

**APPENDIX 8**

**OZS-2019-0012 – DRAFT CONDITIONS OF DRAFT PLAN APPROVAL**

**SCHEDULE "A"  
CONDITIONS OF DRAFT APPROVAL****DRAFT APPROVAL****DATE:** (Day After Last Day for Filing an Appeal if No Appeal has been Filed)**APPLICANT:** KLM Planning Partners Inc.**SUBJECT:** Draft Plan of Subdivision  
OZS-2019-0012/21T-19019B  
City of Brampton  
Planner: Mark Michniak

In accordance with By-law 10-97 the Council of the City of Brampton has made a decision to authorize the draft approval of the above noted draft plan of subdivision subject to the following conditions.

**Approved Plan and Redlines**

1. The final plan shall conform to the draft plan prepared by Gary B. Vanderveen dated April 3, 2019 and revised August 16, 2021.

**Subdivision Agreement**

2. Prior to registration, the owner shall enter into a Subdivision Agreement and any other agreements deemed necessary by the City of Brampton, Region or any other approval authority.

These agreements shall deal with any matter and include any term or condition which an approval authority may require, where such matters, terms, or conditions, are reasonable in the opinion of the approval authority, having regard to the nature of the development proposed for the subdivision, in accordance with s.51 of the Planning Act. These agreements may address matters including but not limited to the following:

- 2.1 Planning matters such as parkland/open space dedications and development, residential reserves, buffer blocks, tree preservation, trails, site development plan, utilities, architectural control, homebuyers' information map, heritage conservation and landscape plan approvals, phasing/staging of development, warning clauses and notices.
- 2.2 Engineering matters such as municipal services, road widening, construction and reconstruction, transit infrastructure, traffic signals, grading, fencing, well monitoring, septic systems, waste management, pressure testing/chlorination, noise mitigation and warning clauses.
- 2.3 Financial issues such as cash contributions, levies (development charges), land dedications or reserves, securities or letters of credit.

- 2.4 Details regarding all matters and requirements referenced in these conditions of draft approval may be provided by way of Comments and Conditions Memos from approval authorities, or from agencies and departments of the City and/or Region, in response to the circulation of the draft plan of subdivision. The conditions expressly identified in the Comments and Conditions Memos as referenced and/or attached to this draft approval and/or any such additional or amended Comments and Conditions Memos as may be provided to the owner in accordance with this draft approval shall be deemed to be conditions for the purposes of this draft approval. General requirements of the City's Subdivision Manual, Development Design Guidelines, Region's Design Criteria and Material Specification Manual, and Landscape Guidelines, as applicable and as amended or replaced from time to time, shall be implemented through the terms and conditions of the Subdivision Agreement.

### **Heritage – Archaeological**

3. The lands known as Block 156 (Valleyland), Blocks 157, Block 158 and Block 159 (Open Space) have not been assessed through archaeological assessment. These lands are excluded from the development application because they are being transferred to the municipality as Natural Heritage/valley lands/community park area for long term protection. The Owner and the City acknowledge and agree that no construction, demolition, grading, filling, use of heavy machinery or any form of soil disturbances shall take place on these unassessed lands.
4. Prior to registration of the Plan or prior to the issuance of any permit for topsoil stripping, grading, construction, demolition or filling, on all or any portion of the property, whichever comes first, the Owner and the City shall provide the documentation required by Guidelines 7.8.1, Section (f) of the 2011 Standards and Guidelines for Consultant Archaeologists for the commitments of the long term protection and no soil disturbance of the unassessed lands. The documentation must be to the satisfaction of the Archaeology Programs Unit of the Ministry of Heritage, Sport, Tourism and Culture Industries.
5. The Owner and the City acknowledge and agree that the documentation required by Guidelines 7.8.1, Section (f) of the 2011 Standards and Guidelines for Consultant Archaeologists that must be provided by the owner are:
  - a) a map depicting the exact limits of the unassessed lands.
  - b) documentation describing how the limit of the area was determined during the survey and confirming that the area included enough overlap to ensure that all adjacent lands were surveyed.
  - c) a copy of confirmation in writing regarding the manner in which “no-go” instructions to construction crews will be implemented.
6. The Owner and the City acknowledge and agree that the documentation required by Guidelines 7.8.1, Section (f) of the 2011 Standards and Guidelines for Consultant

Archaeologists that must be provided by the City is:

- a) A statement in writing confirming that the City is aware that no archaeological assessment has been undertaken for the lands being transferred to the City as Natural Heritage/valley lands/community park area.
7. A Statement within the Subdivision Agreement that the Owner acknowledges and agrees in the Subdivision Agreement that should any archaeological resources be discovered on any portion of the property, they may constitute a new archaeological site, and therefore be subject to Section 48 (1) of the Ontario Heritage Act. Upon the discovery of the archaeological resource(s) any alteration of the Lands must immediately be ceased, a licensed archaeologist shall be engaged to carry out the archaeological field work in compliance with Section 48 (1) of the Ontario Heritage Act, the City Planning & Design Division (Heritage Section) of the City's Planning, Building & Economic Development Department shall be notified.
  8. A Statement within the Subdivision Agreement that the Owner acknowledges and agrees in the Subdivision Agreement that the Funeral, Burial and Cremation Services Act, 2002 requires any persons discovering human remains to notify the police or coroner and the Registrar of Cemeteries at the Ministry of Government and Consumer Services. No further work will be permitted on the Lands until such permission, in the form of a written notice from the City is provided to the Owner.
  9. A Statement within the Subdivision Agreement that the Owner agrees that it releases and forever discharges the City, its elected officials, employees, agents and contractors, and any others for whom it is responsible at law, from any and all claims, demands, actions, cause of actions and other proceedings and any liability for damages, costs and expenses for or relative to any loss which the Owner may suffer arising out of, incidental to, or in connection with:
    - a) an archaeological assessment(s) and/or field work that is inaccurate, incomplete, misleading or fraudulent; or
    - b) the issuance of any written notice from the City Planning & Design Division (Heritage Section) of the City's Planning, Building and Economic Development Department permitting the Owner to continue work on the property; or
    - c) the period of time during which the Owner is not allowed to work on the property.
  10. A Statement within the Subdivision Agreement that the Owner acknowledges and agrees in the Subdivision Agreement to indemnify and forever save harmless the City, its elected officials, employees, agents and contractors, and any others for whom it is responsible at law from and against any claim, suit, demand, causes of action, and proceedings by whomsoever made or brought, in respect of any costs, expenses, loss, damage or injury including death as well as legal fees arising out of, incidental to or in connection with Conditions 9. a), b), or c) listed above.

**Fees**

11. Prior to registration, all processing and administrative fees shall be paid. Such fees will be charged at prevailing rates of approved City and Regional Policies and By-laws on the day of payment.

**Zoning**

12. The Zoning By-law implementing the subject plan shall be approved under Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended, and be in full force and effect prior to registration of the plan.

**Easement and Land Dedication within the Plan**

13. Prior to registration of the Plan, the owner shall gratuitously convey and/or dedicate any required road or highway widening, 0.3 m (1 ft.) reserves, walkways, sight triangles, radius roundings, buffer blocks other land required for municipal purposes and utility or drainage easements to the satisfaction of the City, Region, or other authority.
14. All lands which are to be conveyed to the City shall be free and clear of any and all encumbrances, unless otherwise approved by the City.

**External Easements and Land Dedications**

15. Prior to registration, the owner shall gratuitously convey all necessary external easements and lands for access, drainage, servicing, utility purposes and for any other municipal purposes, as may be required, to the appropriate municipality, agency or public authority. The owner is advised that no servicing works shall be permitted until the detailed engineering drawings are approved and external easements and lands granted.
16. All lands which are to be conveyed to the City shall be free and clear of any and all encumbrances, unless otherwise approved by the City.
17. Where the City has required as a condition of registration that the owner convey lands gratuitously to the City for municipal purposes, and where the lands have been so conveyed to the City, and where prior to assumption of the plan the City determines in its sole and absolute discretion that said lands (or any interest therein) are surplus to its requirements and are no longer required, then the City may reconvey said lands (or any interest therein) to the Owner, gratuitously, provided that the Owner shall be required to pay for any fees, taxes, and/or disbursements related to the reconveyance, including but not limited to registration fees and the cost of preparing and filing a reference plan.

**Parkland Dedication**

18. Prior to registration, the owner shall provide all outstanding reports, plans or studies required by the appropriate Municipality, agency or public authority and the approved recommendations shall be incorporated into the plans, agreements or otherwise

implemented to the satisfaction of the City in consultation with the applicable agency and/or public authority.

