

Date: 2019-05-03

Subject: **Recommendation Report**
Transmittal of Implementing By-laws
Driveway Widening Review
City File: G.DX.

Contact: Bernie Steiger, Manager, Development Services, 905-874-2097,
bernie.steiger@brampton.ca

Recommendations:

1. **THAT** the report from Bernie Steiger, Manager, Development Services, dated May 3, 2019, to the Council Meeting of May 22, 2019, re: "**Recommendation Report**", **Transmittal of Implementing By-laws**, **Driveway Widening Review** (**File: G.DX.**), be received; and
2. **THAT** the Driveway Permit By-law, attached as Appendix 1 to this report be adopted;
3. **THAT** the amendments to the Licensing By-law, attached as Appendix 2 to this report be adopted; and,
4. **THAT** the amendments to the User Fee By-law, attached as Appendix 3 to this report be adopted.

Overview:

- At the May 13, 2019 Planning and Development Committee meeting staff presented a report which reviewed driveway widenings and the related regulatory framework.
- This report addressed a number of matters related to driveway widenings. A number of actions were recommended in this report. Planning and Development Committee, approved recommendations to, among other things, implement a Driveway Permit process (with associated amendments to the User Fee By-law, as well as undertake amendments to the Licensing By-law).
- In accordance with those recommendations, this report forwards the implementing Driveway Permit By-law, amendment to the Licensing By-law and amendment to the User Fee By-law, to Council for its consideration.

9.2-2

Background:

At the May 13, 2019 Planning and Development Committee meeting staff tabled a report with the respect to driveway widenings.

This report recommended a number of actions to assist in making residents and contractors aware of the regulations pertaining to driveways, support enforcement and ensuring residents and contractors are accountable in terms of complying with City regulations. These changes were recommended to support broader objectives to ensure that City neighborhoods remain attractive places to live and balance the provision of landscaping and vegetation within the streetscape with that of accommodating driveways and vehicular parking.

Current Situation:

Of the actions identified in that report, a new Driveway Permit process, as well as changes to the Licensing By-law, was recommended. This report forwards the implementing Development Permit By-law, a related amendment to the User Fee By-law and an amending By-law to the Licensing By-law to Council for its consideration.

Draft versions of the Driveway Permit By-law and the Licensing By-law were attached to the May 13, 2019 report. The By-law attached to this report and recommended for approval contains mostly minor revisions, as well as the following more significant amendments:

- The addition of an exemption from the requirement to obtain a Driveway Permit where a Driveway is being installed pursuant to an approved site plan under the Planning Act;
- The addition of an exemption from the requirement to obtain a Driveway Permit, where a Driveway is being installed pursuant to an approved siting plan for a new dwelling in conjunction with a new subdivision (i.e. a builder-installed driveway as part of a new dwelling construction within a newly developing subdivision);
- The removal of the requirement that an Owner engage a licensed Driveway Paving Contractor, thereby leaving the onus (and any related by-law violation) on the Driveway Paving Contractor for failing to be registered under the Business Licensing By-law; and
- Changes to the penalty section of the by-law.

Corporate Implications:

Financial Implications

9.2-3

As noted in the report to the May 13, 2019 Planning and Development Committee meeting, the introduction of a driveway permitting system will likely have administrative and financial impacts. This includes potential increased staffing requirements for the Public Works and Engineering Department that will take in, circulate and review the applications, as well as for other departments that would also be involved in the review of such applications.

Current staffing levels should be sufficient to process a reasonable uptake in applications and the associated service requests and investigations, while still meeting customer service levels. While it is anticipated that the permitting process can initially be administered with current staff levels, uptake will likely increase as general awareness of the requirement grows across the City.

Should the increase exceed anticipated capacity or impact the overall level of service to the customer, a review of the personnel resources would be needed and brought forward in the 2020 operating budget submission, pending Council approval.

Other Implications:

2019-2022 Term of Council Priorities:

This report and the proposed recommendations align with the “Brampton is a well-run City” theme. The proposed actions will support enforcement and make residents and contractors accountable in terms of complying with City regulations.

As noted in the report to the May 13, 2019 Planning and Development Committee meeting, it would assist in ensuring that driveways remain balanced as part of a residential lot and streetscape and that the City’s neighbourhoods remain attractive places to live.

Living the Mosaic – 2040 Vision:

This Report has been prepared in full consideration of the overall vision that the people of Brampton will ‘Live the Mosaic’.

