Update re: Government Relations Matters

To be distributed prior to the meeting

6.2. Update from Mayor P. Brown, re: COVID-19 Emergency

7. **Public Delegations**

7.1. Possible Delegations re: Amendment to User Fee By-law - Contravention Administration Costs for Driveway Paving Contractors

(See Item 8.2.1)

Note: Public Notice regarding this matter was published on the City's website on April 22, 2021.

7.2. Delegation from Sheridan College, re: Sheridan's Skilled Trades Partnership with Magna and Entrepreneurship Activities at Brampton Davis Campus

1. Daniel Liao - Associate Dean, Magna School for the Skilled Trades
2. Renee Devereaux - Director, Entrepreneurship & Changemaking

- 7.3. Delegation from Mussawar Ahmad, Project Coordinator, Nature Harmony Foundation, re: Overview of Off-Grid Organic Food Shed

(See Item 12.2.2)

- 7.4. Delegation from Keyna Sarkar, Brampton resident, re: Provision of Free Menstrual Products in all Municipal Public Washrooms in Brampton

8. Legislative Services Section

(City Councillor J. Bowman, Chair; City Councillor D. Whillans, Vice-Chair)

- 8.1. Staff Presentations

- 8.2. Reports

- 8.2.1. Staff Report re: Amendment to User Fee By-law – Contravention Administration Costs for Driveway Paving Contractors

(See Item 7.1)

Recommendation

- 8.3. Other/New Business

- 8.3.1. Minutes - Accessibility Advisory Committee - March 9, 2021

To be approved

- 8.4. Correspondence

- 8.5. Councillors Question Period

- 8.6. Public Question Period

5 Minute Limit (regarding any decision made under this section)

During the meeting, the public may submit questions regarding recommendations 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.

9. Economic Development Section

(Regional Councillor M. Medeiros, Chair; Regional Councillor P. Vicente, Vice-Chair)

9.1. Staff Presentations

9.2. Reports

9.2.1. Staff Report re: Bio 9 Ventures Request to City of Brampton

To be received

9.3. Other/New Business

9.4. Correspondence

9.5. Councillors Question Period

9.6. Public Question Period

5 Minute Limit (regarding any decision made under this section)

During the meeting, the public may submit questions regarding recommendations 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.

10. Corporate Services Section

(City Councillor H. Singh, Chair; Regional Councillor R. Santos, Vice-Chair)

10.1. Staff Presentations

10.1.1. Staff Presentation re: Analysis of Adopting a Municipal Ombudsman Model

(See Item 10.2.1)

To be distributed prior to the meeting

10.1.2. Staff Presentation re: Analysis of Adopting an Auditor General Model

(See Item 10.2.2)

To be distributed prior to the meeting

10.2. Reports

10.2.1. Staff Report re: Analysis of Adopting Municipal Ombudsman Model (RM 8/2021)

(See Item 10.1.1)

To be received

10.2.2. Staff Report re: Analysis of Adopting an Auditor General Model

(See Item 10.1.2)

To be received

10.2.3. Staff Report re: Tax Adjustments, Cancellations and Reductions Pursuant to the Municipal Act, 2001

Recommendation

10.2.4. Staff Report re: City of Brampton 5G Hyper-Connectivity Options

Recommendation

10.3. Other/New Business

10.3.1. Discussion Item at the request of Regional Councillor Dhillon, re: Diverse and Ethnic Media

Note: This item was **deferred** to this meeting pursuant to Recommendation CW175-2021 on April 14, 2021.

10.3.2. Discussion Item at the request of City Councillor Bowman, re: Aggregate Separation Costs for City Employees

10.4. Correspondence

10.5. Councillors Question Period

10.6. Public Question Period

5 Minute Limit (regarding any decision made under this section)

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11. **Public Works and Engineering Section**

(Regional Councillor P. Vicente, Chair; Regional Councillor P. Fortini, Vice-Chair)

11.1. Staff Presentations

11.2. Reports

11.2.1. Staff Report re: Request to Begin Procurement to rehabilitate the Bartley Bull Parkway bridge over Etobicoke Creek and replace the Joyce Archdekin Park pedestrian bridge over Etobicoke Creek in Ward 3 (File I.AA)

Recommendation

11.3. Other/New Business

11.3.1. Minutes - Environment Advisory Committee - April 13, 2021

To be approved

11.4. Correspondence

11.5. Councillors Question Period

11.6. Public Question Period

5 Minute Limit (regarding any decision made under this section)

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12. **Community Services Section**

(Regional Councillor R. Santos, Chair; City Councillor C. Williams, Vice-Chair)

12.1. Staff Presentations

12.2. Reports

12.2.1. Staff Report re: Municipal Alcohol Policy 2021 Refresh

Recommendation

12.2.2. Staff Report re: Off-Grid Organic Food Shed

(See Item 7.3)

To be distributed prior to the meeting

12.3. Other/New Business

12.4. Correspondence

12.5. Councillors Question Period

12.6. Public Question Period

5 Minute Limit (regarding any decision made under this section)

During the meeting, the public may submit questions regarding recommendations 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.

13. 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.

14. Public Question Period

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

During the meeting, the public may submit questions regarding recommendations

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.

15. Closed Session

Note: A separate package regarding these agenda items are distributed to Members of Council and senior staff only.

16. Adjournment

Next Regular Meeting: Wednesday, May 12, 2021

Proposed Amendment to the User Fees By-law with regard to Contravention Administration Costs for Driveway Paving Contractors

Pursuant to By-law 160-2004, as amended, take notice that at its meeting on Wednesday, April 28, 2021, at 9:30 a.m., Committee of Council will consider, among other items:

To amend the User Fee By-law 380-2003, as amended, specifically with regard to adding a user fee of \$700 to recover the cost of enforcement and administrative staff time to investigate instances where Driveway Paving Contractors contravene the Zoning By-law (specifically, Schedule D – Legislative Services Fees/Charges).

In consideration of the current COVID-19 public health orders restricting public gatherings and requirements for physical distancing between persons, in-person attendance at this Committee of Council meeting will be limited to Members of Council and essential City staff only, and the meeting will be convened as a virtual meeting, in accordance with the City's Procedure By-law. Persons wishing to participate through remote delegation must contact the City Clerk's Office to register and receive instructions to participate in a virtual meeting. Limited in-person public attendance at meetings may be permitted by pre-registration only (subject to occupancy limits) with the City Clerk's Office. It is strongly recommended that all persons continue to observe meetings online or participate remotely.

Members of the public may watch the meeting live from the City of Brampton website at: <https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx> or <http://video.isilive.ca/brampton/live.html>

Written submissions related to this matter may be submitted via email to the City Clerk at cityclerksoffice@brampton.ca, by 4:30 p.m. on Tuesday, April 27, 2021. During the Committee of Council 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.

A copy of the related staff report as part of the meeting agenda will be available from the City's website www.brampton.ca, as of Friday, April 23, 2021.

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



Dated: April 22, 2021.

P. Fay, City Clerk
2 Wellington St. W., Brampton, ON L6Y 4R2
905 874-2178 (voice), 905 874-2119 (fax),
cityclerksoffice@brampton.ca



For Office Use Only:

Meeting Name:

Meeting Date:

Delegation Request

Please complete this form for your request to delegate to Council or Committee on a matter where a decision of the Council may be required. Delegations at Council meetings are generally limited to agenda business published with the meeting agenda. Delegations at Committee meetings can relate to new business within the jurisdiction and authority of the City and/or Committee or agenda business published with the meeting agenda. **All delegations are limited to five (5) minutes.**

Attention: City Clerk's Office, City of Brampton, 2 Wellington Street West, Brampton ON L6Y 4R2

Email: cityclerksoffice@brampton.ca Telephone: (905) 874-2100 Fax: (905) 874-2119

Meeting: ☐ City Council ☐ Planning and Development Committee
☒ Committee of Council ☐ Other Committee:

Meeting Date Requested: April 28, 2021

Agenda Item (if applicable):

Name of Individual(s): Daniel Liao
Renee Devereaux

Position/Title:

Daniel Liao - Associate Dean, Magna School for the Skilled Trades
Renee Devereaux - Director, Entrepreneurship & Changemaking

Organization/Person
being represented:

Sheridan

Full Address for Contact: Emily Bain
Sheridan - Trafalgar Campus
1430 Trafalgar Road
Oakville, ON L6H 2L1

Telephone: 9058459430, ext. 8387

Email: emily.bain@sheridancollege.ca

Subject Matter
to be Discussed:

Sheridan's skilled trades' partnership with Magna and entrepreneurship activities in Brampton/at the Davis Campus

Action
Requested:

Council to receive presentation, engage in discussion

A formal presentation will accompany my delegation: ☒ Yes ☐ No

Presentation format: ☒ PowerPoint File (.ppt) ☐ Adobe File or equivalent (.pdf)
☐ Picture File (.jpg) ☐ Video File (.avi, .mpg)

☐ Other:

Additional printed information/materials will be distributed with my delegation: ☐ Yes ☒ No ☐ Attached

Note: Delegates are requested to provide to the City Clerk's Office **well in advance of the meeting date:**

- (i) 25 copies of all background material and/or presentations for publication with the meeting agenda and /or distribution at the meeting, and
- (ii) the electronic file of the presentation to ensure compatibility with corporate equipment.

Submit by Email

Once this completed form is received by the City Clerk's Office, you will be contacted to confirm your placement on the appropriate meeting agenda.

Personal information on this form is collected under authority of the Municipal Act, SO 2001, c.25 and/or the Planning Act, R.S.O. 1990, c.P.13 and will be used in the preparation of the applicable council/committee agenda and will be attached to the agenda and publicly available at the meeting and on the City's website. Questions about the collection of personal information should be directed to the Deputy City Clerk, Council and Administrative Services, 2 Wellington Street West, Brampton, Ontario, L6Y 4R2, tel. 905-874-2115.



For Office Use Only:

Meeting Name:

Meeting Date:

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Meeting: ☒ City Council ☐ Planning and Development Committee
☐ Committee of Council ☐ Other Committee:

Meeting Date Requested: April 28, 2021

Agenda Item (if applicable): Off-Grid Organic Food Shed

Name of Individual(s): Mussawar Ahmad, Stephen Mulvihill, Kanav Vij, Ahmed El Bouhsini, Phil Fung

Position/Title:

Stephen-HiGarden:Sustainability Analyst,Kanav-SRS Consulting:Energy Analyst,
Mussawar&Ahmed-Nature Harmony:Project Coordinator Phil-Nature Harmony:Executive Dir.

Organization/Person
being represented:

Nature Harmony Foundation /
HiGarden Inc. / SRS Consulting Engineers Inc.

Full Address for Contact: 5 Shields Ct #108, Markham, ON L3R 0G3

Telephone: (647) 560-5665

Email: phil.fung@natureharmony.org

Subject Matter
to be Discussed:

Overview of Off-Grid Organic Food Shed - in collaboration with Brampton Fire and the Brampton Backyard Garden Project

Action
Requested:

Request to implement the project in Brampton

A formal presentation will accompany my delegation: ☒ Yes ☐ No

Presentation format: ☒ PowerPoint File (.ppt) ☒ Adobe File or equivalent (.pdf)
☐ Picture File (.jpg) ☒ Video File (.avi, .mpg)

☐ Other:

Additional printed information/materials will be distributed with my delegation: ☐ Yes ☐ No ☒ Attached

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The Off-Grid Organic Food Shed

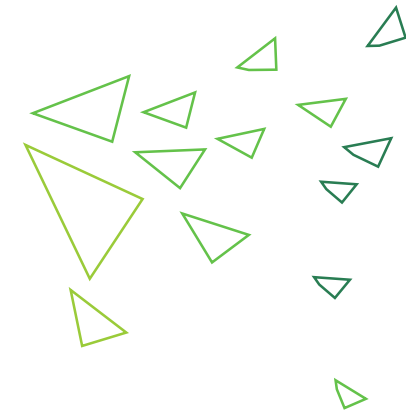
Presented by:
 NATURE HARMONY

Bringing Nature to Those That Need It



Overview

“The Off-Grid Organic Food Shed is an innovative intersection between nature and engineering that provides food and nature science education year-round in a self-sustaining envelope”

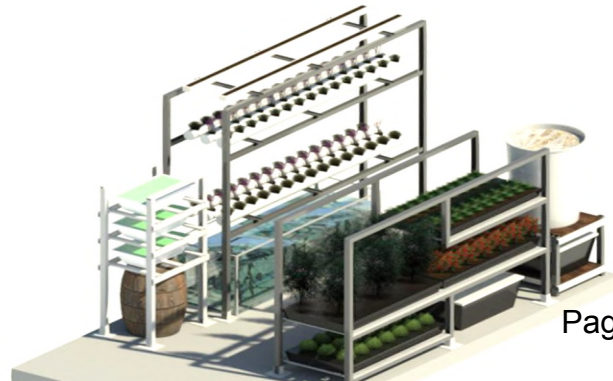


In this presentation we will go over:

- Executive Summary
- How does it work? How its off-grid?
- How has it been implemented at Gibson?
- Why its good for Brampton?
- How the backyard garden project & fire station can be part of the project
- Why is our project different than any other?
- What are the Cost, Components, and Timeline?



The Off-Grid Organic Food Shed



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Executive Summary:

Nature Harmony would manage the construction of a 161 sq ft Off-Grid Organic Food Shed in Brampton, in participation with Brampton Fire and the Backyard Garden Project. The shed would be powered by renewables (solar and wind), it would collect rainwater, and be made of highly energy efficient building materials. Inside the shed's automated LED lighting and grow beds would provide year round Organic food production. The project would cost \$50,000, and be completed by July 3rd. The shed would be operational as a pilot for 6 months, starting on July 3rd 2021 and ending on Jan 1st 2022.

Key Takeaways:



Grows Organic Produce
& Fish, Year Round



Captures Carbon,
Zero Waste



Off-Grid, Runs on
Renewables & Rainwater



Promotes Community
Engagement,
Educational Tool

How does it work? How is it Off-Grid?

Powered by Renewable Energy



- 3.8 kw of roof mounted solar panels provide capture sunlight
- 2 kw Wind Turbine provides energy when the sun isn't out
- The shed is designed to be run completely Off-Grid

Batteries Power Lighting & Electronics



- 24x 6v 230ah Batteries provide the energy storage for the shed
- The batteries can provide 2 full days of autonomy
- The Lighting is LED, so even when the sun isn't out the plants grow

Automated Grow Systems produce organic food



- 64 sq ft of grow beds, produces up to ~150 lbs of produce in 6 month
- Includes Hydroponics, Aquaponics, and Organic Soil Growing
- Lighting & Watering are Automated
- Can grow a wide diversity of plants

Rainwater Harvesting



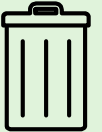
- Rainwater is harvested from the roof and directed into a large collection barrel.
- Each system draws water from the barrel and uses it to feed the plants

Energy Efficient Building Exterior



- Building made of highly efficient Insulated walls
- Can maintain stable indoor temperatures all year long
- Smart HVAC control system keeps plants and occupants happy

Carbon Capture & Waste Management



- Algae Bioreactor captures carbon from the air, and turns it to Algae
- The Duckweed System and Vermicomposting grows fish feed
- Any waste is sent to the vermicomposting bin and turns into soil

The combination of renewable energy, energy efficient envelope, and smart grow systems allow it to run all year long

How has it been implemented at 105 Gibson Centre in Markham?

History:



The Gibson Food Bank serves between **40-50 families per week**. Nature Harmony reached out to build a farm inside the center. The space for the Gibson Food Biome was provided by 105 Gibson Centre. In 2018 construction was completed and the Gibson Food Biome has been operational since.



Results



- The Gibson Food Biome has donated organic produce to the at risk families that it services
- The produce donated is certified organic and some comes from one of the first organic fish systems in Canada
- The Gibson Food Biome also delivered education and hands-on classes to the public, offered tours to various groups, and will be a major part of a nature science camp for low income families in 2021*

"The families love having access to the produce grown here, they say it tastes really fresh!"

* Covid-19 Permitting, details still being finalized.



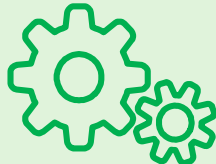
Why is it good for Brampton?

| <u>What are Brampton's Environmental Goals?</u> As stated in the 'Brampton Grow Green EMP 2020' document: | <u>How we are helping achieve Brampton's environmental goals?</u> |
|---|---|
|  People: Invest in People to create a healthy, livable, and safe community | <ul style="list-style-type: none"> - Community engagement by creating opportunities for all ages and demographics - Education on how to grow organic nutrient-rich food using minimal inputs (energy/water) |
|  Air: Reduce impacts on air quality. | <ul style="list-style-type: none"> - Air purifying plants grown in large amounts help improve air quality - Algae bioreactor improves air quality by removing harmful CO2 in the atmosphere |
|  Water: Protect and respect water as a non-renewable, life critical resource. | <ul style="list-style-type: none"> - Rainwater harvesting allows for the shed to run without needing a connection to municipal water - Smart closed-loop grow systems, and bio-engineered water filtration, reduce water consumption |
|  Land: Manage land to sustain the natural environment. | <ul style="list-style-type: none"> - Vertical farming practices grows more food in less space - Organic fertilizers and recycled fish waste allows food to grow faster with higher yields using - Closed-loop fish feed production, and vermicomposting provide essential inputs grown in-house |
|  Energy: Reduce energy consumption and manage the impact of energy usage on our environment. | <ul style="list-style-type: none"> - Off-Grid: 3.825kW roof mounted solar PV, and 2kW Wind turbine, 690AH Battery Storage - Passive-house inspired design uses less energy and stores heat better during the winter |
|  Waste: Reduce and manage the materials considered waste. | <ul style="list-style-type: none"> - Zero waste Closed-loop vermicomposting system means any waste is put back into the system - Nutrient-rich organic soil is produced instead of waste as a vermicomposting by-product |


Expanding on the Success of the Backyard Garden Project




Over 10,000 lbs of food was donated through the Brampton Backyard Garden Project



Through the Backyard Garden Project we could provide organic produce to people in need by donating everything grown in the food shed to the Knights Table and Regeneration



The Off-Grid Food Shed would contribute to Brampton's image as a true leader in promoting food security and sustainability.



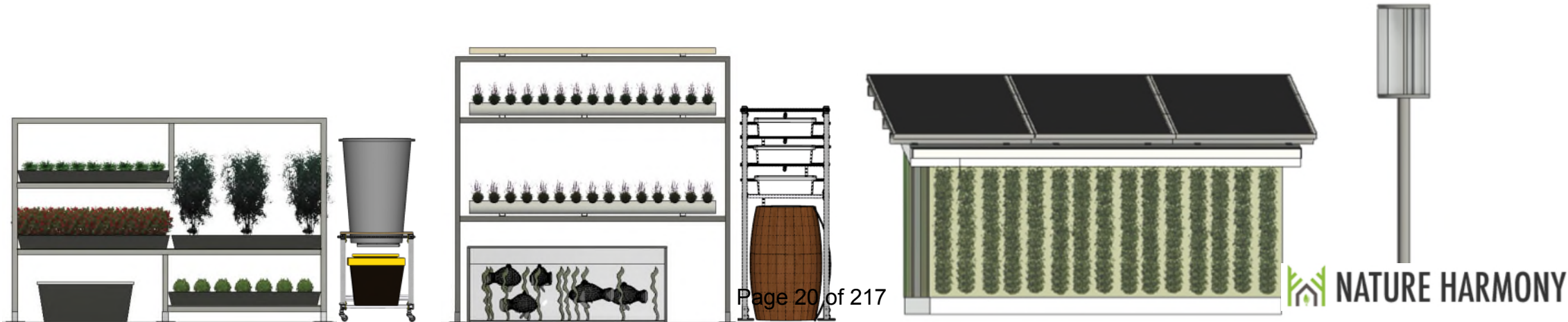
This project would increase yield, and allow for year round food initiatives, all while drawing eyes toward the successful Backyard Garden Project.



What makes this project so different?

| Features | Description |
|-----------------------------------|--|
| Multiple Closed Loop Systems | Duckweed, Vermicomposting, Wetland & Algae Bioreactor to provide carbon capture |
| Multiple Growing Methods | Uses hydroponics, aquaponics, and soil to grow crops from a variety of cultures |
| Off-Grid, year-round production | Solar, Wind, and Rainwater supply the internal grow systems and LEDs. |
| Zero Waste Vermicomposting | All waste is returned to the vermicomposting bin producing useful worm castings. |
| Biochar Fish-Waste Filtration | Organic material used for fish water filtration that becomes a fertilizer/soil additive. |
| Incorporates Passive House Design | Uses high efficiency building materials reducing HVAC needs. Runs year-round. |
| Can Grow Organic Fish & Produce | We are one of the first in Canada to have our fish system certified as organic. |

Bottom Line: There are no other organizations in Canada that can combine all of these very innovative features into one cohesive solution.



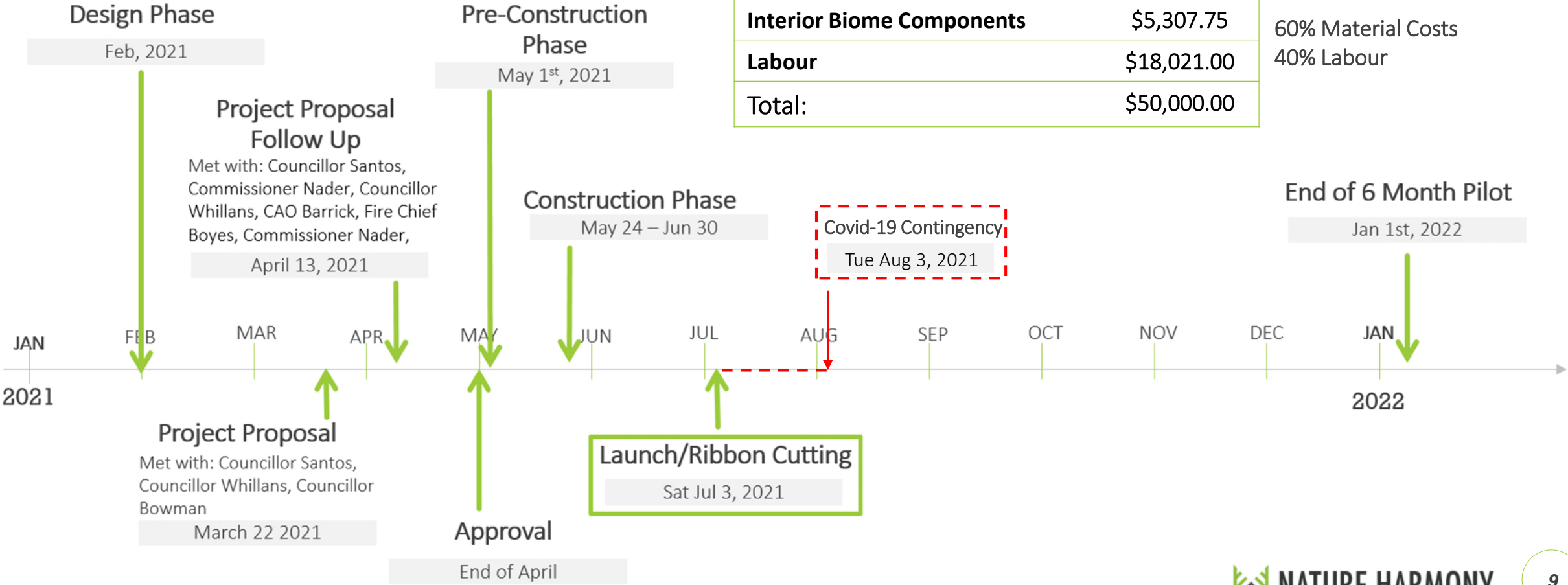
Cost, Components, and Possible Timeline

| Proposed | Shed Footprint | Cost |
|----------|----------------|----------|
| 4/13/21 | 161 sq ft | \$50,000 |

| Component | Cost |
|---------------------------------|-------------|
| Electrical + Generation Systems | \$14,071.25 |
| Structure & Envelope | \$12,600.00 |
| Interior Biome Components | \$5,307.75 |
| Labour | \$18,021.00 |
| Total: | \$50,000.00 |

Construction Cost Breakdown:

60% Material Costs
40% Labour



Thank You



OFF-GRID ORGANIC FOOD SHED | EDUCATION



To plant a garden is to believe in tomorrow - Audrey Hepburn

The duty of today is to plant the seeds of change for tomorrow. The Food Shed plants these seeds by educating people on the need, the value

and the means of sustainable, local food-growing.

From self-guided tours to hands-on classroom visits, the Food Shed affords opportunities to learn in six core areas at the meeting point of people, agriculture and environment.

Visitors to the Food Shed are able to see, touch, smell and even taste the outcome of biodiverse crops grown with innovative closed-loop methods for sustainable urban agriculture.

The result is citizens who are more informed and resilient as well as more empowered to build a sustainable future.

The Food Shed stands alone as a powerful platform for growing and learning together, sustainably.

URBAN AGRICULTURE

How are cities turned from food deserts into oases? What are the emerging ways of growing food in urban areas?

GROWING FOOD

What makes a food system resilient and safe? How do our most essential crops grow? How do we meet their special needs?

BIODIVERSITY

What is crop diversity? What can this variety of life teach us and why is it essential for resilient agriculture?

HEALTHY SOIL

What makes a soil healthy? How do healthy soils support ecosystem services and help to curb climate change?

CLOSING THE LOOP

What is a closed loop? How can wastes from people and agriculture be upcycled and turned into new resources?

SUSTAINABLE CITIES

How can growing food contribute to a fulfilling and sustainable urban life?





Off Grid Organic Food Shed

We built a tree that can feed your family



Generate Energy

Energy off-grid with solar PV and wind turbine coupled with a battery storage system.



Recycle Waste

A cradle-to-cradle approach to waste management. All waste produced is recycled within the shed for a zero-waste system.



Harvest Water

Off-grid watering with rainwater harvesting and snow melting.



Capture Carbon

Carbon capture using algae biofilters to remove CO2 pollutants from the air and to release fresh oxygen into the atmosphere.

What is an Organic Food Shed and what does it do?

An off-grid modular vertical ecosystem of organic food production that incorporates the best of Hydroponics, Aquaponics and soil-based growing—producing a variety of plant and fish food sources in a controlled indoor environment.



Food safety



Food security



*Financially sustainable
organic food growing
business model*



+647-497-5575



www.natureharmony.org



info@natureharmony.org

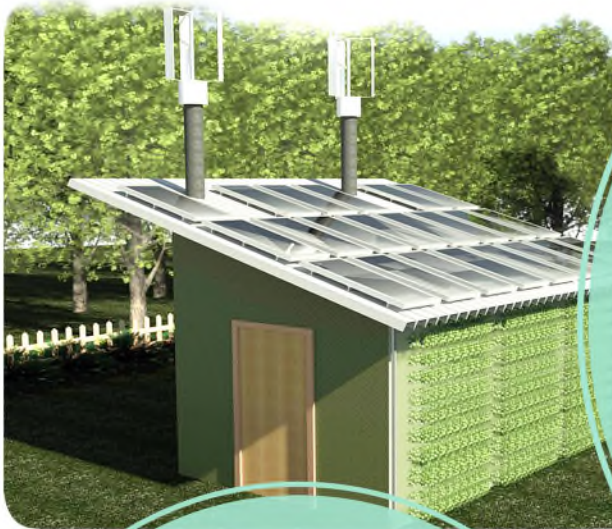


5 Shields Court, Unit 108
Markham, Ontario, L3R 0G3



The organic food shed is a self sustainable, regenerative food system

It is efficient and requires minimal human assistance as it mimics the closed loop cycles found in nature. With biochar, duckweed, algae, earthworms and vermicomposting, the system generates its own feed for fish and fertilizer for plants, making it both environmentally-friendly and sustainable.

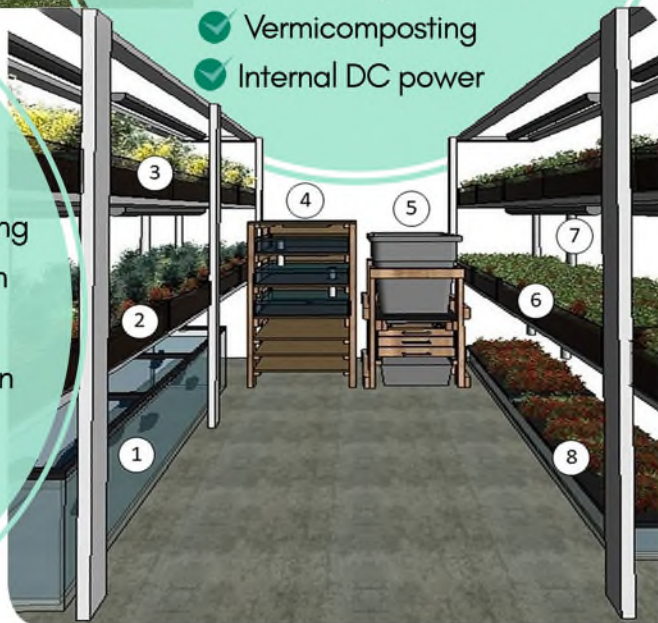


Features of the Shed

- ✓ Organic certifiable food
- ✓ Year round crops and fish harvest
 - ✓ Passive house design
 - ✓ Algae carbon capture
- ✓ Off-grid for electricity and water
- ✓ Aquatic plants and earthworms cultivation as a fish feed supplement
 - ✓ Zero crop waste
- ✓ Water and air purification
 - ✓ Vermicomposting
 - ✓ Internal DC power

Components of the Shed

1. Organic aquaculture module
2. Organic aquaponic/vegetable growing
3. Engineered wetland with biofiltration
4. Aquatic nutrients module
5. Auto- harvesting vermicomposting bin
6. Organic soil based growing
7. Automated lighting and watering
8. Natural hydroponic module



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Delegation Request

For Office Use Only:

Meeting Name:

Meeting Date:

Please complete this form for your request to delegate to Council or Committee on a matter where a decision of the Council may be required. Delegations at Council meetings are generally limited to agenda business published with the meeting agenda. Delegations at Committee meetings can relate to new business within the jurisdiction and authority of the City and/or Committee or agenda business published with the meeting agenda. **All delegations are limited to five (5) minutes.**

Attention: City Clerk's Office, City of Brampton, 2 Wellington Street West, Brampton ON L6Y 4R2

Email: cityclerksoffice@brampton.ca Telephone: (905) 874-2100 Fax: (905) 874-2119

Meeting: ☐ City Council ☐ Planning and Development Committee
☒ Committee of Council ☐ Other Committee:

Meeting Date Requested: April 28, 2021

Agenda Item (if applicable):

Name of Individual(s): Keyna Sarkar

Position/Title:

Brampton resident

Organization/Person
being represented:

Full Address for Contact:

Telephone:

Email:

Subject Matter
to be Discussed:

Provision of free period products in all government-operated public washrooms in Brampton as a way to fight period poverty and support equity across our community.

Action
Requested:

Install free period product dispensers in public washrooms and encourage businesses to do so as well.

A formal presentation will accompany my delegation: ☒ Yes ☐ No

Presentation format: ☐ PowerPoint File (.ppt) ☒ Adobe File or equivalent (.pdf)
☐ Picture File (.jpg) ☐ Video File (.avi, .mpg)

☐ Other:

Additional printed information/materials will be distributed with my delegation: ☐ Yes ☒ No ☐ Attached

Note: Delegates are requested to provide to the City Clerk's Office **well in advance of the meeting date:**

- (i) 25 copies of all background material and/or presentations for publication with the meeting agenda and /or distribution at the meeting, and
- (ii) the electronic file of the presentation to ensure compatibility with corporate equipment.

Submit by Email

Once this completed form is received by the City Clerk's Office, you will be contacted to confirm your placement on the appropriate meeting agenda.

Personal information on this form is collected under authority of the Municipal Act, SO 2001, c.25 and/or the Planning Act, R.S.O. 1990, c.P.13 and will be used in the preparation of the applicable council/committee agenda and will be attached to the agenda and publicly available at the meeting and on the City's website. Questions about the collection of personal information should be directed to the Deputy City Clerk, Council and Administrative Services, 2 Wellington Street West, Brampton, Ontario, L6Y 4R2, tel. 905-874-2115.

Date: 2021-04-10

Subject: Amendment to User Fee By-law – Contravention Administration Costs for Driveway Paving Contractors

Contact: James Bisson, Manager, Licensing Enforcement, Enforcement and By-law Services, Legislative Services, 905-458-3424 Ext. 63222, james.bisson@brampton.ca

Report Number: Legislative Services-2021-470

Recommendations:

1. That the report titled **Amendment to User Fee By-law- Contravention Administration Costs for Driveway Paving Contractors**, be received;
2. That a user fee of \$700 to recover the cost of enforcement and administrative staff time to investigate instances where Driveway Paving Contractors contravene the Zoning By-law, be approved by Council,.
3. That the User Fee By-law 380-2003, as amended, be further amended by adding the new fee for Contravention Administration Costs for Driveway Paving Contractors in Schedule D – Legislative Services Fees/Charges

Overview:

- On February 17, 2021, Council enacted a By-law 21-2021 an amending by-law, to the Business Licensing By-law 332-2013, to include additional provisions for licensing driveway paving contractors.
- The new provisions require a specified fee to be added to the User Fee By-law with respect to Contravention Administrative Costs.
- The Contravention Administrative Costs fee is to recover costs associated with enforcement and administrative resources in remedying a driveway when a licensed Driveway Paving Contractor has performed any paving work that is not in compliance with the City's Zoning By-Law 270-2004, as amended, or any other City by-law, unless a valid permission, supporting decision or approval required by-law is obtained prior to the commencement of any paving work.

- **This report provides rationale for the fee along with a request to amend the User Fee By-law to include this new fee.**

Background:

On February 17, 2021, Council enacted By-law 21-2021 to amend Schedule 9, Driveway Paving Contractors of Business Licensing By-law 332-2013, to include additional provisions for licensing driveway paving contractors. Within the new provisions was reference to a new fee in the User Fee By-law, Contravention Administrative Costs. The fee is defined as follows;

“Contravention Administration Costs” means outstanding fees for Licences, penalties, administrative and enforcement costs, fees set out in the User Fee By-law, and related charges incurred by the Driveway Paving Contractor in the event that the contractor fails to comply with any applicable by-laws or statutory obligations.

This fee is not currently defined within the User Fee By-law, and this report will establish the required fee.

Current Situation:

There is reference to a fee in the Business Licensing By-law for Contravention Administration Costs

2. *Every Person licensed as a Driveway Paving Contractor under this By-law shall deposit a Letter of Credit or other security satisfactory to the Licence Issuer in the amount of \$5,000.00 that shall be valid for the term of the Licence.*
 - (a) *This security shall be used for purposes as set out in the “Security Acknowledgement” which the Contractor shall enter into with and the City prior to licence issuance. Execution of the Security Acknowledgement is a condition of the licence issuance.*
 - (b) *Any funds drawn upon the security for breach of the Acknowledgement must be replaced within 48 hours or the licence will be subject to revocation.*
 - (c) *Should the security posted not be sufficient to cover the Contravention Administrative Costs in which the security was drawn upon, the City shall charge any additional costs related to the contravention under Section 22 of this By-law which shall be paid by the Driveway Paving Contractor.*
 - (d) *The City shall maintain the security for up to 180 days after the licence*

expires or is cancelled to perform any required inspections on paving work completed to ensure compliance.

An Amendment will be required to add this fee to User Fee By-law 380-2003.

The fee is to recover costs associated with the administration and enforcement resources required to seek a remedy from a licensed Driveway Paving Contractor who has performed any paving work that is not in compliance with the City's Zoning By-Law 270-2004, as amended, or any other City by-law, unless a valid permission, supporting decision or approval required by-law is obtained prior to the commencement of any Paving Work.

Staff have calculated the fee to be \$700.00, which accounts for the time of the Property Standards Officer, Enforcement Supervisor, Enforcement Clerk, Deputy Clerk (Licensing), Licensing Administrative Clerk, Legal Counsel and Plans Examiner to review and take appropriate action in applying the fee to the Driveway Paving Contractor.

The hourly rate for non-union staff is based on mid-grade and the hourly cost for unionized staff is set at max grade.

Corporate Implications:

Financial Implications:

The proposed user fee of \$700 is to offset the enforcement and administrative costs to seek a remedy from a licensed Driveway Paving Contractor. Should the anticipated volume and/or cost associated with enforcing the new rules exceed current estimates, amendments will be brought forward for Councils consideration and approval.

Communications:

There are no specific communications implications from this report. The amended by-law could be added as part of the web information resources available on www.brampton.ca/drivewaypaving.

:

Term of Council Priorities:

This report is consistent with the 2018-2022 Term of Council Priorities as it supports Direction 5: Brampton is a Well-Run City by demonstrating Cost recovery for enforcement activities in relation to enforcing violations of the Zoning By-law.

Conclusion:

This report identifies the need to create a new fee for Contravention Administration Costs associated to the Driveway Paving Contractors, violating the Zoning By-law.

Authored by:

James Bisson, Manager, Licensing
Enforcement

Reviewed by:

Paul Morrison, Director, Enforcement and By-
law Services

Approved by:

Paul Morrison, Acting Commissioner,
Legislative Services

Submitted by:

David Barrick, Chief Administrative Officer



Minutes

Accessibility Advisory Committee

The Corporation of the City of Brampton

Tuesday, March 9, 2021

Members Present: Glenda Coupland (Chair)
Sherri Hopkins (Vice-Chair)
Vicki Faulkner
Nicolle Guillen
Nuno Alberto Peixoto
Franco Spadafora
Deepa Mohandoss
Daleara Hirjikaka
Regional Councillor Pat Fortini

Members Absent: Harpreet Bhons
Steve Anthony Chronicles
Raymond Shaver

Staff Present: Teresa Olsen, Deputy Clerk, Admin Services & Election
Shant Goswami, Accessibility Coordinator
Sylvia Ingham, Clerk, Access & Inclusion
Chandra Urquhart, Legislative Coordinator

1. Call to Order

The meeting was called to order at 6:40 p.m. and adjourned at 7:56 p.m.

2. Approval of Agenda

AAC001-2021

That the Agenda for the Accessibility Advisory Committee meeting of March 9, 2021 be approved.

Carried

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

Nil

4. Minutes

4.1 Minutes - Accessibility Advisory Committee - December 8, 2020

The minutes of the Accessibility Advisory Committee meeting of December 8, 2020 were approved by Council on January 27, 2021. The minutes were provided for Committee's information.

5. Presentations\Delegations

5.1 Delegation by Ryan Stitt and Brandon Bortoluzzi, Associate Architect (RS) and Intern Architect (BB), re: BFES Station 201 Design - 25 Rutherford Road South

Ryan Stitt and Brandon Bortoluzzi, Associate Architect and Intern Architect, Salter Pilon Architecture, provided a presentation on the design of the Brampton Fire and Emergency Station (BFES) 201 proposed for 25 Rutherford Road South. The following topics were highlighted:

- Site Plan – accessible parking, entrances and exits, exterior travel path
- Floor Plan – accessible areas, turning circle and maneuvering areas
- Enlarged universal and barrier free washrooms
- Conceptual image of the east façade of building – sidewalk linkage to Rutherford Road

Committee discussion and comments included the following:

- Question regarding installation of an adult change table
 - indication that an adult change table will be provided in the future
- Long-term accommodation provisions for staff with respect to access to amenities and parking spaces

The following motion was considered:

AAC002-2021

That the delegation by Ryan Stitt and Brandon Bortoluzzi, Associate Architect and Intern Architect, Salter Pilon Architecture, to the Accessibility Advisory Committee meeting of March 9, 2021, re: **BFES Station 201 Design - 25 Rutherford Road South** be received.

Carried

5.2 Presentation by Sam Bientenholz, Landscape Architect, re: Sesquicentennial Park Activity Hub

Sam Bientenholz, Landscape Architect, provided a presentation on the Sesquicentennial Park Activity Hub, located at the northeast corner of Bramalea Road and Countryside Drive. The following was highlighted:

- Facilities available at the activity hub

- Activity hub site plan
 - new pathways aligned with existing curb cuts
 - raised curbs to separate playground surfaces from landscape areas
- Concept layout and zoning areas include family play zone, and shade shelter zones
- Detailed active area plan and level of accessibility
- Junior and senior play equipment
- Adult fitness equipment
- Water play area and features
- Image landscape, canopies to provide shaded areas

Committee discussion and comments included the following:

- Indication that material used under swings and play areas feature a rubberized wood chip surface that is considered safe and accessible to wheel chairs

The following motion was considered:

AAC003-2021

That the presentation by Sam Bientenholz, Landscape Architect, to the Accessibility Advisory Committee meeting of March 9, 2021, re: **Sesquicentennial Park Activity Hub** be received.

Carried

6. Municipal Accessibility Plan Priorities

Nil

7. Other/New Business

7.1 Request from the Accessibility Team, re: Establishment of a Sub-committee for the Review of Accessibility Awards Nominations

Sylvia Ingham, Clerk, Access and Inclusion, advised that plans for the Accessibility Awards were underway and noted that the event may be held virtually. She outlined the process and noted that the establishment of a sub-committee was required to review applications received for the nominations. Ms. Ingham suggested that members express their interest in participating on the sub-committee.

Committee discussed the matter and members volunteered for the positions.