### **Studies**

19. Prior to registration, the owner shall provide all outstanding reports, plans or studies required by the appropriate Municipality, agency or public authority and the approved recommendations shall be incorporated into the plans, agreements or otherwise implemented to the satisfaction of the City in consultation with the applicable agency and/or public authority.

### **Staging**

20. Development of the plan shall be staged to the satisfaction of the City and the Region in accordance with the approved Growth Management Staging and Sequencing Strategy. In this regard provision shall be made in the subdivision agreement to allow for the registration of this plan in phases, only in accordance with the approved Growth Management Staging and Sequencing Strategy.
21. Where a Growth Management Staging and Sequencing Strategy has not been required by the City, staging shall be based on the timing of essential services that serve the plan including, but not limited to: servicing capacity, road improvements, school availability, etc. In this regard the owner shall agree to enter into a phasing agreement, the provisions of which may be incorporated into the Subdivision agreement to allow the registration of this plan in phases.

### **Drawings**

22. Prior to registration the owner shall submit drawings to the satisfaction of the City in consultation with the applicable agency and/or public authority for approval.

### **Servicing**

23. Prior to registration, the recommendations of the approved Functional Servicing Report shall have been incorporated into all engineering plans.

### **Cost-share Agreement**

24. Prior to registration the owner shall sign the Landowners Cost Share Agreement (or other named agreement), and provide the City with a written acknowledgment from the Trustee appointed pursuant to the agreement, that the owner has signed the agreement and has delivered the deeds or made the payments required by the agreement, and that the plan may be released for registration.

**School Boards**

25. Prior to final approval, the City of Brampton shall be advised by the School Board(s) that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the owner and the School Boards for this Plan.

**Dufferin-Peel Catholic District School Board**

26. The Dufferin-Peel Catholic District School Board is committed to the phasing of residential development coincidental with the adequate provision and distribution of educational facilities. Therefore, the Board requests that the City of Brampton include the following school accommodation condition:

"Prior to final approval, the City of Brampton shall be advised by the School Board(s) that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the School Boards for this plan."

The Board requests that the following conditions be incorporated in the conditions of draft approval:

27. That prior to the final approval of the plan, the applicant shall make arrangements satisfactory to the Dufferin-Peel Catholic District School Board for:
- a) The acquisition or reservation for future acquisition of Block 154 designated in the plan for catholic elementary school purposes.
  - b) The clearing, grubbing, engineered filing, where required, and grading of Block 154 be carried out to the satisfaction of the Dufferin-Peel Catholic District School Board. This includes the removal of any and all buildings and structures, tanks and utility structures.
  - c) A clause and securities be included in the Servicing and/or Subdivision agreement which prohibits the stockpiling of any soils or material on Block 317 and guarantees the existing stockpiled material be removed.
  - d) That the designation of Block 154 as an elementary catholic school site, which shall be subject to the completion of soils reports, of which the findings will be addressed by the applicant to the satisfaction of the Dufferin-Peel Catholic District School Board.
  - e) That prior to registration of the plan, that farm fencing be erected around the perimeter of Block 154 to the satisfaction of the Dufferin-Peel Catholic District School Board.
  - f) A clause to be included in the Servicing and/or Subdivision agreement stating that community mailboxes, temporary or permanent, will not be located on any boulevards adjacent to proposed school Block 154.

- g) A clause to be included in the Servicing and/or Subdivision agreement indemnifying the school board of any and all requirements to install and maintain neighbourhood gateway and/or entry features on proposed school Block 154.
  - h) A clause to be included in the Servicing and/or Subdivision agreement indemnifying the school board of any and all requirements to install and maintain off-site improvements required to develop Block 154 as a school block (including but not limited to medians and/or centre islands, street lights, turning lanes, etc.)
28. That the applicant shall agree in the Servicing and/or Subdivision Agreement to erect and maintain information signs at all major entrances to the proposed development advising the following: "Please be advised that students may be accommodated elsewhere on a temporary basis until suitable permanent pupil places, funded by the Government of Ontario, are available." These signs shall be to the Dufferin-Peel Catholic District School Board's specifications, at locations determined by the Board and erected prior to registration.
29. That the applicant shall agree in the Servicing and/or Subdivision Agreement to include the following warning clauses in all offers of purchase and sale of residential lots until the permanent school for the area has been completed.
- a) "Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school."
  - b) "That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board."

### **Peel District School Board**

30. Prior to final approval, the City of Brampton shall be advised by the School Board(s) that satisfactory arrangements regarding the provision and distribution of educational facilities have been made between the developer/applicant and the School Board(s) for this plan.
31. The Peel District School Board requires that the following clause be placed in any agreement of purchase and sale entered into with respect to any lots on this plan, within a period of five years from the date of registration of the subdivision agreement:
- a) "Whereas, despite the efforts of the Peel District School Board, sufficient accommodation may not be available for all anticipated students in the neighbourhood schools, you are hereby notified that some students may be accommodated in temporary facilities or bused to schools outside of the area, according to the Board's Transportation Policy. You are advised to contact the School



Accommodation department of the Peel District School Board to determine the exact schools.”

- b) "The purchaser agrees that for the purposes of transportation to school the residents of the development shall agree that the children will meet the school bus on roads presently in existence or at another designated place convenient to the Board."
32. The developer shall agree to erect and maintain signs at the entrances to the subdivision which shall advise prospective purchases that due to present school facilities, some of the children from the subdivision may have to be accommodated in temporary facilities or bused to schools, according to the Peel District Board's Transportation Policy.
  33. The applicant is required to arrange a site inspection in order to assess the suitability for the construction of a school on Block 153.
  34. The applicant is required to provide site development plans for the school site area indicating the location of the required facilities. The Board requires 3.24 ha (8 acres) for an elementary school site.
  35. Prior to registration of the plan, the City of Brampton requires that satisfactory arrangements shall have been made with the Peel District School Board for the acquisition, or reservation for future acquisition, of Block 153 designated in the plan for public school purposes.
  36. A clause and securities be included in the servicing agreement which prohibits the stockpiling of any soils or material on School Block 153.
  37. In order to ensure that sanitary, storm, and utility easements (hydro, gas, water, etc.) do not interfere with approved site plans, it is requested that such easements be approved by the School Accommodation Department prior to their establishment on each of the proposed school site.
  38. The applicant will ensure that Community mailboxes are not located along the frontage of School Block 153.

### **Canada Post**

Prior to the registration of the subdivision, the owner shall:

39. The owner/developer will consult with Canada Post to determine suitable permanent locations for the placement of CMBs and to indicate these locations on appropriate servicing plans.
40. The owner/developer will confirm to Canada Post that the final secured permanent CMB locations will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads.

41. The owner/developer will install a concrete pad at each CMB location as well as any required walkway across the boulevard and any required curb depression for wheelchair access as per Canada Post's concrete pad specification drawings.
42. The owner/developer will agree to prepare and maintain an area of compacted gravel to Canada Post's specifications to serve as a temporary CMB location. This location will be in a safe area away from construction activity in order that CMB may be installed to service addresses that have occupied prior to the pouring of the permanent CMB pads. This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy.
43. The owner/developer will communicate to Canada Post the expected date of first occupancy.
44. The owner/developer agrees, prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of the Canada Post CMB site location, as approved by Canada Post and the City of Brampton.
45. The owner/developer agrees to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated CMB, and to include the exact location thereof; and further, advise any affected homeowners of any established easements granted to Canada Post;

### **Enbridge Gas Distribution**

Prior to the registration of the subdivision, the owner/developer shall:

46. Contact The applicant shall contact Enbridge Gas Inc.'s Customer Connections department by emailing SalesArea20@Enbridge.com to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.
47. In the event that easement(s) are required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas Inc. at no cost.

### **Rogers Telecommunications**

Prior to registration of the subdivision, the owner/developer shall:

48. At its own cost, grant all necessary easements and maintenance agreements required by those CRTC-licensed telephone companies and broadcasting distribution companies intending to serve the Subdivision (collectively the "Communications Service Providers").

Immediately following registration of the Plan of Subdivision, the owner will cause these documents to be registered on title.

49. With consultation with the applicable utilities and Communications Service Providers, prepare an overall utility distribution plan that shows the locations of all utility infrastructure for the Subdivision, as well as the timing and phasing of installation.

### **Bell Canada**

Prior to the registration of the subdivision, the owner/developer shall:

50. Acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
51. Agrees that should any conflict arise with existing Bell Canada facilities or easements within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

### **Alectra Utilites**

Prior to the registration of the subdivision, the owner/developer shall:

52. Grant all necessary aerial or underground easements, as may be required to service this development, at no cost to Alectra Utilities. These will be confirmed during the final design of the roads and subdivision.
53. Enter to a servicing agreement (offer-to-connect) and will be responsible for the cost sharing as detailed in the offer-to-connect.
54. Be responsible for the costs associated with the hydro plant expansion to supply the development.
55. Be responsible for the costs of the relocation of existing plant to accommodate the new roads or driveways.
56. Contact Alectra Utilities Subdivisions Department to obtain a subdivision application form (SAF) and to discuss the electrical service installation requirements and schedule. The owner/developer shall submit the SAF at least 6 months prior to the start of electrical distribution system (EDS) installation. SAF is available by visiting <https://alectrautilities.com/find-form?parent=9> (under Construction Services).