Conclusion:

In accordance with the direction provided at the May 13, 2019 Planning and Development Committee meeting, staff are presenting the implementing Driveway Permit By-law, amending By-law to the Licensing By-law and amending By-law to the User Fee By-law to Council for its consideration.

Respectfully submitted:

Allan Parsons, MCIP, RPP

9.2-4

Director, Development Services

Recommended by:

Richard Forward, MBA, M.Sc., P.Eng.
Commissioner, Planning and
Development Services

Attachments:

- Appendix 1: Driveway Permit By-law
- Appendix 2: Amending By-law to Licensing By-law
- Appendix 3: Amending By-law to User Fee By-law



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2019

A By-law to Regulate the Installation, Construction, Paving, Resurfacing, Expansion and Alteration of Residential Driveways

WHEREAS The Corporation of the City of Brampton considers it desirable to regulate the resurfacing, construction, alteration and expansion of residential Driveways;

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

AND WHEREAS subsection 11(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 11(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: Economic, social and environmental well-being of the municipality; Health, safety and well-being of persons; Protection of persons and property, including consumer protection;

AND WHEREAS section 23.1 of the *Municipal Act, 2001* provides that a municipality may delegate its powers and duties under that Act;

AND WHEREAS for the purposes of subsection 23.2(4) of the *Municipal Act, 2001* it is the opinion of Council that the powers delegated pursuant to this By-law are of a minor nature;

AND WHEREAS section 425 of the *Municipal Act, 2001* provides that any person who contravenes any by-law of the municipality is guilty of an offence;

AND WHEREAS section 444 of the *Municipal Act, 2001* provides that a municipality may make an order requiring a person who contravened a by-law or who caused or permitted the contravention or the Owner or occupier of the land on which the contravention occurred to discontinue the contravening activity;

AND WHEREAS subsection 446(1) of the *Municipal Act, 2001* provides that a municipality may proceed to do things at a person’s expense, which that person is otherwise required to do under a by-law or otherwise has failed to do; and

AND WHEREAS subsection 446(3) of the *Municipal Act, 2001* provides that the costs incurred by a municipality in doing a thing or matter under section 446(1) may be recovered by adding the costs to the tax roll and collecting it in the same manner as taxes;

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

1.0 SHORT TITLE

- 1.1 This by-law shall be known as the “Driveway Permit By-Law”.

2.0 ADMINISTRATION

- 2.1 This by-law shall be administered by the Commissioner of Public Works and Engineering or their designate.
- 2.2 The Commissioner may prescribe forms for purposes of this by-law, including amending the forms from time to time.

3.0 DEFINITIONS

- 3.1 In this by-law,

“Agent” means a Person authorized in writing by the Owner to act on their behalf to obtain a Driveway Permit, and includes a Driveway Paving Contractor;

“City” means The Corporation of the City of Brampton;

“Commissioner” means the Commissioner of Public Works and Engineering of The Corporation of the City of Brampton or their designate;

“Council” means the Council of The Corporation of the City of Brampton;

“Driveway” means an area of hard and level surface (consisting of, but not limited to, asphalt, pavement, concrete, patterned concrete, compacted gravel and dirt, interlocking brick or paving stone), including a surfaced walkway and any hard and level surface that is capable of being parked or driven upon by part or the whole of a vehicle;

“Driveway Permit” means a permit issued by the Commissioner pursuant to the provisions of this by-law;

“Officer” means a Municipal Law Enforcement Officer or other person appointed by Council to enforce the City’s by-laws;

“Owner” includes

- (a) a Person who is the registered Owner of Premises;
- (b) a Person who is in physical possession of Premises;
- (c) a Person who has responsibility for and control over the condition of Premises or the activities there carried on, or control over the persons allowed to enter the Premises; and,
- (d) a Person occupying Premises.

“Person” means an individual, firm, corporation, partnership, association or organization, including a charitable organization;

“Premises” means real property owned by Persons, other than property owned by The Corporation of the City of Brampton, used, or intended to be used for residential purposes and includes real property owned by individuals, local boards, corporations and public authorities; and,

“Sight Distance” means the length of roadway ahead visible to the driver for safe and efficient operation of a vehicle.