The following motion was considered:

AAC004-2021

That the update by Sylvia Ingham, Clerk, Access and Inclusion, to the Accessibility Advisory Committee meeting of March 9, 2021, re:

Establishment of a Sub-committee for the Review of Accessibility Awards Nominations be received;

That a Sub-committee be established to review the applications received from potential recipients comprised of the following members:

- Vicki Faulkner
- Nuno Alberto Peixoto
- Nicole Gullen

Carried

7.2 Report from Shant Goswami, Accessibility Coordinator, re: Municipal Accessibility Plan Update

Shant Goswami, Accessibility Coordinator, provided an overview of the City of Brampton's 2019 - 2025 Multi-Year Municipal Accessibility Plan (MAP). He highlighted the following:

- Current plan was approved by the Committee in October 2019
- Next steps and initiatives
- Prepare and submit 2019 Accessibility Compliance Report
- Develop and implement an accessibility review of input for new City parks
- Implement the Soundscape application for the benefit of persons of all abilities
- Implement Magnusmode application to assist persons with disabilities
- Ensure compliancy with all Provincial technical standards

Committee discussion included the following:

- Questions regarding the replacement of swings to accommodate those with disabilities in existing parks
- Indication that a replacement program for existing parks will be discussed with senior Recreation staff

The following motion was considered:

AAC005-2021

That the report from Shant Goswami, Accessibility Coordinator, to the Accessibility Advisory Committee meeting of March 9, 2021, re: **Municipal Accessibility Plan Update** be received.

Carried

8. Correspondence

Nil

9. William Osler Health Centre Accessibility Advisory Committee

Nil

10. Information Items

Nil

11. Future Agenda Items

Nil

12. Construction Projects

Nil

13. Question Period

Nil

14. Public Question Period

Nil

15. Adjournment

The following motion was considered:

AAC006-2021

That Accessibility Advisory Committee meeting of March 9, 2021 do now adjourn to meet again on June 1, 2021 at 6:30 p.m.

Carried

Sherri Hopkins, Vice-Chair

Glenda Coupland, Chair

Date: 2021-04-08

Subject: Bio 9 Ventures Request to City of Brampton

Contact: **Clare Barnett, Director, Economic Development, 905-874-3926, clare.barnett@brampton.ca**

Report Number: Planning, Bld & Ec Dev-2021-468

Recommendations:

1. **THAT** the report from Clare Barnett, Director, Economic Development, dated April 8, 2021, to the Committee of Council Meeting of April 28, 2021, entitled “**Bio 9 Ventures Request to City of Brampton (2021-468; File CE.x)**”, be received.

Overview:

- **Bio 9 Ventures is a Texas based Life Sciences Services firm engaged in venture partnering with small and large enterprises, strategic consulting to investment firms, institutional ventures and enabling cross-border life sciences investments.**
- **Bio 9 is seeking formal endorsement from the City of Brampton in order to build a life sciences cluster in Brampton.**
- **Bio 9 has presented a roadmap of investment milestones to be achieved; this includes a commitment to bring five new start-ups to Brampton in the first quarter of 2021.**
- **The City of Brampton Economic Development team and Strategic Communications staff will support Bio 9 Ventures through joint marketing opportunities once the desired level of success is achieved, bringing five health and life sciences companies to Brampton.**

Background:

The City of Brampton Economic Development Investment Attraction Team met Raj Pallapothu, Managing Director, Bio 9 Ventures, in the Fall of 2020 to discuss potential economic synergies between the City of Brampton's Health & Life Sciences sector, and the companies Bio 9 Ventures is working with. Bio 9 expressed interest in building a Life Sciences Innovation Cluster in Brampton.

Current Situation:

Raj Pallapothu delegated to Committee of Council on March 25th 2021 to share Bio 9's vision of creating a Life Sciences Cluster in Brampton.

Bio 9 Ventures presented the following Cluster Roadmap for Brampton

- 1st year: Immediately launch 5 start-up businesses in Brampton: 3 from the USA and 2 from Europe within healthcare solutions and technologies, subsequently 15 start-ups in the next 3 quarters. Bio 9 ventures will provide these businesses with business development, infrastructure support and corporate development (strategy, collaboration and investments), eventually managing a sustainable Ecosystem.
- 2nd year: Bio 9 ventures plans to develop 'Life Sciences Innovation clusters' through international support, market collaborations and business practices.
- Long-term vision: Create Science and Technology Park for Health and Life Sciences Companies.

Bio 9 Venture's Request of the City of Brampton:

1. Formal Endorsement - Recognize Bio 9 Ventures through a formal endorsement as the City of Brampton's Life Sciences Cluster.
2. Business Partner – Allow Bio 9 Ventures to partner with the City of Brampton in joint marketing activities at domestic and international events as a designated subject matter expert.
3. Market Access – Facilitate introductions to City managed or external life sciences enterprises like hospitals, healthcare systems, public organizations and health welfare initiatives.
4. Growth Enabler- Using the City of Brampton as a base, enable Bio 9 Ventures to grow operations across Ontario and other provinces by facilitating relevant City, Provincial and Federal level references.

Future Considerations:

Communications & Marketing Approach

The City of Brampton will recognize the work of Bio 9 Ventures when they have successfully brought five new health and life sciences companies to the City of Brampton. The Corporation will work with Bio 9 Ventures to develop key marketing and communications initiatives to highlight the success of Bio 9 Venture's mission to build a health and life sciences innovation cluster in Brampton.

Key Tactics:

- **Year 1 (2021):**
 - Once five companies have been established (with a physical presence in Brampton), a communications tactics plan will be created to promote and bring awareness, which will include tactics in partnership with Bio 9 Ventures, based on budget and reach, such as: a media release, social media messaging, digital and print marketing, and inclusion in Economic Development investment attraction products.
- **Year 2 (2022):**
 - As more businesses are brought to Brampton, we will include health and life sciences cluster content to any applicable Economic Development promotional and marketing materials, where aligned with City's economic development and healthcare goals and objectives. Potential tactics can include: marketing to national and international markets, media pitching and interviews, advertisements in annual publications, features of new businesses on our website and social media channels.
 - Include health and life sciences innovation cluster recognition content in future international and national missions, when aligned with the City's Economic Development Foreign Direct Investment (FDI) strategy.
- **Additional opportunities:**
 - Potential inclusion in communications and marketing related to the Ontario government's recent announcement about the new School of Medicine at Ryerson University in Brampton, as well as the new full-service inpatient hospital being developed at Peel Memorial Urgent Care Centre, where aligned with goals and objectives.
- Leverage additional joint marketing and media opportunities as they arise and are relevant.

Term of Council Priorities:

This report supports the Term of Council Priority that Brampton is a “City of Opportunities” and that Brampton will continue to implement the Foreign Direct Investment (FDI) and lead generation program to attract new business to Brampton.

This report aligns with the recent announcements from the Province that a new full-service inpatient hospital is being developed at Peel Memorial Urgent Care Centre and the announcement about a new School of Medicine at Ryerson University in Brampton.

Conclusion:

The City of Brampton Economic Development staff and Strategic Communications Team will support Bio 9 Ventures through joint marketing opportunities once the desired level of success is achieved, bringing five health and life sciences companies to Brampton.

Authored by:

Jayesh Menon, Senior Advisor,
Investment Attraction

Reviewed by:

Clare Barnett, Director, Economic
Development

Approved by:

Richard Forward, Commissioner,
Planning, Building and Economic
Development

Submitted by:

David Barrick, Chief Administrative Officer

Date: 2021-04-08

Subject: Analysis on Adopting Municipal Ombudsman Model
(RM 8/202)

Contact: Peter Fay, City Clerk, 905-874-2172, Peter.Fay@brampton.ca

Report Number: Legislative Services-2021-463

Recommendations:

1. That the report titled: **Analysis of Adopting a Municipal Ombudsman Model (RM 8/2021)**, to the Committee of Council meeting of April 28, 2021, be received.

Overview:

- Municipalities are required to have an Ombudsman as per the *Municipal Act, 2001*. A municipality can appoint a Municipal Ombudsman. In absence of that, the Ontario Ombudsman becomes the default Municipal Ombudsman.
- The Ontario Ombudsman functions as the City's Municipal Ombudsman since January 1, 2016.
- At the January 27, 2021 Council Meeting, Council requested staff to report back on the policies, governance, reporting structure, budget and independence of the Municipal Ombudsman and Auditor General, including comparison with other similar municipalities, and the various options for provision of the Ombudsman service, for Council's consideration. (Resolution C028-2021)
- This report addresses the Municipal Ombudsman portion of the Resolution C028-2021. A separate report has been prepared for the same Committee of Council meeting to address establishing an Auditor-General office.
- There are three Municipal Ombudsman models for Council's consideration:

- | |
|--|
| <ul style="list-style-type: none">○ Rely on Ontario Ombudsman○ Contracted ombudsman service○ Standalone municipal ombudsman |
|--|

Background:

Amendments to the *Municipal Act, 2001* (the “MA”), effective in 2008, introduced specific accountability and transparency provisions for municipalities. Specifically, the MA established five mandatory and discretionary accountability and transparency officers:

- Integrity Commissioner
- Lobbyist Registrar
- Ombudsman
- Auditor General
- Closed Meeting Investigator

In 2014, the Province introduced and passed Bill 8, which amended several pieces of legislation effective January 1, 2016, including the MA and the *Ombudsman Act, 1990* (the “*Ombudsman Act*”). The *Ombudsman Act* was amended to expand jurisdiction of the Ontario Ombudsman to include municipalities, municipal boards and their agencies. With the inclusion of the municipal sector under the jurisdiction of the Ontario Ombudsman, the Ontario Ombudsman by default becomes the ombudsman for a municipality that does not have a specific Municipal Ombudsman as of January 1, 2016. The Ombudsman’s role, duties, and powers set out in the relevant sections of the *Municipal Act, 2001* and the *Ombudsman Act, 1990*, are provided in Appendices A and B to this report.

During the December 2015 budget deliberations, staff provided the report, [**Integrity Commissioner, Lobbyist Registrar, Ombudsman, Auditor General and Closed meeting Investigator Positions – An Update on Accountability and Transparency Officers Permitted Under the Municipal Act, 2001, as amended**](#), with budget implications to Budget Committee to consider establishing a Municipal Ombudsman position. Budget Committee discussed legislation relating to the Municipal and Provincial Ombudsman, appointment options and potential services with the Region of Peel. This budget request was referred to the Member Services Committee for further evaluation.

BC053-2015, clause 1

That the budget for the Brampton Ombudsman (\$100,000 plus \$25,000 office administration) from the Office of the Mayor and Council budget be referred for discussion and further evaluation and a report to the Member Services Committee.

At the March 9, 2016 Council meeting, Council approved Resolution MS010-2016 to not appoint a municipal ombudsman at that time.

MS010-2016

That a Municipal Ombudsman not be appointed at this time.

As a result, the Ontario Ombudsman has been the City's default Municipal Ombudsman since 2016.

In 2016, the Ontario Ombudsman initiated a systemic review of specific elements of the City's procurement process. The Ombudsman's final correspondence and report titled "[Procuring Progress](#)" – [Investigation into the City of Brampton's procurement practices, focusing on the administration of its purchasing by-laws, policies and procedures regarding noncompetitive procurements](#) was presented to City Council in March 2017.

At the January 27, 2021 Council Meeting, Council discussed options to establish additional discretionary accountability and transparency officers and passed a motion as follows:

C028-2021

Therefore Be It Resolved, that the City of Brampton Council request staff to investigate the formation of a City of Brampton's Office of the Municipal Ombudsman and Auditor General, reporting directly to Council; and

That staff report back to Council on the policies, governance, reporting structure, budget, and independence of the Municipal Ombudsman and Auditor General, including a comparison with other similar municipalities, and the various options for provision of the Ombudsman service, for Council's consideration;

That, should Council proceed with the formation of a City of Brampton Office of the Municipal Ombudsman, the hiring process to select the Municipal Ombudsman will include a selection committee comprised of all Members of Council and must be supported unanimously by this Council; and

That staff report back to Council as soon as possible.

This report addresses the specifics on the Municipal Ombudsman section of the Council's request. A separate report has been prepared for the same Committee of Council meeting to address establishing an Auditor-General office.

Current Situation:

The Ombudsman office is intended to be an office of last resort if *any decision or recommendation made or act done or omitted in the course of the administration of the municipality* is not resolved to the satisfaction of a person. Before engaging the Ombudsman, exhaustion of local complaint resolution processes is a first step in a typical Ombudsman complaint resolution process.

City of Brampton Complaint Process

Complaints regarding service delivery are generally filed with the responsible operating department or service and addressed by the department. There is currently no central tracking, monitoring or evaluation of complaints – formal or informal – filed and addressed across City operations. A public complaints resolution guideline was established in 2007 to address formal complaints regarding City staff (and by extension services and programs).

There is currently work being done by staff through a working group with many stakeholders (HR, IT, Audit, Clerks, Policy, Privacy, Legal and Organizational Performance) to consolidate all of the internal (employee) and external complaint (public) processes at the City to review, ensure alignment and identify any gaps. Once completed, a single resource document outlining these processes will be developed (one stop shop) and communicated. Guidance and recommendations received from the Ombudsman's office is being incorporated in the completion of this work.

Public Complaints Resolution Guideline

The City currently follows the procedures described in the [Public Complaints Resolution Guideline](#) (see Appendix C) to address public complaints regarding alleged misconduct by City employees. This guideline applies to full-time, part-time, temporary and contract staff. In appropriate circumstances, complaints relating to City volunteers and contractors may also be addressed under this guideline.

Any public complaint must be filed in writing, identifying the name and full contact information of the complainant, within 30 days in respect to the date of the event for which the complaint is being made. Anonymous complaints are not accepted.

When a written complaint is received, it will go through the following stage(s):

1. **Informal Resolution Stage** – Complaints about an employee's conduct may be resolved by way of an informal resolution. The complaint will be referred to the applicable manager of the employee. The complainant will be advised that a designated City official will contact them within five (5) business days. The designated City official will attempt to resolve the issue informally through discussion with the complainant and appropriate follow-up with the subject employee within ten (10) business days.

2. **Formal Resolution Stage** - If the matter is not resolved to the satisfaction of the complainant at the Informal Resolution Stage, the complainant will be advised to submit a complete written complaint within ten (10) business days of receiving the City's informal resolution response. When the formal complaint is received, it will be forwarded to the City Solicitor for tracking purposes.

In the event where the alleged misconduct is of a serious nature (not defined in the guideline), a third party may be retained by the City Solicitor's office to review the matter, to conduct an independent investigation, to prepare a written report and to make recommendations to City Council regarding the matter.

After the investigation is complete, a written response will be provided to the complainant and to the subject employee within 30 business days of receipt of the formal complaint request.

If a complaint is related to a very serious matter (i.e. involving a threat to health, safety or property), and is deemed to increase the possibility of imminent damage or injury if not addressed immediately, the complaint will be expedited and processed immediately by the Commissioner of the subject employee/service/program. The Commissioner will notify the Chief Administrative Officer of the matter, and where appropriate, to the subject employee, and the complainant. The City Solicitor will receive a copy of the notice of determination for tracking purposes.

Enhancing the Public Complaint Process

While the City has a public complaint process in place, the guideline is dated (endorsed by Council in 2007) and is due for a review and update. Recognizing the opportunities for improvement, staff are actively working to:

- Develop an enhanced public complaint policy;
- Update the public complaint resolution guidelines in accordance with the new policy;
- Create a public complaint web page to consolidate the various complaint pathways and mechanisms (a "one-stop shop") available to the public depending on the type of complaint; and
- Bring awareness to the community on the public complaint process, in collaboration with Strategic Communications.

The Ontario Ombudsman and Municipal Complaints:

If the complainant is still not satisfied with the final resolution, they can submit a complaint to the Ontario Ombudsman, who functions as the City's Municipal Ombudsman, for further review and/or investigation. The Ombudsman will not investigate during a period in which internal complaint resolution processes are underway.

In 2019-2020, the Ontario Ombudsman received 3,014 cases about 314 of Ontario's 444 municipalities and 35 shared corporations and local boards. Out of the 3,014 cases, 44 were identified regarding the City of Brampton. These cases consist of complaints, contacts, and inquiries. The Ontario Ombudsman did not initiate or conduct any formal investigation on these cases under the *Ombudsman Act* and have all been closed.

In response to an inquiry from City staff, the Ontario Ombudsman has advised the number and general subject areas of complaints and inquiries about the City of Brampton are as follows:

| General Subject Area | Number of Cases |
|-------------------------------|-----------------|
| Council / Committees | 7 |
| Court administration | 6 |
| Employment / Labour Relations | 6 |
| By-law enforcement | 5 |
| Parking | 4 |
| Taxes / Fees | 3 |
| Staff conduct | 3 |
| Animal control | 3 |
| Public transit | 2 |
| Communications | 1 |
| Water/ sewer services | 1 |
| Permits / licensing | 1 |
| Private property matters | 1 |
| Other | 1 |

Municipal Benchmarking re: Municipal Ombudsman Model

City staff undertook a benchmarking research of comparable Ontario municipalities to identify their Municipal Ombudsman model and financial implications. Details are provided in Appendix D.

A total of 30 municipalities were surveyed:

- Majority (16 out of 30) of the municipalities use the Ontario Ombudsman as their Municipal Ombudsman. There is no cost associated to this model.
- 13 municipalities currently retain contracted Municipal Ombudsman service from independent providers. The estimated annual cost is less than \$50,000.

- Toronto is the only municipality with a standalone Municipal Ombudsman Office. In 2021, Ombudsman Toronto has an operating budget of \$2.271 million with staff complement of 14 positions.

The following table shows the number of cases received by the Ontario Ombudsman in 2019-2020 grouped by Municipal Ombudsman model. The public can still make a complaint to the Ontario Ombudsman when there is a local Ombudsman in place.

| Municipal Ombudsman Model | Municipality | Cases Received by Ontario Ombudsman in 2019-2020 |
|--|--|---|
| Rely on Ontario Ombudsman | 1. City of Ottawa | 200 |
| | 2. City of Hamilton | 154 |
| | 3. Region of Peel | 98 |
| | 4. City of London | 71 |
| | 5. City of Mississauga | 65 |
| | 6. City of Windsor | 50 |
| | 7. City of Brampton (for comparison purposes) | 44 |
| | 8. Region of York | 26 |
| | 9. City of Vaughan | 20 |
| | 10. Town of Oakville | 19 |
| | 11. City of Guelph | 16 |
| | 12. City of Kitchener | 15 |
| | 13. City of St. Catharines | 15 |
| | 14. Wellington County | 10 |
| | 15. Town of Caledon | 9 |
| | 16. Town of Ajax | 6 |
| | 17. City of Cambridge | 5 |
| Contracted Municipal Ombudsman Service | 18. Region of Durham | 45 |
| | 19. Region of Halton | 23 |
| | 20. Region of Waterloo | 22 |
| | 21. City of Burlington | 15 |
| | 22. Town of Whitby | 8 |
| | 23. City of Waterloo | 6 |
| | 24. Municipality of Clarington | 4 |
| | 25. Township of Woolwich | 2 |
| | 26. Town of Brock | 1 |
| | 27. Mun. of Southwest Middlesex | 1 |
| | 28. Township of Wilmot | 1 |
| | 29. County of Middlesex | 0 |

| Municipal Ombudsman Model | Municipality | Cases Received by Ontario Ombudsman in 2019-2020 |
|----------------------------------|---------------------|---|
| | 30. County of Elgin | 0 |
| Standalone Municipal Ombudsman | 31. City of Toronto | 404* |

**The Ontario Ombudsman cannot investigate complaints within the jurisdiction of Ombudsman Toronto, therefore, cases were referred accordingly*

Municipal Ombudsman's Role and Function

Section 223.13(1) of the MA defines the Ombudsman as:

Ombudsman

223.13 (1) Without limiting sections 9, 10 and 11, those sections authorize the municipality to appoint an Ombudsman who reports to council and whose function is to investigate in an independent manner any decision or recommendation made or act done or omitted in the course of the administration of the municipality, its local boards and such municipally-controlled corporations as the municipality may specify and affecting any person or body of persons in his, her or its personal capacity. 2006, c. 32, Sched. A, s. 98.

A Municipal Ombudsman acts independently and reports to Council on investigation of “any decision or recommendation made or act done or omitted in the course of the administration of the municipality.”

The Ontario Ombudsman, acting in the role of the Municipal Ombudsman, addresses a variety of complaints regarding municipal affairs.

Types of complaints for a Municipal Ombudsman may include:

- Quality of service
- Council and Committees
- Conduct and conflict of interest
- Infrastructure
- Services
- Programs
- Administration of taxes and fees

Making a complaint to the Ontario Ombudsman is generally considered as the last resort. The public is encouraged to exhaust all available municipal complaint mechanisms before submitting a complaint to the Ombudsman.

Typically, the Ontario Ombudsman, functioning in a Municipal Ombudsman capacity, undertake the following steps in response to a complaint filed with its office:

- **Initial Review** – Each complaint will go through an initial review to determine if it falls within the Ombudsman’s jurisdiction.
- **Referrals** – If it is not within the Ombudsman’s jurisdiction, it will be referred accordingly.
- **Early Resolution** – When a complaint falls within the Ombudsman’s jurisdiction, the Ombudsman will attempt to resolve the complaints at the lowest level, including making informal inquiries and requests for information with the municipality in question.
- **Investigation** – If a resolution is not possible, the Ombudsman may decide to conduct an investigation. The Ombudsman will notify the municipality in question and may conduct interviews to gather information.
- **Findings and Report** – The investigator’s report contains the findings, either rejecting the complaint or making recommendation to the municipality and provides reasons for the decision.

Under section 223.13(7) of the MA, the Municipal Ombudsman does not have jurisdictions to investigate any decision, recommendation, act or omission:

- (a) when there is a right of appeal or objection to any court or tribunal, until that right of appeal or objection has been exercised, or the time for exercise of that right has expired; or
- (b) that is made by a legal advisor or counsel to the municipality.

Jurisdiction of the Ontario Ombudsman

Under sections 14(4.3) and 14(4.4) of the *Ombudsman Act*, the Ontario Ombudsman can also investigate a complaint if:

- (a) the matter was made to the municipal Ombudsman, or other accountability and transparency officer including the municipal-appointed Integrity Commissioner, Lobbyist Registrar and Auditor General, and he or she refused to investigate the matter, or conducted and concluded an investigation into the matter; or
- (b) the time, if any, for bringing a complaint respecting the matter to the municipal Ombudsman, or other municipal-appointed accountability and transparency officer, for investigation has expired.

Further, while the Ontario Ombudsman cannot redo or replace the investigation of municipal-appointed integrity commissioners or municipal ombudsmen, the Ontario Ombudsman can review the process they followed.

Municipal Ombudsman Models for Consideration

There are three Municipal Ombudsman models for Council’s consideration.

1. Rely on Ontario Ombudsman
2. Contracted Municipal Ombudsman Service
3. Standalone Municipal Ombudsman

The jurisdiction of the Municipal Ombudsman is legislated and governed by the MA and the *Ombudsman Act*, therefore, the model that Council decides to move forward does not change the duties and the nature of the position, or role of the Ontario Ombudsman regardless of the model followed.

The following table shows a high-level summary of the three Municipal Ombudsman models.

| Municipal Ombudsman Model | Annual Cost | Appointment Process |
|---|--|--|
| 1. Rely on Ontario Ombudsman | No cost | Default for municipalities that have not otherwise appointed or contracted a Municipal Ombudsman/Service |
| 2. Contracted Municipal Ombudsman Service | Approximately less than \$50,000 per year (based on benchmarking research) | Request for Proposal (RFP) |
| 3. Standalone Municipal Ombudsman | To be determined | Recruitment Process |

Ontario Ombudsman functions as Municipal Ombudsman (Status Quo)

The Ontario Ombudsman functions as the City's Municipal Ombudsman since 2016 with no cost to the City. This model is adopted by a majority of the benchmarked municipalities, including Peel, York, Mississauga, Hamilton, Ottawa, and Caledon.

In an effort to enhance accountability and transparency of the administration, staff are actively working to improve and strengthen the current public complaints process, including the creation of an enhanced public complaint policy and a website revamp of the complaint process with a one-stop shop access to various complaint mechanisms.

Contracted Municipal Ombudsman Service

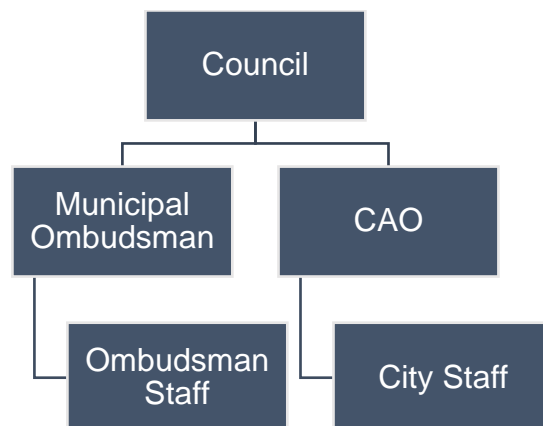
A municipality can obtain contracted municipal ombudsman services typically through an open Request for Proposal (RFP) process. A municipal ombudsman by-law is required to outline the duties of the municipal ombudsman, reporting structure, and other service contract-related details, such as the length of the contract. Based on the benchmarking research, Halton, Durham, Waterloo, Burlington, Whitby, Brock, and Clarington are some of the municipalities that use contracted ombudsman services. The estimated annual costs of this model would approximate be less than \$50,000, which covers a set administrative fee and additional costs associated to investigation(s), but would be entirely dependent on the volume of complaints which the contracted service received and processed.

Standalone Municipal Ombudsman Office

In a standalone ombudsman office model, Council would have the sole authority to appoint the Municipal Ombudsman through a recruitment process. The Municipal Ombudsman is an independent officer, accountable to Council as a whole. The ombudsman office would operate at arm's length from the City administration with full control over staffing and budget allocation. A municipal ombudsman by-law is required to outline the duties of the municipal ombudsman, reporting structure, and other related information.

City of Toronto is the only municipality that currently has a standalone ombudsman office (Ombudsman Toronto). This is a role created by the province as set out in the *City of Toronto Act, 2006*. In 2021, Ombudsman Toronto has an operating budget of \$2.271 million. The office has a staff complement of 14 positions, including the ombudsman, deputy ombudsman, team leads, investigators, outreach and communication coordinator, research consultant, analysts and administrative assistants.

For illustrative purposes, the reporting structure of a Municipal Ombudsman would look as follows:



The one-time set up cost and annual operating budget of a standalone Municipal Ombudsman model would depend on a number of factors, such as size of the team and office location.

Corporate Implications:

Financial Implications:

There are no current financial implications resulting from this report. Should Council decide to appoint a Municipal Ombudsman, staff will report back to Council regarding related financial implications based on the selected model.

Other Implications:

There are no other implications resulting from this report.

Term of Council Priorities:

This report achieves the Term of Council Priority of Brampton as a Well-Run City by providing information on the various Municipal Ombudsman models which falls within the realm of municipal accountability and transparency practices.

Conclusion:

Municipal Ombudsman is a discretionary position, who acts independently and reports to Council on investigation of “any decision or recommendation made or act done or omitted in the course of the administration of the municipality.” At the January 27, 2021 Council Meeting, Council requested staff to report back on the policies, governance, reporting structure, budget and independence of the Municipal Ombudsman for Council’s consideration. The Ontario Ombudsman currently functions as the City’s Municipal Ombudsman with no costs to the City. Council has the option to appoint a Municipal Ombudsman, either through a contracted service or by establishing a standalone Municipal Ombudsman office. Both options will have associated financial implications.

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Appendix A – Extract from *Municipal Act, 2001*, Sections 223.13 to 223.18 Ombudsman
Appendix B – Extract from *Ombudsman Act, 1990*, Section 14 Function of Ombudsman
Appendix C – Public Complaints Resolution Guideline
Appendix D – Municipal Benchmarking Research re: Municipal Ombudsman Model

Appendix A – Extract from *Municipal Act, 2001*, Sections 223.13 to 223.18 Ombudsman

Ombudsman

223.13 (1) Without limiting sections 9, 10 and 11, those sections authorize the municipality to appoint an Ombudsman who reports to council and whose function is to investigate in an independent manner any decision or recommendation made or act done or omitted in the course of the administration of the municipality, its local boards and such municipally-controlled corporations as the municipality may specify and affecting any person or body of persons in his, her or its personal capacity. 2006, c. 32, Sched. A, s. 98.

Powers and duties

(2) Subject to this Part, in carrying out the functions under subsection (1), the Ombudsman may exercise the powers and shall perform the duties assigned to him or her by the municipality. 2006, c. 32, Sched. A, s. 98.

Matters to which municipality is to have regard

(3) In appointing the Ombudsman and in assigning powers and duties to him or her, the municipality shall have regard to, among other matters, the importance of the matters listed in subsection (5). 2006, c. 32, Sched. A, s. 98.

Same, Ombudsman

(4) In carrying out his or her functions under subsection (1), the Ombudsman shall have regard to, among other matters, the importance of the matters listed in subsection (5). 2006, c. 32, Sched. A, s. 98.

Same

- (5) The matters referred to in subsections (3) and (4) are,
- (a) the Ombudsman's independence and impartiality;
 - (b) confidentiality with respect to the Ombudsman's activities; and
 - (c) the credibility of the Ombudsman's investigative process. 2006, c. 32, Sched. A, s. 98.

Powers paramount

(6) The powers conferred on the Ombudsman under this Part may be exercised despite any provision in any Act to the effect that any such decision, recommendation, act or omission is final, or that no appeal lies in respect of them, or that no proceeding or decision of the person or organization whose decision, recommendation, act or omission it is shall be challenged, reviewed, quashed or called in question. 2006, c. 32, Sched. A, s. 98.

Decisions not reviewable

(7) Nothing in this Part empowers the Ombudsman to investigate any decision, recommendation, act or omission,

- (a) in respect of which there is, under any Act, a right of appeal or objection, or a right to apply for a hearing or review, on the merits of the case to any court, or to any tribunal constituted by or under any Act, until that right of appeal or objection or application has been exercised in the particular case, or until after any time for the exercise of that right has expired; or
- (b) of any person acting as legal adviser to the municipality, a local board or a municipally-controlled corporation or acting as counsel to any of them in relation to any proceedings. 2006, c. 32, Sched. A, s. 98.

Delegation

(8) The Ombudsman may delegate in writing to any person, other than a member of council, any of the Ombudsman's powers and duties under this Part. 2006, c. 32, Sched. A, s. 98.

Same

(9) The Ombudsman may continue to exercise the delegated powers and duties, despite the delegation. 2006, c. 32, Sched. A, s. 98.

Status

(10) The Ombudsman is not required to be a municipal employee. 2006, c. 32, Sched. A, s. 98.

Investigation

223.14 (1) Every investigation by the Ombudsman shall be conducted in private. 2006, c. 32, Sched. A, s. 98.

Opportunity to make representations

(2) The Ombudsman may hear or obtain information from such persons as he or she thinks fit, and may make such inquiries as he or she thinks fit and it is not necessary for the Ombudsman to hold any hearing and no person is entitled as of right to be heard by the Ombudsman, but if at any time during the course of an investigation it appears to the Ombudsman that there may be sufficient grounds for him or her to make any report or recommendation that may adversely affect the municipality, a local board, a municipally-controlled corporation or any other person, the Ombudsman shall give him, her or it an opportunity to make representations respecting the adverse report or recommendation, either personally or by counsel. 2006, c. 32, Sched. A, s. 98.

Application of *Ombudsman Act*

(3) Section 19 of the *Ombudsman Act* applies to the exercise of powers and the performance of duties by the Ombudsman under this Part and, for the purpose, references in section 19 of that Act to “any public sector body” are deemed to be references to “the municipality, a local board or a municipally-controlled corporation”. 2014, c. 13, Sched. 9, s. 21.

(4) REPEALED: 2014, c. 13, Sched. 9, s. 21.

Duty of confidentiality

223.15 (1) Subject to subsection (2), the Ombudsman and every person acting under the instructions of the Ombudsman shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of his or her duties under this Part. 2006, c. 32, Sched. A, s. 98.

Disclosure

(2) The Ombudsman may disclose in any report made by him or her under this Part such matters as in the Ombudsman's opinion ought to be disclosed in order to establish grounds for his or her conclusions and recommendations. 2006, c. 32, Sched. A, s. 98.

Section prevails

(3) This section prevails over the *Municipal Freedom of Information and Protection of Privacy Act*. 2006, c. 32, Sched. A, s. 98.

No review, etc.

223.16 No proceeding of the Ombudsman under this Part shall be held bad for want of form, and, except on the ground of lack of jurisdiction, no proceeding or decision of the Ombudsman is liable to be challenged, reviewed, quashed or called in question in any court. 2006, c. 32, Sched. A, s. 98.

Testimony

223.17 (1) The Ombudsman and any person acting under the instructions of the Ombudsman shall not be called to give evidence in any court, or in any proceedings of a judicial nature, in respect of anything coming to his or her knowledge in the exercise of his or her functions under this Part. 2006, c. 32, Sched. A, s. 98.

Same

(2) Anything said or any information supplied or any document or thing produced by any person in the course of any investigation by or proceedings before the Ombudsman under this Part is privileged in the same manner as if the inquiry or proceedings were proceedings in a court. 2006, c. 32, Sched. A, s. 98.

Effect on other rights, etc.

223.18 The rights, remedies, powers, duties and procedures established under sections 223.13 to 223.17 are in addition to the provisions of any other Act or rule of law under which any remedy or right of appeal or objection is provided for any person, or any procedure is provided for the inquiry into or investigation of any matter, and nothing in this Part limits or affects any such remedy or right of appeal or objection or procedure. 2006, c. 32, Sched. A, s. 98.

Appendix B – Extract from *Ombudsman Act, 1990*, Section 14

Function of Ombudsman

Function of Ombudsman

14 (1) The function of the Ombudsman is to investigate any decision or recommendation made or any act done or omitted in the course of the administration of a public sector body and affecting any person or body of persons in his, her or its personal capacity. R.S.O. 1990, c. O.6, s. 14 (1); 2014, c. 13, Sched. 9, s. 6 (1).

Same, children's services

(1.1) In addition to the Ombudsman's function to conduct investigations under subsection (1), the Ombudsman may investigate,

- (a) any matter concerning a child with respect to a children's aid society service;
- (b) any matter concerning a child or young person with respect to a service, as defined in subsection 2 (1) of the *Child, Youth and Family Services Act, 2017*, provided by a residential licensee, including,
 - (i) a service provided by a residential licensee to a child who has been placed with the licensee by a children's aid society or another person or entity,
 - (ii) a service provided by a residential licensee to a child who has been committed to a secure treatment program pursuant to an order made under subsection 164 (1) or 167 (5) of the *Child, Youth and Family Services Act, 2017* or admitted to a secure treatment program under section 171 of that Act, and
 - (iii) a service provided by a residential licensee to a young person who is detained or committed to custody under the *Youth Criminal Justice Act* (Canada) or under the *Provincial Offences Act*; and
- (c) any other matter concerning a child or young person who is seeking or receiving a service prescribed by regulations made under clause (1.4) (a) that is provided or funded under the *Child, Youth and Family Services Act, 2017*, with respect to the service. 2018, c. 17, Sched. 28, s. 7.

Application to societies, licensees etc.

(1.2) For the purposes of conducting an investigation under subsection (1.1),

- (a) this Act applies to a children's aid society, a residential licensee or a person or entity that provides a service prescribed for the purposes of clause (1.1) (c), as the case may be, as if the society, the licensee, the person or the entity were a public sector body; and
- (b) a reference in this Act to the head of the society, the licensee, the person or the entity shall be read as a reference to its administrative head. 2018, c. 17, Sched. 28, s. 7.

Ombudsman, additional functions

(1.3) In addition to the Ombudsman's functions under subsections (1) and (1.1), the Ombudsman may perform a function that is prescribed by regulations made under clause (1.4) (b) respecting,

- (a) services provided or funded under the *Child, Youth and Family Services Act, 2017*; and
- (b) services provided to children who are pupils of schools established or continued under section 13 of the *Education Act, 2018*, c. 17, Sched. 28, s. 7.

Regulations

(1.4) The Lieutenant Governor in Council may make regulations,

- (a) prescribing services for the purposes of clause (1.1) (c);
- (b) prescribing functions for the purposes of subsection (1.3). 2018, c. 17, Sched. 28, s. 7.

Investigation on complaint

(2) The Ombudsman may make any such investigation on a complaint made to him or her by any person affected or by any member of the Assembly to whom a complaint is made by any person affected, or of the Ombudsman's own motion. R.S.O. 1990, c. O.6, s. 14 (2).

(2.1)-(2.6) REPEALED: 2014, c. 13, Sched. 9, s. 6 (2).

Powers paramount

(3) The powers conferred on the Ombudsman by this Act may be exercised despite any provision in any Act to the effect that any such decision, recommendation, act or omission is final, or that no appeal lies in respect thereof, or that no proceeding or decision of the person or body whose decision, recommendation, act or omission it is shall be challenged, reviewed, quashed or called in question. R.S.O. 1990, c. O.6, s. 14 (3); 2014, c. 13, Sched. 9, s. 6 (3).

Decisions not reviewable

(4) Nothing in this Act empowers the Ombudsman to investigate any decision, recommendation, act or omission,

- (a) in respect of which there is, under any Act, a right of appeal or objection, or a right to apply for a hearing or review, on the merits of the case to any court, or to any tribunal constituted by or under any Act, until that right of appeal or objection or application has been exercised in the particular case, or until after any time for the exercise of that right has expired;
- (a.1) in respect of which there is, under any by-law or resolution of a school board, a right of appeal or objection, or a right to apply for a hearing or review, on the merits of the case to a designated school board official or employee, or to a committee constituted by or under a by-law or resolution of the school board, until that right of appeal or objection or application has been exercised in the particular case, or until after any time for the exercise of that right has expired;

- (a.2) in respect of which there is, under any by-law or resolution of the governing body or senate of a university, a right of appeal or objection, or a right to apply for a hearing or review, on the merits of the case to a designated university official or employee, or to a committee or tribunal constituted by or under a by-law or resolution of the governing body or senate, until that right of appeal or objection or application has been exercised in the particular case, or until after any time for the exercise of that right has expired;
- (b) of any person acting as legal adviser to the public sector body or as counsel to the public sector body in relation to any proceedings, or, in the case of a public sector body that is a governmental organization, a legal adviser or counsel to the Crown. R.S.O. 1990, c. O.6, s. 14 (4); 2014, c. 13, Sched. 9, s. 6 (4-6).

Same

(4.1) For greater certainty, clause (4) (a) includes rights established under by-laws made by a municipal sector entity under any Act. 2014, c. 13, Sched. 9, s. 6 (7).

Municipal Ombudsman, Toronto

(4.2) Nothing in this Act empowers the Ombudsman to investigate a complaint respecting any decision, recommendation, act or omission that is within the jurisdiction of the municipal Ombudsman for the City of Toronto. 2014, c. 13, Sched. 9, s. 6 (7).

Same, other municipalities

(4.3) Nothing in this Act empowers the Ombudsman to investigate a complaint respecting any decision, recommendation, act or omission that is within the jurisdiction of any other municipal Ombudsman unless,

- (a) a complaint respecting the matter was made to the municipal Ombudsman and he or she refused to investigate the matter, or conducted and concluded an investigation into the matter; or
- (b) the time, if any, for bringing a complaint respecting the matter to the municipal Ombudsman for investigation has expired. 2014, c. 13, Sched. 9, s. 6 (7).

Other municipal matters

(4.4) Subsection (4.3) applies with necessary modifications in respect of a matter that is within the jurisdiction of,

- (a) an Integrity Commissioner, registrar or Auditor General appointed under Part V.1 of the *Municipal Act, 2001*; or
- (b) an Integrity Commissioner, registrar or Auditor General appointed under Part V of the *City of Toronto Act, 2006*. 2014, c. 13, Sched. 9, s. 6 (7).

Investigation on own motion

(4.5) For greater certainty, subsections (4.2), (4.3) and (4.4) do not affect the Ombudsman's ability under subsection (2) to investigate on his or her own motion. 2014, c. 13, Sched. 9, s. 6 (7).

Matters excluded from investigation

(4.6) Despite subsection (1.1), the Ombudsman shall not investigate the following matters under that subsection:

1. Child deaths that fall within the jurisdiction of the Office of the Chief Coroner or of any committees that report to the Office of the Chief Coroner.
2. Any other matter prescribed by regulations made under subsection (4.7). 2018, c. 17, Sched. 28, s. 7.

Regulations

(4.7) The Lieutenant Governor in Council may make regulations prescribing matters for the purposes of paragraph 2 of subsection (4.6). 2018, c. 17, Sched. 28, s. 7.

Application to determine jurisdiction

(5) If any question arises whether the Ombudsman has jurisdiction to investigate any case or class of cases under this Act, the Ombudsman or any person who is directly affected may apply to the Divisional Court for a declaratory order determining the question. 2014, c. 13, Sched. 9, s. 6 (8).

Obligations of societies and licensees

14.0.1 (1) A children's aid society or residential licensee, as the case may be, shall inform a child in care, in language suitable to his or her understanding, of the existence of the Ombudsman, of the Ombudsman's functions under subsections 14 (1.1) and (1.3) and of how the Ombudsman may be contacted. 2018, c. 17, Sched. 28, s. 8.

Same

(2) A children's aid society or residential licensee, as the case may be, shall afford a child in care who wishes to contact the Ombudsman with the means to do so privately and without delay. 2018, c. 17, Sched. 28, s. 8.

Same

(3) Children's aid societies and residential licensees shall, without unreasonable delay, provide the Ombudsman with private access to children in care who wish to meet with the Ombudsman. 2018, c. 17, Sched. 28, s. 8.

Same

(4) Children's aid societies and residential licensees shall,

- (a) prominently display at their premises, in a manner visible to persons receiving services, a notice advising of the existence and role of the Ombudsman under subsections 14 (1.1) and (1.3) and of how the Ombudsman may be contacted; and
- (b) make available on request any informational materials produced by the Ombudsman respecting his or her functions under those subsections. 2018, c. 17, Sched. 28, s. 8.

Child in care

(5) In this section,

"child in care" has the same meaning as in subsection 2 (1) of the *Child, Youth and Family Services Act, 2017*. 2018, c. 17, Sched. 28, s. 8.