### **Toronto and Region Conservation Authority**

#### **Red-line Revisions**

57. The final Plan shall be in general conformity with the draft plan prepared by KLM

Planning Partners Incorporated, dated June 19, 2020, prior to a request for clearance of any phase of this plan, to:

- a) Include appropriate blocks that are to be conveyed to the City of Brampton or TRCA as appropriate to the satisfaction of the City of Brampton and TRCA.
  - b) Meet the requirements of TRCA's conditions, including the adjustment of block lot lines to the satisfaction of the City of Brampton and TRCA as a result of the completion of required studies.
  - c) Should the above not be adequately addressed in the Plan, red-line revision will be required to the satisfaction of the TRCA, to address TRCA's requirements with respect to these conditions.
58. Prior to registration of the Plan of Subdivision, provide an M-Plan showing the adjusted block lines, additional blocks and any other required revisions to the satisfaction of the City of Brampton and the TRCA.

### **Prior to Works Commencing**

59. That prior to any development, pre-servicing or site alteration, or registration of this plan or any phase thereof, the applicant shall submit and attain the approval of the TRCA for:
- a) A detailed engineering report (i.e., Stormwater Management and Site-Level Water Balance) that describes in detail the applicable stormwater management criteria (i.e., quantity, quality, erosion control, and water balance), how the proposed storm drainage system will be designed to meet the stormwater management criteria, and how it will comply with all related master servicing plans (i.e., Functional Servicing Report) and TRCA requirements. This report shall include, but is not limited to:
    - i. Plans illustrating the existing drainage systems internal and external to the site, and how the proposed drainage plan will tie into surrounding drainage systems. Plans which demonstrate the proposed stormwater management techniques which are required to control minor or major flows. Confirmation must be provided with respect to how target flows as per the hydrologic studies will be achieved during and post-development.
    - ii. Provide provisions for appropriately sized Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quality, quantity, and volume of ground and surface water resources, including how they relate to terrestrial and aquatic species and their habitat, in addition to natural features and systems, in accordance with TRCA's current Stormwater Management Guidelines. The existing drainage patterns should be maintained, to the greatest extent possible, and the existing ecological function of all features, and proposed ecological function for proposed features (i.e., wetlands) is to be maintained, consistent with TRCA's guidelines.

- iii. Proposed methods for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction, in accordance with the TRCA's Erosion and Sediment Control (ESC) guidelines (dated 2019) utilized by the TRCA. Erosion and sediment control plans and a report addressing phasing and staging, consistent with TRCA's guidelines must be included.
  - iv. Detailed plans indicating location, orientation, size and description of all stormwater management features, including outlet structures, all other proposed servicing facilities (i.e., lot level LIDs, pumping stations, access roads), grading, site alterations, development, infrastructure and watercourse alterations, which are required to service or facilitate the development of the subject lands, which may require a permit pursuant to Ontario Regulation 166/06, the Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation.
  - v. Mapping of proposed stormwater management measures, with consideration for existing vegetation to be disturbed, grade differentials and grading required.
  - vi. Measures for minimizing and mitigating erosion related impacts on downstream areas (during and post construction), which are to be integrated into the stormwater management plan to the satisfaction of the TRCA.
  - vii. The integration of Low Impact Development (LID) measures and the employment of source and conveyance controls to mimic, to the extent possible, predevelopment hydrology to the satisfaction of the TRCA.
  - viii. Design of flow dispersal measures associated with the stormwater management outlets to reduce potential erosion and maximize potential infiltration, and the integration of a naturalized outlet channel and/or wetland, where applicable, to the satisfaction of the TRCA.
  - ix. Stormwater Management facility and outlet design details. Design requirements shall conform to the requirements outlined in the Ministry of Environment, Conservation and Parks (MECP) 2003 "Stormwater Management Planning and Design Guide", TRCA's Stormwater Management Criteria Document, and TRCA's LID Stormwater Management Planning and Design Guide, and all applicable City of Brampton design standards.
- b) Grading plans for the subject lands. These plans must indicate how grade differentials will be accommodated without the use of retaining walls within or adjacent to natural feature blocks or associated buffers. All modifications to existing slopes must result in geotechnically-stable slopes to the satisfaction of the TRCA.
- c) Plans illustrating that all works, including all grading, site alterations, or materials associated with these activities, will not encroach, or be placed on lands outside of

the development areas. These plans must also identify no grading works and fill placement within environmental buffer areas, or proposes environmental protection area lands, beyond those approved by the TRCA.

- d) A groundwater constraint assessment that will examine existing and proposed groundwater levels in relation to the proposed development, underground construction and servicing and stormwater management infrastructure. Interactions between untreated (or insufficiently treated) surface and groundwater, shallow groundwater, and dewatering requirements should not be permitted. If identified, refinements and/or revisions to the stormwater management system will be required to mitigate against any potential impacts, to the satisfaction of the TRCA. No permanent dewatering of groundwater or interflow associated with any component of this development shall be permitted. All underground construction and infrastructure must be designed to not require permanent dewatering, and any potential impacts to the groundwater system that may result from development must be assessed and mitigated.
- e) Information detailing all anticipated temporary dewatering that may be required during the construction phases, including anticipated volumes, duration, discharge locations, and filtration media – as required, to the satisfaction of the TRCA, for the purposes of dewatering whether a TRCA permit is required.
- f) Overall Site-Level Water Balance Report that will identify measures that will be implemented during and pre and post-development that:
  - i. Mimic the pre-development surface and groundwater balance for the overall site to the greatest extent achievable;
  - ii. Demonstrate how post-development conditions will retain a minimum of the first 5mm of rainfall over the entire site to the satisfaction of the TRCA;
  - iii. Mitigate against any potential on-site or downstream erosion associated with the stormwater management system;
  - iv. Maintain baseflow contributions at pre-development levels, duration, and frequency, in all areas of affected watercourses to the satisfaction of TRCA staff.
- g) That the applicant obtains all Ontario Regulation 166/06 permits from the TRCA for all works proposed on the subject property for which permits would be required.
- h) That the size and location of all LID measures associated with this development be confirmed to the satisfaction of TRCA. And, if required to meet TRCA requirements, redline revisions be made to the plan to provide for necessary blocks within the Plan or modify their size or configuration into surrounding lands within this subdivision which are currently proposed for development.

- i) That an extensive enhancement planting plan be provided to the satisfaction of the TRCA for Block 156 (Valleyland Block) and 157 (Buffer Block).

### **Subdivision Agreement**

- 60. That the owner agrees in the subdivision agreement, in wording acceptable to the TRCA:
  - a) To carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the technical reports and plans referenced in TRCA's conditions.
  - b) To implement the requirements of the TRCA's conditions in wording acceptable to the TRCA.
  - c) To design and implement on-site erosion and sediment controls in accordance with current TRCA standards.
  - d) To maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA.
  - e) To obtain all necessary permits pursuant to Ontario Regulation 166/06 from the TRCA.
  - f) To erect a permanent fence to the satisfaction of the TRCA on all lots and blocks abutting natural areas and their buffers (if gratuitously dedicated to the TRCA).
  - g) To implement all water balance/infiltration measures identified in the water balance study that is to be completed for the subject property.
  - h) To design a monitoring protocol, obtain approvals, monitor, and maintain the site level water balance measures on this site (including LIDs) and to provide for the long-term monitoring of this system for a period as agreed to once the facilities are operational, to the satisfaction of the TRCA.
  - i) To provide for planting, and enhancement of all-natural heritage features and buffer areas in accordance with the drawings approved by the TRCA. And that monitoring and replanting of these areas be completed for a minimum 3-year period, to the satisfaction of the TRCA, with sufficient funds being secured through Letter of Credit in favour of the City of Brampton, or other appropriate measure.
  - j) To provide for the warning clauses and information identified in TRCA's conditions.
  - k) That where required to satisfy TRCA's conditions, development shall be phased within this Plan.
  - l) That prior to a request for renewal of Draft Approval of any phase of this subdivision, that the owner consult with the TRCA with respect to whether the technical studies

submitted in support of this development remain to meet current day requirements, and that the owner update any studies and plans, as required, to reflect current day requirements.