4.0 APPLICATION

- 4.1 An application for a Driveway Permit may be made by an Owner or Agent.
- 4.2 Every application for a Driveway Permit shall include:
 - (a) a complete application in the form specified by the Commissioner;
 - (b) two (2) copies of a drawing, or other plans (including a legal lot survey for the property) as requested by the Commissioner, showing the dimensions and layout of the work to be done;
 - (c) complete details of the work to be done, including any additional information that may be requested by the Commissioner;
 - (d) a copy of any permits required by the City;
 - (e) written approval from the appropriate authority where a Driveway is to be located within the minimum distance to a utility as described in Section 5.1(4) below;
 - (f) written approval from the Commissioner where a Driveway is to be located within 0.9 metres of a tree located on City property;
 - (g) written approval from the appropriate authority where poles, hydrants, manholes, signs and any other road works require relocation to facilitate a Driveway;
 - (h) the Driveway Permit fee as set out in the City’s User Fee By-law 380-2003, as amended; and,
 - (i) such other information that may be required by the Commissioner.
- 4.3 The Driveway Permit application fee shall be non-refundable.
- 4.4 No Driveway Permit is required where a Person installs, constructs or paves a Driveway in accordance with:
 - (a) an approved siting plan for a new dwelling constructed in conjunction with the initial development of a plan of subdivision; or
 - (b) an approved site plan under the Planning Act.

5.0 PERMIT REQUIREMENTS

9.2-8

By-law Number _____ - 2019

5.1 Every Person that resurfaces, constructs, expands or alters a Driveway shall:

- (1) comply with the requirements of the City's Zoning By-law 270-2004, as amended, unless a valid permission, supporting decision or approval required by law is obtained and provided to the Commissioner with the application;
- (2) comply with the City's Fill By-law 143-95, as amended;
- (3) comply with the City's Traffic By-law 93-93, as amended;
- (4) ensure that the minimum distance of a Driveway edge to the face of a utility shall not be less than:

Any vertical pole installed with roadway lighting, traffic signals or carrying electrical/telecommunications cables	0.9 metre
---	-----------

Fire Hydrant	0.9 metre
--------------	-----------

Communications Pedestals or boxes	0.9 metre
-----------------------------------	-----------

Hydro Transformer	0.9 metre
-------------------	-----------
- (5) ensure that no Driveway obstructs or interferes with City approved on-street parking spaces;
- (6) comply with any requirements imposed by the Commissioner that in his or her opinion are reasonably necessary for the protection of the public safety and right to travel along the street, including, but not limited to:
 - (a) installation of bioswales or culverts along streets with ditches;
 - (b) provision of flag persons, uniformed police officers and/or traffic warning devices;
 - (c) supervision of the work site;
 - (d) provision of barricades, platforms or other structures necessary for the protection of the public; and
 - (e) any other condition that, in the Commissioner's opinion, is reasonably necessary for the protection of the public safety and right to travel along the street;
- (7) notify the Commissioner in writing when they have completed the work;
- (8) complete all maintenance work deemed necessary by the Commissioner within 72 hours of notice to undertake such repairs. In the case of emergency repairs deemed necessary by the Commissioner, the necessary works shall be completed immediately;
- (9) finish all Driveways with asphalt, paving stones, impressed concrete or such other hard durable surface as approved by the Commissioner;

- (10) construct and maintain Driveways to prevent surface drainage, dirt, dust, and debris from the Driveway entering the street from the Owner's property in an amount that, in the opinion of the Commissioner, constitutes a hazard or nuisance;
- (11) concurrent with resurfacing, constructing or altering a Driveway, the Owner shall remove any existing Driveway that, in the opinion of the Commissioner, is redundant as a result of constructing or widening a Driveway, and shall restore that portion of the street previously occupied by the redundant Driveway to the satisfaction of the Commissioner; and
- (12) restore the boulevard, sidewalk and road, at their expense, to a standard equal to or better than that of the existing boulevard, sidewalk and road, and to the satisfaction of the Commissioner.

6.0 PERMITS

- 6.1 The Commissioner shall issue a Driveway Permit where the application submitted complies with the permit requirements in this by-law. Without limiting the generality of the foregoing, the Commissioner shall not issue a Driveway Permit unless the proposed work complies with the City's Zoning By-law 270-2004 and any other applicable regulations, by-laws or approvals.
- 6.2 The Commissioner may approve the issuance of a Driveway Permit where there is substandard Sight Distance in situations where there is no other means of access to the property, and in such cases the Commissioner may issue a permit subject to such special conditions as the Commissioner considers appropriate.
- 6.3 The Driveway Permit shall be valid only during the dates and times indicated on the permit.
- 6.4 The Commissioner may inspect the Driveway at any time for compliance with a Driveway Permit.
- 6.5 A Driveway Permit may be renewed by the Commissioner for a further period at the discretion of the Commissioner upon submission of a written request for renewal to the Commissioner.