Specific powers of investigation re municipalities, local boards

14.1 (1) This section applies in the circumstances described in clause 239.1 (b) of the *Municipal Act, 2001* or clause 190.1 (1) (b) of the *City of Toronto Act, 2006*, as the case may be. 2014, c. 13, Sched. 9, s. 7 (1).

Definition

(2) In this section,

"local board" means,

- (a) when used in relation to a municipality other than the City of Toronto, a local board as defined in subsection 238 (1) of the *Municipal Act, 2001*; and
- (b) when used in relation to the City of Toronto, a local board as defined in subsection 3 (1) of the *City of Toronto Act, 2006* to which section 189 of that Act applies. 2014, c. 13, Sched. 9, s. 7 (1).

Investigation by Ombudsman

(3) If a person makes a request under clause 239.1 (b) of the *Municipal Act, 2001* or clause 190.1 (1) (b) of the *City of Toronto Act, 2006*, the Ombudsman may, as the case may be, investigate,

- (a) whether a municipality or local board of a municipality has complied with section 239 of the *Municipal Act, 2001* or a procedure by-law under subsection 238 (2) of that Act in respect of a meeting or part of a meeting that was closed to the public; or
- (b) whether the City of Toronto or a local board of the City has complied with section 190 of the *City of Toronto Act, 2006* or a procedure by-law under subsection 189 (2) of that Act in respect of a meeting or part of a meeting that was closed to the public. 2014, c. 13, Sched. 9, s. 7 (1).

Application of Act

(4) Subject to subsection (5), this Act applies to an investigation under subsection (3). 2014, c. 13, Sched. 9, s. 7 (1).

Exceptions

(5) Subsections 14 (4) and 18 (5.1), sections 20 and 21 and subsections 22 (1) and 25 (3) and (4) do not apply to an investigation under subsection (3). 2014, c. 13, Sched. 9, s. 7 (1); 2014, c. 13, Sched. 9, s. 7 (2).

Interpretation

(6) For the purposes of subsection (4), the remaining provisions of this Act apply with necessary modifications to a municipality or local board as if it were a public sector body that is a municipal sector entity. 2014, c. 13, Sched. 9, s. 7 (3).

Report and recommendations

(7) If, after completing an investigation under subsection (3), the Ombudsman is of opinion that the meeting or part of the meeting that was the subject-matter of the investigation appears to have been closed to the public contrary to section 239 of the *Municipal Act, 2001* or to a procedure by-law under subsection 238 (2) of that Act or contrary to section 190 of the *City of Toronto Act, 2006* or to a procedure by-law under subsection 189 (2) of that Act, as the case may be, the Ombudsman shall report his or her opinion, and the reasons for it, to the municipality or local board, as the case may be, and may make such recommendations as he or she thinks fit. 2014, c. 13, Sched. 9, s. 7 (1).

Reports to be public

(8) The municipality or local board shall ensure that reports received under subsection (7) by the municipality or local board, as the case may be, are made available to the public. 2014, c. 13, Sched. 9, s. 7 (1).

Ombudsman may publish report

(9) The Ombudsman may, after making a report under subsection (7), publish the report or otherwise make it available to the public. 2014, c. 13, Sched. 9, s. 7 (1).

Appendix C - PUBLIC COMPLAINTS RESOLUTION GUIDELINE

PURPOSE:

To provide a standardized, accessible, and efficient mechanism for resolving public complaints regarding alleged misconduct by City staff.

SCOPE:

This guideline applies to any member of the public who has a complaint respecting alleged misconduct by an employee or employees of The Corporation of the City of Brampton, provided that the member of the public has been directly affected by such alleged misconduct (the “Complainant”). The guideline will apply to full time, part-time, temporary and contract staff. In appropriate circumstances, complaints relating to City volunteers and contractors may also be addressed under this guideline. The complaint must be filed in accordance with the time limitations set out in this guideline. Staff behavior that is of concern to the Complainant, but which is outside of the control of the employee, such as service levels, resource allocations or departmental policies, will not be addressed under this guideline. This guideline is not intended to replace other specific City programs and legal processes available to address the Complainant’s concerns, nor is it intended to serve as a venue for harassment of City employees. Any complaints related to personal information privacy matters and/or the handling of personal information are to be forwarded to the City Clerk, in a timely manner, for assessment and investigation.

PROCEDURE:

The following procedure will be followed should a complaint be made respecting the alleged misconduct of a City employee(s).

1. Informal Resolution Stage

- a) Less serious complaints about an employee’s conduct may be resolved by way of an informal resolution. When a Complainant makes a complaint alleging misconduct by an employee(s) of the City, the matter will be referred to the applicable Manager of the work area in which the City staff member is employed. Less serious complaints about a Director’s conduct will be referred to the applicable Commissioner for the work area. Less serious complaints about a Commissioner’s conduct, will be referred to the City Manager, and less serious complaints about the City Manager’s conduct, will be referred to the Mayor. In the circumstance where a complaint is referred to the Mayor, the Mayor may choose to delegate the responsibility to process the complaint to the City Solicitor or to the Director of Human Resources. The City Solicitor and/or the Director of Human Resources will report directly to the Mayor, when acting as his/her delegate under this guideline. Hereinafter the City official designated to address the complaint shall be referred to as the Designated City Official.

PUBLIC COMPLAINTS RESOLUTION GUIDELINE

Brief details concerning the complaint, together with the Complainant's name and contact information, will be documented by the staff member and/or Designated City Official who is first notified of the issue. The Complainant will be advised that a Designated City Official will contact him/her within five (5) working days. The Designated City Official will contact the Complainant and, within ten (10) working days, will attempt to resolve the issue informally through discussion with the Complainant and by appropriate follow-up with the subject employee(s).

- b) In the event that the matter has not been resolved to the satisfaction of the Complainant at the Informal Resolution Stage, the Complainant will be advised in writing, that if the Complainant wants the complaint to be processed through the formal complaint process, then the Complainant must submit a complete written complaint to the Designated City Official, within ten (10) working days of receiving the City's informal resolution response.
- c) The recipient of the formal complaint will forward a copy of the written complaint to the City Solicitor, for tracking purposes, immediately upon receipt of same.

2. Formal Complaint

2.1 Format of Complaint

Formal complaints must be in writing and must identify the name and full contact particulars of the Complainant. Complaints that are anonymous will not be accepted.

The Complainant may be asked to provide additional written details, supporting documentation, and records concerning the complaint before the investigation can be commenced.

The complaint may be submitted in the form of a letter, or in accordance with the attached format (Attachment "A").

2.2 Time Limitations

In order to achieve due process, a complaint must be made in a timely fashion - generally within two weeks of the alleged event, but in any case, not later than thirty (30) days after the facts on which it is based became known, or reasonably ought to have become known, to the Complainant. The Complainant must abide by the time limitations set out in this guideline. These time limitations may only be extended when, in the opinion of the Designated City Official, circumstances exist to reasonably justify the extension.

The Designated City Official will also adhere to the timelines set out in this guideline unless circumstances exist to reasonably justify a delay. In the event that a delay becomes necessary, the Complainant and subject employee(s) shall be notified in writing of the reason for delay and will be advised of the date when the response will

PUBLIC COMPLAINTS RESOLUTION GUIDELINE

be forthcoming. A copy of the notification will be provided to the applicable Commissioner and to the City Solicitor for tracking purposes.

2.3 Process

- a) When a complaint is advanced to the Formal Complaint Stage, the Designated City Official will first make a determination whether the issue properly falls within the scope of this guideline. The Designated City Official will determine whether
- the Complainant is alleging misconduct by an employee(s) of the Corporation; and
 - the Complainant has been directly affected by the employee's conduct; and
 - the complaint has been filed within two weeks of and not later than thirty (30) days after the facts on which it is based became known, or reasonably ought to have become known, to the Complainant (or whether reasonable circumstances exist to justify the delay in submitting the complaint); or
 - the complaint is frivolous, vexatious, trivial or made in bad faith, or
 - this guideline is the appropriate venue through which to consider the complaint, as opposed to any other parallel process that may be underway, regarding the alleged event that lead to the complaint. (Upon request, where possible, the City Solicitor will provide information, assistance and legal advice to the Designated City Official, regarding other ongoing parallel processes that the City Solicitor's office may be aware of, relating to the incident that gave rise to the complaint.)

In the event that the Designated City Official declines to investigate the formal complaint under this guideline because of his/her determination of any of the matters set out above, then written notification of the determination not to proceed will be provided to the Complainant within ten (10) working days of receipt of the complaint. The notification will advise the Complainant of the determination made. A copy of the complaint and a copy of the letter to the Complainant regarding the determination not to proceed will also be provided to the subject employee.

A copy of the notification of the decision not to proceed will be provided to the City Solicitor, with a copy to the applicable Commissioner for the subject employee's work area. The City Solicitor's office will accept the determination and will record the information for tracking purposes.

- b) Subject to a) above, the Designated City Official will commence a full investigation and will, at a minimum, meet with the Complainant and the subject employee(s) independently. The Designated City Official will attempt to ensure that as much information has been obtained as possible and will obtain and review any applicable background documents or records. In the event that the meeting with the Complainant yields additional concern(s) that are not directly related to the original written complaint filed, the Complainant may be asked to submit a separate written complaint(s) with respect to such additional concern(s). When

PUBLIC COMPLAINTS RESOLUTION GUIDELINE

dealing with a complaint of a very serious nature, the City Solicitor and/or the Director of Human Resources will assist by managing the investigation.

- c) The subject employee(s) will be provided with a copy of the written complaint(s) (or the portion(s) of the complaint that relates to him/her) and will be given the opportunity to address every allegation made against him/her orally and/or in writing. Union/Association representation and/or representation by legal counsel will be permitted in accordance with clause 7 below. The Designated City Official may also review additional documentary information and will meet with other individuals or witnesses, who have relevant information regarding matter(s) under investigation.
- d) The Designated City Official will provide a written response concerning the complaint, setting out his/her decision and, where appropriate, the reasons therefore, to the Complainant and subject employee(s) with a copy to the applicable Commissioner for the section/division, within thirty (30) working days of receipt of the complaint.
- e) A copy of the written response will be forwarded forthwith, to the City Solicitor for tracking purposes.
- f) In some instances, where the alleged misconduct is of a serious nature, a third party may be retained by the City Solicitor's office to review the matter, to conduct an independent investigation, to prepare a written report and to make recommendations to City Council regarding the matter. The third party investigation report and its recommendations will be presented to City Council for its consideration. City Council's decision regarding the investigation will be final and binding, except where the employee has further rights under legislation or common law. Where appropriate, Council's direction will be recorded by the City Solicitor, for tracking purposes and where appropriate, the Complainant and the subject employee will be advised of the City Council's decision within 30 days of the receipt of the formal complaint. If the third party investigator requires additional time to complete the investigation and the report, the Complainant and the subject employee will be advised in writing within the said 30 days, of the status of the complaint and of the anticipated completion date.
- g) In the case of investigations that do not require a third party investigation, the Designated City Official will provide a written response concerning the complaint, setting out his/her decision and, where appropriate, the reasons therefore. The written response will be provided to the Complainant and to the subject employee(s) within 30 working days of receipt of the formal complaint request. If the City Official investigating the matter requires additional time to investigate the complaint, the Complainant and the subject employee will be advised in writing, within 30 days of receipt of the formal complaint, of the status of the complaint and of the anticipated completion date.

PUBLIC COMPLAINTS RESOLUTION GUIDELINE

- h) A copy of the written response from the Designated City Official will be forwarded forthwith to the City Solicitor for tracking purposes.

3. Expediting Process

In the event that a complaint is received that relates to a very serious matter (i.e. involving a threat to health, safety or property), and the Designated City Official determines that the matters involved would increase the possibility of imminent damage or injury if not addressed immediately, then the complaint will be expedited and will be processed immediately by the applicable Commissioner for the subject employee's work area, with notice to the City Manager, and where appropriate, to the subject employee, and the Complainant. The City Solicitor will receive a copy of the notice of determination for tracking purposes.

4. Complaints Alleging Misconduct by Decision-Makers under the Guideline

In the event that a complaint arises alleging misconduct on the part of a decision-maker under this guideline, the process set out in this guideline will be applied. For clarification however, a formal complaint received regarding the exercise of judgment by management staff in accordance with and as required by this complaint resolution mechanism will not in itself constitute misconduct by such management staff and therefore will not result in an investigation under this guideline.

5. Complaints Relating to Multiple Departments

In the event that a complaint contains allegations relating to employees of more than one City Department, separate investigations may be conducted and the Designated City Official for each Department may be required to provide separate responses to the Complainant. If required, the City Solicitor and/or the Director of Human Resources will assist to coordinate the separate investigations and individual responses by each Department. A complaint relating to more than one division/section within a single City Department will likely be addressed through a single investigation and response.

6. Mediation Alternative

With the consent of the Complainant and the subject employee(s), the Designated City Official may refer a complaint to mediation. The City's Human Resources Division will recommend a mediator from the list of mediators it maintains. Where the complaint involves a unionized employee, when selecting the mediator, City Human Resources Staff will give due consideration to the names of mediators recommended by the Union. In the event that the mediation is successful, the resolution will be documented and signed off by the Complainant and subject employee(s) and the matter will be considered resolved. A copy of the resolution notice will be forwarded to the City Solicitor for tracking purposes.

PUBLIC COMPLAINTS RESOLUTION GUIDELINE

In the event that the mediation is unsuccessful, the mediator will refer the matter back to the Designated City Official, the Designated City Official will continue to process the investigation in accordance with this guideline, and will issue an applicable notice to the City Solicitor for tracking purposes, advising that the mediation was unsuccessful.

7. Staff Representation at Investigation Meeting(s)

Union/Association representation and/or legal representation of the subject employee will be permitted at investigation meetings held with the employee. In the case of a complaint against a unionized employee, upon consent of the subject employee, relevant documentation relating to the complaint will be provided to the employee's Union/Association. Investigations regarding unionized employees will be conducted in accordance with applicable collective agreement provisions. The rules of natural justice and procedural fairness will apply to all investigations conducted regarding union and/or non-union staff.

8. Parallel Processes

Due to the restricted scope of this guideline, it is not anticipated that multiple internal and external processes associated with a matter referred to in a formal complaint will be initiated with respect to any single incident/occurrence. In the event that such a situation arises, the City Solicitor will make a determination concerning which process will govern the City's involvement. The City Solicitor will make such determination while having due regard for collective agreement provisions, all applicable legislative and common law processes and other specific City policies and procedures.

In the event that an external legal process (i.e. a civil law suit, a criminal investigation, a human rights complaint) has been initiated by either the Complainant or the subject employee, or the Corporation, or, if such action is anticipated with respect to a formal complaint that has been filed under this guideline, then the City Solicitor will determine whether this process will be placed in abeyance. Notwithstanding the initiation of such external legal process, the Corporation retains the right to continue with its own independent internal investigation concerning the incident/occurrence referred to in the formal complaint and to take appropriate action in relation to the incident/occurrence.

Public complaints related to Provincial Offences Court Administration and Prosecution will be addressed under this guideline, where appropriate. The Director of Council and Administrative Services, Management and Administrative Services will ensure that the requirements of the City's Memorandum of Understanding with the Ministry of the Attorney General, for the Province of Ontario, are also addressed and where required by the Memorandum of Understanding, will refer matters related to Court Adjudication to the Regional Senior Justice of the Peace and the Local Administrative Justice of the Peace with notice to the Complainant and the subject employee. A copy of the notice will also be provided to the City Solicitor for tracking purposes.

PUBLIC COMPLAINTS RESOLUTION GUIDELINE

9. Withdrawal of Complaint

A Complainant may withdraw his/her complaint at any time; notwithstanding, the Corporation may continue to deal with the complaint if it considers it appropriate to do so. For tracking purposes, the City Solicitor will be notified that the complaint has been withdrawn and will be advised by the Designated City Official whether the investigation will continue nonetheless.

10. Confidentiality

The public complaint resolution mechanism will be handled in as confidential a manner as possible. Complainants, respondents and witnesses will be advised to maintain confidentiality concerning complaints or incidents.

11. Tracking of Complaints

The complaint, response letters, notices and advancements produced through this guideline will be tracked by the City Solicitor. The designated City Official will maintain all original documentation related to the investigation. This documentation will not form a part of the employee(s) file of reference but may be used to support the imposition of discipline or other corrective action, including being used as evidence in proceedings challenging such action. The City Solicitor will provide a summary of the nature and type of tracked complaints to City Council on an annual basis.

All records are subject to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act* and may be subject to disclosure under the Act or to a court of law.

ACCOUNTABILITY:

The guideline will apply to full time, part-time, temporary and contract staff of the Corporation. In appropriate circumstances, complaints relating to City volunteers and contractors may also be addressed under this guideline.

Management staff is accountable to ensure adherence to this guideline.

Versions

| | |
|---------------|--|
| May 30, 2007 | Corporate Services Division – P.W. |
| April 2, 2013 | City Clerk's Office – P.F. (personal information privacy complaint reference update) |

PUBLIC COMPLAINTS FORM - CITY OF BRAMPTON

INSTRUCTIONS:

PRINT CLEARLY

1. IF YOU WISH TO LODGE A COMPLAINT, YOU MAY WRITE YOUR OWN LETTER OR USE THIS FORM. THE COMPLAINT MUST BE REPORTED WITHIN THIRTY DAYS OF THE INCIDENT.
2. PLEASE COMPLETE AS MANY AREAS AS YOU CAN AND PROVIDE AS MUCH DETAIL AND INFORMATION AS POSSIBLE.
3. IN ORDER TO HAVE THE COMPLAINT PROCESSED, YOU MUST BE DIRECTLY AFFECTED BY THE EMPLOYEE'S CONDUCT.
4. THE *CITY'S GUIDELINE* REQUIRES THAT YOU, AS THE COMPLAINANT, PROVIDE FULL CONTACT INFORMATION INCLUDING YOUR FULL NAME AND ADDRESS.

Last Name of Complainant

First Name

Initial

Address (home)

City/Province

Postal Code

Telephone No.:

Fax No.:

Address (business or alternate location where you can be contacted)

City/Province

Postal Code

Telephone No.:

Fax No.:

E-mail

COMPLAINT DETAILS

Date of Incident (DD/MM/YY) _____

Time of Incident: _____ Location of Incident: _____

Date reported (DD/MM/YY) _____

Please complete the following sentence. *I am complaining that...*

[illegible]

| |
|--|
| PUBLIC COMPLAINTS FORM - CITY OF BRAMPTON CONTINUED |
|--|

PHYSICAL/DOCUMENTARY EVIDENCE

Are you including any photographs or other evidence to support your complaint? If yes, please list below.

Is an Interpreter required? If yes, Language:

Signature of Complainant

Date:

| |
|--|
| PUBLIC COMPLAINTS FORM - CITY OF BRAMPTON CONTINUED |
|--|

| |
|--|
| TO BE COMPLETED BY MANAGEMENT STAFF RECEIVING COMPLAINT |
|--|

Complaint received by:

Dated: _____

Complaint received by: Letter In Person Fax Email

Confirm receipt of evidence supplied by complainant: No Yes

Copy of completed complaint provided to complainant: No Yes

INFORMAL RESOLUTION DISCUSSED: No Yes

Particulars:

Preliminary complaint classification by Manager/Director/Commissioner/City Manager/Mayor:
(Section 2.3 a) of Guidelines)

The personal information on this form is collected and disclosed under the authority of the *Municipal Act, S.O 2001, c.25*, and will be used for the purpose of investigating the complaint referenced herein. Questions about the collection of personal information should be directed to the City Clerk's Office, Freedom of Information and Privacy Coordinator, 2 Wellington Street W, Brampton, ON., L6Y 4R2.

Form Prepared: May30, 2007 (Corporate Services Department -.PW)

Appendix D – Municipal Benchmarking Research re: Municipal Ombudsman Model

| Municipality | Ombudsman Model | Estimated Annual Costs | When was the Municipal Ombudsman hired / contracted? | Reference |
|---------------------------|--|----------------------------------|--|--|
| 1. City of Burlington | Contracted service – ADR Chambers | Less than \$50k | December 2015 | https://www.burlington.ca/en/your-city/office-of-the-ombudsman.asp |
| 2. City of Cambridge | Ontario Ombudsman | N/A | N/A | https://www.cambridge.ca/en/learn-about/ombudsman.aspx |
| 3. City of Guelph | Ontario Ombudsman | N/A | N/A | N/A |
| 4. City of Hamilton | Ontario Ombudsman | N/A | N/A | N/A |
| 5. City of Kitchener | Ontario Ombudsman | N/A | N/A | N/A |
| 6. City of London | Ontario Ombudsman | N/A | N/A | N/A |
| 7. City of Mississauga | Ontario Ombudsman | N/A | N/A | https://www.mississauga.ca/contact-us/make-a-complaint/ |
| 8. City of Ottawa | Ontario Ombudsman | N/A | N/A | https://ottawa.ca/en/city-hall/open-transparent-and-accountable-government |
| 9. City of St. Catharines | Ontario Ombudsman | N/A | N/A | https://www.stcatharines.ca/en/governin/Accountability_and_Transparency.asp |
| 10. City of Toronto | Standalone Municipal Ombudsman | \$2.271 million (2021 budget) | 2008 | https://www.ombudsmantoronto.ca/ http://www.toronto.ca/legdocs/mmis/2021/bu/bgrd/backgroundfile-159969.pdf |
| 11. City of Vaughan | Ontario Ombudsman | N/A | N/A | N/A |
| 12. City of Waterloo | Contracted service – Agree Incorporated | N/A | 2016 | Waterloo Area Municipal Ombuds Office https://civicombuds.ca/ |
| 13. City of Windsor | Ontario Ombudsman | N/A | N/A | N/A |
| 14. County of Elgin | Contracted service – Independent Resolutions Inc. | Budget information not available | 2018 | https://www.elgincounty.ca/council/accounability/ |

| Municipality | Ombudsman Model | Estimated Annual Costs | When was the Municipal Ombudsman hired / contracted? | Reference |
|---|--|----------------------------------|--|---|
| 15. County of Middlesex | Contracted service – Independent Resolutions Inc. | Budget information not available | 2018 | N/A |
| 16. Municipality of Clarington | Contracted service – ADR Chambers | Budget information not available | 2016 | https://www.clarington.net/en/town-hall/transparency-and-accountability.asp |
| 17. Municipality of Southwest Middlesex | Contracted service – Aird & Berlis LLP | Budget information not available | 2020 | https://www.southwestmiddlesex.ca/Public/Mayor-and-Council |
| 18. Region of Durham | Contracted service – ADR Chambers | Budget information not available | 2016 | https://www.durham.ca/en/regional-government/accountability-and-transparency.aspx#Municipal-Ombudsman |
| 19. Region of Halton | Contracted service – ADR Chambers | Less than \$50k | December 2015 | https://www.halton.ca/The-Region/Accountability-and-Transparency/Office-of-the-Ombudsman |
| 20. Region of Peel | Ontario Ombudsman | N/A | N/A | https://www.peelregion.ca/regional-government/accountability/#ombudsman |
| 21. Region of Waterloo | Contracted service – Agree Incorporated | Budget information not available | 2016 | Waterloo Area Municipal Ombuds Office https://civicombuds.ca/ |
| 22. Region of York | Ontario Ombudsman | N/A | N/A | N/A |
| 23. Town of Ajax | Ontario Ombudsman | N/A | N/A | N/A |
| 24. Town of Brock | Contracted service – ADR Chambers | Budget information not available | 2016 | https://www.townshipofbrock.ca/en/municipal-office/ombudsman.aspx |
| 25. Town of Caledon | Ontario Ombudsman | N/A | N/A | https://www.caledon.ca/en/government/accountability-and-transparency.aspx |
| 26. Town of Oakville | Ontario Ombudsman | N/A | N/A | https://www.oakville.ca/ombudsman.html |

| Municipality | Ombudsman Model | Estimated Annual Costs | When was the Municipal Ombudsman hired / contracted? | Reference |
|--------------------------|--|----------------------------------|--|---|
| 27. Town of Whitby | Contracted service – ADR Chambers | Budget information not available | 2016 | https://www.whitby.ca/en/town-hall/accountability-and-transparency.aspx |
| 28. Township of Wilmot | Contracted service – Agree Incorporated | Budget information not available | 2016 | Waterloo Area Municipal Ombuds Office https://civcombuds.ca/ |
| 29. Township of Wollwick | Contracted service – Agree Incorporated | Budget information not available | 2016 | Waterloo Area Municipal Ombuds Office https://civcombuds.ca/ |
| 30. Wellington County | Ontario Ombudsman | N/A | N/A | N/A |

Date: 2021-04-28

Subject: Analysis of Adopting an Auditor General Model

Contact: Maciej Jurczyk, Sr. Manager, Business Improvement & Innovation (maciej.jurczyk@brampton.ca)

Report Number: CAO's Office-2021-321

Recommendations:

That the report titled: “**Analysis of Adopting an Auditor General Model**” to the Committee of Council on April 28, 2021, be received.

Overview:

- **The purpose of this report is to address Resolution C028-2021 from the Council meeting on January 27, 2021 related to an Auditor General:**
 - “That the City of Brampton Council request staff to investigate the formation of a City of Brampton’s Office of the Municipal Ombudsman and Auditor General, reporting directly to Council”; and
 - “That staff report back to Council on the policies, governance, reporting structure, budget, and independence of the Municipal Ombudsman and Auditor General, including a comparison with other similar municipalities, and the various options for provision of the Ombudsman service, for Council’s consideration.”
- **Report #2021-463 from Legislative Services addresses the portion of Council’s motion related to a Municipal Ombudsman.**
- **On Dec 13, 2017, Council previously received a report titled: “Analysis of Establishing a Permanent and Independent Auditor General”. Council adopted motion #C388-2017:**
 - That the report from CAO and Commissioner of Corporate Services dated November 5, 2017 to the Audit Committee meeting of November 20, 2017, re: Analysis of Establishing a Permanent and Independent Auditor General, be received;
 - “That the current audit structure be maintained given the increased independence, transparency and collaboration.”

Background:

On January 27, 2021 Council requested staff to prepare a report to “*investigate the formation of a City of Brampton’s Office of the Municipal Ombudsman and Auditor General, reporting directly to Council*” and “*that staff report back to Council on the policies, governance, reporting structure, budget, and independence of the Municipal Ombudsman and Auditor General, including a comparison with other similar municipalities, and the various options for provision of the Ombudsman service, for Council’s consideration*”. The purpose of this report is to analyze and report back to Council regarding an Auditor General model for Brampton. A separate report from Legislative Services addresses the portion of Council’s motion related to a Municipal Ombudsman.

The City of Brampton has employed an Internal Audit function since 1987 that reports administratively to the Chief Administrative Officer (CAO) and all audit reports (open and in camera) will be presented to the Audit Committee for their review quarterly. This function’s objective is to provide “independent, objective assurance, and consulting services designed to add value to and improve the City of Brampton’s operations.” The Internal Audit Charter and Audit Committee Terms of Reference were most recently reviewed and approved by the Audit Committee on [September 8, 2020](#) and approved by Council on [Sept 16, 2020](#).

The formation of an Auditor General within Brampton was previously considered by Council in [2017](#) with the following motion under-taken: “*That the current audit structure be maintained given the increased independence, transparency and collaboration*”. Previously to this in December 2014, through Resolution C327-2014, Council appointed Mr. Jim McCarter, as an Interim Auditor-General, for the purpose of reviewing the City’s fiscal state.

Current Situation:

Staff has undertaken the following research in preparing this report:

- Reviewing the Municipal Act, section [223](#) titled: “Accountability & Transparency”;
- Review of the [Ontario Ombudsman’s Report](#), dated March 6, 2017;
- Review of Internal Audit functions and Auditor General models in other Ontario municipalities.

The following facts were ascertained from research into the Municipal Act:

- All municipalities are required to receive an external audit of their financial statements (see section [296](#));
- A specific internal audit model is not prescribed in the legislation;
- Municipalities are permitted to appoint an independent Auditor General (see section [223.19](#)).

The following facts were ascertained from research of other Ontario municipalities:

- Two municipalities have an office of the Auditor General (City of Ottawa and City of Sudbury);

- City of Toronto has both an internal audit function and an Auditor General. Legislatively through the City of Toronto Act, Section 177; Toronto is required to have the Auditor General.
- City of Hamilton has a hybrid model whereby the Director of Internal Audit is also the Auditor General.
- City of Markham and City of Windsor have an outsourced model whereby third-party consultants (MNP LLP & PWC, respectively) perform their Auditor General services.

As of 2021, the following municipalities have internal audit functions:

| | | | |
|---------------------|---------------------------------|--------------------------------|-----------------------------------|
| City of Mississauga | City of Kitchener | City of Toronto | Region of Halton |
| City of Vaughan | City of Thunder Bay | City of Hamilton | Region of Peel |
| City of Barrie | City of Guelph | City of Pickering | Region of York |
| City of Oakville | City of London (outsourced) | City of Oshawa (outsourced) | Region of Durham |
| City of Burlington | City of Windsor (outsourced) | Region of Waterloo | Region of Niagara (outsourced) |

The following information about Ontario Auditor Generals was identified for comparative purposes:

| City Name | Single/Lower/ Upper Tier | 2020 Total Budget | 2020 Total Budget as % of operating budget | 2020 Labour | 2019 vs. 2020 YOY change | Total FTE | # of completed audits in 2020 | Reports to | Other responsibilities |
|---|--------------------------------|----------------------|--|----------------|-----------------------------|-----------|---|---|---|
| City of Toronto | Single | \$6,700,800 | 0.050% | \$6,184,300 | 0.9% | 32 | 7 (normally 13-14; lower in 2020 due to pandemic) | Council | 'Fraud & Waste Hotline' |
| City of Greater Sudbury | Single | \$394,713 | 0.064% | \$351,455 | 3.1% | 2 | 3 | Council | 'Wrongdoing Hotline' |
| City of Ottawa | Single | \$2,096,000 | 0.056% | \$1,402,000 | 6.2% | 9 | 5 | Council | 'Fraud & Waste Hotline' |
| City of Hamilton | Single | \$1,138,750 | 0.062% | N/A | 0.8% | 7 | 10 | City Manager and Audit Committee | 'Fraud, Waste, and Whistleblower Hotline' |
| City of Markham | Lower | \$152,640 | 0.063% | 0 | 0.0% | 0 | 1 | General Committee | |
| City of Windsor | Single | \$300,000 | 0.035% | 0 | 0.0% | 0 | 2 | Council & Corporate Services Cmte | |
| City of Brampton (for comparison only) | Lower | \$1,223,000 | 0.162% | 1,067,142 | 9.1% | 8 | 13 | CAO & Audit Committee | Corporate Fraud Hotline |

Other Canadian municipalities that have an Auditor General include: Halifax, Montreal and Vancouver most recently as of [Nov 4, 2020](#) (in this case, Vancouver's Council opted to retain their Internal Audit staff of five to compliment the work of the new Auditor General). Other Canadian municipalities that have an internal audit function include: Calgary, Edmonton, Saskatoon, Winnipeg and Moncton.

Other transparency and accountability mechanisms currently in place at the City of Brampton include the:

- External Auditor (currently KPMG LLP) who performs an annual audit of the City's financial statement, which is required under the Municipal Act.
- City's Integrity Commissioner who investigate complaints relating to compliance by any member of the City of Brampton Council with respect to their alleged unethical behaviour, or violations of the Code of Conduct, in accordance with the City of Brampton By-Law 200-2014.

- Provincial Ombudsman whose role promotes fairness, accountability and transparency in the public sector by investigating public complaints and systemic issues within their jurisdiction.

Analysis – Policy:

From a policy perspective, a City by-law is recommended to establish an Auditor General model; this by-law should outline the following:

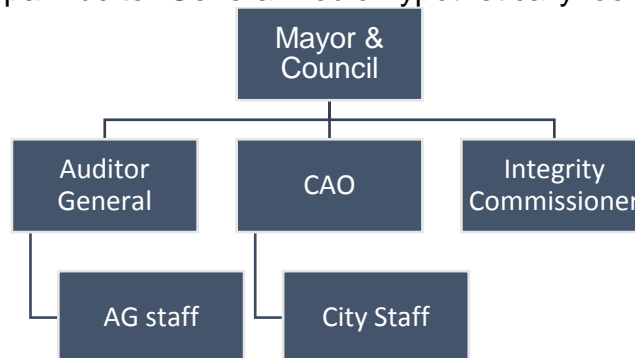
- Reporting & independence
- Powers and duties
- Mandate (i.e. whether the City's boards and agencies are included within the Auditor General's mandate such as Brampton Public Library);

Analysis – Governance & Reporting Structure:

The governance over an Auditor General is enshrined in the Municipal Act (see 239.19-1.1):

“The Auditor General shall perform his or her responsibilities under this Part in an independent manner.”

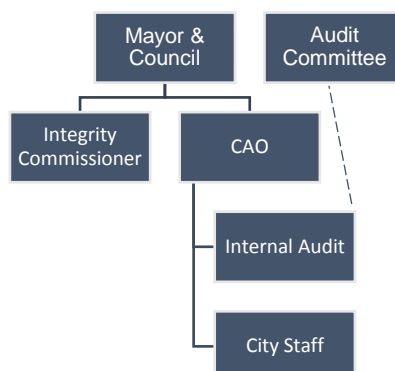
Auditor Generals at the municipal level typically report directly to Council and have a mandate to set their own work plan. This freedom allows the Auditor General to review any business process or program under the City's mandate at their own discretion, completely independent from the City's management and staff. Council may also request from time to time, that their Auditor General perform specific reviews or audits serving the public interest of the City. For illustrative purposes, the reporting structure of a municipal Auditor General would hypothetically look as follows:



Council would have the sole authority to hire or terminate the Auditor General which should be documented in the Auditor General's by-law. Council would also have the authority to set the appropriate annual operating and capital budget. Staff reporting to the Auditor General would be hired or terminated solely by the Auditor General.

In contrast, Internal Audit teams typically report functionally to the City's Audit Committee and administratively to the CAO, Commissioner of Corporate Services or Director of Finance. The independence of an Internal Audit function is defined in the

Internal Audit Charter which is approved by Audit Committee. The typical internal audit reporting structure appears as follows:



Governance options:

1. Status quo – retaining existing Internal Audit function
2. Adding an Auditor General model without Internal Audit (same as cities of Ottawa and Greater Sudbury)
3. Adding Auditor General on a full-time basis reporting directly to Council to compliment the Internal Audit function (same as Toronto, Vancouver)
4. Adding Auditor General on a contract/part-time (as needed basis) consistent with Council's requirements (same as cities of Markham, Windsor).
5. Hybrid model whereby the Director of Internal Audit is appointed by Council as the Auditor General with additional powers (same as Hamilton)

Analysis – Auditor General Budget:

The operating and capital budget of an Auditor General is set annually by the Council through the standard corporate budget process. The size of the budget effectively drives the number of audit projects able to be completed per year. Cities like Markham, Windsor and Sudbury have allocated modest budgets and therefore receive only 1-3 audit reports annually. Toronto and Hamilton receive 10+ audit reports annually for their larger investment and also operate a fraud/waste hotline as a value-added service. The most significant expense is expected to be labour (approximately 85% or higher).

Analysis – Auditor General vs. Internal Audit:

The Auditor General model is similar to the Internal Audit function with the following differences:

- The Auditor General's role is focused on "*quality of stewardship over public funds and for achievement of value for money in municipal operations*" (see [Section 223.19](#) of Municipal Act); whereas the role of an Internal Audit functions have a broader focus including operational, compliance and regulatory audits as well as risk/internal control consulting.

- Auditor Generals are appointed directly by Council; whereas Internal Audit leaders are hired by the CAO (and typically in collaboration with the Chair of the Audit Committee).
 - Note: In the case of the City of Vancouver, their Council formed a special purpose sub-committee of Council (called Auditor General Recruiting Committee) responsible for “*directing the search for and appointment of an Auditor General*”. The composition of this committee was five City Councillors with a dedicated budget of \$50,000 allocated by Council.
- Auditor Generals have the power to subpoena (section 223.21 of Municipal Act);
- The Auditor General is not required to be an employee (i.e. in the City of Toronto’s case, they are appointed to seven year terms);
- Auditor Generals have legal protection in the case of civil proceedings (see section 223.23 of Municipal Act);
- In regard to workplan, Auditor Generals determine their own respective workplan; whereas Internal Audit workplans and schedules are typically reviewed by and approved by Management and Audit Committee – who can therefore have influence on which areas get audited and when.

Corporate Implications:

Financial Implications:

Should Brampton City Council opt for an Auditor General model to complement its existing Internal Audit division, the financial implications would be driven by the size of the team, given that labour costs account for a significant majority of the annual operating budget. If Brampton City Council elect to convert its existing Internal Audit division to an Auditor General model, it is likely that the on-going operating costs would be comparable to today (\$1.223M in 2020 budget). In either case, one-time setup/conversion costs in the range of \$200K-\$1M would be required which include IT devices/licenses, facilities re-location, recruiting costs etc. These amounts are not identified in the 2021 operating budget.

Other Implications:

Should Brampton City Council elect to create an Auditor General, a dedicated City Bylaw would be required as well as updating the Internal Audit Charter and Audit Committee Terms of Reference.

Term of Council Priorities:

This report fulfils the Council Priority of a Well-Run City through providing information on an Auditor General model which falls within the realm of municipal accountability and transparency mechanisms.

Conclusion:

Establishing an independent Auditor General is permissible under section 223.19 of the Municipal Act and would further compliment the City's accountability and transparency functions including its: Integrity Commissioner, Internal Audit division, External Auditor (KPMG) and Ontario Ombudsman. Internal Audit functions are more common in Canadian municipalities; however many large urban single-tier cities operate Auditor General models or operate both.

Authored by:

Reviewed by:

Maciej Jurczyk, Sr. Manager Business Improvement & Innovation

Mikkel Marr, Director, Organizational Performance & Strategy

Approved by:

Submitted by:

David Barrick, Chief Administrative Officer

David Barrick, Chief Administrative Officer

Attachments:

1. Appendix 1 - Analysis of Establishing a Permanent and Independent Auditor General, November 20, 2017
2. Appendix 2 - City of Brampton Council Minutes - Dec 13, 2017

Report Approval Details

| | |
|----------------------|---|
| Document Title: | Analysis of Adopting an Auditor General Model.docx |
| Attachments: | - Analysis of Establishing a Permanent and Independent Auditor General.pdf - City of Brampton Council Minutes - Dec 13, 2017.pdf |
| Final Approval Date: | Apr 23, 2021 |

This report and all of its attachments were approved and signed as outlined below:

No Signature found

Richard Gervais - Apr 23, 2021 - 10:46 AM

Mikkel Marr - Apr 23, 2021 - 3:00 PM

David Barrick - Apr 23, 2021 - 3:44 PM

Date: 2017-11-05

Subject: **Analysis of Establishing a Permanent and Independent Auditor General**

Contact: Harry Schlange, CAO, 905-874-2625 and
 Joe Pittari, Commissioner of Corporate Services, 905-874-5922

Recommendations:

1. THAT the report from Harry Schlange, CAO, and Joe Pittari, Commissioner of Corporate Services dated November 5, 2017 to the Audit Committee meeting of November 20, 2017, re: Analysis of Establishing a Permanent and Independent Auditor General, be received; and
2. THAT the current audit structure be maintained given the increased independence, transparency and collaboration.

Overview:

- In March 2017 Council directed staff to further review and report back on the justification, role, function and cost implications of establishing a permanent and independent Auditor General for the City of Brampton.
- Based on review of relevant legislation, reports, discussions with other Canadian municipalities (including those with experience with Auditor General offices), and review of the City's current Internal Audit, staff have provided the key findings and analysis contained within this report.

Background:

At the March 8, 2017 Council meeting, in discussion of the Ontario Ombudsman's report, "Procuring Progress," Council directed staff to report on the justification, role, functions and cost implications of establishing a permanent, independent Auditor General, including an analysis of benefits and consequences.

The City of Brampton has employed an Internal Audit function since 1987 that reported directly to the CAO. In 2016, in cooperation with City Council, the independence of this function was strengthened through a direct reporting line to

Council, through Audit Committee, with administrative support from the CAO's office. In addition, changes were made to the Internal Audit Charter and the Audit Committee Terms of Reference in September 2017 which further enhanced the independence of the function.

On March 1, 2017 Ontario Ombudsman, Paul Dubé, released his report into the City's non-competitive procurement practices, titled "Procuring Progress." The report commended the proactive initiatives that have been implemented to strengthen municipal practices. Mr. Dubé also concluded that this investigation did not identify anything that would warrant a formal report with recommendations. He did however offer fifteen (15) "suggestions" of which one was to consider appointing a permanent, independent Auditor General to provide external oversight.

Current Auditor General Situation in Ontario:

Staff has undertaken the following research in preparing analysis between the Auditor General and Internal Audit models:

- Review of the Municipal Act
- Review of the Ombudsman's March 1, 2017 report
- Review of audit models that operate across Ontario
- Outreach to Canadian municipalities (CAOs and Chief Audit Executives) with experience in Auditor General and/or Internal Audit functions

The following key facts resulted from this research:

- While all Ontario municipalities are subject to external audits (Municipal Act section 296), a specific audit model is not prescribed by legislation (except for the City of Toronto).
- In 2017, of Ontario's 444 municipalities, two municipalities have an office of the Auditor General (Ottawa and Sudbury). Toronto is legislatively mandated to have an Auditor General;
- Hamilton has a hybrid model whereby the Director of Internal Audit is also the Auditor General;
- Markham has an outsourced model whereby a third party firm has been contracted to provide Auditor General services; and
- Since 2010, fewer municipalities have established an office of the Auditor General, in comparison to 2017.