- m) To carry out, or cause to be carried out the cleaning-out and maintenance of all stormwater management infrastructure (including best management practice measures) prior to assumption of the subdivision by the City of Brampton. And, to include appropriate clauses in all agreements of purchase of sale agreements, for lots and blocks on which stormwater management measures are being constructed to identify the presence of such measures and to clearly identify the owner's responsibilities for long-term maintenance, and any restrictions to uses on any portion of their property that these may require.
- n) To gratuitously dedicated Block 156 (Valleyland Block) and Block 157 (Buffer Block) to the City of Brampton or TRCA, in a condition that is satisfactory to the City of Brampton and TRCA.
- o) That all community information maps and promotional sales materials for blocks adjacent to Block 156 and 157 clearly identify the presence of these features, identify limitations to permitted uses within these areas, and restrictions to access.

### **Purchase and Sale Agreements**

- 61. That a warning clause be included in all agreements of purchase and sale, and information be provided on all community information maps and promotional sales materials for lots and blocks adjacent to Block 156 and 157 (natural heritage system and buffers) which identifies the following:
  - a) That a natural environmental restoration block is being provided adjacent to the subject property. These blocks are part of the publicly owned environmental protection area and will remain in a naturalized state. Private uses are not permitted on these lands. Uses such as private picnic; barbeque or garden areas; storage of materials and/or dumping of refuse or ploughed snow are not permitted on these lands. In addition, access to the environmental protection lands such as private gates are prohibited.

### **Implementing Zoning By-law**

- 62. That the implementing Zoning By-law recognize all natural heritage features and environmental buffer blocks in a suitable zoning category which has the effect of prohibiting development and structural encroachment and ensuring the long-term preservation of the lands in perpetuity, to the satisfaction of the TRCA.

### **Hydro/Telecommunications**

- 63. Prior to the release of the plan for registration, the owner must submit in writing, evidence



to the Commissioner, Planning, Building and Economic Development that satisfactory arrangements have been made with the telecommunications and hydro providers for the installation of their plants in the common trench, within the prescribed location in the road allowances.

### **Region of Peel**

The following requirements/conditions will be required to be satisfactorily addressed as they relate to the Region's Conditions of Draft Plan Approval.

### **Development Charges**

64. Prior to execution of the Subdivision Agreement by the Region, the Developer shall:
- a) Obtain and submit to the Region a Residential Development Charges Payment Form completed to the best of the Developer's knowledge at the time of the submission and to the satisfaction of the Region in accordance with the engineering drawings and final draft M-plan.
  - b) Pay to the Region the appropriate hard service residential development charges (water, wastewater and road service components), pursuant to the Region's Development Charges By-law, as amended from time to time, calculated based on the information provided in the Residential Development Charges Payment Form.
65. Provision shall be made in the Subdivision Agreement with respect to:
- a) Payment to the Region of appropriate soft service development charges and any outstanding hard service development charges; and
  - b) Collection of development charges for future residential development blocks (non-freehold townhouses or apartment blocks).

pursuant to the Region's Development Charges By-law, as amended from time to time.

### **Water Meter Fees**

66. In respect of the water meter fees:
- a) Prior to registration of the plan of subdivision, the Developer shall pay to the Region the appropriate water meter fees, in accordance with the Region's Fees By-law, as amended from time to time for residential building lots (singles, semi-detached and freehold townhomes) to the satisfaction of the Region in accordance with the engineering drawings and final draft M-plan for the Lands;
  - b) A clause shall be included in the Subdivision Agreement that water meter fees for future residential development (non-freehold townhouses or apartment blocks) and

commercial blocks shall be payable to the Region prior to issuance of building permits, in accordance with the Region's Fees By-law, as amended from time to time; and

- c) A clause shall be included in the Subdivision Agreement that in the event of an underpayment of water meter fees, the Developer shall be responsible for payment thereof forthwith upon request.

### **Land Dedications**

67. A provision shall be made in the subdivision agreement that:

- a) The Developer shall gratuitously transfer to the Region free and clear of all encumbrances and to the satisfaction of the Region:
  - i. All necessary easements for proposed and existing Regional infrastructures as required by the Region to service the proposed plan and external lands.
- b) All costs associated with land transfers and easements shall be 100% the responsibility of the Developer.

### **Traffic/Development Engineering Conditions**

68.

- a) The Developer shall acknowledge and agree that landscaping, signs, fences, gateway features, and any other encroachments will not be permitted within the Region's easements and right-of-way.

Clauses shall be included in the Subdivision Agreement in respect of same

69. Servicing of the subdivision will require:

- a) Construction of oversized 400mm diameter watermain which is the financial responsibility of the Region as per Development Charges By-Law. A 400mm diameter watermain is included in the Five Year Capital Budget and Forecast.
- b) Construction of oversized 525 mm diameter sanitary sewers which are the financial responsibility of the Region as per Development Charges By-Law. 525mm diameter sanitary sewers are included in the Five Year Capital Budget and Forecast.
- c) The Developer shall make appropriate financial arrangement with the Region prior to construction of such works. The construction will be subject to the Region's determination that it has or will have sufficient funds to finance the works.

### **Drawings – Servicing and “As Constructed”**

70. Prior to servicing, the Developer's engineer shall submit all engineering drawings in the digital format to the latest Region's Digital Format Guidelines.
71. Within (60) days of preliminary acceptance of the underground services, the Developer's engineer shall submit "As Constructed" drawings in digital format, pursuant to the latest Region's Digital Format Guidelines. The Developer's engineer shall also provide ties to all main line valves, ties to individual water service boxes, linear ties to sanitary sewer services and GPS coordinates of all watermain and sanitary sewer appurtenances in accordance with the latest requirements of the Region "Development Procedure Manual".

A clause shall be included in the Subdivision Agreement in respect of same.

### **General Conditions**

72. Prior to registration of the subdivision, the Developer shall execute a Subdivision Agreement with the local municipality and Region for the construction of municipal sanitary sewer, water, and regional roads associated with the lands. The Developer shall construct and design these services in accordance with the latest Region standards and requirements.
73. A 10. Prior to servicing, the Developer shall submit a satisfactory engineering submission to the Region to review and approval.
74. A 11. Prior to registration of the plan of subdivision, the Developer shall pay the Region's costs for updating its electronic "As Constructed" information for the infrastructure installed by the Developer. The cost shall be based on a "per kilometre" basis for combined watermains and sanitary sewers installed pursuant to the Region's latest User Fees By-law.
75. Prior to registration of the plan of subdivision, the Developer shall ensure that:
  - a) All lots and blocks must be serviced via an internal road network.
  - b) The proposed Lots or Blocks fronting Laneways within the plan can be serviced by municipal water and wastewater services in accordance with the City's current approved standard drawings where Region's underground services are permitted and in accordance with the Region's latest Standards and Specifications. Due to maintenance and operation issues/concerns for Laneways, servicing Lots and Blocks fronting Laneways must be from the approved public R.O.W. in accordance with the City of Brampton standard drawings where Region's underground services are permitted. Any new proposed standard, or modifications to an existing standard, would need to be submitted and reviewed through the City of Brampton's Standards Committee.

Clauses shall be included in the Subdivision Agreement in respect of same.

76. Prior to servicing the Region may require the Developer to construct a sampling hydrant (at the Developers cost) within the proposed plan. Location and the requirement for sampling hydrant will be determined at the engineering review stage.
77. The Developer agrees that the Region shall hold back a portion of the Letter of Credit to cover the costs of services completed by the Region on a time and material basis pursuant to the current Region's User Fee By-Law.

A clause shall be included in the Subdivision Agreement in respect of same.

78. The Developer will maintain adequate chlorine residuals in the watermains within the plan from the time the watermains are connected to the municipal system until such time as the Region issues Final Acceptance. To maintain adequate chlorine residuals, the Developer shall either install automatic flushing devices or retain Regional staff to carry out manual flushing. Regional staff shall conduct the monitoring and testing for chlorine residuals. All costs associated with the monitoring and flushing shall be the responsibility of the Developer pursuant to the current Region's User Fee By-Law.

A clause shall be included in the Subdivision Agreement in respect of same.