7.0 REFUSAL OR REVOCATION OF PERMIT

- 7.1 The Commissioner may revoke, refuse or refuse to renew a Driveway Permit where:
 - (a) the work being performed does not comply with the approved application or any conditions imposed by the Commissioner;
 - (b) the work being performed does not meet the standards and specifications of the Commissioner, including if required by the Commissioner and at no cost to the City, the installation of bioswales or culverts along streets with ditches;
 - (c) the work is conducted at a date or time other than authorized;
 - (d) the work, in the opinion of the Commissioner, constitutes a danger;
 - (e) the Driveway Permit was issued on mistaken or false information;

(f) if six months after the issuance of a Driveway Permit, the work has not been seriously commenced.

7.2 Prior to revoking a permit in accordance with this by-law, the Commissioner may give written notice of intention to revoke the permit to the owner at their last known address and if, on the expiration of thirty (30) days from the date of such notice, the grounds for revocation continue to exist, the permit shall be revoked without further notice.

8.0 PROHIBITIONS

- 8.1 No person shall install, construct, pave, resurface, expand or alter a Driveway without obtaining a Driveway Permit from the Commissioner prior to doing the work.
- 8.2 No person shall permit the installation, construction, paving, resurfacing, expansion or alteration of a Driveway without obtaining a Driveway Permit from the Commissioner prior to doing the work.
- 8.3 No person shall install, construct, pave, resurface, expand or alter a Driveway that impedes a roadway's Sight Distance, horizontal or vertical alignment or other considerations, unless authorized by the Commissioner.
- 8.4 No person shall permit the installation, construction, paving, resurfacing, expansion or alteration of a Driveway that impedes a roadway's Sight Distance, horizontal or vertical alignment or other considerations, unless authorized by the Commissioner.
- 8.5 No person shall install, construct, pave, resurface, expand or alter a Driveway except in accordance with the provisions of this by-law.
- 8.6 No person shall permit the installation, construction, paving, resurfacing, expansion or alteration of a Driveway except in accordance with the provisions of this by-law.

9.0 SECURITIES

- 9.1 Prior to the issuance of a Driveway Permit, the Commissioner may require the Owner to pay any security and/or deposit an amount calculated by the Commissioner based upon the Commissioner's estimate of the cost which will be incurred to reinstate the Driveway or highway and for other services provided by the City.
- 9.2 The Commissioner shall not require securities from any person where, in the opinion of the Commissioner, payment of sufficient securities for this purpose has already been made as a condition of approval in a development or site plan agreement with the City.
- 9.3 If the Driveway and any associated work is not completed to the satisfaction of the Commissioner, or should the Owner or Agent fail to complete work ordered pursuant to this by-law, the Commissioner shall use the securities to cover the cost of the works done.
- 9.4 Upon satisfactory completion of the work and following a warranty period of twelve months (one years) or a term set by the Commissioner, the amount of the security and/or deposit which exceeds the cost incurred by the City will be returned to the applicant.
- 9.5 Where the costs exceed the amount of security and/or deposit provided to the City, the City shall invoice the applicant, who shall pay the amount invoiced within 30 days of receipt of the invoice from the City.

- 9.6 Where a person does not reimburse the City within 30 days of receiving an invoice from the City requesting payment of the outstanding amount, the City may recover the costs owing by action, or by adding the costs owing to the tax roll and collecting them in the same manner as municipal taxes.
- 9.7 Where the Agent deposits security, the Agent is responsible to advise the Owner of the requirements herein that may affect that security.

10.0 ENFORCEMENT & INSPECTION

- 10.1 The provisions of this by-law may be enforced by an Officer.
- 10.2 An Officer may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether any provision of this by-law is being complied with.
- 10.3 For the purposes of conducting an inspection pursuant to this by-law, an Officer may:
 - (a) require the production for inspection of documents or things relevant to the inspection;
 - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (c) require information from any person concerning a matter related to the inspection; and,
 - (d) alone, or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- 10.4 No Person shall prevent, hinder or obstruct, or attempt to hinder or obstruct, an Officer who is exercising a power or performing a duty under this by-law, including refusing to identify themselves when requested to do so by an Officer.