For the most part, the role, functions and cost implications of each model (i.e. Auditor General versus Internal Audit) are the same with few notable differences:

1. Auditor Generals are appointed directly by Council for a fixed term (i.e. they are not considered employees of the corporation);
2. Auditor Generals have the power to subpoena (section 223.21 of the Municipal Act);
3. Auditor Generals have the protection with respect to confidentiality (section 223.22 of the Municipal Act);

7.1-3

4. Auditor Generals have the protection with respect to a civil proceeding (section 223.23 of the Municipal Act), that is, Auditor Generals can issue press releases on its audit findings;
5. Auditor Generals have the guarantee of no waiver of solicitor-client privilege, litigation privilege or settlement privilege when disclosure is made (section 223.30 of the Municipal Act);
6. In terms of audit work plans, an Auditor General determines their respective work plan, whereas Internal Audit's work plan and schedule is reviewed and approved by Council – who can therefore have a say in which specific areas it would like to assess and when; and
7. A significant role for an Auditor General is to conduct audits related to outcomes from policies and the value received on those outcomes. Their recommendations are limited to those outcomes and not on policy as government is the policy setting body. Auditor Generals are precluded from reporting on policy.

Internal Auditors (as in Brampton's model) report directly to Council through an Audit Committee and add value in their ability to collaborate with management on not just identifying, but also being a partner in remediating any issues that arise in the municipality (i.e. a proactive, collaborative and consultative partnership whereby recommendations can be made to policies for its relevance, success (on outcomes) and cost-effectiveness).

Current Auditor General Situation in Canada

In order to respond to the referred matter from Committee of Council in early March 2017, staff researched legislation and where possible also contacted other Canadian jurisdictions to compare Ontario audit models to a national context (specifically Halifax, Winnipeg, Calgary, Edmonton and the province of British Columbia).

In Alberta, through the province's Municipal Government Act (generalized), the cities of Calgary and Edmonton (noted above) chose to have City Auditors. These positions are established through a bylaw and appointed by Council to provide Internal Audit services. Upon review of the delegated powers established within this by-law, the Alberta model seems to operate similarly to the Ontario Auditor General model (i.e., full independence with no consultation and limited collaboration).

British Columbia operates an Auditor General for Local Government which completes value for money/performance audits. However, local governments can leverage the generalized legislation to appoint an Auditor General through their general corporate powers (i.e. by-laws). The province's largest city, Vancouver, for example maintains an Internal Audit section that reports through the City Manager's office and does not complete value for money audits.

Similar to Ontario, there are specific provisions in the Manitoba provincial legislation that requires the City of Winnipeg to have a City Auditor which operates as an Auditor General (e.g. City of Toronto Act 2006). Nova Scotia also operates similarly with specific legislation that mandates the existence of an Auditor General for the City of Halifax via the Halifax Municipal Charter.

Current Situation in Brampton

Two key overarching principles have been identified as critical and important by this Council: accountability and transparency. These principles are shared by the administrative leadership of the corporation. The City's commitment to open, transparent government administration and the Internal Audit function plays a critical role in helping the organization strengthen this commitment.

In September 2016, collaboratively with Council the independence of the Internal Audit function was strengthened through a direct reporting line to Council, through Audit Committee, with administrative support from the CAO's office. Changes to the Internal Audit Charter and the Audit Committee Terms of Reference in September 2017 have further enhanced this independence. A new Director of Internal Audit was hired in December 2016 and the updated Internal Audit methodology was implemented by January 2017.

Analysis:

The competitive advantage associated with Brampton's audit model is that it enables a cooperative approach between audit and management whereby the Office of Internal Audit not only identifies issues of concern, but works alongside staff in a consulting capacity to advise on how best to address the issues. In the short time since Brampton's new model has been implemented, there have already been preliminary successes in this regard, including:

- Working alongside Service Innovation and Corporate Performance on new continuous improvement framework (in progress and ongoing);
- Worked collaboratively with IT to complete an IT risk assessment;
- Provided a comprehensive assessment of policy enhancement, efficiencies and cost effectiveness strategies for mobile phones;
- Reviewed and advised staff on enhancements to employee expense policies and SOP's; and
- Worked in collaboration with Brampton Libraries and the City's Corporate Services Divisions and Facilities Division to identify service enhancements and shared services opportunities to receive the best value for dollar.

As noted, this type of Internal Audit service delivery model and framework is a significant variation from that of an Auditor General, given that they are precluded from reporting on government policy and providing consulting services. Such advice and expertise offered by the Office of Internal Audit over the past 10 months as in the examples noted above has been invaluable, and the consulting provided by the Office of Internal Audit is helping to entrench a culture of openness and transparency across the corporation. This was further confirmed recently by Standard & Poor's in its report for the City of Brampton where they stated "restructuring within the last two years resulted in the strengthening of Brampton's budgeting practices, improvement in control measures and transformation of its senior management". Given that an

Auditor General model does not foster such a framework of collaboration, it inhibits justification for such a model for Brampton.

While an Auditor General has some specific powers that Internal Audit does not have, municipalities of similar size with experiences with Auditor Generals have not had to use these additional powers. Given the extremely limited opportunities, the likelihood use of these additional powers, and that Internal Auditors are able to conduct most, if not all, of the same work as an Auditor General under then general powers of the Municipal Act 2001; again, it inhibits justification for such a model for Brampton.

While staff appreciates and respects the Ombudsman's suggestion to appoint an independent Auditor General, we also acknowledge that this recommendation was developed prior to the onboarding of the City's current Director of Internal Audit, changes to the Internal Audit Charter, Audit Committee Terms of Reference, and the updated Internal Audit methodology. Given the preliminary successes identified above, the consulting role performed by our Internal Audit function is becoming increasingly valued by the corporation and is a key enabler of changing the culture and maintaining two critical overarching principles important to Council: accountability and transparency.

Corporate Implications

Financial Implications:

Based on discussions with other municipalities who have experience with an Auditor General, staff anticipate that ongoing operating costs associated with an Auditor General are comparable to resources currently allocated to Brampton's Internal Audit function. However, there would be a one-time transition cost ranging from \$150k to \$200k. Auditor Generals (and its staff) are not City employees and therefore may require annual operating funding for their administrative functions (similar to Brampton Public Library).

Strategic Plan:

This report achieves the Strategic Plan priority of good government through its three goals:

- Educate and engage citizens in open and accountable ways that show value and enhance the image of the city by responding to Council request to assess the justification and merit of establishing an independent Auditor General.
- Invest in a collaborative environment with supportive organizational and governance practices and policies by demonstrating the role and enhanced value provided by the current Internal Audit function at the City.
- Practice proactive, effective and responsible management of municipal assets and services by demonstrating that in either model (Auditor General or Internal Audit) exist to demonstrate accountability and transparency.

Conclusion:

The City of Brampton has undergone a significant and deliberate cultural change in the past 15 months. Key pillars to this cultural paradigm shift are commitments to innovation, continuous improvement, collaboration and cooperation across the organization to be a future ready city. The Internal Audit and Management Teams have worked together and created the momentum to make Brampton a leader in transforming municipal government.

In cooperation with City Council, the independence of the audit function was strengthened through a direct reporting line to Council, through Audit Committee, with administrative support from the CAO's office. In addition, changes were made to the Internal Audit Charter and the Audit Committee Terms of Reference in September 2017.

While staff appreciates and respects the Ombudsman's suggestion to appoint an independent Auditor General, it was proposed prior to these changes being put in place and fully implemented.

Given the commonalities and limited differences between the merits and limitations between an Auditor General and Internal Audit, limited justification can be made to suggest deviation from the City's current Internal Audit direction given its successes and commitment to accountability and transparency.

Harry Schlange
CAO

Joe Pittari
Commissioner of Corporate Services

Wednesday, December 13, 2017

Members Present: Mayor L. Jeffrey
Regional Councillor G. Gibson – Wards 1 and 5
Regional Councillor E. Moore – Wards 1 and 5
Regional Councillor M. Palleschi – Wards 2 and 6
Regional Councillor G. Miles – Wards 7 and 8
Regional Councillor J. Sprovieri – Wards 9 and 10
City Councillor D. Whillans – Wards 2 and 6
City Councillor J. Bowman – Wards 3 and 4
City Councillor P. Fortini – Wards 7 and 8
City Councillor G. Dhillon – Wards 9 and 10 (arrived at 9:33 a.m.
– personal)

Members Absent: Regional Councillor M. Medeiros – Wards 3 and 4 (other municipal business)

Staff Present: H. Schlange, Chief Administrative Officer
R. Elliott, Commissioner of Planning and Development Services
A. Meneses, Commissioner of Community Services
J. Pittari, Commissioner of Corporate Services
J. Pitushka, Commissioner of Public Works and Engineering
D. Squires, City Solicitor, Corporate Services
B. Darling, Director, Economic Development and Culture
P. Fay, City Clerk
C. Gravlev, Deputy City Clerk
T. Brenton, Legislative Coordinator, City Clerk's Office

Minutes City Council

The meeting was called to order at 9:30 a.m. and recessed at 9:47 a.m. Council moved into Closed Session at 9:51 a.m. to deal with Item 21.9 and recessed at 10:04 a.m. Council reconvened in Open Session at 10:09 a.m. and recessed at 12:01 p.m. Council reconvened in Open Session at 1:02 p.m. and recessed at 2:46 p.m. Council moved into Closed Session at 3:00 p.m. to deal with Items 21.1 to 21.8 and 21.10 and recessed at 5:06 p.m. Council reconvened in Open Session at 5:19 p.m. and adjourned at 5:30 p.m.

1. **Approval of Agenda**

Council discussion took place with respect to proposed additions to the agenda.

The following motion was considered.

C378-2017 Moved by Regional Councillor Moore
Seconded by Regional Councillor Gibson

That the agenda for the Regular Council Meeting of December 13, 2017 be approved as amended, as follows:

To add:

- 6.4. Delegations re: **Item 8.5 – Riverstone Golf Club Capital Improvement Work and Associated Table and Valley Lands – Ward 8;**
- 12.4. Correspondence from Jenny Gerbasi, Deputy Mayor, City of Winnipeg, President, Federation of Canadian Municipalities (FCM), dated December 7, 2017, re: **FCM Submission on Proposed Excise Duty Framework for Cannabis Products;**
- 16.1. Discussion at the request of City Councillor Fortini, re: **Heritage Theatre Block;**
- 21.9. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – potential litigation matter; and,
- 21.10. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Carried

Minutes City Council

The following supplementary information was provided at the meeting.

Corrections to the Registered Plan numbers noted on the agenda for the following:

- By-law 275-2017 – 43M-1817
- By-law 278-2017 – 43M-2023

Re: Item 10.4 – Minutes – Planning and Development Committee – December 4, 2017:

- replacement page 10.4-10 to correct the minute record.

Item 3.3. – Minutes – City Council – Special Meeting – December 6, 2017

Item 18.1. – Briefing Report from the Office of the Chief Administrative Officer, re: Government Relations Matters:

- Presentation re:
 - Region of Peel News
 - Provincial News (includes Launch of the Age-Friendly Community Recognition Program and Statement on Transition from the OMB to the Local Planning Appeal Tribunal)

Closed Items:

- 21.2. Minutes – Closed Session – City Council – November 22, 2017
- 21.3. Minutes – Closed Session – City Council – Special Meeting – November 28, 2017
- 21.4. Minutes – Closed Session – Committee of Council – December 6, 2017
- 21.8. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose – litigation matter

2. Declarations of Interest under the Municipal Conflict of Interest Act

In response to a question from Council, Peter Fay, City Clerk, outlined the provisions of the *Municipal Conflict of Interest Act*, as they relate to declarations of interest regarding Council Minutes on the agenda for adoption, as compared to Committee minutes on the agenda for approval.

1. Regional Councillor Miles referenced the in-camera item on Committee of Council where she declared a conflict of interest in regards to Brampton Safe City as her husband was the past Executive Director. She confirmed that her conflict relates to Item 21.4 on the Council agenda (Minutes – Closed Session – Committee of Council – December 6, 2017).

3. Adoption of the Minutes

3.1. Minutes – City Council – Regular Meeting – November 22, 2017

Items 3.2 and 3.3 were brought forward and dealt with at this time.

The following motion was considered.

C379-2017 Moved by Regional Councillor Moore
Seconded by Regional Councillor Gibson

1. That the **Minutes of the Regular City Council Meeting of November 22, 2017**, to the Council Meeting of December 13, 2017, be approved as printed and circulated;
2. That the **Minutes of the Special City Council Meeting of November 28, 2017**, to the Council Meeting of December 13, 2017, be approved as printed and circulated; and,
3. That the **Minutes of the Special City Council Meeting of December 6, 2017**, to the Council Meeting of December 13, 2017, be approved as printed and circulated.

Carried

3.2. Minutes – City Council – Special Meeting – November 28, 2017

Dealt with under Item 3.1 – Resolution C379-2017

3.3. Minutes – City Council – Special Meeting – December 6, 2017

The minutes were distributed at the meeting.

Dealt with under Item 3.1 – Resolution C379-2017

4. Consent Motion

The following motion was considered.

C380-2017 Moved by Regional Councillor Moore
Seconded by Regional Councillor Gibson

**Minutes
City Council**

That Council hereby approves the following items and that the various Officials of the Corporation are hereby authorized and directed to take such action as may be necessary to give effect of the recommendations as contained therein:

- 8.3. 1. That the report from L. Robinson, Business Coordinator, City Clerk's Office, dated November 21, 2017, to the Council Meeting of December 13, 2017, re: **Civil Marriage Officiant Designates – Update**, be received; and,
2. That the additional persons listed in Appendix 1 to this report be appointed as civil marriage officiants for the City of Brampton, as designates of the City Clerk, and that the Ontario Registrar General (ORG) be notified of the specific designates listed in Appendix 1 to be removed as civil marriage officiants.
- 8.4. That the report from L. Robinson, Business Coordinator, City Clerk's Office, dated November 20, 2017, to the Council Meeting of December 13, 2017, re: **Delegated Authority Exercised by the City Clerk – Special Occasion Permit Requests Requiring Municipal Significance Designation**, be received.
- 8.7. 1. That the report from J. Edwin, Manager, Development Construction, Environment and Development Engineering, Public Works and Engineering, dated October 13, 2017, to the Council Meeting of December 13, 2017, re: **Subdivision Release and Assumption – Tanyaville Developments Inc. & Minto Brampton (Credit Ridge) Inc. – Registered Plan No. 43M-1856 – West of Creditview Road and South of Bovaird Drive – Ward 5** (File C04W08.002), be received;
2. That all works constructed and installed in accordance with the subdivision agreement for **Registered Plan No. 43M-1856** (the "Subdivision") be accepted and assumed;
3. That the Treasurer be authorized to release the securities held by the City; and
4. That By-law 267-2017 be passed to assume the following streets and street widening blocks as shown on the Registered Plan No. 43M-1856 as part of the public highway system:

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City Council**

Louisburg Crescent, Lorenvill Drive, Lampman Crescent, Lost Canyon Way, Lavallee Crescent, Deseronto Street, Elbern Markell Drive, Dillon Drive, Orangeblossom Trail, Brentwick Drive, Interlude Drive, Wasaga Road Deanston Court, Bear Run Road, Dalmeny Drive, and street widening Blocks 443, 471 and 479 to be part of Creditview Road

- 12.2. That the correspondence from Helena West, Legislative Specialist, Region of Peel, dated December 1, 2017, to the Council Meeting of December 13, 2017, re: **Region of Peel Resolution 2017-922 – Property Tax Exemption By-law for Land Used by Veterans for Eligible Purposes**, be received.
- 12.3. That the correspondence from Helena West, Legislative Specialist, Region of Peel, dated December 1, 2017, to the Council Meeting of December 13, 2017, re: **Region of Peel Resolution 2017-926 – Low-Income Seniors and Low-Income Persons with Disabilities Tax Rebate Review and By-law Update**, be received.

Carried

5. Announcements

5.1. Announcement – New Year's Eve – Sunday, December 31, 2017

Meagan Guerra, Senior Events Specialist, Economic Development and Culture, announced the New Year's Eve celebrations taking place on Sunday, December 31, 2017. Ms. Guerra provided a presentation outlining the activities planned for Garden Square, City Hall and Gage Park, event sponsors, and free Brampton Transit rides after 7:00 p.m.

City Councillor Bowman, announcement sponsor, highlighted the success of the annual New Year's Eve celebrations, and requested that staff promote the free transit rides on the City's webpage.

6. Delegations

- 6.1. Possible Delegations re: **Amendments to Procedure By-law 160-2004 to Implement Amendments to the Municipal Act, 2001**

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The Mayor announced that notice regarding this matter was published on the City's web portal on December 7, 2017. In response to an inquiry from the Mayor, no one expressed an interest in delegating Council on this matter.

See Item 8.1 – Resolution C384-2017 and By-law 264-2017.

6.2. Possible Delegations re: **Housekeeping Amendment to Adult Entertainment By-law 114-2017**

The Mayor announced that notice regarding this matter was published on the City's web portal on December 7, 2017. In response to an inquiry from the Mayor, no one expressed an interest in delegating Council on this matter.

See Item 8.2 – Resolution C386-2017 and By-law 265-2017.

6.3. Delegation from Tiernan Murphy, Owner, Making Waves Swim School, re: **Planning and Development Committee Recommendation PDC233-2017 – December 4, 2017 - Re-approval of the Building Improvement Program Application for 9 George Street North – Ward 1** (File BU17.002).

Council agreed to vary the order of business and considered the following motion after announcements.

C381-2017 Moved by Regional Councillor Moore
Seconded by Regional Councillor Gibson

That Council proceed into Closed Session to discuss matters pertaining to the following:

- 21.9. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – potential litigation matter

Carried

After Closed Session consideration of this matter, Council considered the following motion.

That Recommendation PDC233-2017 be struck out; and that the staff recommendation contained within Item 10.4, Minutes of the Planning and Development Committee Meeting of December 4, 2017, relating to Report 7.5, be approved.

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The motion was voted on and carried and outlined in Item 10.4 (Recommendation PDC233-2017).

Following Council's consideration of the motion, Tiernan Murphy, Owner, Making Waves Swim School, withdrew his delegation request.

6.4. **Delegations re: Item 8.5 – Riverstone Golf Club Capital Improvement Work and Associated Table and Valley Lands – Ward 8.**

Al Meneses, Commissioner of Community Services, provided an overview of the staff report on this matter (Item 8.5).

Mr. Meneses responded to questions from Council regarding the information in the staff report, and cautioned that responses to other questions raised would have to be given in Closed Session.

For the benefit of community members in attendance, Regional Councillor Miles outlined the process for Council's consideration of this matter in Closed Session. She requested that following the delegations, Council proceed into Closed Session to deal with related Item 21.7.

The Mayor invited interested residents to address Council.

Dayle Laing, Brampton resident, spoke in support of the City's acquisition of the subject property, and outlined environmental benefits from naturalization of the valleylands.

Myrna Adams, Brampton Seniors Council, outlined the need for additional recreational facilities for seniors in the City's east end. She indicated support for the City's purchase of the subject property, providing there is no undue burden on Brampton residents.

Dr. Sohan Singh, Calderstone Seniors Club, spoke in support of the City's purchase of the subject property and the need for recreational facilities for seniors in the City's east end.

Sukhdev Singh Gill, Gore Seniors Club, spoke in support of the City's purchase of the subject property, providing it is affordable, and highlighted the benefits of an active lifestyle for seniors.

Mr. Singh Brar, Brampton resident, expressed the need for a senior's facility in the subject area and spoke in support of a recreational facility for seniors on the subject property.

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After hearing from the delegations, Council discussion took place on this matter and included:

- varying opinions on the potential acquisition of the subject property
- need for additional recreational facilities in the City's east end for seniors and residents of all ages
- pros and cons of the subject property and other potential locations in the east end for recreational facilities
- suggestions for community-based or City-wide public consultations

Staff responded to some general questions on this matter, and again, cautioned that some of the topics raised require consideration in Closed Session.

The Mayor granted leave for a Point of Order from Regional Councillor Gibson, who inquired about Council discussion on this topic at this time, as it was his understanding that Council would hear from the delegations and then proceed into Closed Session for further consideration. The Mayor ruled that she would allow the remaining Members to speak on this topic.

The Mayor granted leave for a Point of Order from Regional Councillor Moore, who requested that Members speak on topic. The Mayor ruled that Members keep their comments to the topic at hand.

A procedural motion to Call the Question was introduced by City Councillor Whillans. In accordance with the Procedure By-law, Members who had not spoken on this topic were given the opportunity to do so.

Regional Councillor Miles withdrew her request to proceed into Closed Session to deal with related Item 21.7 at this time, since the delegations had left the meeting.

The following motions were considered.

C382-2017 Moved by Regional Councillor Miles
Seconded by City Councillor Dhillon

That the following delegations, to the Council Meeting of December 13, 2017, re: **Item 8.5 – Riverstone Golf Club Capital Improvement Work and Associated Table and Valley Lands – Ward 8**, be received:

1. Dayle Laing, Brampton resident
2. Myrna Adams, Brampton Seniors Council
3. Dr. Sohan Singh, Calderstone Seniors Club
4. Sukhdev Singh Gill, Gore Seniors Club
5. Mr. Singh Brar, Brampton resident

Carried

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C383-2017 Moved by City Councillor Fortini
Seconded by City Councillor Whillans

That the report from A. Meneses, Commissioner of Community Services, dated December 7, 2017, to the Council Meeting of December 13, 2017, re: **Riverstone Golf Club Capital Improvement Work and Associated Table and Valley Lands – Ward 8**, be received.

Carried

See also Item 21.7 – Resolutions C399-2017 and C400-2017.

7. Reports from the Head of Council – nil

8. Reports of Corporate Officials

Office of the Chief Administrative Officer

8.1. Report from P. Fay, City Clerk, dated November 29, 2017, re: Implementation of Bill 68 (Modernizing Ontario's Municipal Act, 2017) – Consideration of Amendments to Procedure By-law 160-2004, as amended.

During consideration of the subject report, Regional Councillor Gibson indicated his intention to introduce a motion to appoint City Councillor Bowman as Brampton's Alternate Member to Regional Council.

In response to a question from Council about appointing an Alternate Member at this time, Peter Fay, City Clerk, provided an overview of the process for this appointment outlined in the report. He suggested that any motion for this appointment, not be considered until the recommendations in the staff report are approved, as amended, to provide for the appointment of City Councillor Bowman.

A motion, moved by Regional Councillor Gibson and seconded by Regional Councillor Miles, was introduced to appoint Councillor Bowman as Alternate Member to Regional Council.

During Council's consideration of the motion, City Councillor Dhillon indicated his interest in being considered for Alternate Member as well.

A motion was introduced to approve the staff recommendations, as amended, to add the following additional clause:

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4. That the appointment process for this current term of Council take place at this meeting from amongst all those members present and qualified.

The motion was considered as follows.

C384-2017 Moved by City Councillor Whillans
Seconded by City Councillor Fortini

1. That the report from P. Fay, City Clerk, dated November 29, 2017, to the Council Meeting of December 13, 2017, re: **Implementation of Bill 68 (Modernizing Ontario's Municipal Act, 2017) – Consideration of Amendments to Procedure By-law 160-2004, as amended**, be received;
2. The Procedure By-law 160-2004, as amended, be further amended, substantially in a form as set out in Appendix 1 to this report, to address new provisions of the *Municipal Act, 2001*, coming into effect as of January 1, 2018, specifically regarding:
 - New Definition of a “Meeting”;
 - Clarity on Authority of Member acting in the Absence of the Head of Council;
 - Implementation of Closed Meeting Investigation Reports; and
 - Alternate Council Member for Absence of Member at Regional Council;
3. That the City Clerk report early in the next term of Council on the provisions of Bill 68 coming into effect as of March 1, 2019, and any necessary recommendations for implementation; and
4. That the appointment process for this current term of Council take place at this meeting from amongst all those members present and qualified.

Carried

The City Clerk provided an overview and copies of the process for appointment of an Alternate Member to Regional Council, being the same process for appointment of an additional Regional Councillor pursuant to Section 19 of the Procedure By-law.

The City Clerk opened the floor for nominations or declarations of interest.

Regional Councillor Gibson nominated City Councillor Bowman.

City Councillor Fortini nominated City Councillor Dhillon.

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Regional Councillor Palleschi nominated City Councillor Whillans.

Regional Councillor Sprovieri nominated City Councillor Fortini.

Councillors Bowman and Dhillon accepted their nominations. Councillors Whillans and Fortini declined their nominations.

The City Clerk declared the nominations closed.

In accordance with the process, the candidates were given five minutes to speak in support of their nominations, with the order of speakers drawn by lot (Councillor Dhillon followed by Councillor Bowman).

The City Clerk confirmed that because there were two candidates, each Member of Council would have only one vote.

Voting to determine which Councillor would be appointed as Alternate Member to Regional Council took place as follows:

Those voting in support of Councillor Bowman:

- Regional Councillor Miles
- Regional Councillor Palleschi
- City Councillor Whillans
- Regional Councillor Moore
- Regional Councillor Gibson

Total: 5

Those voting in support of Councillor Dhillon:

- City Councillor Fortini
- Mayor Jeffrey
- City Councillor Dhillon
- Regional Councillor Sprovieri

Total: 4

The City Clerk clarified the process as it relates to a Member not voting, and declared City Councillor Bowman as the successful candidate.

The following motion was considered.

C385-2017 Moved by Regional Councillor Gibson
Seconded by Regional Councillor Moore

That City Councillor Jeff Bowman be appointed as the Alternate Member to Regional Council, in the event of an absence of a Brampton Regional

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Councillor at a meeting of Regional Council, for this current term of Council.

Carried

- 8.2. Report from W. Goss, Interim Manager, Administrative Services and Elections, City Clerk's Office, dated November 22, 2017, re: **Housekeeping Amendment to Schedule 3 of Adult Entertainment By-law 114-2017 – Adult Merchandise Businesses.**

In response to a question from Council, Peter Fay, City Clerk, outlined the purpose of the proposed housekeeping amendment.

The following motion was considered.

C386-2017 Moved by City Councillor Whillans
Seconded by City Councillor Bowman

1. That the report from W. Goss, Interim Manager, Administrative Services and Elections, City Clerk's Office, dated November 22, 2017, to the Council Meeting of December 13, 2017, re: **Housekeeping Amendment to Schedule 3 of Adult Entertainment By-law 114-2017 – Adult Merchandise Businesses**, be received;
2. That by-law 265-2017 be passed to amend Schedule 3 of the Adult Entertainment Establishment By-law, to exempt three pre-existing Adult Merchandise Stores from the 500 metre separation requirement from a dwelling unit or a residential zone, substantially as set out in Appendix 1 to this report.

Carried

- * 8.3. Report from L. Robinson, Business Coordinator, City Clerk's Office, dated November 21, 2017, re: **Civil Marriage Officiant Designates – Update.**

Dealt with under Consent Resolution C380-2017

- * 8.4. Report from L. Robinson, Business Coordinator, City Clerk's Office, dated November 20, 2017, re: **Delegated Authority Exercised by the City Clerk – Special Occasion Permit Requests Requiring Municipal Significance Designation.**

Dealt with under Consent Resolution C380-2017

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Community Services

- 8.5. Report from A. Meneses, Commissioner of Community Services, dated December 7, 2017, re: **Riverstone Golf Club Capital Improvement Work and Associated Table and Valley Lands – Ward 8.**

Dealt with under Item 6.4 – Resolution C383-2017

See also Resolution C382-2017

- 8.6. Report from C. Meilleur, Real Estate Coordinator, Community Services, dated November 21, 2017, re: **Waiver of Section 42 Requirements of the Expropriations Act to Dispose of 1524 Countryside Drive – Ward 9.**

The following motion was considered.

C387-2017 Moved by City Councillor Fortini
Seconded by Regional Councillor Sprovieri

1. That the report from C. Meilleur, Real Estate Coordinator, Community Services, dated November 21, 2017, to the Council Meeting of December 13, 2017, re: **Waiver of Section 42 Requirements of the Expropriations Act to Dispose of 1524 Countryside Drive – Ward 9**, be received;
2. That By-law 266-2017 be enacted by Council acting as the “Approving Authority” pursuant to the *Expropriations Act*, approve the disposal by the City as the “Expropriating Authority” of the lands municipally known as 1524 Countryside Drive and legally described as Parts 5 and 6, Plan PR1675121, without giving the owners from whom the lands were taken the first chance to repurchase the lands on the terms of the best offer received by the City, in accordance with Section 42 of the *Expropriations Act*; and,
3. That staff be directed to negotiate and to report back to City Council, for the approval and ratification of an Agreement of Purchase and Sale to effect the fair market value disposal of the surplus portion of the City’s lands municipally known as 1524 Countryside Drive, the execution of which shall be in compliance with Delegated Authority Activity No. 97 – Administrative Authority By-law 216-2017.

Carried

Corporate Services – nil

Planning and Development Services – nil

Public Works and Engineering

- * 8.7. Report from J. Edwin, Manager, Development Construction, Environment and Development Engineering, Public Works and Engineering, dated October 13, 2017, re: **Subdivision Release and Assumption – Tanyaville Developments Inc. & Minto Brampton (Credit Ridge) Inc. – Registered Plan No. 43M-1856 – West of Creditview Road and South of Bovaird Drive – Ward 5** (File C04W08.002).

Dealt with under Consent Resolution C380-2017 and By-law 267-2017

9. Reports of Accountability Officers – nil

10. Committee Reports

10.1. Minutes – Audit Committee – November 20, 2017

On behalf of the Acting Chair, Regional Councillor Moore, Committee Member, introduced the minutes.

The following motion, moved by Regional Councillor Palleschi and seconded by Regional Councillor Sprovieri, was introduced to amend the minutes:

That Recommendation AU041-2017 be deleted and replaced with the original staff recommendations, as follows:

- AU041-2017
1. That the report from Harry Schlange, CAO, and Joe Pittari, Commissioner of Corporate Services dated November 5, 2017 to the Audit Committee meeting of November 20, 2017, re: **Analysis of Establishing a Permanent and Independent Auditor General**, be received; and
 2. That the current audit structure be maintained given the increased independence, transparency and collaboration.

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Council consideration of the motion included:

- consideration of this matter at the Audit Committee meeting and the resulting Audit Committee recommendation to defer consideration for establishing a Permanent and Independent Auditor General (AG)
- experiences of other municipalities that hired independent Auditors General
- role of the City's existing Internal Audit Division
- concerns about costs and duplication of services
- varying opinions on the need for and benefits of a Permanent and Independent AG

A recorded vote was requested on the motion, with the results as follows:

| <u>Yea</u> | <u>Nay</u> | <u>Absent</u> |
|------------|------------|---------------|
| Miles | Fortini | Medeiros |
| Bowman | Jeffrey | |
| Sprovieri | Dhillon | |
| Palleschi | | |
| Whillans | | |
| Moore | | |
| Gibson | | |
| | | Carried |
| | | 7 Yeas |
| | | 3 Nays |
| | | 1 Absent |

The following motion to receive the minutes and approve the recommendations, as amended, was considered.

C388-2017 Moved by Regional Councillor Moore
Seconded by Regional Councillor Gibson

1. That the **Minutes of the Audit Committee Meeting of November 20, 2017**, to the Council Meeting of December 13, 2017, be received;
2. That Recommendations AU031-2017 to AU040-2017 and AU042-2017 to AU043-2017 be approved, as outlined in the subject minutes; and,
3. That Recommendation AU041-2017 be deleted and replaced with the original staff recommendations, as follows:

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- AU041-2017
1. That the report from Harry Schlange, CAO, and Joe Pittari, Commissioner of Corporate Services dated November 5, 2017 to the Audit Committee meeting of November 20, 2017, re: **Analysis of Establishing a Permanent and Independent Auditor General**, be received; and
 2. That the current audit structure be maintained given the increased independence, transparency and collaboration.

Carried

The recommendations were approved, as amended, as follows.

- AU031-2017
- That the agenda for the Audit Committee Meeting of November 20, 2017 be approved, as amended as follows:
- To introduce the members of the Internal Audit Team immediately following Consent
 - To change the order of business items after Consent, to be dealt with in the following order:
 - 10.1, 10.2, 4.1, 6.1, 5.1, 5.2, 5.3, 4.3, 5.4, 5.5, 4.2, 4.4, 7.1
- AU032-2017
1. That the delegation from Mr. Kevin Travers, Partner, KPMG LLP Chartered Accountants, to the Audit Committee Meeting of November 20, 2017, re: **KPMG Audit Plan for the 2017 Fiscal Year** be received;
 2. That the report from D. Sutton, Treasurer, Corporate Services, dated November 10, 2017, to the Audit Committee Meeting of November 20, 2017, re: **KPMG Audit Plan for the 2017 Fiscal Year** be received; and
 3. That the Audit Planning Report for the Year Ending December 31, 2017, prepared by KPMG LLP, Chartered Accountants, be received.
- AU033-2017
1. That the presentation by F. Velji, Director, Internal Audit, to the Audit Committee Meeting of November 20, 2017, re: **Internal Audit Budget** be received;

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2. That the 2018 Current Budget for the Internal Audit Division be approved, as presented; and
3. That the 2019 and 2020 Current Budget for the Internal Audit Division be endorsed, in principle, as presented.

- AU034-2017 That the presentation by F. Velji, Director, Internal Audit, to the Audit Committee Meeting of November 20, 2017, re: **2017 Summary of Completed Audits and Recommendations** be received.
- AU035-2017 That the presentation by Z. Majid, Senior Manager, Accounting Services and Deputy Treasurer, Corporate Services, to the Audit Committee Meeting of November 20, 2017, re: **Modernizing Financial Processes, Policies and SOPs** be received.
- AU036-2017 That the report from F. Velji, Director, Internal Audit, dated November 11, 2017, to the Audit Committee Meeting of November 20, 2017, re: **Building Permits Audit Report** be received.
- AU037-2017 That the report from F. Velji, Director, Internal Audit, dated November 10, 2017, to the Audit Committee Meeting of November 20, 2017, re: **Library Operations Audit Report** be received.
- AU038-2017 That the report from F. Velji, Director, Internal Audit, dated October 6, 2017, to the Audit Committee Meeting of November 20, 2017, re: **Corporate Fraud Prevention Hotline Update** be received.
- AU039-2017 That the report from F. Velji, Director, Internal Audit, dated October 30, 2017, to the Audit Committee Meeting of November 20, 2017, re: **Quarterly Status of Management Action Plans** be received.
- AU040-2017 That the report from F. Velji, Director, Internal Audit, dated November 2, 2017, to the Audit Committee Meeting of November 20, 2017, re: **Internal Audit Work Plan – 2017 / 2018** be received.
- AU041-2017
 1. That the report from Harry Schlange, CAO, and Joe Pittari, Commissioner of Corporate Services dated November 5, 2017 to the Audit Committee meeting of November 20, 2017, re: Analysis of Establishing a Permanent and Independent Auditor General, be received; and

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2. That the current audit structure be maintained given the increased independence, transparency and collaboration.

AU042-2017 That Committee proceed into Closed Session to discuss matters pertaining to the following:

10.1. The Security of the Property of the Municipality or Local Board – Internal Audit Review Matter

10.2. The Security of the Property of the Municipality or Local Board – Internal Audit Review Matter

AU043-2017 That the Audit Committee do now adjourn to meet again on February 20, 2018, at 9:30 a.m. or at the call of the Chair.

10.2. **Minutes – Planning and Development Committee – November 20, 2017**

Regional Councillor Moore, Committee Chair, introduced the minutes.

The following motion was considered.

C389-2017 Moved by Regional Councillor Moore
Seconded by Regional Councillor Gibson

That the **Minutes of the Planning and Development Committee Meeting of November 20, 2017** be received.

Carried

Note: The recommendations outlined in the minutes were approved by Council on November 22, 2017.

10.3. **Minutes – Member Services Committee – December 4, 2017**

Regional Councillor Gibson, Committee Chair, introduced the minutes.

The following motion was considered.

C390-2017 Moved by Regional Councillor Gibson
Seconded by Regional Councillor Moore

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1. That the **Minutes of the Member Services Committee Meeting of December 4, 2017**, to the Council Meeting of December 13, 2017, be received; and,
2. That Recommendations MS028-2017 to MS032-2017 be approved, as outlined in the subject minutes.

Carried

The recommendations were approved as follows.

MS028-2017 That the agenda for the Member Services Committee Meeting of December 4, 2017 be approved as amended, as follows:

To add:

- 8.2. Discussion at the request of Regional Councillor Moore, re: **Protocol for Council Staff Communication with Commissioners.**

MS029-2017 1. That the presentation by Erin O'Hoski, Director, Strategic Communications, to the Member Services Committee Meeting of December 4, 2017, entitled: **"Communications Support for Community Matters"**, be received; and

2. That the report from Erin O'Hoski, Director, Strategic Communications, dated August 17, 2017, to the Member Services Committee Meeting of December 4, 2017, re: **Communications Support to Councillors for Ward and Community Based Matters**, be received; and

3. That the three-tiered support model proposed under Appendix A be approved; and,

4. That the Councillor or Community Group-led Initiatives require participation of at least two or more Members of Council, and that staff report back on a Town Hall protocol.

MS030-2017 That the Quarterly Report for Q3 2017, to the Member Services Committee Meeting of December 4, 2017, re: **Lieu Time Accumulation for the Council Office**, be received.

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MS031-2017 That the chart re: **Comparison of Council Calls to Service Brampton Calls**, to the Member Services Committee Meeting of December 4, 2017, be received.

MS032-2017 That the Member Services Committee do now adjourn to meet again on Monday, February 12, 2018 at 9:30 a.m. or at the call of the Chair.

10.4. **Minutes – Planning and Development Committee – December 4, 2017**

See Item 6.3 for consideration of Recommendation PDC233-2017.

Regional Councillor Moore, Committee Chair, introduced the minutes and provided a summary of matters considered at the meeting.

The following motion to receive the minutes and approve the recommendations, as amended, was considered.

C391-2017 Moved by Regional Councillor Moore
Seconded by Regional Councillor Gibson

1. That the **Minutes of the Planning and Development Committee Meeting of December 4, 2017**, to the Council Meeting of December 13, 2017, be received;

2. That Recommendations PDC223-2017 to PDC232-2017 and PDC234-2017 to PDC238-2017 be approved, as outlined in the subject minutes; and,

3. That Recommendation PDC233-2017 be approved, as amended, as follows:

PDC233-2017 2. That Council re-approve application BU17-002 to a maximum amount of \$20,000 under the Downtown Building Improvement Program and that notwithstanding Section 2.4.1(i) of the Downtown Brampton Building Improvement Program the works eligible for the grant include works related to the building improvement completed prior to the approval of the application by Council and the signing of an agreement.

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3. That the time limit for having the applicant sign the agreement with the City of Brampton, agreeing to maintain the rules of the programs as set out in the approved Implementation Guidelines be extended to February 16, 2018.
4. That failure to satisfy Condition 3 shall render this approval null and void.
5. That the Commissioner of Planning and Development Services be authorized to sign the Building Improvement Program Agreement in relation to the approved project with content satisfactory to the Commissioner of Planning and Development Services, or designate, and in a form approved by the City Solicitor, or designate, and that staff be authorized to take the necessary steps to implement the terms of the agreement.

Carried

The recommendations were approved, as amended, as follows.

- | | |
|-------------|---|
| PDC223-2017 | That the Agenda for the Planning and Development Committee Meeting of December 4, 2017, be approved as printed and circulated. |
| PDC224-2017 | <ol style="list-style-type: none">1. That the report from Y. Mantsvetov, Policy Planner, Planning and Development Services, dated November 1, 2017, to the Planning and Development Services Committee Meeting of December 4, 2017, re Application to Amend the Official Plan – Gagnon Walker Domes Ltd. – Heathwood Homes – Ward 6 (File C05W12.004), be received; and,2. That Planning and Development Services staff be directed to report back to the Planning and Development Services Committee with the results of the Public Meeting and a staff recommendation, subsequent to the completion of the circulation of the application and a comprehensive evaluation of the proposal.3. That the correspondence from Signe Leisk, Cassels Brock & Blackwell LLP, dated December 4, 2017, to the Planning and |

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Development Committee Meeting of December 4, 2017, re: **Application to Amend the Official Plan – Gagnon Walker Domes Ltd. – Heathwood Homes – Ward 6** (File C05W12.004), be received.

- PDC225-2017
1. That the report from Y. Mantsvetov, Policy Planner, Planning and Development Services, dated November 1, 2017, to the Planning and Development Services Committee Meeting of December 4, 2017, re: **Application to Amend the Official Plan – Gagnon Walker Domes Ltd. – MCN (Heritage) Inc. – Ward 6** (File C05W12.005), be received; and,
 2. That Planning and Development Services staff be directed to report back to the Planning and Development Services Committee with the results of the Public Meeting and a staff recommendation, subsequent to the completion of the circulation of the application and a comprehensive evaluation of the proposal.
 3. That the correspondence from Signe Leisk, Cassels Brock & Blackwell LLP, dated December 4, 2017, to the Planning and Development Committee Meeting of December 4, 2017, re: **Application to Amend the Official Plan – Gagnon Walker Domes Ltd. – MCN (Heritage) Inc. – Ward 6** (File C05W12.005), be received.
- PDC226-2017
1. That the report from N. Mahmood, Development Planner, Planning and Development Services, dated November 8, 2017, to the Planning and Development Committee Meeting of December 4, 2017, re: **Application to Amend the Official Plan, Zoning By-law and Proposed Draft Plan of Subdivision – Gagnon Walker Domes Ltd. – 9401 Creditview Road Brampton Inc. – East side of Creditview Road, South of Williams Parkway – Ward 5** (File C03W08.002) be received; and,
 2. That Planning and Development Services Department staff be directed to report back to the Planning and Development Committee with the results of the Public Meeting and a staff recommendation, subsequent to the completion of the circulation of the application and a comprehensive evaluation of the proposal.
 3. That the correspondence from Cindy Ma, received December 4, 2017, and a petition containing approximately

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159 signatures, to the Planning and Development Committee Meeting of December 4, 2017, re: **Application to Amend the Official Plan, Zoning By-law and Proposed Draft Plan of Subdivision – Gagnon Walker Domes Ltd. – 9401 Creditview Road Brampton Inc. – East side of Creditview Road, South of Williams Parkway – Ward 5** (File C03W08.002) be received.