79.
  - a) In respect of servicing existing properties within the zone of influence in the event that existing private services (wells) deteriorate due to the servicing of the proposed plan of subdivision.
  - b) Until the issuance of Final Acceptance a portion of the Letter of Credit shall be held back to serve as protection for the private wells in the zone of influence of the plan of subdivision. This amount shall be based on the anticipated cost of replacing water supplies within the zone of influence as shown in the schedules of the agreement. The minimum amount shall be \$20,000.00. If the private well systems in the zone of influence deteriorate due to the servicing of the plan of subdivision the Developer shall provide temporary water supply to the residents upon notice by the Region and the Developer shall continue supplying the water to the effected residents until the issue is resolved to the satisfaction of involved parties. If the quantity of water in the existing wells is not restored to its original condition within a month after first identification of the problem, the Developer shall engage the services of a recognized hydrogeologist to evaluate the wells and recommend solutions including deepening the wells or providing a permanent water service connection from the watermain to the dwelling unit.
  - c) The Developer shall inspect, evaluate and monitor all wells within the zone of influence prior to, during and after the construction has been completed. Progress Reports should be submitted to the Region as follows:
    - i. Base line well condition and monitoring report shall be submitted to the Region

prior to the pre-servicing or registration of the plan (whichever occurs first) and shall include as a minimum requirement the following tests:

- a. Bacteriological Analysis - Total coliform and E-coli counts
- b. Chemical Analysis - Nitrate Test
- c. Water level measurement below existing grade
- d) In the event that the test results are not within the Ontario Drinking Water Standards, the Developer shall notify in writing the Homeowner, the Region of Peel's Health Department (Manager - Environmental Health) and Public Works Department (Development Supervisor) within 24 Hours of the test results.
- e) Well monitoring shall continue during construction and an interim report shall be submitted to the Region for records. Well monitoring shall continue for one year after the completion of construction and a summary report shall be submitted to the Region prior to Final Acceptance.

Clauses shall be included in the Subdivision Agreement in respect of same.

80. The Developer shall agree that neither the Developer nor any Builder will apply for building permits for any lots or blocks within the plan of subdivision until the Region's Public Works Department has issued Preliminary Acceptance and provided notice to the local municipality stating that internal and external sanitary sewers and watermains, including fire protection, have been completed to the Region's satisfaction. The Developer's Consulting Engineer shall certify in writing that the internal and external sanitary sewers and watermains, including fire protection, have been constructed, inspected and shall function in accordance with the detailed design as approved by the Region.

A clause shall be included in the Subdivision Agreement in respect of same.

81. Prior to registration of the plan of subdivision, the Developer shall submit draft reference plan(s) for the Region's review and approval prior to such plans being deposited. All costs associated with preparation and depositing of the plans and transfer of lands shall be at the sole expense of the Developer.
82. The Developer agrees that prior to the Region granting clearance of the draft plan conditions of subdivision approval, the following shall require to be forwarded to the Region's Legal Services Division:
  - a) A copy of the final signed M-Plan
  - b) A copy of the final draft R-Plan(s)

- c) Easement and conveyance documents required pursuant to this Agreement and the registration of this plan.

A clause shall be included in the Subdivision Agreement in respect of same.

### **Administrative — Clearance of Conditions**

83. Prior to the signing of the final plan by the Commissioner, Planning, Building and Economic Development, or her designate, they shall be advised that the above noted conditions have been carried out to the satisfaction of the appropriate agencies and the City.

#### **NOTE 1:**

In accordance with City Council resolution C003-97, draft approval granted under Section 51 of the Planning Act, R.S.O., 1990, c.P.13 is valid until draft approval is either withdrawn, or the plan is registered. The conditions of draft approval will, however, be reviewed initially 3 years after draft approval is granted and subsequently every 2 years to determine if the conditions are appropriate or whether draft approval should be withdrawn.

#### **NOTE 2:**

In order to expedite the clearance of conditions, we suggest that a copy of the signed Subdivision Agreement be forwarded to the following agencies upon execution:

Canada Post Corporation  
200 - 5210 Bradco Blvd  
Mississauga, Ontario  
L4W 1G7

The Dufferin-Peel Catholic District School Board  
40 Matheson Boulevard West  
Mississauga, Ontario  
L5R 105

Peel District School Board  
5650 Hurontario Street  
Mississauga, Ontario  
L5R 1C6

Enbridge Gas Distribution Inc.  
500 Consumers Road  
North York, Ontario  
M2J 1P8

Alectra Utilities  
175 Sandalwood Parkway West  
Brampton, Ontario

L7A 1E8

Bell Canada  
100 Commerce Valley Drive West  
Thornhill, Ontario  
L3T 0A1

Rogers Cable Communications Inc.  
3573 Wolfedale Road  
Mississauga, Ontario  
L5C 3T6

Region of Peel  
10 Peel Centre Drive  
Brampton, Ontario  
L6T 4B9

Toronto and Region Conservation Authority  
101 Exchange Avenue,  
Vaughan, Ontario  
L4K5R6

**NOTE 3:**

The costs of any relocations or revisions to Hydro One facilities which are necessary to accommodate this subdivision will be borne by the owner, and further any easement rights of Hydro One are to be respected. The owner should contact the local Hydro One Area office to verify if any low voltage distribution lines may be affected by the proposal.

**NOTE 4:**

It is recommended that the owner or their consultant contact the Toronto and Region Conservation Authority to clarify specific requirements prior to preparation of detailed engineering reports.

## Draft Plan of Subdivision Conditions of Draft Approval Comments and Conditions Memo Tracking Sheet

KLM Planning Partners Inc. – Berkinfield Management Inc.

File: OZS-2019-0012 & 21T-19019B

Planner: Mark Michniak

Date of Draft Approval:

Department/Division/Section	Memo Date		
	Initial Draft Approval	Revisions Memo Date	Effective Draft Approval Date*
Public Works – Development Engineering	June 16, 2020	July 13, 2021	
Public Works – Transportation Engineering	July 19, 2019		
Planning & Development Services – Development Services	August 10, 2021		
Planning & Development Services – Building Division	June 4, 2020		
Public Works & Engineering Development – Park Planning	December 12, 2019	August 18, 2021	
Region of Peel	March 10, 2021		
TRCA	June 21, 2021		

\*day after 20 days after making decision (date of decision = date of cover memo signed by Commissioner/Director for minor amendments of Notice of Decision)

### Note 1:

Any changes to the conditions (including minor amendments and revisions) to the conditions expressly identified in any Comment and Conditions Memo are subject to Section 51 (41) of the Planning Act and the amendment to the draft approval shall be deemed to have been made the day after the appeal period is over (the day after the 20-day appeal period), whether or not notice has been issued).

Accordingly, preparation of any agreement or supplementary agreement (as the case may be), will not occur until the appeal period has passed.



**COMMENTS AND CONDITIONS MEMO**

Date: August 10, 2021

**File: (OZS-2019-0012 and 21T-19019B)**

From: Mark Michniak

Subject: Requirements for Plan of Subdivision  
(To permit 601 residential dwelling units, portion of two institutional blocks, valley lands, and a portion of an open space block)  
**Berkinfield Management Inc. – KLM Planning Partners Inc.**  
West of Torbram Road between Mayfield Road and Countryside Drive, Part of Lot 17, Concession 5  
Ward: 9

Circulation Date: August 10, 2021

Plan: West of Torbram Road between Mayfield Road and Countryside Drive, Part of Lot 17, Concession 5, City of Brampton, Regional Municipality of Peel

Plan Dated: April 3, 2019 and revised August 16, 2021

Comment Revision #: 1.0

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The following represents a summation of comments and conditions from the ***Development Services Division of the Planning, Building and Economic Development Department*** with respect to matters dealing with Zoning, community information maps, warnings, notices, growth management, other general requirements to be included in the subdivision agreement, among others.

**A. PRIOR TO DRAFT PLAN APPROVAL**

***The following shall be addressed prior to the release of the application for draft plan approval.***

1. N/A

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Further conditions to those set out in Section B below may be provided as a result of the resolution of matters identified in this Section A of the memo

## **B. DRAFT PLAN APPROVAL REQUIREMENTS/CONDITIONS**

*The following requirements are applicable as a condition of draft plan approval.*

### ***Final Homebuyers Information Map***

1. Prior to registration of the plan, the developer shall prepare a detailed Final Homebuyers Information Map, based on the final M-plan, and approved by the City to replace the preliminary Homebuyers Information Map in all affected sales offices. This map shall contain the following information:
  - a) all of the information required on the preliminary map;
  - b) the locations of all sidewalks and walkways;
  - c) the locations of all rear yard catch basins and utilities easements on private property where applicable;
  - d) the locations of all above ground utilities;
  - e) the locations of all bus stops (if known); and,
  - f) the final locations of all Canada Post community mail boxes;
  - g) The following standard notes, using capital letters where noted:

#### **i. "NOTICE AND ADVICE TO PURCHASERS:**

THIS MAP IS INTENDED TO PROVIDE HOME BUYERS WITH GENERAL INFORMATION ABOUT THE SUBDIVISION AND THE SURROUNDING AREA. THE FOLLOWING IS A LIST OF POTENTIAL CONCERNS THAT HOMEBUYERS MAY HAVE AND THE TELEPHONE NUMBERS AT CITY HALL IF YOU NEED MORE INFORMATION. FOR THE BEST SERVICE, YOU ARE ENCOURAGED TO CALL DURING NORMAL BUSINESS HOURS WHICH ARE 8:30 AM TO 4:30 PM, MONDAY TO FRIDAY.