11.0 ORDERS TO COMPLY

- 11.1 Where an Officer believes that a contravention of this by-law has occurred, the Officer may issue:
 - (a) an order to discontinue the contravening activity;
 - (b) an order to do work to correct the contravention; or
 - (c) an order to discontinue the contravening activity and to do work to correct the contravention.
- 11.2 An order under this Part shall identify:
 - (a) the name of the Owner of the Premises and any Person believed to have contravened this by-law;
 - (b) the municipal address or location where the contravention occurred;
 - (c) the reasonable particulars of the contravention;
 - (d) the date and time by which there must be compliance with the order, and

- (e) if applicable, the work to be done and the date by which the work must be done.
 - 11.3 An order under this section shall be given in writing.
 - 11.4 An order may be served personally or served by registered mail to the last known address of the Person and such other persons affected by it as determined by the Officer and a copy of the order may be posted on any property to which the contravention or Driveway Permit applies.
 - 11.5 If an order is served by registered mail, the service shall be deemed to have been made five (5) days after the mailing.
 - 11.6 If the Person fails to do the work required by the order within the period specified in the order, the City, in addition to all other remedies it may have, may do the work at the Person's expense.
 - 11.7 The City's cost of doing work pursuant to section 11.6 may be added to the tax roll and collected in the same manner as property taxes.
 - 11.8 Every Person shall comply with an order issued pursuant to this by-law.
- ## **12.0 CONTRAVENTIONS AND PENALTIES**
- 12.1 Every Person who contravenes any provision of this by-law is guilty of an offence and is liable to penalties as provided for in the *Provincial Offences Act*.
 - 12.2 Every Person who fails to comply with an order made under this by-law, is guilty of an offence and is liable to penalties as provided for in the *Provincial Offences Act*.
 - 12.3 Every Person who obstructs or attempts to obstruct any City employee in carrying out his or her duties under this by-law is guilty of an offence and on conviction is liable to penalties as provided for in the *Provincial Offences Act*.
 - 12.4 A director or officer of a corporation who knowingly concurs in the contravention of this by-law by the corporation is guilty of an offence and is liable to penalties as provided for in the *Provincial Offences Act*.
 - 12.5 In addition to sections 12.1, 12.2, 12.3 and 12.4:
 - (a) any Person who is convicted of an offence under this by-law is liable to a fine of not less than \$500.00 and not more than \$100,000.00; and
 - (b) notwithstanding section 12.5(a), any Person who is convicted of failing to comply with an order made pursuant to this by-law is liable to a fine of not less than \$500.00 and not more than \$10,000.00 for every day during which the failure to comply continues after the time given for complying with the order has expired; and the total of all daily fines for the offence is not limited to \$100,000.00.
 - 12.6 If a Person is convicted of an offence under this by-law, in addition to any other remedy or any penalty imposed, the court in which the conviction has been entered, and any court of competent jurisdiction, may make an order prohibiting the continuation or repetition of the offence by the Person convicted.
 - 12.7 Where a Person fails to pay any part of a fine for a contravention of this by-law and the fine is due and payable under section 66 of the *Provincial Offences Act*, including any extension of time to pay the fine provided under that section, the City Treasurer, or the Treasurer's designate may give the Person a written notice specifying the amount of the fine payable and the final date on which it is payable, which date shall not be less than twenty-one (21) days after the date of the notice.
 - 12.8 If any part of a fine for a contravention of this by-law remains unpaid after the final date specified in the notice given under section 12.7, the outstanding fine is deemed

to be unpaid taxes for the purposes of the collection of the fine pursuant the *Municipal Act, 2001*.

13.0 INTERPRETATION, COMPLIANCE AND SEVERABILITY

- 13.1 In this by-law, words used in the present tense include the future; words used in the masculine gender include the feminine; and the singular includes the plural and the plural the singular.
- 13.2 Wherever a word is used in this by-law with its first letter capitalized, the term is being used as it is defined in this by-law. Where any word appears in ordinary case, the commonly applied English language meaning is intended.
- 13.3 The headings and subheadings used in this by-law shall not form a part of the by-law, but shall be deemed to be inserted for convenience of reference only.
- 13.4 This by-law shall not be construed to reduce or mitigate any restrictions or regulations lawfully imposed by the City or by any governmental authority having jurisdiction to make such restrictions or regulations.
- 13.5 If there is a conflict between a provision of this by-law and a provision of any other City by-law, the provision that establishes the higher standard to protect the health and safety of the public and to maintain clean and tidy conditions on the highway shall apply.
- 13.6 If a court of competent jurisdiction declares any provision or part of a provision of this by-law to be invalid or to be of no force and effect, it is the intention of Council in enacting this by-law that the remainder of this by-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

14.0 FORCE AND EFFECT

- 14.1 This By-law shall come into force and effect on July 2, 2019.