- PDC227-2017
1. That the report from L. Dubicki, Development Planner, Planning and Development Services, dated November 1, 2017, to the Planning and Development Committee Meeting of December 4, 2017, re: **Application to Amend the Zoning By-Law and Proposed Draft Plan of Subdivision - KLM Planning Partners Inc. – Digram Developments Inc. – 11223 Torbram Road - East of Torbram Road, North of Countryside Drive - Ward 10** (File C06E16.007) be received; and,
 2. That Planning and Development Services staff be directed to report back to the Planning and Development Services Committee with the results of the Public Meeting and a staff recommendation, subsequent to the completion of the circulation of the application and a comprehensive evaluation of the proposal.
- PDC228-2017
1. That the report from R. Nykyforchyn, Development Planner, Planning and Development Services, dated October 25, 2017, to the Planning and Development Committee Meeting of December 4, 2017, re: **Application to Amend the Zoning By-Law and Proposed Draft Plan of Subdivision – Request for Time Extension – Glen Schnarr & Associates Inc. – 1212949 Ontario Inc. – Ward 6** (File C05W05.007) be received; and,
 2. That Council Resolution C218-2011 approving PDD200-2011 be re-confirmed as it pertains to 1212949 Ontario Inc. – Glenn Schnarr & Associates Inc., City File C05W05.007 and 21T-10003B, except for clause 9 of PDD200-2011.
 3. That the approval in principle in recommendation 2, be considered null and void unless a zoning by-law amendment is passed by August 24, 2018 or the timeline for compliance with this condition is extended by up to six months by the Commissioner of Planning, Design and Development prior to August 24, 2018.

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- PDC229-2017
1. That the report from N. Grady, Development Planner, Planning and Development Services, dated November 8, 2017, to the Planning and Development Committee Meeting of December 4, 2017, re: **Application to Amend the Zoning By-law – Gagnon Walker Domes Limited – 1839234 Ontario Limited – East Side of Yately Street and North Side of Clockwork Drive – Ward 6** (File C03W17.008) be received;
 2. That the application be approved in principle and staff be directed to prepare the appropriate amendment to the Zoning By-law.
 3. That Zoning By-law 270-2004 be amended to rezone the property subject to this application from “Residential Single Detached F-12.5 Section 2225 (R1F-12.5-2225)” and “Agricultural (A)” to be in general accordance with the following:
 - i) an appropriate single-detached zone to accommodate single-detached units with minimum lot widths of 9.0 metres (30 feet) and 12.2 metres (40 feet).
 4. That the decision of approval of this application be null and void and a new development application be required, unless a zoning by-law is passed within 60 months of the Council approval of this decision.
 5. That any and all written submissions relating to this application that were made to Council and the Planning and Development Committee before its decision and any and all oral submissions related to this application that were made at a public meeting, held under the Planning Act, have been, on balance, taken into consideration by Council as part of its deliberations and final decision on this matter, including one or more of the following issues raised in those submissions: no written or oral submission were received from the public.
- PDC230-2017
1. That the report from N. Grady, Development Planner, Development Services, dated November 8, 2017, to the Planning and Development Committee Meeting of December 4, 2017, re: **Application to Amend the Zoning By-law – Gagnon Walker Domes Limited – 2308654 Ontario**

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Limited – East of Yately Street and South of Agava Street – Ward 6 (File C03W17.009) be received;

2. That the application be approved in principle and staff be directed to prepare the appropriate amendment to the Zoning By-law.
3. That Zoning By-law 270-2004 be amended to rezone the property subject to this application from “Residential Single Detached F-12.5 Section 2225 (R1F-12.5-2225)” and “Residential Single Detached F-9.0 Section 2227 (R1F-9.0-2227)” to be in general accordance with the following:
 - i) an appropriate single-detached zone to accommodate single-detached units with minimum lot widths of 9.0 metres (30 feet) and 12.4 metres (40.6 feet).
4. That the decision of approval of this application be null and void and a new development application be required, unless a zoning by-law is passed within 60 months of the Council approval of this decision.
5. That any and all written submissions relating to this application that were made to Council and the Planning and Development Committee before its decision and any and all oral submissions related to this application that were made at a public meeting, held under the Planning Act, have been, on balance, taken into consideration by Council as part of its deliberations and final decision on this matter, including one or more of the following issues raised in those submissions: no written or oral submission was received from the public.

PDC231-2017

1. That the report from D. VanderBerg, Central Area Planner, Planning and Development Services, dated November 8, 2017, to the Planning and Development Committee Meeting of December 4, 2017, re: **Central Area Community Improvement Plan – Development Charge Incentive Program Application – 241 Queen Street East – Ward 3** (File P75 CIP DCI17-002), be received;
2. That a Development Charge Incentive be approved for the proposed medical office building at 241 Queen Street East with a score of 88% and that steps be taken in accordance with the *Development Charges Incentive Program – Implementation Guidelines* to provide the incentive to the

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applicant following the execution of a Development Charges Incentive Program agreement; and,

3. That the Commissioner of Corporate Services be authorized to sign the Development Charges Incentive Program agreement with content satisfactory to the Commissioner of Corporate Services, and the Commissioner of Planning and Development and in a form approved by the City Solicitor and that staff be authorized to take the necessary steps to implement the terms of the agreement.

PDC232-2017

1. That the report from C. Caruso, Central Area Planner, Planning and Development Services, dated November 8, 2017, to the Planning and Development Committee Meeting of December 4, 2017, re: **Re-approval of the Building Improvement Program Application for 9 George Street North – Ward 1** (File BU17.002) be received.

PDC233-2017
Carried at Council

2. That Council re-approve application BU17-002 to a maximum amount of \$20,000 under the Downtown Building Improvement Program and that notwithstanding Section 2.4.1(i) of the Downtown Brampton Building Improvement Program the works eligible for the grant include works related to the building improvement completed prior to the approval of the application by Council and the signing of an agreement.
3. That the time limit for having the applicant sign the agreement with the City of Brampton, agreeing to maintain the rules of the programs as set out in the approved Implementation Guidelines be extended to February 16, 2018.
4. That failure to satisfy Condition 3 shall render this approval null and void.
5. That the Commissioner of Planning and Development Services be authorized to sign the Building Improvement Program Agreement in relation to the approved project with content satisfactory to the Commissioner of Planning and Development Services, or designate, and in a form approved by the City Solicitor, or designate, and that staff be authorized to take the necessary steps to implement the terms of the agreement.

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- PDC234-2017
1. That the report from R. Elliott, Commissioner, Planning and Development Services, dated November 17, 2017, to the Planning and Development Committee Meeting of December 4, 2017, re: **City of Brampton Urban Design Review Panel Pilot Project**, be received;
 2. That the proposal to initiate an Urban Design Review Panel (UDRP) in Brampton on selected design priority areas be endorsed, and that staff be authorized to initiate the panel on a pilot basis for two years (2018-19); and
 3. That staff monitor the Panel's work, and, at the conclusion of the two-year pilot project, report back with the findings and recommendations for future action.
- PDC235-2017
- That the **Minutes – Cycling Advisory Committee – November 16, 2017**, to the Planning and Development Committee Meeting of December 4, 2017, Recommendations CYC066 to CYC069, be approved as printed and circulated.
- CYC066-2017
- That the Agenda for the Cycling Advisory Committee meeting of November 16, 2017, be approved as amended as follows:
- To Add:**
- 5.2 Discussion at the request of Stephen Laidlaw, CO-Chair, Cycling Advisory Committee, re: **Cycling Advisory Committee Terms of Reference Mandate**.
- CYC067-2017
- That the Update from Dayle Laing, Member, Cycling Advisory Committee, to the Cycling Advisory Committee Meeting of November 16, 2017, re: **Bike the Creek**, be received.
- CYC068-2017
- That the discussion at the request of Stephen Laidlaw, Co-Chair, Cycling Advisory Committee, to the Cycling Advisory Committee Meeting of November 16, 2017, re: **Cycling Advisory Committee Terms of Reference Mandate**, be received.
- CYC069-2017
- That the Cycling Advisory Committee do now adjourn to meet again on December 14, 2017, at 7:00 p.m.

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- PDC236-2017 That the **Minutes – Brampton Heritage Board – November 21, 2017**, to the Planning and Development Committee Meeting of December 4, 2017, Recommendations HB080-2017 to HB088-2017, be approved as printed and circulated.
- HB080-2017 That the agenda for the Brampton Heritage Board Meeting of November 21, 2017 be approved as printed and circulated.
- HB081-2017 That the **Minutes of the Heritage Resources Sub-Committee Meeting of November 9, 2017**, to the Brampton Heritage Board Meeting of November 21, 2017, be received.
- HB082-2017 That the Brampton Heritage Board organize and participate in the **“Highlight on Heritage” event taking place at Bramalea City Centre on Saturday, February 10, 2018.**
- HB083-2017 That the proposal for an event to recognize the **70th Anniversary of the Last Great Flood** (March 16, 1948), considered at the Brampton Heritage Board Meeting of November 21, 2017, be **deferred** to the next Board meeting.
- HB084-2017
 1. That the report from Tristan Costa, Assistant Heritage Planner, Planning and Development Services, dated November 7, 2017, to the Brampton Heritage Board Meeting of November 21, 2017, re: **Heritage Permit Application and Designated Heritage Property Incentive Grant Application – 44 Main Street South (St. Paul’s United Church) – Ward 1** (File HE.x), be received;
 2. That the Heritage Permit Application for 44 Main Street South for the restoration and repair of 5 upper floor windows and front façade wooden porch stairs be approved, subject to the following conditions:
 - a. That the windows sills damaged beyond repair be replaced in kind;
 - b. That the stairs be replaced with cedar;
 - c. That the existing spindles be retained, where possible; and,
 3. That the Designated Heritage Property Incentive Grant application for 44 Main Street South for the restoration and repair of 5 upper floor windows and front façade wooden porch stairs be approved, to a maximum of \$5000.00.

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- HB085-2017
1. That the report from Cassandra Jasinski, Heritage Planner, Planning and Development Services, dated November 9, 2017, to the Brampton Heritage Board Meeting of November 21, 2017, re: **Heritage Permit Application – Part IV of the Ontario Heritage Act for 40 Elizabeth Street South (Alderlea) – Ward 4** (File HE.x), be received;
 2. That the Brampton Heritage Board endorses the final location for the artwork on the Alderlea property, as recommended in the report; and,
 3. That the Heritage Permit Application submitted by the City of Brampton for the installation of public art in honour of Alderlea's 150th Anniversary be approved.
- HB086-2017
1. That the report from Cassandra Jasinski, Heritage Planner, Planning and Development Services, dated November 8, 2017, to the Brampton Heritage Board Meeting of November 21, 2017, re: **Listing 10309 McVean Drive on the Municipal Register of Cultural Heritage Resources – Ward 10** (File HE.x), be received; and,
 2. That 10309 McVean Drive be listed on the City of Brampton's *Municipal Register of Cultural Heritage Resources*.
- HB087-2017
- That the verbal update from Cassandra Jasinski, Heritage Planner, Planning and Development Services, to the Brampton Heritage Board Meeting of November 21, 2017, re: **Main Street South Heritage Conservation District**, be received.
- HB088-2017
1. That the Brampton Heritage Board meeting of December 12, 2017 be cancelled; and,
 2. That the Brampton Heritage Board do now adjourn to meet again on Tuesday, January 16, 2017 at 7:00 p.m. or at the call of the Chair.
- PDC237-2017
- That the **Referred Matters List – Planning and Development Committee – December 4, 2017** to the Planning and Development Committee Meeting of December 4, 2017 be received.

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PDC238-2017 That the Planning and Development Committee do now adjourn to meet again on Monday, January 15, 2018, at 7:00 p.m., or at the call of the Chair.

10.5. **Minutes – Committee of Council – December 6, 2017**

Regional Councillor Palleschi, Chair, Community Services Section, introduced the minutes and provided a summary of matters considered under that section.

City Councillor Bowman, Chair, Economic Development and Culture Section, provided a summary of matters considered under that section.

Regional Councillor Miles, Chair, Corporate Services Section, introduced matters considered under that section.

City Councillor Whillans, Chair, Public Works and Engineering, provided a summary of matters considered under that section.

The following motion was considered.

C392-2017 Moved by Regional Councillor Moore
 Seconded by City Councillor Whillans

1. That the **Minutes of the Committee of Council Meeting of December 6, 2017**, to the Council Meeting of December 13, 2017, be received; and,
2. That Recommendations CW415-2017 to CW448-2017 be approved, as outlined in the subject minutes.

Carried

The recommendations were approved as follows.

CW415-2017 That the agenda for the Committee of Council Meeting of December 6, 2017 be approved as amended as follows:

To delete:

- 5.5. Delegations, re: **Morguard Success Story at Bramalea City Centre**:
 1. Andrew Butler, General Manager, Bramalea City Centre
 2. Bob Mah, Retail Asset Manager, Morguard

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3. Eleni Koukoulidis, Marketing Director, Bramalea City Centre

To add:

8.3.4. Summary of Recommendations – Taxicab Advisory Committee – December 4, 2017

- CW416-2017 That the delegations from the following representatives of Monster Creative Collective, to the Committee of Council Meeting of December 6, 2017, re: **Thanks to the City of Brampton for Support of "Bollywood Monster Does Brampton" and "Monster Rock Orchestra" events** be received:
1. Vikas Kohli, Executive Director
 2. Amadeo Ventura, Stakeholder Relations Consultant
 3. Marisol Fornoni, Community Relations Consultant
- CW417-2017 That the delegation from Catherine Soplet, Founder, Building Up Our Neighbourhoods, and Member, Peel Poverty Action Group, to the Committee of Council Meeting of December 6, 2017, re: **Recognition of the 10th Anniversary of the 2007 Peel Youth Charter** be **referred** to staff for a report back to a future Committee meeting.
- CW418-2017 That the following delegations to the Committee of Council Meeting of December 6, 2017, re: **City of Brampton Partnership with Career Edge** be received:
1. Jay Yakabowich, Senior Vice President, Career Edge
 2. Jeff Lazenby, Senior Director, Career Edge
 3. Iva Peressini, Manager, Talent Acquisition, Human Resources, City of Brampton
- CW419-2017 1. That the presentation by A. Milojevic, General Manager, Transit, to the Committee of Council Meeting of December 6, 2017, re: **Brampton Transit 5 Year Business Plan** be received;
2. That the report from A. Milojevic, General Manager, Transit, dated November 20, 2017, to the Committee of Council Meeting of December 6, 2017, re: **Brampton Transit 5 Year Business Plan** be received; and,

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3. That the summary document of the Brampton Transit Business Plan 2018-2022 and the Service Standards document attached to this report be endorsed to help guide the improvement and expansion of the Züm/Brampton Transit network and services, through the next five years (2018 to 2022), noting that future changes in services are still subject to change and subsequent approval through the annual budget approval process.

CW420-2017

1. That the report from K. Thususka, Real Estate Coordinator, Realty Services, Community Services, dated November 9, 2017, to the Committee of Council Meeting of December 6, 2017, re: **Surplus Declaration of portion of Block 108, 43M-2015, designated as Part 1, on 43R-37636, Lower Thames Park, City of Brampton, Regional Municipality of Peel – Ward 6** be received; and
2. That a by-law be passed to declare surplus to the City's requirements a portion of the City's land comprising Lower Thames Park and identified as part of PIN 14088-1201(LT), in order that the fee simple interest in such portion of the City's land, having an area of approximately 0.003 acres (0.012 ha), be conveyed at fair market value to the owner of the adjacent lands municipally known as 10 Elysian Fields Circle, for the sole purpose of bringing the side yard setback into compliance with the City's Zoning By-law.

CW421-2017

That the report from K. Thususka, Real Estate Coordinator, Realty Services, Community Services, dated October 2, 2017, to the Committee of Council Meeting of December 6, 2017, re: **Quarterly Report – Real Estate Transactions Executed by Delegated Authority – Q3 2017** be received.

CW422-2017

1. That the report from G. Hay, Recreation Supervisor, Community Services, dated November 14, 2017, to the Committee of Council Meeting of December 6, 2017, re: **Request to Begin Procurement – Purchasing By-Law Section 4.0 – To provide turf maintenance and grounds keeping services at Peel Village Golf Course – Ward 3** be received; and
2. That the Purchasing Agent be authorized to begin the procurement to provide turf maintenance and grounds keeping at Peel Village Golf Course for a five (5) year period.

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- CW423-2017 That the **Minutes of the Brampton Community Safety Advisory Committee Meeting of November 7, 2017**, to the Committee of Council Meeting of December 6, 2017, be received.
- CW424-2017 That the presentation by V. Mountain, Manager, Culture, Economic Development and Culture, and D. Rollings, Chair, Culture Master Plan Steering Committee, to the Committee of Council Meeting of December 6, 2017, re: **Culture Master Plan Update** be received.
- CW425-2017 That the presentation by A. Wong, Manager, Central Area, Economic Development and Culture, to the Committee of Council Meeting of December 6, 2017, re: **Central Area Update** be received.
- CW426-2017 That the presentation by D. Van Moorsel, Sector Manager, Advanced Manufacturing, Economic Development and Culture, to the Committee of Council Meeting of December 6, 2017, re: **Supercluster Update** be received.
- CW427-2017
 1. That the presentation by M. Bohl, Sector Manager, Health and Life Sciences, Economic Development and Culture, to the Committee of Council Meeting of December 6, 2017, re: **Update – Business Mission to New York City – November 15, 2017** be received; and
 2. That the report from B. Darling, Director, Economic Development and Culture, dated November 21, 2017, to the Committee of Council Meeting of December 6, 2017, re: **Update – Business Mission to New York City, NY – November 15, 2017** be received.
- CW428-2017
 1. That the presentation by V. Mountain, Manager, Culture, Economic Development and Culture, to the Committee of Council Meeting of December 6, 2017, re: **Alderlea Public Art Recommendation** be received;
 2. That the report from V. Mountain, Manager, Culture, Economic Development and Culture, dated November 15, 2017, to the Committee of Council Meeting of December 6, 2017, re: **Alderlea 150th Anniversary Public Art Project: Artist Recommendation** be received; and

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3. That the proposal from Mr. Tim desClouds entitled “For the Love of a House” be approved as the successful artist submission for the Alderlea 150th Anniversary Public Art Project; and
4. That the Director, Economic Development and Culture, be authorized to enter into an artist agreement with Mr. Tim desClouds for the development and installation of the Alderlea 150th Anniversary Project, in the amount of \$50,792 (includes applicable taxes), and such other agreements as necessary in connection there with, with content satisfactory to the Director, Economic Development and Culture and in a form satisfactory to the City Solicitor or designate.

CW429-2017 That the verbal update from B. Seguin, Advisor, Economic Development and Culture, to the Committee of Council Meeting of December 6, 2017, re: **University Update** be received.

CW430-2017 That the presentation by A. Minichillo, Project Manager, Planning Vision, Planning and Development Services, to the Committee of Council Meeting of December 6, 2017, re: **Planning Vision Update** be received.

CW431-2017 1. That the presentation by N. Early, Manager, Corporate Policy, Service Innovation and Corporate Performance, to the Committee of Council Meeting of December 6, 2017, re: **Modernizing the City’s Policies and Practices – New Policy Program – Phase 1 Update** be received;

2. That the report from N. Early, Manager, Corporate Policy, Service Innovation and Corporate Performance, dated November 6, 2017, to the Committee of Council Meeting of December 6, 2017, re: **Modernizing the City of Brampton’s Policies and Practices – Obsolete Council Policies** be received; and,

3. That the following Council policies be declared obsolete and rescinded from the Council policy registry:
a) Computer Purchase Program (5.4.0), 2002
b) Position Description (6.1.0), 2002
c) Confined Space Entry (12.4.1), 2004
d) Heat Stress Prevention (12.4.2), 2004
e) Radio Use in the Workplace (12.4.4), 2004

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- f) West Nile Virus Prevention (12.4.7), 2004
- g) Winter Ice Maintenance on Lakes and Ponds (12.4.8), 2004
- h) Protective Footwear (12.5.2), 2004
- i) Corporate Initiatives Funding (13.2.2), 2005
- j) Expenses – Travel (13.3.5), 2015
- k) Community Use of Suite at BCSE (14.2.0), 2001
- l) Micrographics and Electronic Imaging (14.7.0), 2003
- m) Reports to Council-Committee (14.10.0), 2003
- n) Barrier Free Policy (14.12.0), 2004
- o) Business Mission Attendance Protocol (14.19.0), 2016

CW432-2017 That the report from E. O'Hoski, Director, Strategic Communications, dated October 19, 2017, to the Committee of Council Meeting of December 6, 2017, re: **Updated Census Data on Languages in Brampton** be received.

- CW433-2017 1. That the report from E. O'Hoski, Director, Strategic Communications, dated November 17, 2017, to the Committee of Council Meeting of December 6, 2017, re: **CN Rail Bridge Advertising Options for Future Use (RM 48/2017)** be received;
2. That the contract with RCC Media Inc. be renewed for a period of five (5) years, to provide the City of Brampton full and exclusive use of both sides of the bridge faces located on Main Street north of Queen Street, and Queen Street east of Main Street, using the same provisions as the previous contract, to produce, install and maintain vinyl advertising banners; and
3. That an exemption to the Sign By-law (399-2002) be made to allow vinyl banners to be displayed on the two downtown CN Rail bridges: Main Street north of Queen Street and Queen Street east of Main Street.

- CW434-2017 1. That the report from M. Finnegan, Senior Manager, Revenue, Corporate Services, dated November 10, 2017, to the Committee of Council Meeting of December 6, 2017, re: **Tax Adjustments, Cancellations and Reductions Pursuant to the *Municipal Act, 2001***, be received; and
2. That the tax account adjustments as listed on Appendix A of this report be approved.

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- CW435-2017 That the **Minutes of Transit Council of Chairs Meeting of November 7, 2017**, to the Committee of Council Meeting of December 6, 2017, be received.
- CW436-2017 That the **Minutes of the Accessibility Advisory Committee Meeting of November 7, 2017**, to the Committee of Council Meeting of December 6, 2017, Recommendations AAC019-2017 to AAC023-2017, be approved as printed and circulated.
- AAC019-2017 That the agenda for the Accessibility Advisory Committee meeting November 7, 2017 be approved, as amended, to add the following items:
- 6.2. Discussion at the request of Sherri Hopkins, Member, re: **Accessibility Issues at Bramalea City Centre**
- 6.3. Discussion at the request of Therese Anne Sidler, Member, re: **Accessibility Concerns at Brampton Library Four Corners Branch**
- AAC020-2017 That the presentation by Linda Oliner, Coordinator, Sport Tourism, Recreation and Culture, to the Accessibility Advisory Committee meeting of November 7, 2017, re: **Sport Tourism in Brampton** be received.
- AAC021-2017 1. That the verbal advisory by City Clerk's Office staff to the Accessibility Advisory Committee meeting of November 7, 2017, re: **Accessibility Advisory Committee Membership and Attendance** be received; and,
2. That the City Clerk be requested to fill the vacancy for the citizen membership for the term ending November 30, 2018, in accordance with the Citizen Appointment Process.
- AAC022-2017 That the update by Mike Mulick, Project Supervisor, Service Standards and Frank Grech, Accessible Enforcement Officer, Enforcement and By-law Services, to the Accessibility Advisory Committee meeting of November 7, 2017, re: **Quarterly Accessible Enforcement Report for Q3 – 2017** be received.

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- AAC023-2017 That the accessible Advisory Committee meeting do now adjourn to meet again on Tuesday December 5, 2017 at 6:30 p.m.
- CW437-2017 That the proposed Taxicab/Accessible Taxicab Owner Renewal Fee be increased from \$410 to \$430.
- CW438-2017 That the **Summary of Recommendations for the Taxicab Advisory Committee Meeting of December 4, 2017**, to the Committee of Council Meeting of December 6, 2017, Recommendations TC046-2017 to TC050-2017, be approved as printed and circulated.
- TC046-2017 That the agenda for the Taxicab Advisory Committee Meeting of December 4, 2017 be approved, as printed and circulated.
- TC047-2017 That the delegation from a member of the Taxicab Industry, to the Taxicab Advisory Committee Meeting of December 4, 2017, re: **Notice of Intention to Amend Mobile Licensing By-law 67-2014, Appendix I – Formula for the Issuance of Taxicab Owner’s Licences (Plates) from the Priority List** be received.
- TC048-2017
 1. That the report from J. Bisson, Manager, Licensing Enforcement, Corporate Services, dated November 20, 2017, to the Taxicab Advisory Committee Meeting of December 4, 2017, re: **The Review of the Formula for the Issuance of Taxicab Owner’s Licences (Plates) from the Priority List** be received; and
 2. That a by-law be passed to amend Mobile Licensing By-law 67-2014, as amended, to effect the recommended changes identified within the report titled “The Review of the Formula for the Issuance of Taxicab Owner’s Licences (Plates) from the Priority List”.
- TC049-2017 That, it is the position of the Taxicab Advisory Committee that the proposed Taxicab/Accessible Taxicab Owner Renewal Fee be increased from \$410 to \$430.
- TC050-2017 That the Taxicab Advisory Committee do now adjourn to meet again on Tuesday, February 27, 2017 at 2:00 p.m. or at the call of the Chair.

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- CW439-2017
1. That the report from A. Memon, Traffic Operations Technologist, Public Works and Engineering, dated November 1, 2017, to the Committee of Council Meeting of December 6, 2017, re: **The Alternate Process for Consideration of All-Way Stop Signs – Ward 8** (File I.AC) be received; and
 2. That a by-law be passed to amend Traffic By-law 93-93, as amended, to implement all-way stop control at the following intersection:
 - Westbrook Avenue and Avalanche Crescent/Whitehouse Crescent (northerly intersection, Ward 8).
- CW440-2017
1. That the report from J. Edwin, Manager, Development Construction, Environment and Development Engineering, Public Works and Engineering, dated October 20, 2017, to the Committee of Council Meeting of December 6, 2017, re: **Initiation of Subdivision Assumption – Edenfield Developments Inc. – Registered Plan 43M-1810 – North of Ebenezer Road and West of Regional Road No. 50 – Ward 10** (File C10E07.015) be received;
 2. That the City initiate the Subdivision Assumption of Edenfield Developments Inc., Registered Plan 43M-1810; and
 3. That a report be forwarded to City Council recommending the Subdivision Assumption of Edenfield Developments Inc., Registered Plan 43M-1810, once all departments have provided their clearance for assumption.
- CW441-2017
1. That the report from J. Edwin, Manager, Development Construction, Environment and Development Engineering, Public Works and Engineering, dated October 31, 2017, to the Committee of Council Meeting of December 6, 2017, re: **Initiation of Subdivision Assumption – FP Block 5 Developments Limited – Registered Plan 43M-1916 – South of Queen Street and West of Chinguacousy Road – Ward 4** (File C03W05.016) be received;
 2. That the City initiate the Subdivision Assumption of FP Block 5 Developments Limited, Registered Plan 43M-1916; and

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3. That a report be forwarded to City Council recommending the Subdivision Assumption of FP Block 5 Developments Limited, Registered Plan 43M-1916, once all departments have provided their clearance for assumption.
- CW442-2017
1. That the report from W. Kuemmling, Manager, Open Space Development, Public Works and Engineering, dated October 23, 2017, to the Committee of Council Meeting of December 6, 2017, re: **Request for Budget Amendment – Capital Project #175860-007 – Neighbourhood Parks, Riverview Heights - Erin Mills Subdivision, Pathway Construction in Open Space Block 302 – Registered Plan 43M-1979 – Ward 6** (File C05W02.006) be received;
2. That approval be given to transfer \$90,900 from Reserve #134 – Recreation Development Charges, plus \$10,100 from Reserve #78 – 10 % Operating Development Charges Contribution, to new Capital Project #175860-007 (Neighbourhood Parks), to allow staff to compensate The Erin Mills Development Corporation a total of \$100,664.36 for completing the development of the pathway on the City's behalf, as summarized in Schedule D of the Subdivision Agreement for application C05W02.006, Registered Plan 43M-1979.
- CW443-2017
- That the **Referred Matters List – Committee of Council** to the Committee of Council Meeting of December 6, 2017, be received.
- CW444-2017
- That the Briefing Report from L. Rubin-Vaughan, Manager, Government Relations and Public Policy, Office of the Chief Administrative Officer, to the Committee of Council Meeting of December 6, 2017, re: **Government Relations Matters** be received.
- CW445-2017
- That Committee proceed into Closed Session to discuss matters pertaining to the following:
- 13.1. A proposed or pending acquisition or disposition of land by the municipality or local board – property disposition matter
- 13.2. A proposed or pending acquisition or disposition of land by the municipality or local board – property lease matter

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- 13.3. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose – legal advice
- 13.4. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – potential litigation matter

CW446-2017 That staff be authorized to negotiate and a by-law be passed to authorize the Mayor and Clerk to execute, an agreement of purchase and sale together with all other documents necessary to effect the disposal of the Fee Simple Interest, at fair market value, to the current owner of 10 Elysian Fields Circle, said agreement and documents to be on terms and conditions acceptable to the Commissioner Community Services, and in a form acceptable to the City Solicitor or designate.

- CW447-2017 1. That staff be authorized to negotiate and a by-law be passed to authorize the Commissioner of Community Services to execute an Offer to Lease and subsequent lease agreement for the lease of approximately 1,222 square feet of space on the ground floor of the West Tower, being Suite 103-41 George Street South, to 2123008 Ontario Ltd., operating as Epic Pita Downtown Brampton, for consideration at fair market value and other terms and conditions acceptable to the Senior Manager, Realty Services, or designate and in a form of agreement approved by the City Solicitor, or designate; and
2. That staff be directed to deposit the net proceeds from the rent generated by the lease of the premises, municipally known as Suite 103, 41 George Street, South, into account no. 600841.001.7320.0001.

CW448-2017 That the Committee of Council do now adjourn to meet again on Wednesday, January 17, 2018 at 9:30 a.m. or at the call of the Chair.

11. **Unfinished Business** – nil

12. **Correspondence**

- 12.1. Correspondence from Carmine Domanico, Chair, Board of Directors, Central West Local Health Integration Network, dated November 28, 2017, to Vanita

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Varma, Chair, Board of Directors, William Osler Health System re: **Moving Forward with Peel Memorial Phase II in the Context of a Longer Term Plan.**

The following motion was considered.

C393-2017 Moved by City Councillor Whillans
Seconded by City Councillor Bowman

That the correspondence from Carmine Domanico, Chair, Board of Directors, Central West Local Health Integration Network, dated November 28, 2017, to Vanita Varma, Chair, Board of Directors, William Osler Health System, to the Council Meeting of December 13, 2017, re: **Moving Forward with Peel Memorial Phase II in the Context of a Longer Term Plan**, be received.

Carried

- * 12.2. Correspondence from Helena West, Legislative Specialist, Region of Peel, dated December 1, 2017, re: **Region of Peel Resolution 2017-922 - Property Tax Exemption By-law for Land Used by Veterans for Eligible Purposes.**

Dealt with under Consent Resolution C380-2017

- * 12.3. Correspondence from Helena West, Legislative Specialist, Region of Peel, dated December 1, 2017, re: **Region of Peel Resolution 2017-926 - Low-Income Seniors and Low-Income Persons with Disabilities Tax Rebate Review and By-law Update.**

Dealt with under Consent Resolution C380-2017

- 12.4. Correspondence from Jenny Gerbasi, Deputy Mayor, City of Winnipeg, President, Federation of Canadian Municipalities (FCM), dated December 7, 2017, re: **FCM Submission on Proposed Excise Duty Framework for Cannabis Products.**

The following motion was considered.

C394-2017 Moved by Mayor Jeffrey
Seconded by City Councillor Bowman

That the correspondence from Jenny Gerbasi, Deputy Mayor, City of Winnipeg, President, Federation of Canadian Municipalities (FCM), dated December 7, 2017, to the Council Meeting of December 13, 2017, re:

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FCM Submission on Proposed Excise Duty Framework for Cannabis Products, be received.

Carried

13. Resolutions – nil

14. Notices of Motion – nil

15. Petitions – nil

16. Other Business/New Business

16.1. Discussion at the request of City Councillor Fortini, re: **Heritage Theatre Block**

In response to a request from City Councillor Fortini, Al Meneses, Commissioner of Community Services, provided an update on the sale of the Heritage Theatre Block, responded to questions from Council, and confirmed that a report would be provided for consideration in Closed Session at a future meeting.

17. Procurement Matters – nil

18. Government Relations Matters

18.1. Briefing Report from the Office of the Chief Administrative Officer, re: **Government Relations Matters.**

The briefing report was distributed at the meeting.

The following motion was considered.

C395-2017 Moved by Regional Councillor Sprovieri
 Seconded by Regional Councillor Palleschi

That the briefing report from the Office of the Chief Administrative Officer, to the Council Meeting of December 13, 2017, re: **Government Relations Matters**, be received.

Carried

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19. Public Question Period – nil

20. By-laws

The following motion was considered.

C396-2017 Moved by City Councillor Bowman
Seconded by City Councillor Whillans

That By-laws 264-2017 to 289-2017, before Council at its meeting of December 13, 2017, be given the required number of readings, taken by the Mayor and City Clerk and the Corporate Seal affixed thereto.

264-2017 To amend Procedure By-law 160-2004, as amended, to implement recent amendments to the *Municipal Act, 2001*, effective January 1, 2018 (See Item 8.1)

265-2017 To amend Schedule 3 of Adult Entertainment Establishment By-law 114-2017, as amended, to exempt three pre-existing Adult Merchandise Businesses from the 500 metre separation requirement (See Item 8.2)

266-2017 To authorize the waiver of Section 42 requirements of the Expropriation Act to facilitate the disposal of surplus City owned land, municipally known as 1524 Countryside Drive – Ward 9 (See Item 8.6)

267-2017 To accept and assume works in Registered Plan 43M-1856 – Tanyaville Developments Inc. & Minto Brampton (Credit Ridge) Inc. – Registered Plan No. 43M-1856 – west of Creditview Road and south of Bovaird Drive – Ward 5 (File C04W08.002) (See Item 8.7)

268-2017 To declare surplus a fee simple interest over a portion of City owned land, known as Lower Thames Park – Ward 6 (See Item 10.5 – Committee of Council Recommendation CW420-2017 – December 6, 2017)

269-2017 To amend the Mobile Licensing By-law 67-2017, as amended – to make changes to vehicle requirements, fares, application requirements for brokers, licence fees and accessible vehicle driver training requirements, for Taxis and Limousines (See Item 10.5 – Committee of Council Recommendation CW437-2017 – December 6, 2017)

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- 270-2017 To amend Mobile Licensing By-law 67-2014, regarding Appendix I Formula for the Issuance of Taxicab Owner's licences (plates) from the Priority List (See Item 10.5 – Committee of Council Recommendation CW438-2017 (TC048-2017) – December 6, 2017)
- 271-2017 To amend Traffic By-law 93-93 – schedules relating to through highways and stop signs – Westbrook Avenue and Avalanche Crescent/Whitehouse Crescent (northerly intersection) – Ward 8 (See Item 10.5 – Committee of Council Recommendation CW439-2017 – December 6, 2017)
- 272-2017 To authorize the sale of a surplus Fee Simple Interest over a portion of City owned land known as Lower Thames Park to the current owner of 10 Elysian Fields Circle – Ward 6 (See Item 10.5 – Committee of Council Recommendation CW446-2017 – December 6, 2017)
- 273-2017 To authorize the execution of an Offer to Lease and subsequent Lease Agreement for retail space in City Hall West Tower – Ward 3 (See Item 10.5 – Committee of Council Recommendation CW447-2017 – December 6, 2017)
- 274-2017 To appoint officers to enforce parking on private property and to repeal By-Law 232-2017
- 275-2017 To prevent the application of part lot control on Registered Plan (43M-1817) – southwest corner of Bovaird Drive West and Elbern Markell Drive – Ward 5 (File PLC17-025)
- 276-2017 To prevent the application of part lot control Registered Plan (43M-1963) – northwest corner of Mississauga Road and Williams Parkway – Ward 5 (File PLC17-026)
- 277-2017 To prevent the application of part lot control on Registered Plan (43M-1980) – southwest corner of Bovaird Drive West and Mississauga Road – Ward 5 (File PLC17-027)
- 278-2017 To prevent the application of Part Lot Control on Registered Plan (43M-2023) – southeast corner of Mississauga Road and Wanless Drive – Ward 6 (File PLC17-033)
- 279-2017 To prevent the application of Part Lot Control on Registered Plan 43M-2041 – southeast of Cloudburst Road and Mississauga Road – Ward 6 (File PLC17-040)

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- 280-2017 To prevent the application of part lot control on Registered Plan (43M-1924) – northwest corner of Wanless Drive and Creditview Road – Ward 6 (File PLC17-041)
- 281-2017 To prevent the application of part lot control on Registered Plan (43M-2032) – northwest of Remembrance Road and Creditview Road – Ward 6 (File PLC17-042)
- 282-2017 To prevent the Application of Part Lot Control on Registered Plan (43M-2002) – northeast corner of Heritage Road and Steeles Avenue West – Ward 10 (File PLC17-032)
- 283-2017 To establish certain lands as part of the public highway system (Arrowpoint Drive and Sage Meadow Crescent) – Ward 4
- 284-2017 To establish certain lands as part of the public highway system (Heatherglen Drive and Hickory Ridge Court) – Ward 4
- 285-2017 To establish lands as part of public highway (Olivia Marie Road, Financial Drive and Lionhead Golf Club Road) – Ward 4
- 286-2017 To establish certain lands as part of the public highway system (Remembrance Road and Veterans Drive) – Ward 6
- 287-2017 To establish certain lands as part of the public highway system (Exchange Drive, Castlegate Boulevard, Deerchase Road, Pannahill Drive, Oakhaven Road, Dilworth Chase Road and Lynngrove Way) – Ward 8
- 288-2017 To establish certain lands as part of the public highway system (Clearfield Drive, Pomell Trail, Oklahoma Drive, Clarkway Drive, Versailles Crescent and Delport Close) – Ward 10
- 289-2017 To establish certain lands as part of the public highway system (Oshawa Drive, Vanderpool Crescent, Almond Street, Mount Royal Circle, Rampart Drive, Tango Road and Delmonico Road) – Ward 10

Carried

21. Closed Session

See also Item 6.3 – Resolution C381-2017 re: Item 21.9

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The following motion was considered.

C397-2017 Moved by City Councillor Whillans
 Seconded by City Councillor Bowman

That Council proceed into Closed Session to discuss matters pertaining to the following:

- 21.1. Minutes – Closed Session – Audit Committee – November 20, 2017
- 21.2. Minutes – Closed Session – City Council – November 22, 2017
- 21.3. Minutes – Closed Session – City Council – Special Meeting – November 28, 2017
- 21.4. Minutes – Closed Session – Committee of Council – December 6, 2017
- 21.5. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Ontario Municipal Board matter
- 21.6. A proposed or pending acquisition or disposition of land by the municipality or local board – property acquisition matter
- 21.7. A proposed or pending acquisition or disposition of land by the municipality or local board – property acquisition matter
- 21.8. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose – litigation matter
- 21.10. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Carried

Note: In Open Session, the Mayor reported on the status of matters considered in Closed Session, as follows:

- 21.1 – these minutes were acknowledged by Council
- 21.2 – these minutes were acknowledged by Council
- 21.3 – these minutes were acknowledged by Council
- 21.4 – these minutes were acknowledged by Council

**Minutes
City Council**

- 21.5 – this item was considered by Council and direction was given to staff with respect to this matter
- 21.6 – this item was considered by Council – see Resolution C398-2017 below
- 21.7 – this item was considered by Council – see Resolutions C399-2017 and C400-2017 below
- 21.8 – this item was considered by Council – see Resolution C401-2017 below
- 21.10 – this item was considered by Council and direction was given to staff with respect to this matter

The following motion was considered with respect to Item 21.6.

C398-2017 Moved by Regional Councillor Miles
 Seconded by City Councillor Fortini

That By-law 290-2017 be passed to approve the Agreement of Purchase and Sale executed by Goreway Heaven Inc. as vendor for the purchase by the City on an "as is, where is" basis of the vacant parcel identified as PIN 14022-0133(LT), being part of Lot 14, Concession 7 S.D., designated as Part 7, Plan 43R-13215, in the City of Brampton, Regional Municipality of Peel and authorize the Commissioner, Community Services to execute such Agreement of Purchase and Sale and any other agreements or documents necessary for the completion of such acquisition on terms acceptable to the Senior Manager, Realty Services and in form acceptable to the City Solicitor or designate.

Carried

The following motion was considered with respect to Item 21.7.

C399-2017 Moved by Regional Councillor Miles
 Seconded by City Councillor Bowman

1. That By-law 291-2017 be passed to authorize the Mayor and City Clerk to execute all documents necessary between The Corporation of the City of Brampton and 830460 Ontario Limited to effect the purchase of Riverstone Golf Club, capital improvement work and associated table and valley lands and all other documents and supplementary agreements as may be required in connection therewith, on terms and conditions acceptable to the Commissioner, Community Services and in a form acceptable to the City Solicitor or designate, in accordance with the following:

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- a. Acquisition of the clubhouse, clubhouse lands, and proximate parking (Parcels “A” and “B”) for \$9 M, including all chattels;
 - b. A \$2.6 M contribution from the City to the Vendor to facilitate the Vendor undertaking capital improvements, as identified by staff, to the clubhouse for completion, prior to closing;
 - c. The conveyance of the all valley lands and associated buffers (Parcels “D”, “E”, “F”, “G”, “H” and “I”) and the assumption of all remediation and redevelopment works, as identified in an agreement between the City and the Vendor, by the City;
 - d. The Vendor retaining the tablelands identified as Parcel “C” but with the registration of a protective covenant such that the redevelopment of the parcel be restricted to Low Density Residential development only;
2. That following the conveyance of the valley lands and associated buffer lands, that Public Works staff work with the Toronto and Region Conservation Authority (TRCA) and the Ministry of Natural Resources and Forestry (MNR) to “naturalize” the valley lands; and
 3. That the Commissioner of Community Services be authorized to execute agreements or other documents necessary for the completion of the City’s purchase of Riverstone Golf Club, capital improvement work and associated table and valley lands, on terms satisfactory to the Commissioner of Community Services and in a form acceptable to the City Solicitor, or designate.