#### **PLEASE NOTE:**

THIS MAP IS BASED ON INFORMATION AVAILABLE ON (MONTH/YEAR) AND MAY BE REVISED WITHOUT NOTICE TO PURCHASERS. HOWEVER, ANY CHANGE IN PERMITTED LAND USE INVOLVES A PLANNING PROCESS, INCLUDING PUBLIC NOTIFICATION IN ACCORDANCE WITH THE PLANNING ACT"

- ii. "The map shows that there will be several types of housing in the subdivision including townhouses and apartment buildings. If you have any questions, please call (905) 874-2050 or email [planning.development@brampton.ca](mailto:planning.development@brampton.ca)."

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- iii. "Sites shown on the map for future schools, apartments, townhouses, churches, shopping plazas, parks etc. could have driveways anywhere along their street frontage. If you have any questions, please call (905) 874-2050 or email [planning.development@brampton.ca](mailto:planning.development@brampton.ca)."
- iv. "Some streets in this subdivision will be extended in the future and temporary access roads will be closed. If you have any questions, please call (905) 874-2050 or email [planning.development@brampton.ca](mailto:planning.development@brampton.ca)."
- v. "There may be catch basins or utilities easements located on some lots in this subdivision. If you have any questions, please call (905) 874-2050 or email [planning.development@brampton.ca](mailto:planning.development@brampton.ca)."
- vi. "Some lots and development blocks will be affected by noise from adjacent roads, the railway, industries or aircraft and warning clauses will apply to purchasers. If you have any questions, please call (905) 874-2050 or email [planning.development@brampton.ca](mailto:planning.development@brampton.ca)."
- vii. "The map shows that some of the lots affected by noise will be fitted with noise barriers and some of the homes will be provided with central air conditioning to allow bedroom windows to be closed if necessary due to the noise. If you have any questions, please call (905) 874-2050 or email [planning.development@brampton.ca](mailto:planning.development@brampton.ca)."
- viii. "Valleys and storm water management ponds in this subdivision will be left in a natural condition with minimal maintenance and no grass cutting, only periodic removal of paper and debris. If you have any questions, please call (905) 874-2050 or email [planning.development@brampton.ca](mailto:planning.development@brampton.ca)."
- ix. "Door to door mail delivery will not be provided in this subdivision and Community mailboxes will be directly beside some lots. If you have any questions, please call 1-800-267-1177."
- x. "School and church sites in this subdivision may eventually be converted to residential uses and houses will be built instead. If you have any questions, please call (905) 874-2050 or email [planning.development@brampton.ca](mailto:planning.development@brampton.ca)."
- xi. "Some streets will have sidewalks on both sides while others will have them on only one side or not at all. If you have any

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questions, please call (905) 874-2050 or email [planning.development@brampton.ca](mailto:planning.development@brampton.ca).”

- xii. “The completion of some dwellings in this subdivision may be delayed until after the completion of exterior finishes on the adjacent buildings. If you have any questions, please call (905) 874-2050 or email [planning.development@brampton.ca](mailto:planning.development@brampton.ca).”
- xiii. “There may be Brampton Transit bus routes on some streets within this subdivision with stops beside some homes. The City reserves the right to introduce transit services and facilities such as bus stops, shelters, pads, benches and other associated amenities on any City right-of-way as determined by Brampton Transit to provide effective service coverage. If you have any questions, please call (905) 874-2750 or email [transit@brampton.ca](mailto:transit@brampton.ca).”
- xiv. “Boulevard trees will be planted according to City requirements approximately 12 to 18 metres apart and a tree will not necessarily be located in front of every home.”
- xv. “The offer of purchase and sale may contain itemized charges for features covered in the City’s subdivision agreement. These features may include street trees, driveway paving, sodding, fencing, noise barriers, or gateway features, etc., on the public right-of-way. They may also be described in general terms, such as “community aesthetics enhancements”. Despite paying this charge, the purchaser may be left without a tree on the lot in question. The City does not encourage this type of extra billing and has no control over vendors charging for street trees. If you have any questions, please call (905) 874-2050 or email [planning.development@brampton.ca](mailto:planning.development@brampton.ca).”
- xvi. “The City will not reimburse purchasers, nor assist in any recovery of moneys paid, under any circumstance.’
- xvii. “Although the developer is required to provide trees at regular intervals on the public boulevards within this subdivision, local site conditions may not allow for a tree to be planted in front of some homes.”
- xviii. “The design of features on public lands may change. Features shown in the Community Design Guidelines may be constructed as shown or altered, in the City’s discretion, without notification to purchasers. Builders’ sales brochures may depict these features differently from what is shown on the Community Design

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Guidelines or the as-built drawings. The City has no control over builders' sales brochures."

xix. "Gates are not permitted in fences when lots abut a valleyland, park or stormwater management block."

xx. "The City of Brampton's Zoning By-law regulates the width of driveways. Please do not have your driveway widened before inquiring about the permitted driveway width for your lot."

xxi. "FOR FURTHER INFORMATION, ON PROPOSED AND EXISTING LAND USE, PLEASE CALL (905) 874-2050 or EMAIL PLANNING.DEVELOPMENT@BRAMPTON.CA."

xxii. "FOR DETAILED BERMING AND GRADING INFORMATION, PLEASE CALL THE SUBDIVIDER'S ENGINEERING CONSULTANT."

xxiii. "FOR DETAILED INFORMATION PERTAINING TO STREETScape, PARKS OR OPEN SPACE, PLEASE CALL THE SUBDIVIDER'S LANDSCAPE ARCHITECTURAL CONSULTANT."

2. The developer shall ensure that each builder selling homes within the subdivision:
  - a) provides prospective purchasers with a notice from the City in the prescribed format that includes all of the notes required on the Homebuyers Information Maps; and,
  - b) attaches a copy of the preliminary Homebuyers Information Map to each offer of purchase and sale agreement.

***Land Notices: Statements and Clauses***

3. The applicant shall include the following warnings in bold type in all offers of purchase and sale for all lots and blocks within the plan:
  - a) A statement indicating that Lots 1-69, 90-100 and 111-122 and Blocks 70-85, 101-110, 123-125 and 130-151 will be developed for residential purposes.
  - b) A statement indicating that Blocks 86-89 and 152 will be developed for residential and commercial purposes.
  - c) A statement indicating that Blocks 160-173 will be developed for reserve purposes.
  - d) A statement indicating that Block 174 will contain sanitary services.

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- e) A statement to the satisfaction of the Development Engineering Division of the Public Works Department indicating that Blocks 153 and 154 shall be developed for school purposes and are planned to contain school buildings and will include other associated facilities such as play equipment, walkways, lighting, and landscaping.
  - f) A statement to the satisfaction of the Development Engineering Division of the Public Works Department indicating that Blocks 155 and 174 shall be developed for park purposes and is planned to contain a park and will include other associated facilities such as play equipment, walkways, lighting, and landscaping.
  - g) A statement to the satisfaction of the Development Engineering Division of the Public Works Department indicating that Block 156 shall be developed for valleyland purposes and is planned to contain valleyland and will include other associated facilities such as walkways, lighting, and landscaping.
  - h) A statement to the satisfaction of the Development Engineering Division of the Public Works Department indicating that Blocks 157 and 158 shall be developed for buffer purposes and are planned to contain open space and will include other associated facilities such as walkways, lighting, and landscaping.
  - i) A statement to the satisfaction of the Development Engineering Division of the Public Works Department indicating that Block 159 shall be developed for open space purposes and is planned to contain open space and will include other associated facilities such as walkways, lighting, and landscaping.
  - j) A statement indicating that Blocks 155 and 174 will be developed as an active park and may contain play equipment, lighted walkways, landscaping, passive use free-play areas, and a multi-purpose pad. The following wording shall also be included with respect to Blocks 155 and 174:

“Purchasers are advised that residents close to Blocks 155 and 174 may be disturbed by noise and night lighting from the park. For more information, please call the Development Engineering Division of the Public Works Department, at (905) 874-2050 or email [planning.development@brampton.ca](mailto:planning.development@brampton.ca).”
  - k) A statement to the satisfaction of Brampton Transit that the City reserves the right to introduce transit services and facilities such as bus stops, shelters, pads, benches and other associated amenities on any City right-

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of-way as determined by Brampton Transit to provide effective service coverage.