ENACTED and PASSED this 22 day of May, 2019.

Approved as to form. 2019/May/07 [DMS]

Patrick Brown, Mayor

Approved as to content. 2019/May/09 [CAK]
--

Peter Fay, City Clerk

(File G.DX.)



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2019

A By-law to Amend Business Licensing By-law 332-2013, as amended

WHEREAS By-law 332-2013 provides for the licensing of businesses in the City of Brampton;

AND WHEREAS the Council of The Corporation of the City of Brampton deems it desirable to amend By-law 332-2013,

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

1. By-law 332-2013, as amended, is hereby further amended by deleting paragraph 23(l) and replacing it with the following:
“23(l) Any fee payable by the Licensee pursuant to this By-law has not been paid.”
2. By-law 332-2013, as amended, is hereby further amended by adding the following subparagraphs after paragraph 23(m):
 - (n) The Applicant or Licensee has failed to pay an administrative monetary penalty imposed by the City or a fine or fines imposed by a Court for convictions for breach of this or any other City by-law or provincial offence.
 - (o) The Applicant or Licensee has failed to comply with any condition or direction of the Licence Issuer or Inspector or has failed to permit any investigation by the Licence Issuer or Inspector.
 - (p) The Applicant or Licensee has failed to comply with the requirements set out in any of the Schedules referenced in subsections 5(1)(a) to and including 5(1)(aa) applicable to the Applicant or Licensee.”
3. By-law 332-2013, as amended, is hereby further amended by deleting the reference to “and including (m)” at the end of paragraph 24 and replacing it with “and including (p)”.
4. Schedule 9 of By-law 332-2013, as amended is hereby further amended by deleting the definition of “Driveway” and replacing it with the following and capitalizing the word Driveway throughout Schedule 9:

“Driveway” means an area of hard and level surface (consisting of, but not limited to, asphalt, pavement, concrete, patterned concrete, compacted gravel and dirt, interlocking brick or paving stone), including a surfaced walkway and any hard and level surface that is capable of being parked or driven upon by part or the whole of a vehicle.”

5. Schedule 9 of By-law 332-2013, as amended is hereby further amended by adding the following definition of “Driveway Paving Work’ and replacing all references to “work” or “driveway paving” in Schedule 9 with the words “Paving Work”:

“Paving Work” means any work on a Driveway, including installing, constructing, paving, resurfacing, sealing, repairing, expanding or altering a Driveway, lane, roadway or parking area.”

6. Schedule 9 of By-law 332-2013, as amended is hereby further amended by adding the following definition of “Permit’ and capitalizing all references to “permit’ in Schedule 9:

“**“Permit”** includes a permit required by the Driveway Permit By-law _____ - 2019 or any other City By-law.”

7. Schedule 9 of By-law 332-2013, as amended is hereby further amended by adding the following subparagraphs after paragraph 4(c):

(d) perform any Paving Work that requires a Permit unless the Permit is displayed in view of the public in the area in which the work is being performed;

(e) perform 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 work.”

8. This By-law shall come into force and effect on July 2, 2019.

ENACTED and PASSED this 22nd day of May, 2019.

Approved as to form. 2019/May/07 [DMS]

Patrick Brown, Mayor

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

Peter Fay, City Clerk

(City File G.DX.)



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2019

A By-law to amend the User-Fee By-law 380-2003, as amended.

WHEREAS subsection 391(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may pass a by-law to impose fees and charges for services or activities it provides;

AND WHEREAS the Council of The Corporation of the City of Brampton has enacted By-law 380-2003, as amended, to prescribe a set of fees and charges;

AND WHEREAS The Corporation of the City of Brampton considers it desirable to impose a permit application fee under Driveway Permit By-law _____ - 2019;

NOW THEREFORE The Corporation of the City of Brampton enacts as follows:

1. By-law 380-2003, as amended, is hereby further amended by adding the following fee to Schedule H — Engineering and Traffic Sections of the Works and Transportation Department Fees/Charges:

Goods and/or Services	Fee Unit	Tax Applicable	Fee Effective as of July 2, 2019
Driveway Permit By-law			
Application for Driveway Permit	Each	No	\$50.00

2. This By-law shall come into force and effect on July 2, 2019.

ENACTED and PASSED this 22nd day of May, 2019.

Approved as to form. 2019/May/07 [DMS]
--

Patrick Brown, Mayor

Approved as to content. 2019/May/09 [CAK]

Peter Fay, City Clerk