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

| | | |
|------------|------------|---------------|
| <u>Yea</u> | <u>Nay</u> | <u>Absent</u> |
| Miles | Fortini | Medeiros |
| Bowman | Jeffrey | |
| Palleschi | Dhillon | |
| Whillans | Sprovieri | |
| Moore | | |
| Gibson | | |

Carried
6 Yeas
4 Nays
1 Absent

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A motion, moved by Regional Councillor Sprovieri and seconded by City Councillor Fortini, was introduced to convene a public meeting regarding the Riverstone property redevelopment.

An amendment was introduced to provide for a letter to area residents with a description of the project and notification of the open house. The amendment was accepted by the mover and seconder.

The motion, as amended, was considered as follows.

C400-2017 Moved by Regional Councillor Sprovieri
 Seconded by City Councillor Fortini

1. That a public meeting be convened, at an appropriate location, for the purpose of informing and gathering comments from the public with regard to the Riverstone property redevelopment as a recreation facility with a focus on programming for seniors;
2. And further that the area residents be provided with a letter of description of the project and notification of the open house.

Carried

The following motion was considered with respect to Item 21.8.

C401-2017 Moved by Regional Councillor Sprovieri
 Seconded by City Councillor Dhillon

1. That the proposed terms of settlement in regard to Carillion Canada Inc. v. The Corporation of The City of Brampton {CourtFileNo.CV-13-482359-00), Project 2010-049-Castlemore Road Widening, be approved;
2. That the City Solicitor or his designate be directed to take all necessary and reasonable steps as may be required to implement the proposed terms of settlement;
3. That the Mayor and City Clerk be authorized and directed to execute such documents as may be necessary to implement the proposed terms of settlement, approved as to content by and in a form acceptable to, the City Solicitor, including minutes of settlement and releases; and

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4. That Council authorize payment of the Settlement Amount to Carillion Canada Inc. from capital project # 103770 and holdback account # 800579.

Carried

22. Confirming By-law

The following motion was considered.

C402-2017 Moved by City Councillor Bowman
Seconded by City Councillor Whillans

That the following by-laws before Council at its Regular Meeting of December 13, 2017 be given the required number of readings, taken by the Mayor and the City Clerk and the Corporate Seal affixed thereto:

290-2017 To authorize the acquisition of certain lands between Steeles Avenue, Brampton and Brandon Gate Drive, Mississauga, Ward 8

291-2017 To authorize the acquisition of the Riverstone Golf Club, Capital Improvement Work and Associated Table and Valley Lands, Ward 8

292-2017 To confirm the proceedings of the Regular Council Meeting held on December 13, 2017

Carried

23. Adjournment

The following motion was considered.

C403-2017 Moved by City Councillor Whillans
Seconded by City Councillor Bowman

That Council do now adjourn to meet again for a Regular Meeting of Council on Wednesday, January 24, 2018 at 9:30 a.m. or at the call of the Mayor.

Carried

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City Council**

L. Jeffrey, Mayor

P. Fay, City Clerk

Date: 2021-03-26

Subject: **Tax Adjustments, Cancellations and Reductions Pursuant to the Municipal Act, 2001**

Contact: Martin Finnegan, Senior Manager, Revenue, Corporate Support Services martin.finnegan@brampton.ca

Report Number: Corporate Support Services-2021-410

Recommendations:

1. That the report from Martin Finnegan, Senior Manager, Revenue, Corporate Support Services, dated March 26, 2021 to the Committee of Council Meeting of April 28, 2021 re: **Tax Adjustments, Cancellations and Reductions Pursuant to the *Municipal Act, 2001***, be received; and,
2. That the tax account adjustments as listed on Appendix A of this report be approved.

Overview:

- **The purpose of this report is to obtain Council approval to adjust and/or write-off the balance of various tax accounts as set out in the attached Appendix A. Total adjustments are approximately \$190,312.16 including \$73,754.92 in City of Brampton taxes.**

Background:

Sections 334, 354, 357 and 358 of the *Municipal Act, 2001* provide the authorities and reasons for the write-off, cancellation, reduction or refund of taxes.

Current Situation:

Appendix A outlines adjustments to be made to property tax accounts. Many of these adjustments are due to properties becoming exempt from taxation. For example, certain

properties acquired by the City of Brampton, Region of Peel, School Boards, and religious organizations are not required to pay property taxes. Other adjustments are due to changes or errors in assessment values or tax classification. City staff has researched these accounts and is satisfied with the Municipal Property Assessment Corporation's (MPAC) recommendations regarding the changes in assessment. Lastly, adjustments may be made to correct an error in tax capping calculations which are also verified by City staff.

The total tax amount to be cancelled is \$190,312.16. The total amount will be allocated approximately as follows:

| | |
|-------------------|----------------------------|
| City of Brampton: | \$ 73,754.90 |
| Region of Peel: | \$ 58,740.86 |
| School Boards: | <u>\$ 57,816.40</u> |
| | <u>\$190,312.16</u> |

Any penalties and interest associated with these reductions will be cancelled from the applicable accounts. The City's 2021 Budget for current year adjustments and the allowance for prior years' adjustments are sufficient for this and other anticipated tax write-offs.

Appendix B outlines appeals that were filed with the City of Brampton but have been returned from MPAC with No Recommendation, that is, there is no tax adjustment forthcoming

Corporate Implications:

Financial Implications:

The City portion of taxes refunded due to these appeals is approximately \$73,754.90.

Term of Council Priorities:

This report fulfils the Council Priority of a Well-Run City through strict adherence to effective financial management policies and supports Brampton's 2040 Vision by ensuring sustainable financial revenues.

Conclusion:

The tax levy of the municipality is based on the assessment roll delivered by MPAC to the City in December of the previous year. While taxation is based on that assessment roll, it is very common for changes to occur after the return of the roll that may affect the taxation

of a particular property. The *Municipal Act, 2001* provides the municipality the authority to cancel, reduce, or refund taxes for applications made in accordance with the legislation. Examples of change events that may result in refunds include property class changes, newly exempt properties, demolished structures, and gross or manifest errors made in the assessment. The owners of properties within this report have made an application for refund under the *Municipal Act, 2001*. All applications have been investigated and, where applicable, the appropriate refunds of taxes have been calculated and are presented for Council approval.

Authored by:

Reviewed by:

Martin Finnegan, Senior Manager,
Revenue

Mark Medeiros, Treasurer (Acting)

Approved by:

Submitted by:

Michael Davidson, Commissioner,
Corporate Support Services

David Barrick, Chief Administrative Officer

Attachments:

Appendix A: **Tax Adjustments**
Appendix B: **Rejected Appeals**

| COMMITTEE OF COUNCIL - APRIL 28, 2021 | | | | TAX APPEALS APPENDIX A | |
|---------------------------------------|--------------------|----------|----------------------|--|----------------|
| APPEAL NO. | TAX ROLL NO. | TAX YEAR | PROPERTY ADDRESS | REASON FOR APPEAL | TOTAL ADJ (\$) |
| 6775 | 2110-010-002-13500 | 2020 | 60 Main St N | Became exempt - City of Brampton | -9,526.70 |
| 6822 | 2110-030-022-03900 | 2020 | 0 Main St S | Became exempt- City of Brampton | -347.15 |
| 6821 | 2110-030-030-03000 | 2020 | 1 Nelson St W | Two units occupied by Ryerson became exempt effective October 1, 2020 | -7,277.25 |
| 6780 | 2110-030-030-03300 | 2020 | 63 Main St N | Became exempt - City of Brampton | -1,519.53 |
| 6785 | 2110-040-034-05700 | 2020 | 8 Nelson St W | Became exempt - City of Brampton | -13,932.84 |
| 6728 | 2110-040-036-06100 | 2019 | 5 Railroad St | Metrolinx, exempt from education tax | -638.37 |
| 6783 | 2110-060-001-29867 | 2020 | 0 Clockwork Dr | Became exempt - Peel District School Board | -28,710.91 |
| 6768 | 2110-060-002-03159 | 2020 | 0 Thornbush Blvd | Became exempt - City of Brampton | -2,212.46 |
| 6788 | 2110-060-002-13000 | 2020 | 10185 Mississauga Rd | Became exempt - ROP | -5,958.79 |
| 6787 | 2110-060-002-13010 | 2020 | 10179 Mississauga Rd | Became exempt - ROP | -3,999.12 |
| 6763 | 2110-070-008-07246 | 2019 | 10545 Bramalea Rd | Four units leased by University Health Network became exempt effective January 1, 2019 | -30,490.17 |
| 6813 | 2110-070-008-11800 | 2019 | 0 Good Hope Rd | Became exempt - Dufferin-Peel Catholic District School Board | -50,014.12 |
| 6792 | 2110-080-011-08300 | 2020 | 8224 Creditview Rd | Became exempt - City of Brampton | -301.88 |
| 6838 | 2110-080-011-08305 | 2020 | 0 Creditview Rd | Became exempt- City of Brampton | -475.09 |
| 6794 | 2110-080-011-75347 | 2018 | 6 Alister Dr | Structure data was corrected by MPAC | -1,249.41 |
| 6796 | 2110-080-011-75347 | 2019 | 6 Alister Dr | Structure data was corrected by MPAC | -1,266.45 |
| 6798 | 2110-080-011-77686 | 2018 | 0 Zanetta Cres | MPAC error, duplicate assessment | -6,524.23 |
| 6789 | 2110-080-011-78421 | 2018 | 93 Ebury Rd | Structure data was corrected by MPAC | -456.62 |
| 6808 | 2110-080-011-78421 | 2019 | 93 Ebury Rd | Structure data was corrected by MPAC | -466.13 |
| 6816 | 2110-080-012-03900 | 2018 | 9362 Heritage Rd | Structure data was corrected by MPAC | -207.12 |
| 6817 | 2110-080-012-03900 | 2019 | 9362 Heritage Rd | Structure data was corrected by MPAC | -198.15 |
| 6818 | 2110-080-012-03900 | 2020 | 9362 Heritage Rd | Structure data was corrected by MPAC | -190.66 |
| 6806 | 2110-080-013-09694 | 2020 | 4 Lanark Cir | Classification change as per MPAC, no longer commercial, effective September 14, 2020 | -1,554.45 |
| 6800 | 2110-090-042-56100 | 2018 | 0 Northumberland Pl | Unbuildable land - No owner | -53.82 |
| 6801 | 2110-090-042-56100 | 2019 | 0 Northumberland Pl | Unbuildable land - No owner | -54.47 |
| 6802 | 2110-090-041-56100 | 2020 | 0 Northumberland Pl | Unbuildable land - No owner | -55.29 |
| 6803 | 2110-090-042-56103 | 2018 | 0 Northumberland Pl | Unbuildable land - No owner | -53.82 |
| 6804 | 2110-090-042-56103 | 2019 | 0 Northumberland Pl | Unbuildable land - No owner | -54.47 |
| 6805 | 2110-090-042-56103 | 2020 | 0 Northumberland Pl | Unbuildable land - No owner | -55.29 |
| 6781 | 2110-120-001-04200 | 2020 | 10854 Coleraine Dr | Damaged by fire on April 14, 2020 | -750.67 |
| 6809 | 2110-120-003-15900 | 2020 | 58 Marysfield Dr | Structure demolished effective November 5, 2020 | -10.40 |
| 6826 | 2110-140-096-02150 | 2020 | 0 Hurontario St | Classification change as per MPAC, effective January 1, 2020, property owned by the Province | -18,547.05 |
| 6814 | 2110-140-097-20846 | 2018 | 1603 Hallstone Rd | Structure data was corrected by MPAC | -611.00 |
| 6815 | 2110-140-097-20846 | 2019 | 1603 Hallstone Rd | Structure data was corrected by MPAC | -876.84 |
| 6812 | 2110-140-097-20864 | 2018 | 1585 Hallstone Rd | Structure data was corrected by MPAC | -832.37 |
| 6811 | 2110-140-097-20864 | 2019 | 1585 Hallstone Rd | Structure data was corrected by MPAC | -839.07 |
| | | | | | |
| | | | | | -190,312.16 |

| COMMITTEE OF COUNCIL - APRIL 28, 2021 | | | TAX APPEALS APPENDIX B | | |
|---------------------------------------|--------------------|-------------|------------------------|---|--------------------|
| APPEAL NO. | TAX ROLL NO. | TAX YEAR | PROPERTY ADDRESS | REASON FOR APPEAL | ADJUSTMENT (\$) |
| 6749 | 2110-020-005-06002 | 2019 | 317 Rutherford Rd S | No value adjustment applicable as per MPAC | 0.00 |
| 6793 | 2110-060-002-15556 | 2020 | 0 Remembrance Rd | Roll number deleted for 2020, not eligible as per MPAC, | 0.00 |
| 6673 | 2110-070-011-78900 | 2020 | 24 Clearview Crt | No value adjustment applicable as per MPAC | 0.00 |
| 6769 | 2110-090-024-02810 | 2019 | 7 Blair Dr | No value adjustment applicable as per MPAC | 0.00 |
| 6819 | 2110-120-001-21200 | 2020 | 16 Julian Dr | No value adjustment applicable as per MPAC | 0.00 |

Date: 2020-04-19

Subject: **City of Brampton 5G Hyper-Connectivity Options Report**

Contact: **Kumanan Gopalasamy**, Chief Information Officer, Digital Innovation and Information Technology, 905.874.2018
Kumanan.Gopalasamy@brampton.ca

Report Number: Corporate Support Services-2021-515

Recommendations:

1. THAT the report titled " **City of Brampton 5G Hyper-Connectivity Options Report** " dated April 19, 2021, be received; and,
2. THAT Council approves for the City of Brampton to play an active role, both strategically (engaging with the connectivity ecosystem, planning funding and investments for connectivity) and tactically (proactively organizing to respond to 5G-driven change and driving use-cases to enhance value) in the development and adoption of 5G hyper-connectivity technology; and
3. THAT a public engagement approach, including creating a web site to house information on 5G technology, be taken to facilitate two-way feedback exchange with Brampton residents.

Overview:

- On April 24, 2019, City Council resolved that "Staff be directed to explore collaboration and partnership opportunities to implement 5G technology throughout the city and report back to a future Council meeting."
- Staff were asked to deliver a review of 5G and future connectivity, and its potential impact on Brampton that focused on four themes: technology and innovation; Brampton's Smart City agenda; increased City attractiveness; and cross-industry collaboration.

- On October 15, 2019, the City acquired KMPG to assist with reporting on options for 5G technology.
- The review included analysis of global and Canadian telecom markets; engagement with external 5G ecosystem and dependent City stakeholders; and identification of relevant global case studies.
- On [March 5, 2021, City staff and KPMG presented at the Council Workshop](#) to enhance awareness and understanding, and open additional communication channels.

Background:

On April 24, 2019, Brampton City Council directed staff to explore collaboration and partnership opportunities to implement 5G technology throughout the city.

Current Situation:

5G represents a transformational change to mobile networks from the current 4G LTE networks and is expected to deliver a connectivity revolution. This transformation will not only change the way we live, work and play, but will also deliver a profound change to communications that affect government, enterprise and consumer customers. Today's 4G LTE networks are high power/low density broadcast emitters, whereas 5G networks will be low power/high density beam-forming emitters.

In its simplest form, 5G is a different way to deliver mobile communications technology as compared to 4G LTE. 5G is a high-density network of small emitters rather than the tall mobile cell towers we are now familiar with. The City of Brampton can play a radically different role in the connectivity revolution through managing our passive assets, enterprise attractiveness and enhancing citizen services.

When it comes to owning hyper-connectivity, leading global practices range from the creation of global digital innovation hubs, cross-sector working groups, infrastructure investment, optimizing value for the city, and improvements to citizen services. Regardless of the avenue, significant economic, commercial, and social benefits can be realized.

The City needs to actively manage multiple risks associated with 5G including technical disruption, legislation, and regulation, managing decision delays, passive asset value leakage, and 5G market mechanics.

Term of Council Priorities:

2018-2022 Term of Council Priority: Brampton is a Well-Run City

Continuously improving the day-to-day operations of the corporation by streamlining service delivery, effectively managing municipal assets, and leveraging partnerships for collaboration and advocacy.

Hyper-connectivity is key to the Brampton is a Well-Run City priority, it is an initiative that contributes to effective management municipal assets leveraging partnerships for collaboration and advocacy.

Conclusion:

This report summarizes the analysis conducted to explore collaboration and partnership opportunities to implement 5G technology throughout the city by reviewing global and Canadian telecom markets; engaging with external 5G ecosystem and dependent City stakeholders; and by identification of relevant global case studies.

It is recommended that Council approves for the City of Brampton to play an active role, both strategically and tactically in the development and adoption of 5G hyper-connectivity technology and that a public engagement approach, including creating a web site to house information on 5G technology, be taken to facilitate two-way feedback exchange with Brampton residents.

Authored by:

Eric Pulnicki,
Sr. Manager, Corporate Technologies

Reviewed by:

Kumanan Gopalasamy,
Chief Information Officer

Approved by:

Michael Davidson,
Commissioner, Corporate Support
Services

Submitted by:

David Barrick,
Chief Administrative Officer

Date: 2021-04-13

Subject: Request to Begin Procurement to rehabilitate the Bartley Bull Parkway bridge over Etobicoke Creek and replace the Joyce Archdekin Park pedestrian bridge over Etobicoke Creek in Ward #3 (file I.AA.214230-004 and 204230-006)

Contact: Borendra Sanyal
Senior Project Engineer - Bridges
Capital Works, Public Works and Engineering
Tel: 905-874-3597

Report Number: Public Works & Engineering-2021-462

Recommendations:

THAT the report from Borendra Sanyal, Senior Project Engineer - Bridges, Capital Works, Public Works and Engineering to the Committee of Council meeting of April 28, 2021, re: **Request to Begin Procurement to rehabilitate the Bartley Bull Parkway bridge over Etobicoke Creek and replace the Joyce Archdekin Park pedestrian bridge over Etobicoke Creek in Ward #3 (file I.AA.214230-004 and 204230-006)**, be received; and,

THAT the Purchasing Agent be authorized to begin procurement to rehabilitate the Bartley Bull Parkway bridge over Etobicoke Creek and replace the Joyce Archdekin Park Pedestrian bridge over Etobicoke Creek

Overview:

- This report is to obtain Council authorization to commence procurement to rehabilitate and replace the following bridges;
 - Bartley Bull Parkway road bridge over Etobicoke Creek (G4RBWTE085) and
 - Joyce Archdekin Park pedestrian bridge over Etobicoke Creek (F4FBOWE032)
- The rehabilitation of the Bartley Bull Parkway bridge is being coordinated with the Traffic and Active Transportation Groups. This rehabilitation will enhance the capacity of the structure, accommodate active transportation, extend the lifespan of the structures and reduce disruption to the residents.

- **The replacement of the Joyce Archdekin Park pedestrian bridge is being coordinated with the Community Service and Park Operation Groups. This structure replacement will enhance the aesthetics of the structure and the surrounding areas, extend the lifespan of the structures and reduce disruption to the residents.**

Background:

The bridge structures require regular rehabilitation to extend their life. The Public Works & Engineering Department budgets each year to complete the rehabilitation of bridge structures. The rehabilitation and replacement of these structures is anticipated to be completed in 2021. The design and approvals have been completed and the project is ready to tender.

Current Situation:

The detailed deck condition survey and engineering evaluation of both of these bridges over Etobicoke Creek revealed that the Bartley Bull Parkway road bridge requires rehabilitation and/or replacement of its various structural components.

The current deck width of the Bartley Bull Parkway bridge is not sufficient enough to complete the rehabilitation in one construction season without closing the road. Therefore, a full closure of Bartley Bull Parkway is planned at the bridge location and the traffic will be detoured to Peel Village Parkway. This will expedite the construction process and the full rehabilitation will be completed in 18 to 22 weeks (subject to weather). A permanent traffic signal will be installed at Peel Village Parkway and Main Street intersection to facilitate easy and smooth transition of the traffic. Further elaboration about this detour and related traffic calming measures are detailed in the Appendix 1.

The Joyce Archdekin Park pedestrian bridge requires complete replacement and is currently closed for vehicular traffic. The bridge is currently being used for pedestrian only.

The construction work of both bridges are expected to be completed in 2021 subject to weather conditions. All work will be coordinated as appropriate with operations staff. A short description of the respective structures, location map and brief rehabilitation scopes of the individual structure are outlined in the attached Appendix 1.

Project Timing (Anticipated):

| | | |
|-----------------------|---|---|
| Description | Bartley Bull Parkway road bridge over Etobicoke Creek | Joyce Archdekin Park pedestrian bridge over Etobicoke Creek |
| Council Approval | May 5, 2021 | May 5, 2021 |
| Issue for Tender | May 2021 | May 2021 |
| Tender Closing | June 2021 | June 2021 |
| Purchase Order Issued | July 2021 | July 2021 |
| Construction Start | August 2021 | August 2021 |
| Completion | December 2021 subject to weather conditions | December 2021 |

Corporate Implications:

Financial Implications:

Sufficient funding is available within the Public Works & Engineering approved Capital Budget for this initiative.

Purchasing Comments:

A public Procurement Process will be conducted and the lowest compliant Bid will be eligible for contract award. Purchase approval shall be obtained in accordance with the Purchasing By-law.

All communication with Bidders involved in the procurement must occur formally, through the contact person identified in the Bid Document.

Realty Services Comments:

Acquisitions of the property rights for these structures are not required as the structures will be built on the existing bridges footprint. The structures are located within the City of Brampton's Right of Way.

Strategic Plan and Term of Council Priorities:

This report achieves the Strategic Plan priorities for growth management by improving the roadway network to move people more efficiently and to support the advancing urbanization and development within the City of Brampton.

Living the Mosaic - 2040

Upgrading Brampton's deteriorated bridge/culvert structures through planned replacements and rehabilitations will provide a mosaic of safe, integrated transportation choices and new modes of transportation to the Brampton's residents. Also, this will positively contribute towards the civic sustainability by emphasizing walking, cycling and efficient transit system as promoted within Brampton's 2040 Vision.

Conclusion:

This report recommends that the Council to approve the request to Begin Procurement to rehabilitate the Bartley Bull Parkway bridge over Etobicoke Creek and replace the Joyce Archdekin Park pedestrian bridge over Etobicoke Creek in Ward #3 to provide connectivity for the residents in the respective areas. This report also recommends the Purchasing Agent be authorized to commence the procurement as described in this report.

Authored by:

Borendra Sanyal

Borendra Sanyal, P. Eng.
Senior Project Engineer –
Bridges
Capital Works Division
Public Works & Engineering

Reviewed and Recommended by:

Tim Kocialek. P. Eng.
Acting Director, Capital
Works
Capital Works Division
Public Works &
Engineering

Approved by:

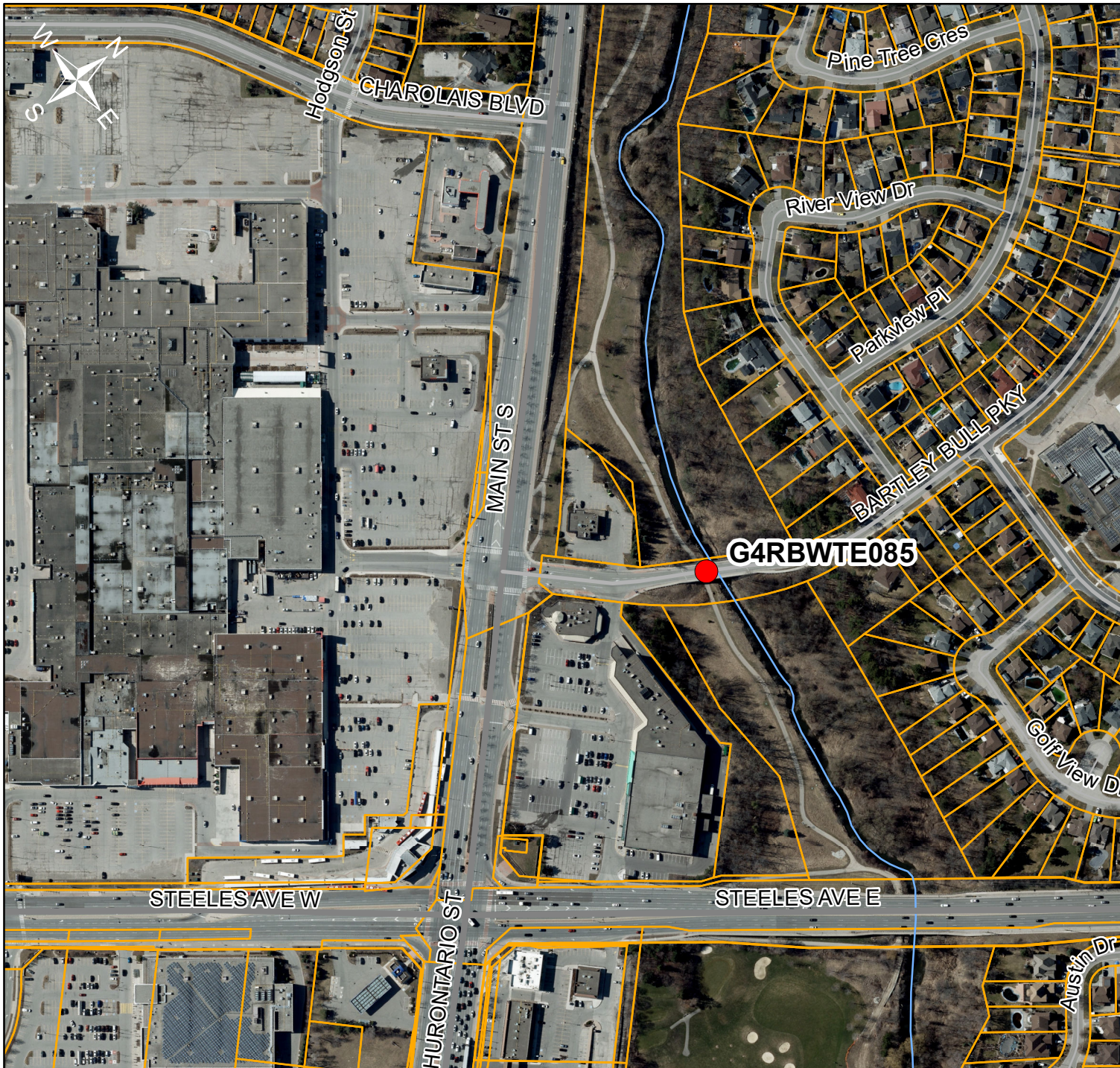
Jayne Holmes P. Eng. Acting
Commissioner
Public Works & Engineering

Submitted by:







David Barrick
Chief Administrative Officer
Office of the CAO

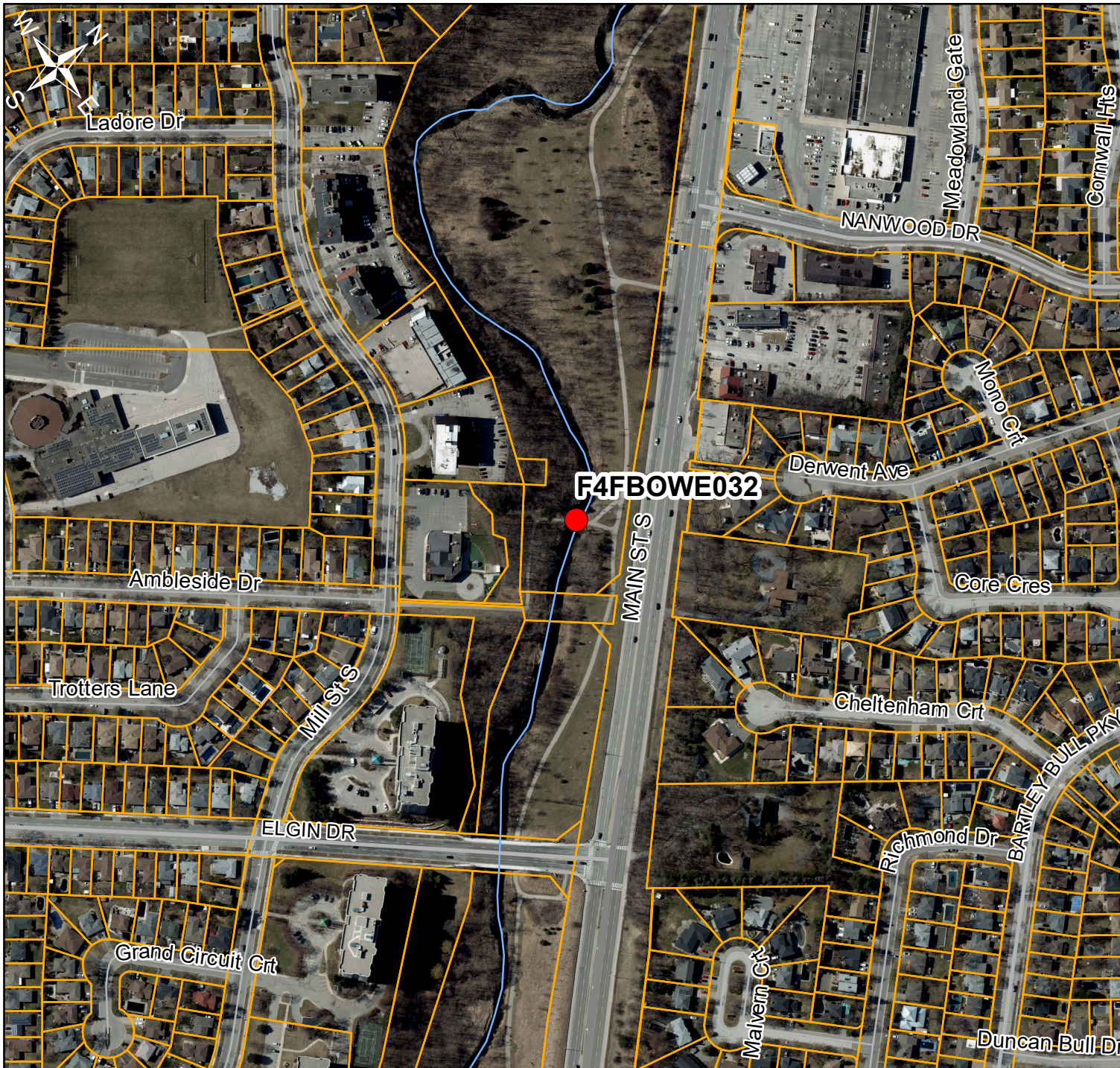
Attachments:

1. Structures description and rehabilitation scopes
2. Key Plans: Structure's Location (2 pages)



Legend

-  Bartley Bull Pkwy road bridge
-  Collector road
-  Local road
-  Arterial road
-  Etobicoke Creek
-  Property Line



Legend

- Archdekin Park ped bridge
- Collector road
- Local road
- Arterial road
- Etobicoke Creek
- Property Line

Appendix 1: Structures description and rehabilitation scopes

1.0 Bartley Bull Parkway Road Bridge over Etobicoke Creek (G4RBWTE085)

- The Bartley Bull Parkway Road Bridge over Etobicoke Creek is a three spans pre-stressed box girder bridge located on Bartley Bull Parkway, approximately 150m East of Main Street and constructed in 1969.
- At present the bridges has substandard parapet wall of height only 0.55m and Canadian Highway Bridges Design Codes (CHBDC) requires minimum 1.05m for pedestrians only to 1.37m for pedestrians and cyclists combined. Also, the bridge contains sidewalk only on one side (West side).
- Rehabilitation of the bridge was initially considered using deck overlay and parapet wall top up only. However, the detailed deck condition survey and engineering evaluation of the bridge revealed that the total superstructure components (deck, girders, parapet walls, railings etc.) require replacement and the substructure components (abutments, piers, wingwalls etc.) require rehabilitation.
- The new deck will be widened to accommodate 1.5 m bike lanes and sidewalks on both sides along with CHBDC recommended parapet wall height.
- The full closure construction will expedite the construction process and the full rehabilitation construction will be completed in 18 to 22 weeks (subject to weather).
- With the adoption of the Vision Zero framework and embracing Council Priority 4.2 (Streets for People), Public Works and Engineering staff have been developing strategies for the implementation countermeasures to address traffic safety concerns throughout the City.
- As the City continues to grow there will inevitably be a steady flow of construction projects on our road network that will cause inconveniences to all road users. Despite best efforts to detour traffic to the nearest arterial roads during road closures with the use of signage, motorists tend to discover perceived shortcuts on local residential roadways.
- Because some of these projects can last for a long period of time, it can have a significant impact on the quality of life through some of these neighborhoods in the form of increased non-local traffic. Not only is the non-local traffic not familiar with the neighborhood, but they are also often already frustrated from delays on the associated with the construction. This frustration can potentially lead to a number of traffic safety concerns through aggressive driving. That being said, where possible, applicants requesting full road closures will now be required to work with Public Works and Engineering staff to implement countermeasures on local streets, adjacent to the project, to deter non-local

traffic. The installation of detour signage alone is no longer considered an acceptable or effective mitigating countermeasure.

- With the above in mind, the installation of temporary countermeasures of Bartley Bull Parkway will be implemented to deter non-local traffic from accessing the road. Staff are currently assessing the roadway to determine the most appropriate countermeasures like speed cushions
- Rehabilitation work will start this summer 2021 and expected to be completed by the end of the year 2021, subject to weather.
- This rehabilitation of the bridge will extend its service life for another 40 to 45 years.

2.0 Joyce Archdekin Park Pedestrian Bridge over Etobicoke Creek Replacement (F4FBOWE032)

- The Joyce Archdekin Park Pedestrian Bridge over Etobicoke Creek is a single span RC T-beam structure located approximately 50m West of Main Street and constructed in 1945.
- This bridge was closed for vehicular traffic for its poor structural condition.
- In the past City received many complaints related to this bridge. The bridge is located on the active transportation route. However, the parapet walls are very low, bridge approaches have no guide rails and there are other substandard components.
- At present, the parapet wall height is only 0.985m and Canadian Highway Bridges Design Codes (CHBDC) requires minimum 1.37m for pedestrians and cyclists combined.
- The detailed deck condition survey and engineering evaluation of the bridge revealed that the total structure require replacement
- The replacement of the Joyce Archdekin Park Pedestrian Bridge over Etobicoke Creek is coordinated with the Community Services and Park Operations.
- According to them, as the existing bridge requires complete replacement and the bridge is located very close to the downtown gateway, their recommendation is to put an architecturally and aesthetically enhanced bridge in that location. This will enhance the beauty of the park as well as the neighborhood and surrounding areas.
- City has applied for COVID Funding for this project. However, the outcome of the COVID funding is not known at this time. City needs to proceed with the project. If the COVID funding is received for this project, the funds from the original budget can be returned to the source.
- This pedestrian bridge replacement will be carried out with the full closure of the trail and detour of the trail will be provided.
- This replacement of the bridge will last for another 45 to 50 years.
- The project is anticipated to be tendered in May, 2021 and expected to be completed by the end of 2021 subject to weather.



Minutes

Environment Advisory Committee The Corporation of the City of Brampton

Tuesday, April 13, 2021

Members Present:

Preethi Anbalagan (Co-Chair)
Akeem Gardner (Co-Chair)
Harripaul Bridgemohan
Rajbalinder Ghatoura
Jafir Jaferi
David Laing
Davika Misir
Sherry-Ann Ram
Vipul Shah
Stacey Wilson
City Councillor D. Whillans

Members Absent:

Sanjay Mathur
Tamsen Metcalfe
Amandeep Purewal

Staff Present:

Michael Hoy, Supervisor, Environmental Planning, Public Works and Engineering
Stavroula Kassaris, Environmental Planner, Public Works and Engineering
Sonya Pacheco, Legislative Coordinator

1. Call to Order

The meeting was called to order at 6:05 p.m. and adjourned at 7:13 p.m.

2. Approval of Agenda

The following motion was considered.

EAC010-2021

That the agenda for the Environment Advisory Committee Meeting of April 13, 2021, be approved, as published and circulated.

Carried

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

Nil

4. Previous Minutes

4.1 Minutes - Environment Advisory Committee - February 9, 2021

The minutes were considered by Committee of Council on February 24, 2021, and were approved by Council on March 3, 2021. The minutes were provided for Committee's information.

5. Presentations\Delegations

5.1 Staff Presentation re: Riverwalk Urban Design Master Plan Update

Alex Taranu, Senior Advisor, Public Works and Engineering, provided a presentation entitled "Brampton's Riverwalk - The Riverwalk Area Urban Design Master Plan".

Committee discussion took place regarding the Riverwalk project and included the following:

- Survey process and response

- It was noted that survey results will published next week
- Importance of public engagement and support for this project
- Opportunity for local schools to participate
- Suggestions for the Riverwalk project including:
 - Ecological concerns/considerations
 - Protection of naturalized areas
 - Incorporating waste management into the design
 - Implementation of a meadow and pollinator gardens
 - Establishment of a nature interpretive centre
 - Information was provided on the Environment Education Centre in the Heritage Heights area
 - Education and stewardship opportunities
 - Indigenous place-making and gardens

Mr. Taranu advised that all suggestions would be forwarded to the consulting team for consideration.

The following motion was considered.

EAC011-2021

That the staff presentation re: **Riverwalk Urban Design Master Plan Update**, to the Environment Advisory Committee Meeting of April 13, 2021, be received.

Carried

6. Reports/Updates

6.1 Verbal Update from Stavroula Kassaris, Environmental Planner, Public Works and Engineering, re: Environmental Master Plan Update Approved by Council

Stavroula Kassaris, Environmental Planner, Public Works and Engineering, advised Committee that the Environmental Master Plan (EMP) Update was approved by Council on March 24, 2021. Ms. Kassaris advised that EMP update has been communicated on social media, and further community engagement will take place with the easing of COVID-19 restrictions.

Committee discussion on this matter included the following:

- Clarification regarding carbon reduction targets and the need to clarify public misinformation
 - Staff advised that the City's targets are absolute GHG reductions, not intensity targets
- Request that EAC members be advised when matters related to the environment are presented to Council and/or Committee of Council for consideration

The following motion was considered.

EAC012-2021

That the verbal update from Stavroula Kassaris, Environmental Planner, Public Works and Engineering, to the Environment Advisory Committee Meeting of April 13, 2021, re: **Environmental Master Plan Update Approved by Council**, be received.

Carried

6.2 Verbal Update from Stavroula Kassaris, Environmental Planner, Public Works and Engineering, re: Earth Day

Stavroula Kassaris, Environmental Planner, Public Works and Engineering, advised Committee that all in-person events for Earth Day have been cancelled due to COVID-19 restrictions, and this event will be promoted online and through various social media channels.

In response to questions from Committee, Ms. Kassaris advised that messaging will include information on Earth Day activities people can do at home and in their communities.

The following motion was considered.

EAC013-2021

That the verbal update from Stavroula Kassaris, Environmental Planner, Public Works and Engineering, to the Environment Advisory Committee Meeting of April 13, 2021, re: **Earth Day**, be received.

Carried

6.3 Verbal Update from Michael Hoy, Supervisor, Environmental Planning, Public Works and Engineering, re: Centre for Community Energy Transformation

Michael Hoy, Supervisor, Environmental Planning, Public Works and Engineering, provided an update regarding the Centre for Community Energy Transformation (CCET), which included information on the Advisory Task Force membership and first meeting, which took place on March 18, 2021. Mr. Hoy advised that further information regarding the CCET and the March 18, 2021 meeting is available on the City's website.

The following motion was considered.

EAC014-2021

That the verbal update from Michael Hoy, Supervisor, Environmental Planning, Public Works and Engineering, to the Environment Advisory Committee Meeting of April 13, 2021, re: **Centre for Community Energy Transformation**, be received.

Carried

7. **Sub-Committees**

Nil

8. **Other New/Business**

8.1 Discussion Item at the request of Stacey Wilson, Committee Member, re: Peel's Residential Rat Program and Problem

Stacey Wilson, Committee Member, addressed Committee regarding Peel's Residential Rat Program to control the rat population in Peel, and provided the following:

- Information regarding this program, which includes the use of integrated pest management services and reimbursements for residents
- Factors contributing to the growing rat population (e.g. garbage accumulation and improper storage, leaving food out for wildlife)
- Information on the use of barn owl habitat boxes in woodlots to help control the rat population

In response to questions from Committee, Michael Hoy, Supervisor, Environmental Planning, Public Works and Engineering, advised that the City has no direct role in controlling the rat population, as this is a health issue under the jurisdiction of the Region of Peel. He indicated that he would follow up with regional staff to obtain further information on this issue to provide to Committee

Committee discussion on this matter included the following:

- The Region of Peel's response to this issue and the need for consultation with municipalities
- Concern regarding pest management practices (e.g. use of pesticides/herbicides) and the impact on other natural species
- Using natural eco-systems to address this issue and the need to review this program through an environmental lens

City Councillor Whillans advised that he would review this matter further with staff.

In response to a request from Committee, Mr. Hoy advised that staff would investigate opportunities for implementing habitat boxes in the City's woodlands, where appropriate.

9. Correspondence

Nil

10. Question Period

In response to a question from Sherry-Ann Ram, Committee Member, Stavroula Kassaris, Environmental Planner, Public Works and Engineering, provided further information regarding the City's Earth Day communications, noting that staff will be working with the Strategic Communications Division in this regard. Ms. Kassaris added that Committee members can provide suggestions to staff for additional messaging.