- l) A statement which advises the prospective purchasers that mail delivery will be from a designated Community Mailbox.
- m) A statement indicating that Block 86 has a noise attenuation fence located inside the lot line within the side and/or rear yard, that the noise attenuation fence shall not be altered or removed and that it shall be the responsibility of the owner of the lot to maintain and keep in repair that portion of the noise attenuation fence situated on the lot.
- n) A statement indicating that gates are not permitted in fences when lots abut a valleyland, park or stormwater management block.
- o) A statement indicating that the City of Brampton's Zoning By-law regulates the width of driveways and that owners not widen their driveway before inquiring about the permitted driveway width for the lot.
- p) A statement advising prospective purchasers that Street 1, 2, 3, 6, 8, 9, 10, 11, 12 and 14 will be extended in the future.
- q) The following statements:
  - i. "The offer of purchase and sale may contain itemized charges for features covered in the City's subdivision agreement. These features may include street trees, driveway paving, sodding, fencing, noise barriers, or gateway features, etc., on the public right-of-way. They may also be described in general terms, such as "community aesthetics enhancements". Despite paying this charge, the purchaser may be left without a tree on the lot in question. The City does not encourage this type of extra billing and has no control over vendors charging for street trees. If you have any questions, please call (905) 874-2050 or email [planning.development@brampton.ca](mailto:planning.development@brampton.ca)."
  - ii. "The City will not reimburse purchasers, nor assist in any recovery of moneys paid, under any circumstance."
  - iii. "Although the developer is required to provide trees at regular intervals on the public boulevards within this subdivision, local site conditions may not allow for a tree to be planted in front of some homes."
  - iv. "The design of features on public lands may change. Features shown in the Community Design Guidelines may be constructed as shown or altered, in the City's discretion, without notification to

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purchasers. Builders' sales brochures may depict these features differently from what is shown on the Community Design Guidelines or the as-built drawings. The City has no control over builders' sales brochures."

- r) A statement indicating that this community is subject to Architectural Control. Models available for sale have to be pre-approved by the Control Architect and certain models may not be available for some of the lots. Check with your builder the particular situation for the model and lot you intend to purchase.
  - s) A statement indicating that Blocks 70-85, 101-110, 86-89, and 152-154 will be subject to a future application for Site Plan Approval. The site design and building elevations may change without further notice.
  - t) The following clauses to the satisfaction of the Dufferin-Peel Catholic District School Board, until the permanent school for the area has been completed:
    - i. "Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school."
    - ii. "That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board."
  - u) The following clause to the satisfaction of the Peel District School Board for a period of five (5) years from the date of registration of the plan:
    - i. "Whereas despite the best efforts of the Peel District School Board, sufficient accommodation may not be available for all anticipated students in neighbourhood schools, you are hereby notified that some students may be accommodated in temporary facilities or bussed to schools outside of the area, according to the Board's Transportation Policy. You are advised to contact the School Accommodation Department of the Peel District School Board to determine the exact schools."
4. The applicant shall notify purchasers of the exact Community Mailbox locations prior to the closing of any sales.



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**Land Notices: Signage**

5. The applicant shall erect and maintain signs in the following locations and in the following manner:
- a) on Blocks 86-89 and 152 indicating that Block 86-89 and 152 will be developed for retail purposes.
  - b) on Blocks 153 and 154 indicating that Blocks 153 and 154 will be developed for school purposes.
  - c) to the satisfaction of the Development Engineering Division of the Public Works Department, on Neighbourhood Park Blocks 155 and 174 showing in graphical form, the proposed facilities and indicating that Neighbourhood Park Blocks 155 and 174 will be developed as an active park with play equipment, lighted walkways, landscaping, passive use free-play areas, and a multi-purpose pad. An advisory that residents close to the park may be disturbed by noise and night lighting from the park shall likewise be included. The signage shall also advise that for more information, Development Engineering Division of the Public Works Department can be contacted at (905) 874-2050 or email at [planning.development@brampton.ca](mailto:planning.development@brampton.ca).
  - d) at the open ends of all road allowances to advise purchasers of the future extension of these streets.
  - e) to the satisfaction of The Dufferin-Peel Catholic District School Board at all major entrances to the proposed development the following:  

“Notice:  
Please be advised that students may be accommodated elsewhere on a temporary basis until suitable permanent pupil places, funded by the Government of Ontario, are available.”
  - f) to the satisfaction of the Peel District School Board at all major entrances to the subdivision which shall advise prospective purchasers that due to present school facilities, some of the children from the subdivision may have to be accommodated in temporary facilities or bused to schools according to the Board’s Transportation Policy. These signs shall be to the Board’s specifications, at locations determined by the Board and erected prior to registration.

**Cost Sharing**

6. Prior to registration the owner shall sign the Coutryside Villages Area 48-2 Landowners Cost Share Agreement and provide the City with a written

acknowledgment from the Trustee appointed pursuant to the agreement, that the Owner has signed the agreement and has delivered the deeds or made the payments required by the agreement, and that the plan may be released for registration.

### ***Commercial***

7. The gross (leasable) floor area within the neighbourhood commercial facility proposed on Blocks 86-89 shall not exceed 1,858 square metres.
8. The gross (leasable) floor area within the neighbourhood commercial facility proposed on Block 152 shall not exceed 9,290 square metres.

### ***School Site Alternate Use***

9. In the event that any block proposed for school purposes is not acquired by the Peel District School Board or The Dufferin-Peel Roman Catholic School Board, as the case may be, the block, or blocks, shall be offered to the other board of education, and if not acquired by said other board, shall be offered for sale to the City for purchase, in whole, or in part.

### ***School Site Acquisition and Cost***

10. The school board shall be offered the school site at a price that does not exceed the value of the land determined as of the day before the day of the approval of the draft plan of subdivision.

### ***Commercial Litter Pick Up***

11. The applicant shall provide an on-site litter pick up service which shall clear litter from Block 152 at least twice weekly.

### ***Site Plan Approval***

12. Approval of site development plans by the City in accordance with the City's site development plan approval procedure shall be a prerequisite to the issuance of a building permit for Blocks 70-85, 101-110, 86-89, and 152-154.

### ***Telecommunications***

13. The applicant shall permit all telecommunications service providers that are a "Canadian carrier" as defined in subsection 2(1) of the Telecommunications Act of a "distribution undertaking" as defined in subsection 2(1) of the Broadcasting Act and have entered into a Municipal Access Agreement with the City ("Telecommunication Providers") to locate their plant in a common utility trench within any future public highway within the Plan. A list of Telecommunication Providers can be obtained from the City. Within 10 business days of the delivery

of the pre-servicing letter, the applicant shall notify all Telecommunication Providers of the Plan and request that the Telecommunication Providers contact the applicant directly within 10 business days if they intend to locate their plant within any future public highway within the Plan. The applicant shall make satisfactory arrangements (financial and otherwise) with the City, Telecommunications Providers and other utilities for the installation of each of their facilities in a common utility trench within the future public highway prior to commencing any work with respect to any future public highway as shown on the draft approved plan of subdivision, and the applicant shall provide evidence of same satisfactory to the City. Until such installation is completed, the applicant shall not undertake any works that will limit the ability of any Telecommunications Provider to install its plant in a timely and efficient manner. The applicant shall install, at its own expense, 100mm diameter ducts at all road crossing for the use of Telecommunications Providers. The exact location and detailed specifications for these ducts shall be shown on the approved drawings. The applicant acknowledges and agrees that the City may refuse to accept or assume any or all streets within the plan until the provisions of this section have been complied with.

14. Prior to commencing any work within the plan, the applicant must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the applicant is hereby advised that they may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the applicant elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the applicant shall be required to demonstrate to the telecommunication provider that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services.

### **C. GENERAL COMMENTS**

***The following general comments are provided to assist the developer in the preparation of the related drawings, finalization of any required studies or resolution of any identified issues.***

1. N/A

If you have any questions or require further clarification with respect to the above comments, please contact the undersigned.



Mark Michniak, MCIP, RPP  
Planner III, Development Services  
Planning, Building and Economic Development  
905-874-3882  
mark.michniak@brampton.ca

## COMMENTS AND CONDITIONS MEMO

Date: June 16, 2020  
Revised: July 13, 2021  
**File: OZS-2019-0012, 21T-19019B**  
To: Mark Michniak  
From: Olti Mertiri  
Subject: Requirements for Plan of Subdivision 21T-19019B  
Owner: Berkinfield Management Inc.  
Location: 0 Torbram Road  
Circulation Date: January 29, 2000  
Plan Dated: June 19, 2020

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In response to the circulation of the above noted application, the following represents a summation of comments and conditions from the Engineering and Development Services/Development Approvals (Engineering & Environmental) with respect to matters dealing with development and environmental engineering.