11. Public Question Period

Nil

12. **Adjournment**

The following motion was considered.

EAC015-2021

That the Environment Advisory Committee do now adjourn to meet again on Tuesday, June 8, 2021 at 6:00 p.m. or at the call of the Chair.

Carried

Preethi Anbalagan – Co-Chair

Akeem Gardner – Co-Chair

Date: 2021-04-28

Subject: Municipal Alcohol Policy 2021 Refresh

Contact: Anand Patel, Acting Director, Recreation, 905.874.5150

Report Number: Community Services-2021-392

Recommendations:

1. That the report from Anand Patel, Acting Director, Recreation, dated April 28, 2021, to the Committee of Council Meeting of April 28, 2021, re: **Municipal Alcohol Policy 2021 Refresh**, be received; and
2. That the existing Municipal Alcohol Policy dated May 2016 be rescinded and replaced with the revised Municipal Alcohol Policy, substantially in accordance with *Appendix A* attached to this report; and
3. That staff be directed to initiate the implementation of the revised policy (see *Appendix A*) and new accompanying guidelines (see *Appendix B*) as outlined in this report to take effect in Q2 2021; and
4. That staff be authorized to update the Municipal Alcohol Policy Standards and Guidelines (see *Appendix B*) that supplements the Municipal Alcohol Policy in accordance with the principles and/or policy statements contained therein as required.

Overview:

- **The City of Brampton implemented its first formal Municipal Alcohol Policy in 2016.**
- **The City of Brampton is committed to providing safe and enjoyable City premises to its residents and visitors through the development and application of the proposed refreshed Municipal Alcohol Policy (see *Appendix A*).**

- **The policy and accompanying documentation aims to minimize the City's liability exposure associated with alcohol-related events including harm reduction.**
- **Staff recommend that Council approve the proposed refreshed Municipal Alcohol Policy, which is in compliance with Council's governing policy framework, and direct staff to proceed with implementation of the refreshed policy.**
- **The proposed accompanying Municipal Alcohol Policy Standards and Guidelines (see *Appendix B*) aligns with current best practices of municipalities for the management of alcohol-related events as determined through benchmarking. It follows guidelines for the development of municipal alcohol policies published by the Centre for Addiction and Mental Health, Public Health Ontario and the Ontario Recreation Facilities Association.**
- **A summary of all changes or additions in relation to the current Municipal Alcohol Policy is provided in *Appendix C*.**

Background:

In May 2014, an internal audit report recommended that a formal and comprehensive Municipal Alcohol Policy (herein referred to as "MAP") be developed and implemented to manage risks and liability from the harms of alcohol being served, sold and/or consumed at events held on City of Brampton (herein referred to as "City") property. In response to this recommendation, City of Brampton Council (herein referred to as "Council") approved the City's first ever MAP on September 16, 2015. The approved MAP came into effect in May of 2016. This formal MAP has allowed the City to be in a better position to manage the rental and use of municipal spaces for the purpose of alcohol-related events, including ensuring Event Organizers are aware of their responsibilities under the *Liquor Licence Act* and their accountability to the City.

The current MAP was developed based upon the Municipal Alcohol Policy Guide created by the Centre for Addiction and Mental Health and the Ontario Recreation Facilities Association in 2003. This guide includes a Quality Measures Form outlining components that are considered essential to having an effective policy. A policy that achieves a score of seventy (70) or more points out of 100 is considered to be an effective and comprehensive Municipal Alcohol Policy; this is known as a "Blue Ribbon Policy." As such, the six (6) "Blue Ribbon" components that were incorporated into the development of the City's MAP include:

1. Designation of properties, facilities, and events;
2. Management practices;

3. Prevention strategies;
4. Enforcement procedures;
5. Signage; and
6. Ongoing policy support.

Current Situation:

After the successful implementation of the MAP in 2016, there have been a number of critical and significant legislative changes, including amendments, to the Liquor License Act in 2019 and legalization of cannabis in 2018. In addition, Council approved a revised governance framework with the implementation of a new Governing Policy and related framework in 2018. As per the City's Governing Policy, the MAP must be reviewed and updated in accordance with the mandated three (3) year update cycle.

The current structure and format of the MAP implemented in 2016 combines policy, standard operating procedures, protocols and forms into one consolidated document. This format is not in alignment with Council's Governing Policy. The Recreation Division consulted with Corporate Policy to ensure that the required consistency, accountability and transparency were reflected in the new refreshed policy attached as *Appendix A* to this Report. The refreshed policy and accompanying Municipal Alcohol Policy Standards and Guidelines attached as *Appendix B* satisfy requirements of Council's approved governing policy framework including the use of required templates and reflecting applicable legislative changes enacted since 2016.

Liquor License Act – 2019 Amendments

In 2019, the current provincial government enacted a number of critical amendments to the *Liquor License Act* which regulates the sale and service of alcohol in Ontario. The nature of these amendments was intended to liberalize or increase the availability and distribution of alcohol with changes including, but not limited to, the following:

- Special Occasion Permit (SOP) alcohol serving hours increased from 11AM to 9AM
- Elimination of requirement for an event host to serve food with alcohol (e.g. alcohol-only events allowed)
- Permit boundary changes no longer requiring alcohol serving areas to be physically separated (e.g. beer tents etc.)
- Allowing of tailgate parties (e.g. new SOP category that allows BYOB allowances etc.)
- Expansion of venues where alcohol can be sold (e.g. Farmer's Markets etc.)
- Lowered alcohol pricing minimums from \$1.25 to \$1.00

The changes outlined above have potentially increased the likelihood of greater harm and resulting risks from activities that involve alcohol. As a result of these increased potential risks and harms, the Ontario Public Health Association (OPHA) released an updated *Managing Alcohol at Events on Municipal Property* document in November 2019. This document provides risk-based mitigation best-practice recommendations for municipalities to update their MAPs in lieu of legislative changes. The OPHA document and other harm-reduction based materials were consulted in the updating of the City's MAP.

Overview of Refreshed 2021 MAP

The proposed refreshed MAP (see *Appendix A*) was developed through consultations with a cross-departmental working group and other internal staff stakeholders. The updated MAP provides the City with key advantages, such as:

- Broader authority and discretion to regulate alcohol sales, service and consumption on City property;
- New more clearly articulated outcomes and principles the City is trying to achieve with the Policy;
- Policy statements reinforcing what the City will continue to enforce or require despite new amendments to the *Liquor License Act* in 2019 such as, but not limited to:
 - 6.3 and 6.4 confirming that event organizers must also follow any applicable accompanying documentation including online resources and the newly revamped *Municipal Alcohol Policy Standards and Guidelines*.
 - 6.9 re-confirming that the City will continue to enforce physically separated serving and consumption areas for alcohol (status quo).
 - 6.11 newly added confirming that the City can regulate the hours of alcohol service (recommend keeping with the existing 11AM as the earliest possible start time).
 - 6.13 newly added to restrict the sale, service or consumption of any cannabis products on City property including mixing with alcohol
 - 6.15 newly added confirming that tailgate parties are prohibited on City property.
 - 6.18 re-confirming that all alcohol events must continue to serve food (status quo).

In addition to the new recommended Council Policy attached as *Appendix A* to this report, there is an accompanying *Municipal Alcohol Policy Standards and Guidelines* (MAPSG) document attached as *Appendix B* to this report. The MAPSG contains updated procedures, protocols and requirements associated with hosting an event with alcohol on City property that were previously embedded and included within the MAP implemented in 2016.

The newly revised MAPSG includes the following features:

- Transfer of all existing procedures and requirements contained within the 2016 MAP with any relevant updates applied.
- Administrative or requirement changes such as staffing levels or enforcement procedures can be updated by staff at any time as required by legislation or other reasons such as public health emergencies, new Council policies, By-law requirements etc.
- Contains detailed procedural information such as obtaining liability insurance, rental agreement requirements and enforcement protocols etc.
- Includes the fully revised MAP in Section I as a courtesy to enhance customer service by providing all required information staff and/or external event organizers will need to run their event all in one combined document.

A high-level overview of all changes and/or additions made to the Policy and Guidelines in relation to the existing MAP is summarized in *Appendix C*.

Next Steps

Upon endorsement of the recommendations set forth in this Report, staff will implement the refreshed MAP and accompanying guidelines by the end of Q2 2021.

1. Initial Launch

Any new requirements or process changes will take effect with new requests received in Q2 2021 after the refreshed MAP Program has been officially launched. Any event which is booked or Special Occasion Permit obtained prior to the official launch date of the new refreshed MAP can continue to operate under the existing provisions of the 2016 MAP during the transition period. This includes any future event dates after launch. Any required or relevant updates will be communicated to permit holders as required.

2. Public Launch Campaign

The refreshed MAP will be communicated to the general public through a new public communications campaign. The campaign will be focused on educating event organizers about the new structure, clarification about what is allowed or not allowed as per enactments to the *Liquor License Act* in 2019 and any new or revised processes. Please note that the initiation of the campaign may be delayed to correspond with the reopening of our facilities as per provincial and Peel Public Health COVID-19 directives. The public campaign will be implemented in two (2) phases as follows:

- First Phase – publish refreshed policy and guidelines including updating web content and communication materials once approved by council.
- Second Phase – roll out broader campaign and communicate to public once City event spaces are open for rentals (to be determined based on COVID-19).

3. Refreshed Website

In tandem with a new public education campaign, a newly revised website will be launched in alignment with sections of the new MAPSG and new process steps for event organizers.

4. New Online Rental Details and Event Summary Form

Finally, the Recreation Division will be working with the IT Division to design and implement a new mandatory online *Rental Details and Event Summary Form* by the end of the year to replace the following existing manual PDF forms available on the City's Municipal Alcohol Policy webpage:

- Event Organizer's Checklist
- Event Organizer's Checklist – Additional Event Workers
- Event Organizer's Checklist – Security Workers

The new online forms will allow for better tracking of applications and holistic capturing of mandatory information such as SmartServe© ID numbers etc. from event hosts more efficiently than the current manual forms. This will also help ensure legislative and liability compliance in a more systematic and centralized manner in accordance with Corporate retention standards.

Corporate Implications:

Financial Implications: There are no direct financial implications. Costs associated with a new public launch campaign, updated communication materials (e.g. brochures etc.), additional signage and updated staff training can be funded through existing operating budget allocations within the Community Services Department.

Other Implications: The implementation of the refreshed 2021 MAP Program will require updated staff training and communications with all affected departments and divisions to advise of new approach and relevant updates. Recreation Services will lead this coordination as required.

Term of Council Priorities:

The recommendations contained in this report directly support the Brampton is a Healthy and Safe City Direction and the Brampton is a Well-Run City Direction of the *Term of Council Priorities 2018-2022*.

Conclusion:

The refreshed 2021 Municipal Alcohol Policy has been developed as a means to promote the health and safety of participants and staff at alcohol-related events held on City property. This is achieved through a responsible and managed approach to the serving and consumption of alcoholic beverages.

Through the approval of this policy, the City of Brampton will continue and strengthen the ability to reduce alcohol-related liability, risks and harms while promoting a healthy and safe environment for all to enjoy.

Authored by:

Reviewed by:

Roop Sandhu
Coordinator, Compliance

Anand Patel
Acting Director, Recreation

Approved by:

Submitted by:

Marion Nader
Commissioner, Community Services

David Barrick
Chief Administrative Officer

Attachments:

Appendix A – Municipal Alcohol Policy (2021)

Appendix B – Municipal Alcohol Policy Standards and Guidelines

Appendix C – Summary Chart of Municipal Alcohol Policy Changes

Category: Community Services

Title: Appendix A - Municipal Alcohol Policy (2021).docx

Policy Number: CMS-110

Approved by: [Committee Recommendation #], [Council Resolution #]

Administered by: Community Services Department, Recreation Division

Effective: April 28, 2021

1. Background

Alcohol and other controlled legal substances are key components of the social and leisure activities of many people. However, there can be negative social, legal and health impacts from uncontrolled or high-risk consumption. The consumption of controlled substances is permitted in the Province of Ontario in accordance with regulations and reasonable controls.

A Municipal Alcohol Policy is a key policy instrument to mitigate negative impacts and risks from high-risk consumption of controlled substances. The City of Brampton ("City") implemented its first Municipal Alcohol Policy in 2016 to manage the usage and consumption of alcohol on municipally-owned premises.

2. Purpose

The purpose of this Policy is to reduce problems associated with consumption of a controlled substance such as injury, violence and liability. This policy establishes a series of reasonable conditions, which all persons will be required to follow where the consumption of a controlled substance is permitted on or in City properties, premises, places, spaces and/or events.

3. Application and Scope

- 3.1 This Council Policy applies to organizers of events held on City-owned property at which a controlled substance will be served (including City-sponsored events) whether the organizers are City staff, elected officials, or members of the public.
- 3.2 This Council Policy is to be applied wherever the consumption and/or serving of a controlled substance occurs on or in a City-owned property including events that

involve alcohol through Special Occasion Permits and/or liquor licensed events under a Caterer's Endorsement as applicable.

3.3 This Council Policy does not apply to:

a) City operations which are licensed to serve alcohol

- These types of operations must possess a valid liquor sales licence and are subject to the terms and conditions of that licence;

b) Businesses which are licensed to serve alcohol on municipal property

- These types of businesses must possess a valid liquor sales licence and are subject to the terms of their particular lease agreement with the City, and the terms and conditions of that licence.

4. Outcomes

- 4.1 Promote a safe, enjoyable environment and ensure the health and safety of participants at alcohol-related events on City property whether they are consuming a controlled substance or abstaining.
- 4.2 Reduce potential injury, violence and/or liability which may arise from consumption of a controlled substance.
- 4.3 Protect event organizers, participants, volunteers and the City from liability risks.
- 4.4 Encourage and reinforce responsible drinking practices for participants through the development of appropriate operational procedures, controls, training and education.

5. Principles

- 5.1 **Responsibility** - Alcohol and other controlled substances should be enjoyed in a responsible and safe manner that does not interfere with people who do not wish to consume a controlled substance.
- 5.2 **Alignment** - Consumption of alcohol and other controlled substances on City property should be undertaken in accordance with all applicable, municipal, federal and/or provincial regulations and statutes.
- 5.3 **Awareness** – Fostering education to raise awareness and share relevant information about mitigating the harm and risk from the consumption of controlled substances.

6. Policy Statements

- 6.1 All applicable alcohol-related federal and provincial laws, policies, regulations and by-laws, including, but not limited to, those from the Alcohol and Gaming Commission of Ontario shall be adhered to and followed at all times in addition to this Council Policy.
- 6.2 All applicable and/or related Region of Peel and City of Brampton policies, directives, regulations and by-laws, including, but not limited to, those regarding fire safety and public health shall be adhered to and followed at all times in addition to this Council Policy.
- 6.3 This Council Policy shall be followed in conjunction with and in accordance with all accompanying online resources, standard operating procedures, manuals and/or guidelines regarding the consumption and sale of controlled substances on City property.
- 6.4 All online resources, standard operating procedures, manuals, standards and/or guidelines regarding the consumption and sale of controlled substances on City property shall be contained and maintained in the *Municipal Alcohol Policy Standards and Guidelines* which may be amended as required at any time.
- 6.5 The City reserves the authority to ensure compliance with this Council Policy, City By-laws, provincial legislation, and accompanying *Municipal Alcohol Policy Standards and Guidelines* including applying relevant penalties or remedial/punitive corrective actions as appropriate for any reason.
- 6.6 The City shall review all requests to hold an event on municipal property to determine if the requested location is appropriate for an event that includes the sale, service and consumption of alcohol and reserves the authority to deny or re-allocate requests based on evaluation criteria as determined by the City.
- 6.7 The City reserves the authority at its sole discretion to determine and deem an event organizer as not being in good standing with the City for any reason such as, but not limited to, past infractions, outstanding payments due etc.
- 6.8 The City shall not be responsible for any compensation to the Event Organizer or affected persons of their resulting financial, or other losses from termination of an event due to failure to comply with applicable by-laws, policies and/or the *Liquor License Act*.
- 6.9 The City reserves the authority to restrict or amend the sale and consumption of controlled substances on City property including designating physically separated locations within a property where such substances are permitted for any reason.
- 6.10 The City reserves the authority to prohibit the sale, consumption and/or serving of alcohol at specific facilities, outdoor locations and/or areas within a location such as change rooms or offices etc. and is subject to change or revision at any time.

- 6.11 The City reserves the authority to prescribe the duration and time of day that alcohol may be served or consumed on City property.
- 6.12 The City reserves the authority to mandate minimum and/or enhanced pricing for alcohol being sold or served based on total alcohol content.
- 6.13 The sale, service and/or consumption of cannabis-based products is prohibited on City property including edible cannabis and cannabis-infused alcohol beverages.
- 6.14 The sale, service or consumption of alcohol under the authority of a S.O.P is not permitted at street parties, youth focused events, and/or minor sport events where the majority of participants are eighteen (18) years of age or under with the exception of events being held in a location operating under and in accordance with a separate valid liquor sales license as per section 3.3.
- 6.15 Tailgate parties or similar outdoor events involving alcohol such as those sanctioned under a *Tailgate Event Special Occasion Permit* are prohibited on City property.
- 6.16 Event organizers and/or hosts shall ensure that all required signage provided by the City (e.g. Sandy's Law etc.) is displayed in prominent locations throughout the duration of the event as per requirements contained in the *Municipal Alcohol Policy Standards and Guidelines*.
- 6.17 Event organizers and/or hosts shall ensure that their event includes a Safe Transportation plan to reduce the possibility of impaired driving as per recommendations contained in the *Municipal Alcohol Policy Standards and Guidelines*.
- 6.18 Alcohol-only events without food being served are not permitted on City property. All events with alcohol being served must include food for event participants. The City reserves the authority to establish or amend the type and/or proportion of food that is deemed acceptable in accordance with the nature, type of scope of the event.
- 6.19 Any person or organization hosting an event on City property must have sufficient liability insurance coverage as per the City's requirements which may be amended at the City's discretion.
- 6.20 Any legal name(s) on a rental agreement must match and be the same as the person listed as the S.O.P Holder on the *Special Occasion Permit* and liability insurance certificate required for serving alcohol and/or hosting an event on City property. The person legally named on any required agreement or permit must also be on-site and present for the duration of the event.
- 6.21 The S.O.P issued for the event and all levy receipts for purchased alcohol including any associated documentation such as guest lists must be available and accessible on site for inspection if requested.

- 6.22 The City reserves the authority to establish minimum staffing requirements for an event and require amendments or additions to staffing at its discretion depending on the nature, type or scope of the event (e.g. police officers, security personnel etc.)
- 6.23 All event workers including an event organizer or host must be trained and have completed Smart Serve certification to serve or sell alcohol on City property.

7. Roles and Responsibilities

7.1 Members of City Council

- Required to adhere to this policy and accompanying *Municipal Alcohol Policy Standards and Guidelines* In addition to any related online resources, manuals, guidelines and/or standard operating procedures as applicable when attending and hosting events or activities serving alcohol on City property.

7.2 City staff

- Ensuring that both themselves and any event workers recruited for a liquor licensed event that the City is overseeing are Smart Serve trained.
- Responsible for satisfying all requirements for safe management of an event in accordance with this Policy and accompanying *Municipal Alcohol Policy Standards and Guidelines* in addition to any related online resources, manuals, guidelines and/or standard operating procedures as applicable.
- Ensuring event organizers are provided with all required documentation outlining pertinent information including any online resources, manuals, guidelines, standard operating procedures, forms and/or terms and conditions related to this Policy.

7.3 External event organizers

- Required to adhere to this policy and accompanying *Municipal Alcohol Policy Standards and Guidelines* in addition to any related online resources, manuals, guidelines and/or standard operating procedures as applicable when attending and hosting events or activities serving alcohol on City property.
- Ensuring that both themselves and any event workers recruited for a liquor licensed event that they are overseeing are Smart Serve trained.
- Enforcing requirements of the *Liquor License Act* and this Policy as applicable including carrying out their duty to report infractions or violations to City staff.

- Responsible for ensuring that all applicable agreements, permits and other mandatory municipal, federal and/or provincial requirements such as liability insurance as specified in the *Municipal Alcohol Policy Standards and Guidelines* including any accompanying online resources, manuals, guidelines or standard operating procedures to this Policy are completed to the City's satisfaction within specified timelines as applicable.

8. Monitoring and Compliance

8.1 This Policy shall be reviewed in accordance with the Corporate Governing Policy.

8.2 City staff designated as responsible for a City facility, space or event where a controlled substance is permitted in accordance with all applicable legislation and other requirements shall monitor and enforce compliance with this Policy and any accompanying online resources, manuals, guidelines and/or standard operating procedures as applicable.

8.3 Consequences of non-compliance

Failure to follow this Council Policy may result in:

- a) Reputational, liability, legal, health and/or security risks to the City, members of the public and organizations participating in events or activities involving a permitted controlled substance on City property.
- b) Fines and/or cancellation of any event or activity that is deemed to be in non-compliance for any reason as applicable or appropriate.

9. Definitions

9.1 'Alcohol and Gaming Commission of Ontario (AGCO)' refers to the provincial agency responsible for the administration of the Liquor Licence Act which regulates the sale, service and consumption of alcohol while promoting moderation and responsible use.

9.2 'Caterer's Endorsement' refers to an accommodation to a liquor sales licence authorizing the licensee to sell and serve alcohol for an event held on premises other than the premises to which the liquor sales licence applies. If an event is being conducted under a valid Caterer's Endorsement, a S.O.P. is not necessary.

9.3 'Controlled Substance' refers to a drug or chemical such as alcohol, tobacco and cannabis whose manufacture, possession, or use is regulated by a government

9.4 'Event' refers to any gathering held on municipal property at which alcohol will be served and/or sold (e.g. weddings, showers, dances, barbeques, birthday parties etc.). The duration of the event includes event set-up, operation and take-down. Events involving alcohol may take place on licensed municipal property or under the authority of a S.O.P.

- 9.5 'Event Organizer' refers to the individual responsible for the operation of an event at which alcohol will be served and/or sold. The Event Organizer (a term that shall represent the individual who has entered into a formal legal agreement with the City) is responsible for the safety and sobriety of people attending the event as well as compliance with this M.A.P. and the Liquor Licence Act and its regulations, at the event.
- 9.6 'Event Worker' refer to individuals appointed or hired by the Event Organizer, who serves or sells alcohol, or is involved in an event where alcohol is served on municipal property. Event Workers must be nineteen (19) years of age or older, been trained by a recognized alcohol server training course (e.g. Smart Serve®)
- 9.7 'Liquor Licence Act' refers to the *Liquor Licence Act, R.S.O. 1990 c. L. 19* and outlines legislation regarding the sale and service of alcohol.
- 9.8 'Minor Sport Event' refers to an event such as a sports-related banquet or competition where the focus or attendance consists of athletes under nineteen (19) years of age.
- 9.9 'Municipal Property' refers to any municipally owned or leased lands, buildings and structures.
- 9.10 'Premises' refers to the specific location where the Event Organizer intends to sell and/or serve alcohol. This includes the licensed area(s) in conjunction with all unlicensed areas accessible to event attendees such as, but not limited to, washrooms and parking lots.
- 9.11 'Serving' refers to the act of, taking drink orders, taking payment for alcoholic beverages, stocking the refrigerator or alcohol service area, and bartending.
- 9.12 'Smart Serve®' refers to a training program offered by Smart Serve Ontario designed to train staff and volunteers who work in areas where alcohol is sold and/or served, such as bars, restaurants, banquet halls and other public facilities. Smart Serve® is the only server training program that is recognized by the A.G.C.O. and approved by this policy.
- 9.13 'Special Occasion Permit (S.O.P.)' refers to a document issued by the Liquor Control Board of Ontario (LCBO) on behalf of the AGCO for one-time social events where alcohol will be sold and/or served. All alcohol for the event must be purchased under the S.O.P.
- 9.14 'S.O.P. Holder' refers to the individual (e.g. Event Organizer) who signs the application for a S.O.P. to sell and/or serve alcohol.
- 9.15 'Tailgate Special Occasion Permit' refers to a permit issued by the AGCO to allow the serving of alcohol at an event held in conjunction with, and in proximity to, a sporting event (e.g., in a parking lot), and where attendees 19 years of age or older may bring their own liquor for consumption at the tailgate event, within the permitted area.

- 9.16 ‘Youth Focused Event’ refers to an event where the majority of participants are eighteen (18) years of age or younger and/or where the primary focus of the event is on youth or children.

10. References and Resources

This Policy should be read and applied in conjunction with the following references and resources as updated from time to time. Please note that some of the following documents may not be publically available.

External references

- [*Liquor Licence Act, R.S.O. 1990, c. L.19*](#)
- [*Alcohol and Gaming Commission of Ontario*](#)

References to related bylaws, Council policies, and administrative directives

- [*Advertising on City Property 14.5.2*](#)

References to related corporate-wide procedures, forms, and resources

- Municipal Alcohol Policy Standards and Guidelines

Revision History

| Date | Description |
|------------|---|
| 2021/04/28 | Approved – <i>New OR replaces policy x.x.x (rescinded by ____)</i> |
| 2024/04/30 | Next Scheduled Review <i>(typically three years after approval)</i> |

APPENDIX B:

MUNICIPAL ALCOHOL STANDARDS AND GUIDELINES

City of Brampton
May 2021

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I. INTRODUCTION

A. MUNICIPAL ALCOHOL COUNCIL POLICY

1. BACKGROUND

Alcohol and other controlled legal substances are key components of the social and leisure activities of many people. However, there can be negative social, legal and health impacts from uncontrolled or high-risk consumption. The consumption of controlled substances is permitted in the Province of Ontario in accordance with regulations and reasonable controls.

A Municipal Alcohol Policy is a key policy instrument to mitigate negative impacts and risks from high-risk consumption of controlled substances. The City of Brampton ("City") implemented its first Municipal Alcohol Policy in 2016 to manage the usage and consumption of alcohol on municipally-owned premises.

2. PURPOSE

The purpose of this Policy is to reduce problems associated with consumption of a controlled substance such as injury, violence and liability. This policy establishes a series of reasonable conditions, which all persons will be required to follow where the consumption of a controlled substance is permitted on or in City properties, premises, places, spaces and/or events.

3. APPLICATION AND SCOPE

- 3.1 This Council Policy applies to organizers of events held on City-owned property at which a controlled substance will be served (including City-sponsored events) whether the organizers are City staff, elected officials, or members of the public.
- 3.2 This Council Policy is to be applied wherever the consumption and/or serving of a controlled substance occurs on or in a City-owned property including events that involve alcohol through Special Occasion Permits and/or liquor licensed events under a Caterer's Endorsement as applicable.
- 3.3 This Council Policy does not apply to:
 - a) City operations which are licensed to serve alcohol
 - These types of operations must possess a valid liquor sales licence and are subject to the terms and conditions of that licence;

- b) Businesses which are licensed to serve alcohol on municipal property

- These types of businesses must possess a valid liquor sales licence and are subject to the terms of their particular lease agreement with the City, and the terms and conditions of that licence.

4. OUTCOMES

- 4.1 Promote a safe, enjoyable environment and ensure the health and safety of participants at alcohol-related events on City property whether they are consuming a controlled substance or abstaining.
- 4.2 Reduce potential injury, violence and/or liability which may arise from consumption of a controlled substance.
- 4.3 Protect event organizers, participants, volunteers and the City from liability risks.
- 4.4 Encourage and reinforce responsible drinking practices for participants through the development of appropriate operational procedures, controls, training and education.

5. PRINCIPLES

- 5.1 **Responsibility** - Alcohol and other controlled substances should be enjoyed in a responsible and safe manner that does not interfere with people who do not wish to consume a controlled substance.
- 5.2 **Alignment** - Consumption of alcohol and other controlled substances on City property should be undertaken in accordance with all applicable, municipal, federal and/or provincial regulations and statutes.
- 5.3 **Awareness** – Fostering education to raise awareness and share relevant information about mitigating the harm and risk from the consumption of controlled substances.

6. POLICY STATEMENTS

- 6.1 All applicable alcohol-related federal and provincial laws, policies, regulations and by-laws, including, but not limited to, those from the Alcohol and Gaming Commission of Ontario shall be adhered to and followed at all times in addition to this Council Policy.
- 6.2 All applicable and/or related Region of Peel and City of Brampton policies, directives, regulations and by-laws, including, but not limited to, those

regarding fire safety and public health shall be adhered to and followed at all times in addition to this Council Policy.

- 6.3 This Council Policy shall be followed in conjunction with and in accordance with all accompanying online resources, standard operating procedures, manuals and/or guidelines regarding the consumption and sale of controlled substances on City property.
- 6.4 All online resources, standard operating procedures, manuals, standards and/or guidelines regarding the consumption and sale of controlled substances on City property shall be contained and maintained in the *Municipal Alcohol Policy Standards and Guidelines* which may be amended as required at any time.
- 6.5 The City reserves the authority to ensure compliance with this Council Policy, City By-laws, provincial legislation, and accompanying *Municipal Alcohol Policy Standards and Guidelines* including applying relevant penalties or remedial/punitive corrective actions as appropriate for any reason.
- 6.6 The City shall review all requests to hold an event on municipal property to determine if the requested location is appropriate for an event that includes the sale, service and consumption of alcohol and reserves the authority to deny or re-allocate requests based on evaluation criteria as determined by the City.
- 6.7 The City reserves the authority at its sole discretion to determine and deem an event organizer as not being in good standing with the City for any reason such as, but not limited to, past infractions, outstanding payments due etc.
- 6.8 The City shall not be responsible for any compensation to the Event Organizer or affected persons of their resulting financial, or other losses from termination of an event due to failure to comply with applicable by-laws, policies and/or the *Liquor License Act*.
- 6.9 The City reserves the authority to restrict or amend the sale and consumption of controlled substances on City property including designating physically separated locations within a property where such substances are permitted for any reason.
- 6.10 The City reserves the authority to prohibit the sale, consumption and/or serving of alcohol at specific facilities, outdoor locations and/or areas within a location such as change rooms or offices etc. and is subject to change or revision at any time.
- 6.11 The City reserves the authority to prescribe the duration and time of day that alcohol may be served or consumed on City property.

- 6.12 The City reserves the authority to mandate minimum and/or enhanced pricing for alcohol being sold or served based on total alcohol content.
- 6.13 The sale, service and/or consumption of cannabis-based products is prohibited on City property including edible cannabis and cannabis-infused alcohol beverages.
- 6.14 The sale, service or consumption of alcohol under the authority of a S.O.P is not permitted at street parties, youth focused events, and/or minor sport events where the majority of participants are eighteen (18) years of age or under with the exception of events being held in a location operating under and in accordance with a separate valid liquor sales license as per section 3.3.
- 6.15 Tailgate parties or similar outdoor events involving alcohol such as those sanctioned under a *Tailgate Event Special Occasion Permit* are prohibited on City property.
- 6.16 Event organizers and/or hosts shall ensure that all required signage provided by the City (e.g. Sandy's Law etc.) is displayed in prominent locations throughout the duration of the event as per requirements contained in the *Municipal Alcohol Policy Standards and Guidelines*.
- 6.17 Event organizers and/or hosts shall ensure that their event includes a Safe Transportation plan to reduce the possibility of impaired driving as per recommendations contained in the *Municipal Alcohol Policy Standards and Guidelines*.
- 6.18 Alcohol-only events without food being served are not permitted on City property. All events with alcohol being served must include food for event participants. The City reserves the authority to establish or amend the type and/or proportion of food that is deemed acceptable in accordance with the nature, type of scope of the event.
- 6.19 Any person or organization hosting an event on City property must have sufficient liability insurance coverage as per the City's requirements which may be amended at the City's discretion.
- 6.20 Any legal name(s) on a rental agreement must match and be the same as the person listed as the S.O.P Holder on the *Special Occasion Permit* and liability insurance certificate required for serving alcohol and/or hosting an event on City property. The person legally named on any required agreement or permit must also be on-site and present for the duration of the event.
- 6.21 The S.O.P issued for the event and all levy receipts for purchased alcohol including any associated documentation such as guest lists must be available and accessible on site for inspection if requested.

- 6.22 The City reserves the authority to establish minimum staffing requirements for an event and require amendments or additions to staffing at its discretion depending on the nature, type or scope of the event (e.g. police officers, security personnel etc.)
- 6.23 All event workers including an event organizer or host must be trained and have completed Smart Serve certification to serve or sell alcohol on City property.

7. ROLES AND RESPONSIBILITIES

7.1 Members of City Council

- Required to adhere to this policy and accompanying *Municipal Alcohol Policy Standards and Guidelines* In addition to any related online resources, manuals, guidelines and/or standard operating procedures as applicable when attending and hosting events or activities serving alcohol on City property.

7.2 City staff

- Ensuring that both themselves and any event workers recruited for a liquor licensed event that the City is overseeing are Smart Serve trained.
- Responsible for satisfying all requirements for safe management of an event in accordance with this Policy and accompanying *Municipal Alcohol Policy Standards and Guidelines* in addition to any related online resources, manuals, guidelines and/or standard operating procedures as applicable.
- Ensuring event organizers are provided with all required documentation outlining pertinent information including any online resources, manuals, guidelines, standard operating procedures, forms and/or terms and conditions related to this Policy.

7.3 External event organizers

- Required to adhere to this policy and accompanying *Municipal Alcohol Policy Standards and Guidelines* in addition to any related online resources, manuals, guidelines and/or standard operating procedures as applicable when attending and hosting events or activities serving alcohol on City property.
- Ensuring that both themselves and any event workers recruited for a liquor licensed event that they are overseeing are Smart Serve trained.

- Enforcing requirements of the *Liquor License Act* and this Policy as applicable including carrying out their duty to report infractions or violations to City staff.
- Responsible for ensuring that all applicable agreements, permits and other mandatory municipal, federal and/or provincial requirements such as liability insurance as specified in the *Municipal Alcohol Policy Standards and Guidelines* including any accompanying online resources, manuals, guidelines or standard operating procedures to this Policy are completed to the City's satisfaction within specified timelines as applicable.

8. MONITORING AND COMPLIANCE

- 8.1 This Policy shall be reviewed in accordance with the Corporate Governing Policy.
- 8.2 City staff designated as responsible for a City facility, space or event where a controlled substance is permitted in accordance with all applicable legislation and other requirements shall monitor and enforce compliance with this Policy and any accompanying online resources, manuals, guidelines and/or standard operating procedures as applicable
- 8.3 Consequences of non-compliance

Failure to follow this Council Policy may result in:

- a) Reputational, liability, legal, health and/or security risks to the City, members of the public and organizations participating in events or activities involving a permitted controlled substance on City property.
- b) Fines and/or cancellation of any event or activity that is deemed to be in non-compliance for any reason as applicable or appropriate.

9. DEFINITIONS

- 9.1 'Alcohol and Gaming Commission of Ontario (AGCO)' refers to the provincial agency responsible for the administration of the Liquor Licence Act which regulates the sale, service and consumption of alcohol while promoting moderation and responsible use.
- 9.2 'Caterer's Endorsement' refers to an accommodation to a liquor sales licence authorizing the licensee to sell and serve alcohol for an event held on premises other than the premises to which the liquor sales licence applies. If an event is being conducted under a valid Caterer's Endorsement, a S.O.P. is not necessary.

- 9.3 'Controlled Substance' refers to a drug or chemical such as alcohol, tobacco and cannabis whose manufacture, possession, or use is regulated by a government.
- 9.4 'Event' refers to any gathering held on municipal property at which alcohol will be served and/or sold (e.g. weddings, showers, dances, barbeques, birthday parties etc.). The duration of the event includes event set-up, operation and take-down. Events involving alcohol may take place on licensed municipal property or under the authority of a S.O.P.
- 9.5 'Event Organizer' refers to the individual responsible for the operation of an event at which alcohol will be served and/or sold. The Event Organizer (a term that shall represent the individual who has entered into a formal legal agreement with the City) is responsible for the safety and sobriety of people attending the event as well as compliance with this M.A.P. and the Liquor Licence Act and its regulations, at the event.
- 9.6 'Event Worker' refer to individuals appointed or hired by the Event Organizer, who serves or sells alcohol, or is involved in an event where alcohol is served on municipal property. Event Workers must be nineteen (19) years of age or older, been trained by a recognized alcohol server training course (e.g. Smart Serve®)
- 9.7 'Liquor Licence Act' refers to the Liquor Licence Act, R.S.O. 1990 c. L. 19 and outlines legislation regarding the sale and service of alcohol.
- 9.8 'Minor Sport Event' refers to an event such as a sports-related banquet or competition where the focus or attendance consists of athletes under nineteen (19) years of age.
- 9.9 'Municipal Property' refers to any municipally owned or leased lands, buildings and structures.
- 9.10 'Premises' refers to the specific location where the Event Organizer intends to sell and/or serve alcohol. This includes the licensed area(s) in conjunction with all unlicensed areas accessible to event attendees such as, but not limited to, washrooms and parking lots.
- 9.11 'Serving' refers to the act of, taking drink orders, taking payment for alcoholic beverages, stocking the refrigerator or alcohol service area, and bartending.
- 9.12 'Smart Serve®' refers to a training program offered by Smart Serve Ontario designed to train staff and volunteers who work in areas where alcohol is sold and/or served, such as bars, restaurants, banquet halls and other public facilities. Smart Serve® is the only server training program that is recognized by the AGCO and approved by this policy.

- 9.13 'Special Occasion Permit (S.O.P.)' refers to a document issued by the Liquor Control Board of Ontario (LCBO) on behalf of the AGCO for one-time social events where alcohol will be sold and/or served. All alcohol for the event must be purchased under the S.O.P.
- 9.14 'S.O.P. Holder' refers to the individual (e.g. Event Organizer) who signs the application for a S.O.P. to sell and/or serve alcohol.
- 9.15 'Tailgate Special Occasion Permit' refers to a permit issued by the AGCO to allow the serving of alcohol at an event held in conjunction with, and in proximity to, a sporting event (e.g., in a parking lot), and where attendees 19 years of age or older may bring their own liquor for consumption at the tailgate event, within the permitted area.
- 9.16 'Youth Focused Event' refers to an event where the majority of participants are eighteen (18) years of age or younger and/or where the primary focus of the event is on youth or children.

10. REFERENCES AND RESOURCES

This Policy should be read and applied in conjunction with the following references and resources as updated from time to time. Please note that some of the following documents may not be publically available.

External references

- [Liquor Licence Act, R.S.O. 1990, c. L.19](#)
- [Alcohol and Gaming Commission of Ontario](#)

References to related bylaws, Council policies, and administrative directives

- [Advertising on City Property 14.5.2](#)

References to related corporate-wide procedures, forms, and resources

- Municipal Alcohol Policy Standards and Guidelines

REVISION HISTORY

| Date | Description |
|------------|---|
| 2021/04/28 | Approved – <i>New OR replaces policy x.x.x (rescinded by ____)</i> |
| 2026/04/30 | Next Scheduled Review (<i>typically three years after approval</i>) |

II. EVENT ROLES AND STAFFING

A. ROLE AND RESPONSIBILITIES OF CITY STAFF

Based on the roles and responsibilities as stated in the Municipal Alcohol Policy (M.A.P), City staff are specifically responsible for the following:

- Providing the Event Organizer with all required written and/or online information outlining all requirements, terms and conditions required to ensure that compliance with the M.A.P. is satisfied at all times throughout an event.
- Exercising authority and responsibility to demand compliance and/or cease operation of an event in the case of infractions or violations of the M.A.P. or any related legislation, policies or procedures as applicable.
- Ensuring they are Smart Serve® trained and competent in responsible venue management if overseeing and/or hosting a liquor licensed event.

B. ROLE AND RESPONSIBILITIES OF EVENT ORGANIZER

Based on the roles and responsibilities as stated in the M.A.P, the Event Organizer must be in good standing with the City and is responsible for the conduct and management of an event, including, but not limited to:

- Ensuring compliance with the M.A.P. in addition to all alcohol-related federal, provincial and municipal laws, policies, regulations and by-laws, including, without limitation, the *Liquor Licence Act* and its regulations.
- Organizing, planning, set-up and take-down of the event.
- Recruiting the required number of Event Workers as indicated or directed by the City.
- Providing orientation and training of Event Workers regarding their responsibilities before, during and after the event.
- Ensuring that a copy of the Special Occasion Permit (S.O.P) is provided to the City (with any applicable updates) a minimum of fourteen (14) days before the event.
- Ensuring that the original S.O.P available (with any updates) is immediately available for inspection or review on the premises to which the permit applies (if applicable).

- Managing alcohol sales and service including the choice of beverages and the restriction of fortified or extra strength drinks.
- Enforcing standards to ensure that no one consumes alcohol in locations not designated under the authority of a S.O.P. (e.g. washrooms, parking lots).
- Maintaining the safety and sobriety of people attending the event including those persons turned away or asked to leave in an effort to control the event or due to intoxication.
- Controlling access to the premises at any time during the event.
- Provide safe transportation options (e.g. designated drivers, taxis) through a Safe Transportation Plan.
- Responding to emergencies including contacting police and other emergency services if required
- Maintaining the physical setting or environment to ensure it is free of hazards.
- Assuming all responsibility and liability for any injuries or property damage arising from or in any way related to the S.O.P.

C. ROLES AND RESPONSIBILITIES OF EVENT WORKERS

Event workers are individuals appointed by the Event Organizer, who serve or sell alcohol, or are involved in an event where alcohol is served on municipal property. They must be nineteen (19) years of age or older, have satisfactorily proven to the Event Organizer and the City of Brampton that they have been trained by a recognized alcohol server training course (e.g. Smart Serve®), and that they will act in accordance with the M.A.P as reflected in these guidelines.

All Event Workers have a responsibility to monitor, manage and control the operation of the event. They must not be under the influence of alcohol or any other substance before, during, or immediately after the event.

The different types of Event Workers and their responsibilities are identified in Table 1.

Table 1 – Event Worker Roles and Responsibilities

| FLOOR SUPERVISOR | DOOR MONITOR |
|--|---|
| <ul style="list-style-type: none"> Interact with participants; Monitor patron behaviour; Monitor for intoxication and underage drinkers; Respond to problems and complaints; Assist Door Monitors when necessary; Assist in managing a person who is refused sale, crowd control and de-escalation of violence; Remove intoxicated persons; Arrange safe transportation; Maintain communication with Event Organizer and other Event Workers. | <ul style="list-style-type: none"> Check identification and assess for signs of intoxication; Refuse entry of intoxicated and troublesome individuals; Monitor for those showing signs of intoxication when leaving the event; Arrange safe transportation; Maintain communication with Event Organizer and other Event Workers. |
| SERVER/BARTENDER | TICKET SELLER |
| <ul style="list-style-type: none"> Accept tickets for the purchase of alcoholic drinks; Responsible for the service of all alcoholic drinks; Monitor for intoxication and underage drinkers; Refuse service when a patron appears to be intoxicated or near intoxication; Offer a non-alcoholic substitute; Maintain communication with Event Organizer and other Event Workers. | <ul style="list-style-type: none"> Sell alcohol tickets to a maximum of four (4) per person per purchase; Monitor for intoxication and underage drinkers; Refuse sale to patrons at or near intoxication; Refund tickets upon request; Maintain communication with Event Organizer and other Event Workers. |

D. EVENT WORKER TRAINING AND STAFFING REQUIREMENTS

1. General Protocols

The Event Organizer must ensure that the following general protocols are in place for their event:

- Sufficient Event Workers are in attendance as needed to monitor, manage and control the event **at all times** including, but not limited to, Door Monitors (to monitor all entrance and access points to ensure controls are properly managed) and Floor Supervisors (to assist in managing a person who is refused sale, crowd control and de-escalation of violence):
 - NOTE:** The Event Organizer, Door Monitors, Floor Supervisors, Bartenders, Ticket Sellers and any other Event Workers **are prohibited from consuming alcohol** or being under the influence of alcohol or any other substance (e.g. cannabis) immediately before, during or immediately after the conclusion of the event.
- The Event Organizer must permit City staff unrestricted entry to the event at all times.

- Depending on the nature of the event as per the discretion of the City, Event Workers may be required to wear an identification nametag and/or clothing which is highly visible in a crowd so they can be easily identified.
 - Provision and associated cost of this identification and clothing if deemed necessary by the City is the sole responsibility of the Event Organizer.
 - The type of identification worn by the Event Workers must be stated on the mandatory Event Organizer Checklist forms that must be submitted to the City a minimum of fourteen (14) days before the event.

2. Event Worker and Security Staffing Levels

Minimum Event Worker and security requirements are summarized in Table 2.

Table 2: Minimum Event Worker Ratios

| NUMBER OF GUESTS ⁱ | MINIMUM NUMBER OF EVENT WORKERS | | | | SECURITY REQUIREMENTS |
|-------------------------------|---------------------------------|-----------------------------------|----------------------------------|----------------|------------------------------|
| | BARTENDERS | DOOR MONITORS ⁱⁱ | FLOOR SUPERVISORS ⁱⁱⁱ | TICKET SELLERS | |
| Up to and including 75 | 1 ^{iv} | 0 | 0 | 0 | 0 |
| 76 – 150 | 2 | One monitor for each access point | 1 | 1 | 0 |
| 151 – 300 | 2 | One monitor for each access point | 2 (+1 for outdoor events) | 2 | 1 (if an outdoor event) |
| 301 – 400 | 3 | One monitor for each access point | 3 (+1 for outdoor events) | 2 | 1 (if an outdoor event) |
| 401 – 500 | 3 | One monitor for each access point | 3 (+1 for outdoor events) | 2 | 1 (+1 for outdoor events) |

ⁱ For outdoor events, ratios will be determined based on the maximum capacity of the licensed area (i.e. beer garden/tent).

ⁱⁱ Each venue will require a varying number of Door Monitors depending on the layout of the venue.

ⁱⁱⁱ The Event Organizer can act as a Floor Supervisor.

^{iv} For events up to and including seventy-five (75) guests, the Event Organizer can act as the Bartender.

In accordance with the M.A.P., the City reserves the right to adjust the minimum number or types of Event Workers and/or request additional measures be undertaken on an event-by-event basis. A City staff member will advise accordingly. Some of the common situations in which this may be requested include:

- Requiring the provision of both police and/or licensed security based on nature or size of an event.
- Additional Floor Supervisors for an event that allows admittance of those under nineteen (19) years of age.
- Events which are expected to exceed an anticipated attendance of five hundred and one (501) or greater.
- For events that are expected to meet or exceed certain attendance thresholds (e.g. five hundred and one or greater), an operational plan may be requested in addition to other standard requirements.
 - If requested, the operational plan must be developed with the City and Peel Regional Police in order to ensure that all aspects of public safety are addressed (e.g. emergency medical services, security, communication tactics, social media management etc.).
 - If requested, the operational plan must be submitted to the City a minimum of at least thirty (30) days prior to the event.
 - All costs associated with the preparing of operational plans and complying with required licensed security or paid duty police officers shall be solely borne by the Event Organizer unless otherwise agreed upon in writing by the Event Organizer and the City.

3. Event Organizer's Checklists (MANDATORY)

In addition to understanding the roles and responsibilities indicated above, the Event Organizer must read, complete, sign and submit one or more of the following forms depending on the size or scope of the event:

- Event Organizer's Checklist
- Event Organizer's Checklist – Additional Event Workers
- Event Organizer's Checklist – Security Workers

Forms must be submitted to the City fourteen (14) days prior to the event, in order to indicate that the Event Organizer understands their responsibilities and have submitted all standard (e.g. required number of security workers, servers etc.) and/or additional (e.g. operational plan, paid duty police officers etc.) requirements. Event organizers are encouraged to submit forms as soon as possible to ensure all requirements have been met to avoid unnecessary delays or cancellations.

The forms must be filled out in its entirety and include, but not limited to, the following:



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- Names of all servers and proof of their Smart Serve® certification (including certification numbers); **and**
- Names of all security workers and security licence numbers, if applicable (see Table 1).

Failure to submit this form in accordance with established deadlines will result in the event being cancelled as per the City's discretion.

III. ELIGIBLE CITY PROPERTIES

A. DECISION CRITERIA

The City will review all requests to hold an event on municipal property to determine if the requested location is appropriate for an event that includes the sale, service and consumption of alcohol. The City may also specifically designate the location within the property where alcohol is and is not permitted. Decision criteria used to determine eligibility can include, but is not limited to, the following:

- Nature of the event (private vs. public);
- Duration and hours of the event (e.g. alcohol is not permitted to be served prior to 11AM unless otherwise stated);
- Impact upon neighbouring properties and other users;
- Anticipated number of participants;
- Public safety considerations for event participants and City staff;
- Proximity to public transportation services;
- Adequate availability of space, parking and washroom facilities;
- Adequate availability of water and electrical supply

B. PROHIBITED AREAS WITHIN AN ELIGIBLE PROPERTY

The following areas within or near an eligible municipal property are generally prohibited from alcohol sales, service or consumption unless otherwise designated under the authority of a S.O.P.:

- Spectator seating areas (including tiered seating areas);
- Lobbies, hallways and general public gathering areas;
- Parking lots;
- Change rooms;
- Mechanical and storage rooms;
- Office areas

C. DESIGNATED PROPERTIES LIST

Table 3 on the next page summarizes properties with rooms and capacity that are generally eligible for hosting events with alcohol. Please note that the following is provided as a reference only. The City reserves the authority under the M.A.P to approve or deny requests for a specific property or room based on criteria, provincial/federal legislation, Region of Peel By-laws, City By-laws, availability and/or suitability.

Table 3 – Spaces Permissible for Alcohol-Related Events (58)

| PROPERTY NAME | ROOM NAME | CAPACITY |
|--|---------------------------------------|----------|
| ALDERLEA (1) | Pavilion / Parlour | 120 |
| BRAMPTON CURLING CLUB (3) | Lower Lounge | 149 |
| | President's Room | 30 |
| | Upper Lounge / Bar | 175 |
| CASSIE CAMPBELL COMMUNITY CENTRE (3) | Multi-Purpose 1 | 50 |
| | Multi-Purpose Room #2 | 50 |
| | Multi-Purpose Room #3 | 50 |
| CENTURY GARDENS RECREATION CENTRE (2) | Room 1 (Auditorium) | 425 |
| | Room 2 (Service Club) | 120 |
| CHINGUACOUSY PARK INDOOR (5) | Curling Club – Upper Lounge | 150 |
| | Pavilion – Meeting Room | 35 |
| | Ski Chalet – Bramalea Place Lounge | 75 |
| | Ski Chalet – Lower Lounge | 75 |
| | Ski Chalet – Meeting Room (2nd Floor) | 35 |
| CHINGUACOUSY PARK OUTDOOR (2) | Outdoor Fenced Space | Varies |
| | Special Event Field | Varies |
| CHRIS GIBSON RECREATION CENTRE (2) | Auditorium | 175 |
| | Multi-Purpose Room | 80 |
| CITY HALL (2) | Atrium | 250 |
| | West Tower Conservatory | 150 |
| FLOWER CITY COMMUNITY CAMPUS LAWN BOWLING (2) | Community Room | 70 |
| | Outdoor Space | 50 |
| FLOWER CITY COMMUNITY CAMPUS SENIORS CENTRE (6) | Auditorium | 120 |
| | Auditorium (A) | 50 |
| | Auditorium (B) | 50 |
| | Gymnasium | 400 |
| | Gymnasium (A) | 200 |
| | Gymnasium (B) | 200 |
| GAGE PARK (2) | Picnic Area | Varies |
| | Skating Path | 300 |
| GORE MEADOWS COMMUNITY CENTRE (3) | Community Room 1 | 50 |
| | Community Room 2 | 160 |
| | Community Room 3 | 40 |
| GREENBRIAR RECREATION CENTRE (1) | Multi-Purpose Room | 120 |
| JIM ARCHDEKIN RECREATION CENTRE (1) | Auditorium | 180 |
| KNIGHTSBRIDGE COMMUNITY CENTRE (1) | Auditorium | 125 |
| LOAFERS LAKE RECREATION CENTRE (3) | Auditorium | 180 |
| | Hall A | 60 |

| PROPERTY NAME | ROOM NAME | CAPACITY |
|--|---------------------------------------|----------|
| | Room 2/3 Combo | 80 |
| MEMORIAL ARENA (1) | Lobby | 114 |
| MOUNT PLEASANT VILLAGE COMMUNITY CENTRE (2) | Paul Hunt Room A | 30 |
| | Paul Hunt Room B | 40 |
| | Paul Hunt Room A/B | 80 |
| PEEL VILLAGE GOLF CLUB (1) | Club House Lounge | 50 |
| PROFESSORS LAKE RECREATION CENTRE (3) | Auditorium – Multi-Purpose Room Combo | 102 |
| | Auditorium Room | 50 |
| | Multi-Purpose Room | 50 |
| ROSE THEATRE INDOOR (5) | Main Lobby | 400 |
| | Main Stage | 868 |
| | Rotunda | 0 |
| | The Studio | 100 |
| | Upper Lobby | 0 |
| ROSE THEATRE OUTDOOR (1) | Garden Square | 5,000 |
| SNELGROVE COMMUNITY CENTRE (2) | Auditorium | 180 |
| | Lions Club | 85 |
| SOUTH FLETCHER'S SPORTSPLEX (6) | Gym/Youth Room Combo | 220 |
| | Gymnasium | 150 |
| | Multi-Purpose Room (1) | 90 |
| | Multi-Purpose Room (2) | 140 |
| | Multi-Purpose Room (1 & 2) | 230 |
| | Youth Room | 70 |
| TERRY MILLER RECREATION CENTRE (2) | Room #1 | 60 |
| | Room #2 | 130 |

IV. EVENT INSURANCE AND RENTALS

A. RENTAL AGREEMENTS

Authorization of the use of City property through the completion of a Rental Agreement with the City is required in advance of the application for a S.O.P. or Caterer's Endorsement to the AGCO which includes the sale or service of alcohol. A Rental Agreement is required to formalize and book the use of municipal properties under the M.A.P.

The City reserves the authority at its sole discretion to refuse an Event Organizer permission to hold their event on the requested municipal property, for any reason including, but not limited to, conflicting events, nature of the event, location, renovations or other City requirements.

Table 4 below is intended to be used as a reference to ensure that all required documentation is submitted to the appropriate organizations according to indicated deadlines. The Event Organizer must allow adequate time to complete all required forms and documentation including allowing appropriate lead time for the City and external agencies to process requests. Failure to adhere to established deadlines may result in cancellation of the event or refusal of the request.

Table 4 – Documentation Submission Deadlines

| DOCUMENTATION | SUBMISSION DEADLINE* (IN ADVANCE OF EVENT) | ORGANIZATION |
|---|---|-------------------------|
| Letter of Municipal Significance for events with > 5,000 people | 60 Days | City of Brampton & AGCO |
| Letter of Municipal Significance for events with ≤ 5,000 people | 30 Days | City of Brampton & AGCO |
| Operational Plan (if required) | 30 Days | City of Brampton |
| Rental Agreement (Full Payment) | 30 Days | City of Brampton |
| Special Occasion Permit | 14 Days | City of Brampton |
| Copy of Liquor Sales Licence if using a Caterer's Endorsement | 14 Days | City of Brampton |
| Liability Insurance | 14 Days | City of Brampton |
| Completed the Rental Details for Liquor Licensed Events (Event Organizer's Checklist) | 14 Days | City of Brampton |
| Catering Notification Form | 10 Days | AGCO |

** If the deadlines indicated above cannot be achieved due to extenuating circumstances (e.g. funeral reception), the appropriate Director or their designate may provide an exception. Contact a staff member to discuss.*

B. INSURANCE

It is **mandatory** that Event Organizers seeking to use a municipal property for an event obtain sufficient liability insurance coverage in accordance with established deadlines (see Table 2). Failure to provide proof of acceptable liability insurance will **void the Rental Agreement** and result in a cancellation of the event on City property.

An acceptable certificate of insurance must provide evidence of:

- A minimum of **five million dollars (\$5,000,000)** general liability insurance, naming the Corporation of the City of Brampton as an additional insured, and include:
 - Coverage for bodily injury and property damage liability;
 - A liquor liability endorsement as evidence that the insurance company is aware of the S.O.P. event and that coverage is in place for the date(s) and location of the event; **and**
 - Be on a form provided by the City which has been completed by an authorized representative of an accredited insurance company that is licensed to carry on business in Ontario.
 - Coverage period noted on the certification of insurance must be effective for the dates when the municipal property is being used or occupied by the Event Organizer, including, without limitation, the date or period of time when set-up and take-down occurs.

The City reserves the right to request higher limits of insurance depending on the size/scope of the event or if the event is deemed as being a higher risk. A city staff member will advise you if this is required.

V. EVENT ADVERTISING AND SIGNAGE

A. ADVERTISING

All advertising must comply with all AGCO advertising policies and guidelines and O. Reg. 389/91: *Special Occasion Permits under Liquor Licence Act, R.S.O, 1990, c L. 19*. The event organizer and/or S.O.P permit holder shall ensure that the following types of advertising are not permitted.

- Advertising or promoting liquor, or the availability of liquor.
- Offering alcohol as a prize in a contest.
 - **NOTE:** Registered charitable organizations wishing to raffle alcohol during an event must obtain a valid raffle lottery licence issued by the AGCO and provide a copy to the City as required.
- Event names which convey the message that drinking alcohol is the principal activity or the purpose of the event.
- Practices which encourage increased or immoderate consumption of alcohol (e.g. oversized drinks, double shots, free-pouring, pitchers, drinking contests, Jell-O® shooters, volume discounts).
- Promotional advertising of alcoholic beverage names, brands or manufacturers outside the designated alcohol service area for any event where youth under nineteen (19) years of age are permitted entry.

B. SIGNAGE

During events where alcohol is served, the Event Organizer must ensure that the following signage (provided by the City), is clearly displayed in prominent locations throughout the duration of the event:

1. **INTOXICATION, IDENTIFICATION, TICKET SALES & LAST CALL** wall sign located in one (1) or more prominent locations within the licensed/alcohol service area indicating:
 - The Bartender's right to refuse those who are, or appear to be, intoxicated;
 - Acceptable forms of identification;
 - The number of drinks that can be served to the same individual at the same time;
 - Redemption of unused drink tickets;
 - No last call;
 - Presence of a Safe Transportation Plan.
2. **ACCOUNTABILITY** wall sign located in one (1) or more prominent locations within the licensed/alcohol service area indicating:

- Name of the Event Organizer or Permit Holder;
 - Date of the event;
 - Important contact numbers including Emergency Medical Services, Peel Regional Police, The City of Brampton and the AGCO;
 - Location (name and address) of the event.
3. **Designated Consumption Area** wall signs located at the boundaries of the licensed/alcohol service area indicating the restriction of alcohol possession and consumption beyond that point.
 4. **FETAL ALCOHOL SPECTRUM SYNDROME / SANDY'S LAW** wall sign located in one (1) or more prominent locations within the licensed/alcohol service area outlining the risks of Fetal Alcohol Spectrum Syndrome. Sign must be in English and at least eight (8) by ten (10) inches in size.
 5. **STANDARD DRINK MEASURE AND LOW RISK DRINKING GUIDELINES** wall sign located in one (1) or more prominent locations within the licensed/alcohol service area indicating the standard drink measures and suggested guidelines associated with safe alcohol consumption.

VI. EVENT ENFORCEMENT AND POLICY VIOLATIONS

A. ENTRY AND MONITORING

Event Organizers must ensure event workers are fully trained and informed of the following:

- The entrance(s) to the event must be monitored by a responsible person(s) nineteen (19) years of age or older, at all times. These persons shall further observe individuals that may be attempting to enter the premises that appear to be intoxicated, demonstrating aggressive behaviour or have a history of causing problems at events.
- Having a method of counting attendees to ensure the room / attendance capacity of the licensed premises is not exceeded.
- Ensure that alcohol which is served and/or sold on the premises is not removed from the licensed area or brought into an unacceptable area by a person attending the event.
- Ensuring persons who appear to be under twenty-five (25) years of age show their photograph identification at the ticket purchase area and/or the alcohol service area as specified under the *Liquor Licence Act*.
 - Acceptable identification for a person includes any of the following, provided the identification is not expired, contains a photograph of the person, the person's date of birth and that it has been issued by the listed government or government agency:
 - Ontario Driver's Licence with a photo of the person to whom the licence is issued;
 - A Canadian passport;
 - A Canadian Citizenship Card with a photo of the person to whom the card is issued;
 - A Canadian Armed Forces Identification Card;
 - A photo card issued by the Liquor Control Board of Ontario, entitled "Bring Your ID" (BYID)
 - A Secure Indian Status Card issued by the Government of Canada;
 - A Permanent Resident Card issued by the Government of Canada; **or**
 - A photo card issued under the *Photo Card Act, S.O. 2008, c. 17*.
 - **Note:** Identification from outside the province or country is also acceptable. Valid identification must be current, government-issued, and include a photograph of the individual along with their date of birth. In these cases, event organizers are encouraged to ask to see a secondary piece of identification to ensure that

elements such as the individual's signature, photograph, address and/or physical descriptions match.

B. REFUSAL OF ENTRY AND REMOVAL OF PERSONS

The Event Organizer must ensure that the following is enforced and/or carried out as applicable before, during and after the event:

- Ensure event workers carry out their responsibilities.
- Be available upon request to event workers who require assistance in managing an individual who is refused sale or becomes unmanageable.
- Any stated attendance capacities for facilities and outdoor areas are not exceeded during the course of the event.
- Maintain sufficient staffing throughout the event to control all access points at all times.
- Ensure the event is managed and controlled to prevent dangers to attendees and other persons that may be present.
- Exercise the right to remove or deny entry to intoxicated persons, aggressive persons or to persons under nineteen (19) years of age who are unauthorized or found to be drinking alcohol.
- Offer or arrange safe transportation options where required.

C. UNDERAGE DRINKING

If underage drinking is encountered or observed, the Event Organizer and/or event workers must complete the following:

1. Notify Peel Regional Police;
2. Report the findings to City staff ;
3. Report the findings to the caterer under the Caterer's Endorsement, if applicable;
4. Ask the offending person(s) to leave and offer or arrange a safe transportation option for them.

D. INTOXICATION AND DISORDERLY CONDUCT

If intoxication, riotous, quarrelsome, violent, aggressive and/or disorderly conduct or unlawful gaming is observed at the event, the Event Organizer and/or event workers must complete the following:

1. Ask the offending person(s) to leave and offer or arrange a safe transportation option for them;
2. Seek assistance from City staff if the individual(s) refuses to leave and if necessary such as in the case of escalation or threats, call Peel Regional Police;

3. Seek any necessary assistance (e.g. security staff) to maintain control and management of the event and ensure the safety and protection of all persons including event workers

E. DUTY TO REPORT

The Event Organizer has the duty to report to City staff about details of any incident that:

- Violates the *Liquor Licence Act* or the M.A.P. (see section 1);
- Reported by an AGCO inspector under the *Liquor Licence Act* ;
- Involves bodily injury, death or property damage.

Please note that depending on the urgency or severity of the situation, the Event Organizer, Event Worker or City staff handling the situation must notify Corporate Security, Peel Regional Police and/or call 9-1-1 if they observe signs that a situation is getting out of control.

The Event Organizer must also notify staff immediately when repairs or other action is required to make damaged municipal property secure or safe to use.

City staff must report any infraction of this policy or this document to Corporate Security, Peel Regional Police and/or the AGCO whenever they believe such action is prudent.

F. FAILURE TO COMPLY

Where there has been a failure to comply with the *Liquor Licence Act* or other relevant provincial legislation, Peel Regional Police and/or an AGCO Inspector have the authority to intervene for enforcement purposes and may, at their discretion or other authority, terminate the event and revoke a S.O.P. Similarly, a failure to comply with City of Brampton By-laws and/or Region of Peel Public Health Orders (e.g. pandemic related such as social distancing etc.), may result in the Peel Regional Police, City of Brampton or Region of Peel By-law enforcement staff to intervene and issue orders or impose fines at their discretion.

The City may also retains the authority to cancel, intervene or terminate the event for violations of the M.A.P. It remains the responsibility of the Event Organizer to manage the event and to take appropriate actions, including, but not limited to:

- Ending the event;
- Vacating municipal property;
- Providing safe transportation options.

Regardless of the reason for termination of the event, the City will not be responsible for providing any compensation to the Event Organizer or affected persons of their resulting financial, or other related losses.

1. In Areas Where Alcohol Is Permitted

A violation of the M.A.P. occurs when an Event Organizer fails to comply with the conditions of the *Liquor Licence Act* or the M.A.P. The following parties may intervene in the case of a violation as follows:

- Participants, City staff, Corporate Security, Peel Regional Police and/or an AGCO Inspector may intervene if there is a violation of this policy, provincial regulations or laws.
- The Event Organizer, a member of the organizing group or the designated event worker may intervene by informing the offending individual(s) of the policy violation and request that these activities/behaviours cease.
 - The Event Organizer is responsible to ensure that any violations are stopped immediately. Should the Event Organizer fail to comply, Corporate Security and/or Peel Regional Police will be called for enforcement as deemed necessary by City staff
 - If the infraction involves serious disregard for the M.A.P., or involves a substantial risk of injury or damage, City staff have the authority to close the event down and contact Corporate Security and/or Peel Regional Police to enforce compliance.
- Peel Regional Police or an AGCO Inspector may intervene in a violation of this policy at his or her initiative, or in response to a request from City staff or a member of the general public
 - Depending on the particulars of the infraction, charges may be laid under the *Liquor Licence Act* or any other relevant legislation.
 - **NOTE:** Peel Regional Police have the right to seize any alcohol used in the commission of an offence under the *Liquor Licence Act*.

2. In Areas Where Alcohol Is Not Permitted

A violation of the M.A.P. occurs when an Event Organizer or event guests consume alcohol in an area where alcohol consumption is prohibited in accordance with the conditions of the S.O.P., *Liquor Licence Act* or the M.A.P. The following must be observed in such situations:

- Event organizers, City staff, Corporate Security and/or Peel Regional Police will intervene if there is a policy violation observed.

- An Event Organizer or individual is to intervene by informing the offending individual(s) that the M.A.P. prohibits alcohol consumption and request that the violating activity cease immediately.
 - Should difficulties arise from such interventions, the Event Organizer or individual should seek the assistance of City staff.
- In instances where City staff observe a violation of the M.A.P., staff will take steps to ensure that the violation stops
 - Staff can request that the consumption of alcohol stop or they can ask the individual or group to leave the premises, depending on the circumstances and nature of the violation
 - Should the individual(s) fail to comply, the staff may elect to contact Corporate Security and/or Peel Regional Police for enforcement
- Individual(s), organized group or a team/league that have violated the M.A.P. (and have been so notified at the time of the violation), will receive a registered letter from the City of Brampton indicating that no further violations will be tolerated
 - Should a **second** violation of the M.A.P. occur, the individual(s), organized group or team/league will be suspended from use of the premises for a period of one (1) week or one (1) activity, whichever is greater.
 - Should the group be a periodic or intermittent user of the premises, an alternate suspension will be enforced based on actual patterns of use.
 - The offending individual(s), organized group or team/league will be notified of this second violation by registered letter.
 - Should a **third** violation occur, the individual(s), organized group or team/league will have all Rental Agreements cancelled for the remainder of the current contract or current rental period
 - The offending individual(s), organized group or team/league will be notified of this third violation by registered letter
 - Any fees related to a cancelled rental agreement will be non-refundable.

VII. ALCOHOL SERVING, CONSUMPTION AND SAFETY

The following controls and prevention strategies must be in place during any event where alcoholic beverages will be available and applicable to the licensed area under the authority of the S.O.P:

A. SPECIAL OCCASION PERMIT:

A Special Occasion Permit (S.O.P) is required for an event that will include alcohol on City property. A S.O.P is for occasional, special events only, and not for personal profit or running an ongoing business. A permit may be revoked if the Registrar established under the *Alcohol, Cannabis and Gaming Regulation and Public Protection Act* has reason to believe an event is being used for personal gain.

An event organizer is responsible for obtaining the correct S.O.P for their event. The following are the types of S.O.Ps that are generally acceptable for an event held on City property unless otherwise indicated:

- **Private Events** - limited to invited guests only and may not be publicly advertised. The public cannot be admitted and there can be no intent to gain or profit from the sale of alcohol at the event.
- **Public Events** - open to the public and can be advertised.

S.O.Ps are issued by the AGCO through the **iAGCO Online Services Portal** and must be submitted to the City a minimum of fourteen (14) days before the event. Where applicable, the Event Organizer must have immediately available for inspection the original S.O.P. (with any updates) and all levy receipts, within the licensed area where the alcohol is to be served /sold.

Please note that if the L.C.B.O. has determined that a guest list is required for the event, the guest list must also be made readily accessible for inspection by City staff and/or an AGCO inspector if requested.

B. SALES AND SERVICE:

Alcohol drink tickets and/or beverages are strictly prohibited from being sold to any:

- Person under nineteen (19) years of age.
- Person that appear to be under the age of twenty-five (25) years and who do not produce proper identification.
- Person who may appear intoxicated or show signs of impairment.

All outdoor licensed areas are required to be fenced off with a barrier measuring at least 0.9 meters high (please note that higher barriers and additional criteria may be required as per the City's discretion).

At events where guests under nineteen (19) years of age are expected to be in attendance, the Event Organizer must ensure that:

- An identification procedure is implemented at outdoor public events where alcohol is sold, served, and consumed;
- Those under nineteen (19) years of age are not consuming alcohol on the premises;
- Consideration is given toward the provision of additional Floor Supervisors
 - **NOTE:** the City reserves the right to request additional floor staff be in place.

Ticket sales for alcohol must be sold separately at all public events and will be limited to four (4) tickets per person, per transaction.

- Unused tickets can be redeemed for a full refund at any time during the event and for at least thirty (30) minutes after the bar closes.
- Guests cannot be required to purchase a minimum number of drinks (or drink tickets) to enter or remain at the event.

The sale, service or consumption of alcohol is not permitted at:

- Events where the event and/or attendees is focused on r youth under nineteen (19) years of age;
- Minor sports events, including banquets;
- Street parties.

Alcohol service shall be limited to two (2) drinks per person at one time.

- Alcohol cannot be left available for self-service.
- No persons shall be allowed to bring their own alcohol to the event.
- All beverage containers whether containing alcohol or not, must remain within the licensed area.

Ticket sales and alcohol service must cease forty-five (45) minutes prior to the end of the licenced period of the event.

- "Last Call" announcements or notices are strictly prohibited.
- Closing time must be consistent with the event end time noted on the Rental Agreement and S.O.P.
 - In instances where the start and end times are not identical, the latest start time and earliest end time will prevail.

- All alcohol and its containers (which include empty cups/glasses) must be cleared away by the end of the licensed period as noted on both the Rental Agreement and S.O.P.

C. AVAILABLE DRINK TYPES AND PRICING

All alcoholic beverages must be served in accordance with the *Low-Risk Alcohol Drinking Guidelines* established by the Canadian Centre on Substance Use and Addition.

- A variety of low-alcohol beverages must be available for purchase.
- No fortified drinks or extra-strength drinks shall be sold, served or consumed.
 - Beer and coolers with more than 5% alcohol, wine with more than 12% alcohol and distilled alcohol/spirits (e.g. rye, gin, rum etc.) with more than 40% alcohol are considered fortified alcohol products.
- No energy drinks (with or without alcohol in them) shall be sold, served or consumed.
- No cannabis-infused drinks (with or without alcohol in them) or edible cannabis shall be sold, served or consumed.

Homemade alcohol or pre-made alcoholic drinks (such as Jell-O® shooters) are not permitted at any S.O.P. event.

- Homemade wine or beer provided for the purposes of a religious event is the lone exception.
 - **NOTE:** This alcohol must be served under the authority of a **No Sale S.O.P.**, as defined by the regulations under the *Liquor Licence Act*.
- Where wine is provided with a meal, a non-alcoholic substitute (such as water, pop or juice) must be provided to ensure that children and abstainers are included in toasting the celebrants.

The minimum price for a standard alcoholic drink must be in accordance with the *Liquor Licence Act* and its regulations. Please note that responsible higher drink price flexibility is permitted and encouraged as long as it remains above the minimum legislated price in accordance with standard serving sizes.

D. FOOD AND NON-ALCOHOLIC BEVERAGES

There must be sufficient food available for all those in attendance. Food must be available both within the licensed area of the alcohol service area and throughout the duration of the event to ensure guests are not drinking on an empty stomach.

- Light meals in the form of sandwiches, hamburgers, hot dogs, pizza, salads etc. are acceptable.

- Snack foods such as chips, peanuts or popcorn **are not, on their own, sufficient** to meet this requirement.
- Event workers should be directed to encourage patrons to consume food and non-alcoholic beverages.

Non-alcoholic beverages must be available at no charge or at a cost much lower than that of drinks containing alcohol including the following requirements:

- Beverages such as coffee, pop and juice are available for all identified designated drivers.
 - It is recommended that these beverages be free of charge for these individuals.
- Fresh drinking water must be available for everyone in attendance.

E. SERVING AND CONSUMPTION HOURS

Alcohol is only permitted to be served at events on City property after 11AM unless otherwise indicated on a rental agreement and/or in accordance with time or period specified on the S.O.P.

- **NOTE:** An event can start earlier than 11AM but alcohol is not permitted to be served or consumed until after 11AM in accordance with time specified on the S.O.P.

Event organizers are encouraged to discuss and confirm appropriate serving hours upon booking a property with City staff.

F. SAFE TRANSPORTATION PLAN

The Event Organizer is responsible to take the necessary steps to reduce the possibility of impaired driving. As such, the Event Organizer is responsible for promoting safe transportation options for attendees of the event or contacting police as appropriate, including for persons who may be denied entry or are removed from the event under the M.A.P.

As a condition of rental, the Event Organizer must have a Safe Transportation Plan in effect. Examples of a Safe Transportation Plan include:

- Providing non-alcoholic beverages either at no charge or at a cost much lower than that of drinks containing alcohol.
- Providing alternate means of transportation for those who are suspected to be intoxicated (e.g. call a friend, relative or taxi).
- Calling police if someone who is suspected to be impaired cannot be convinced to use alternate transportation.

- Having a Designated Driver Program which encourages and identifies designated drivers that will use a vehicle to transport intoxicated persons to a place of safety. This Program should include the following:
 - Announcements made periodically throughout the event to those in attendance encouraging the use of a designated driver or alternate means of transportation;
 - Program information posted prominently in the licensed/alcohol service area;
 - Plans for backup transportation options that include those for whom the intoxicated person may be responsible.

The Event Organizer must remain on the premises at least until all attendees have left the property at which the event is located.

City staff must be notified should event attendees be required to leave their vehicles in the parking lot overnight. The event organizer should remind event guests that any vehicles left overnight must be removed by the end of the following day after the event. Vehicles left more than one (1) day following an event may be subject to towing or fines as applicable.

VIII. DEFINITIONS

| | |
|--|---|
| ACCESS POINT | The location of admittance to a room or space that is generally understood to be utilized by individuals to gain entry or exit within a non-emergency context. |
| ALCOHOL AND GAMING COMMISSION OF ONTARIO (AGCO) | The AGCO is a provincial agency responsible for the administration of the <i>Liquor Licence Act</i> which regulates the sale, service and consumption of alcohol while promoting moderation and responsible use. |
| CATERER'S ENDORSEMENT | <p>An accommodation to a liquor sales licence authorizing the licensee to sell and serve alcohol for an event held on premises other than the premises to which the liquor sales licence applies. If an event is being conducted under a valid Caterer's Endorsement, a S.O.P. is not necessary.</p> <p>Event Organizers wishing to utilize a third party's Caterer's Endorsement for the purposes of serving and/or selling alcohol at their event should be aware that it is the responsibility of that licensee to:</p> <ul style="list-style-type: none"> • provide alcohol for the event; • serve any alcohol through the use of the licensee's staff; • comply with all liquor sales licence conditions applicable to the licensee throughout the event; and • submit a <i>Catering Notification Form</i> to the AGCO at least ten (10) days prior to the event <p>The use of a third party's Caterer's Endorsement does not remove the responsibility of the Event Organizer to manage the event and provide appropriate Event Worker support as outlined in this M.A.P.</p> <p>The catered event must be sponsored by someone other than the licensee; this is typically the Event Organizer.</p> <p>A copy of the liquor licence to be used by an Event Organizer under a Caterer's Endorsement must be supplied to the City of Brampton fourteen (14) days prior to the event.</p> |
| CITY STAFF | An employee of the City of Brampton who provides oversight of an alcohol-related event on behalf of the City and ensures that all components of the M.A.P. are met. |
| EVENT | <p>Any gathering held on municipal property at which alcohol will be served and/or sold (e.g. weddings, showers, dances, barbeques, birthday parties etc.).</p> <p>The duration of the event includes event set-up, operation and take-down. Events involving alcohol may take place on licensed municipal property or under the authority of a S.O.P.</p> <ul style="list-style-type: none"> • Public Event – one which is open to the public to attend and is conducted by a registered charity or not-for-profit entity, or an event identified by Council as municipally significant. |

| | |
|-------------------------------|--|
| | <ul style="list-style-type: none"> • Private Event – one which attendance is limited to a set number of individuals at the request and/or invitation of the Event Organizer and is not open to the public. |
| EVENT ORGANIZER | <p>The individual responsible for the operation of an event where alcohol is being served or sold (who has entered into a formal legal agreement with the City) and the safety and sobriety of people attending the event as well as compliance with this M.A.P. and the <i>Liquor Licence Act</i> and its regulations, at the event.</p> <p>The Event Organizer must be nineteen (19) year of age or older, satisfactorily proven to the City that he/she has been trained by a recognized alcohol server training course to include Smart Serve®, and that he/she will act in accordance with the M.A.P.</p> <p>The Event Organizer assumes responsibility and liability for the entire operation of the event. The Event Organizer must read, complete, sign and submit the online RENTAL DETAILS AND EVENT SUMMARY FORM to the City to indicate understanding of their responsibilities and other binding terms and conditions.</p> |
| EVENT WORKER | <p>Individuals appointed by the Event Organizer, who serves or sells alcohol, or is involved in an event where alcohol is served on municipal property.</p> <p>Event Workers must be nineteen (19) years of age or older, have satisfactorily proven to the Event Organizer and the City that he/she has been trained by a recognized alcohol server training course (e.g. Smart Serve®), and that he/she will act in accordance with the M.A.P.</p> |
| GOOD STANDING | <p>An Event Organizer holding an event in good standing is one who:</p> <ul style="list-style-type: none"> • Operates in compliance with this M.A.P. and related City by-laws, policies and procedures, terms and conditions & standards; • Has no prior unresolved issue of non-compliance to the M.A.P. or related City by-laws, policies and procedures, terms and conditions & standards; • Operates in compliance with the <i>Liquor Licence Act</i>. |
| LICENSED SECURITY | <p>Security personnel monitoring entrances and patrolling licensed areas along with associated municipal property (both inside and out) must be licensed under the <i>Private Security and Investigative Services Act</i>, S.O. 2005, Chapter 35 to ensure the safety and security of the facility, City staff and patrons. All security personnel must have been trained by a recognized alcohol server training course to include Smart Serve®.</p> |
| LIQUOR LICENCE ACT | <p>The <i>Liquor Licence Act</i>, R.S.O. 1990 c. L. 19 outlines the laws regarding the sale and service of alcohol.</p> |
| MUNICIPAL PROPERTIES | <p>All municipally owned or leased lands, buildings and structures.</p> |
| MUNICIPAL SIGNIFICANCE | <p>The designation given to an event through a City Council resolution based on certain criteria and approved through the issuance of a Letter of Municipal Significance.</p> |

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| | Such a letter may be required by the AGCO or the City before granting permission for an event. |
| PREMISES | The specific location where the Event Organizer intends to sell and/or serve alcohol. This includes the licensed area(s) in conjunction with all unlicensed areas accessible to event attendees such as, but not limited to, washrooms and parking lots. |
| RELIGIOUS / CIVIL FUNCTION | <p>An event that is presided over by an officiant including, but not limited to, a Priest, Minister, Rabbi or Justice of the Peace.</p> <p>Wedding vow renewals do not qualify as a religious /civil function unless presided over by an officiant.</p> |
| SERVING | The act of, taking drink orders, taking payment for alcoholic beverages, stocking the refrigerator or alcohol service area, and bartending. |
| SMART SERVE® | <p>A training program offered by Smart Serve Ontario designed to train staff and volunteers who work in areas where alcohol is sold and/or served, such as bars, restaurants, banquet halls and other public facilities.</p> <p>Smart Serve® is the only server training program that is recognized by the AGCO and approved by this policy.</p> |
| SPECIAL OCCASION PERMIT (S.O.P.) | <p>A document issued by the Liquor Control Board of Ontario (L.C.B.O.) on behalf of the AGCO for one-time social events where alcohol will be sold and/or served. All alcohol for the event must be purchased under the S.O.P.</p> <p>Depending on the nature of the event, the AGCO and the City may require a Letter of Municipal Significance endorsed by Council before granting permission for the event.</p> <p>A copy of the S.O.P. must be supplied to the City of Brampton fourteen (14) days prior to the event.</p> |
| S.O.P. HOLDER | <p>The individual (eg. Event Organizer) who signs the application for a S.O.P. to sell and/or serve alcohol. The S.O.P. Holder can assign a designate at the time of formal application.</p> <p>A designate is a person(s) appointed by the S.O.P. Holder who is nineteen (19) years of age or older, has satisfactorily proven to the S.O.P. Holder that he/she has been trained by a recognized alcohol server training course to include Smart Serve®, and that he/she will act in accordance with the M.A.P.</p> |
| STANDARD DRINK | <p>A benchmark to help determine the amount of pure alcohol consumed as defined by volume and type as follows:</p> <ul style="list-style-type: none"> • 12 oz. or 341 ml. of beer with 5% alcohol; or • 5 oz. or 142 ml. of wine with 12% alcohol; or • 1.5 oz. or 43 ml. of spirits with 40% alcohol. <p>For this purpose, each of these drink types contains the exact same amount of alcohol (0.6 oz. or 17 ml of pure alcohol) of alcohol and will have the same effects on the body.</p> |

Appendix C - Summary Chart of Municipal Alcohol Policy Changes

| New Requirement/Issues as per <i>Liquor Licence Act</i> (2019) | Current Policy (2016) | Proposed Policy (2021) |
|---|--------------------------------|---|
| Cannabis legalization | <i>Not previously included</i> | NEW – Policy statement added to restrict the sale, service or consumption of any cannabis products on City property including mixing with alcohol. |
| Tailgate Parties/ Special Occasion Permits | <i>Not previously included</i> | NEW – Policy statement added affirming that tailgate parties are prohibited on City property. |
| Language requiring event organizers to follow the Policy and all accompanying guidelines | <i>Not previously included</i> | NEW – Policy statement added requiring event organizers to follow all requirements in addition to the Policy in the form of the MAP Standards and Guidelines (MAPSG) document. |
| Liability Insurance limit increase to \$5 million | <i>Not previously included</i> | NEW – Policy statement added affirming event organizers must have sufficient liability insurance as per City criteria. \$5 million requirement updated and included in MAPSG. |
| Alcohol serving/consumption hours | <i>Not previously included</i> | NEW – Policy statement added affirming the City's authority to regulate alcohol serving hours. Specific requirements not allowing alcohol to be served before 11AM included in MAPSG. |
| Food no longer required to be served with alcohol | Food to be served with alcohol | Food to continue to be served at alcohol events. |
| Permit boundary changes no longer requiring physically separated alcohol serving areas | Physical boundaries required | New policy statement requiring areas where alcohol is served or consumed to be physically separated (e.g. beer tents). |