### **A. PRIOR TO DRAFT PLAN APPROVAL**

***The following shall be addressed prior to the release of the application for draft plan approval.***

- The following studies shall be approved in support of servicing for this development.
  1. ~~Functional Servicing Report (FSR)~~ – Cleared by Environmental Engineering
  2. ~~Feasibility Noise Report~~ – Cleared by Development Engineering
  3. ~~Phase 1 Environmental Site Assessment (Phase 1 ESA) and Phase 2 Environmental Site Assessment (Phase 2 ESA) if required.~~ Cleared by Environmental Engineering

## **B. DRAFT PLAN APPROVAL REQUIREMENTS**

*The following comments / requirements are applicable as a condition of draft plan approval.*

### **1. Environmental Engineering**

#### **1.1. Acoustic**

- 1.1.1. As part of the first engineering submission, the owner's consultant shall submit a detailed noise report prepared by a qualified acoustical consultant recommending noise control measures satisfactory to the Engineering and Development Services Division, in consultation with the Region of Peel as necessary. A copy of the report shall also be provided to the City's Chief Building Official.
- 1.1.2. The noise control measures and noise warnings recommended by the noise report shall be implemented to the satisfaction of the Engineering Division.
- 1.1.3. As part of the first engineering submission, the owner shall prepare and submit a Noise Attenuation Statement. A copy of the final approved Noise Attenuation Statement shall also be provided to the City's Chief Building Official.
- 1.1.4. The owner will include the following clause in the Noise Schedule of the Subdivision Agreement: "Prior to the issuance of any Building Permits, the owner agrees to provide the City's Chief Building Official with a certificate certifying that the builder's plans for each dwelling unit to be constructed on the plan shows all of the noise attenuation works required by the approved noise report and the approved plans.

#### **1.2. Environmental**

- 1.2.1. Prior to the initiation of any grading or construction on the site the owner shall install adequate sediment and erosion control measures to the satisfaction of the City of Brampton and Toronto Regional Conservation Authority. These measures shall remain in place until all grading and construction on the site are completed.

#### **1.3. Stormwater Management**

- 1.3.1. Prior to the initiation of any site grading or servicing and as part of the first engineering submission, the owner shall provide a Stormwater Management Report which describes the existing and proposed stormwater drainage systems for the proposed development.

### **2. Registration Timing**

- 2.1. The owner acknowledges and agrees that registration of this plan is dependent on the prior registration of the adjacent plans to the south for access and servicing or other arrangements satisfactory to the Commissioner of Public Works and Engineering to

secure public access and servicing across the plans to the south prior to registration of this plan.

### **3. Road Reconstruction/Cash Contributions**

3.1. The owner agrees to provide cash-in-lieu for any infrastructure internal to the plan that cannot be feasibly constructed, to the subdivision limits, due to grading and/or other servicing constraints. The value of the cash-in-lieu shall be established by the City's Commissioner of Public Works & Engineering or designate prior to the registration of the subdivision.

### **4. Financial Impact**

4.1. Development charges will be made payable to the City in accordance with the Development Charges By-law in effect at the time of payment.

4.2. No credits are anticipated with respect to the Transportation Component of the City Per Unit Levy to be assessed to this development.

### **5. Sidewalks**

5.1. Prior to the first engineering submission, the owner shall submit a sidewalk and parking plan.

### **6. Land Dedications and Easements**

6.1. Sufficient right of way for all roads associated with the plan, land dedications and easements required for proper servicing of the plan shall be granted gratuitously to the appropriate authority. The precise limits of the required land dedications and easements are to be determined to the satisfaction of the City's Ontario Land Surveyor.

### **7. 0.3 Metre Reserves/Reserve Block(s)**

7.1. The 0.3 m reserves and reserve blocks are to be deeded gratuitously to the City.

### **8. Warning Clauses**

8.1. Warning clauses are to be included in the Agreements of Purchases and Sale and registered on the title of all affected lots and blocks noting:

8.1.1. Any noise control features required to meet the noise level objectives of the City, to the satisfaction of the City, with respect to all noise sources,

8.1.2. Any walkways or retaining walls that may evolve on the plan,

8.1.3. The possibility of future transit routes within the internal collector/local road network to serve the residents of this community, including possible establishment of transit stops and platforms,

## 9. Soil

9.1. Prior to the registration of this plan or any phase thereof, the owner shall provide a copy of a Record of Site Condition and confirmation of the filing of the Record of site Condition in the Environmental Site Registry.



## **C. GENERAL COMMENTS**

*The following general comments are provided to assist the owner in the preparation of the related drawings, finalization of any required studies or resolution of any identified issues.*

### **1. Subdivision Agreement**

The owner will be required to enter into a Subdivision Agreement with the City for the construction of municipal services associated with these lands. The underground and aboveground municipal services are to be constructed in accordance with the latest O.P.S. and/or City standards and requirements, as applicable. Development of the lands shall be staged to the satisfaction of the City.

The owner will be required to provide the City with comprehensive insurance coverage, a financial guarantee for the installation of municipal works and maintain the municipal works in accordance with Clauses 27 Insurance, 24 Financial and 17 Maintenance Periods respectively, of the applicable standard Subdivision Agreement.

### **2. Site Grading/Erosion and Sediment Control By-law**

The owner will be responsible for the proper drainage of all lands abutting the plan. An overall lot/block grading plan must be prepared by the owner's Engineering Consultant to form part of the Subdivision Agreement.

Draft Plans which are within 30 metres of the watercourse and/or which are comprised of an area in excess of 1 hectare shall be subject to the provisions of the Fill By-law No.143-95, as amended. The owner will be required to apply for and obtain a Fill Permit prior to undertaking any land stripping or regrading activities within these lands. An irrevocable letter of credit is required to cover 100% of the estimated cost of site control measures plus 10% allowance for contingencies, as per Schedule 'A' to the By-law.

### **3. Storm Drainage**

Storm sewer works including connections to each lot and building block shall be designed in such a manner and be of adequate size and depth to provide for the drainage of the weeping tiles, for the development of all lands lying upstream within the watershed and/or provide for the drainage of such areas as may be designated by the Commissioner Public Works & Engineering.

As a part of detailed processing of servicing submissions, the owner's consultant will be required to include a drawing outlining the proposed overland flow route on these lands. The internal route is to coincide with roadways as much as possible. Should this route direct drainage along a lot's side lot line, the size of the concerned lot(s) is to be increased in width to account for this route in addition to the usual lot sizes. All overland flow routes to be located on private lands shall be covered by a municipal easement to the satisfaction of the City and the appropriate Conservation Authority.

All storm drainage shall be conducted to an outlet considered adequate in the opinion of the Commissioner of Public Works & Engineering.

**4. Sanitary and Water Service**

Prior to servicing or registration of the plan, the Region of Peel is to confirm that all portions of this plan will be provided with adequate water and sanitary servicing.

**5. Soil Conditions**

The owner is required to retain a Geotechnical Consultant to prepare a detailed Soils Report. At first engineering submission, the Soils Report will be reviewed by the City and Ministry of Environment and Energy if necessary. Prior to the registration or servicing of this plan, the approved procedures are to be incorporated into the Subdivision Agreement.

**6. Streetlighting**

Streetlighting is to be provided by the owner in accordance with the City's latest standards and requirements. In addition to streetlighting within the plan, the facilities at the intersections of the proposed road(s) with the boundary roads are to be examined and if necessary, upgraded.

**7. Signs**

All street and traffic signs required for this plan are to be supplied, erected and maintained in accordance with the provisions of the Subdivision Agreement by and at the expense of the owner.

**8. Utilities**

Prior to preservicing and/or execution of the Subdivision Agreement, the owner shall name his/her telecommunication provider. In addition, as part of the first engineering submission, the City will also request telecommunications providers that have entered into a Letter of Understanding or a Municipal Access Agreement with the City whether they intend to install their plant within the streets of the proposed subdivision.

The owner covenants and agrees that it shall permit the telecommunication providers named by the City to locate their plants within the streets of the proposed development.

The owner, under separate arrangements or agreement with the various utility companies, is to determine the precise extent of their requirements.

Prior to execution of the Subdivision Agreement, the owner must submit in writing evidence to the Commissioner of Public Works & Engineering that satisfactory arrangements have been made with the Telecommunications provider, Cable TV, Gas and Hydro for the installation of their plant in a common trench, within the prescribed location on the road allowance.

Any utility relocations necessary in support of the development of the Draft Plan of Subdivision shall be carried out by and at the expense of the owner.

#### **9. Removal of Existing Buildings**

The Security & Payment Statement of the Subdivision Agreement is to include sufficient securities to guarantee the removal of any existing buildings within the plan that will not conform to the requirements of the Zoning By-law after registration of the plan.

#### **10. City Road Maintenance/Construction Access**

The owner will be responsible for maintaining City Roadways within and in the vicinity of this development in a state satisfactory to the Commissioner of Public Works & Engineering until all construction and building activity is complete. Securities shall be included in the Security & Payment Statement of the Subdivision Agreement.

A construction access and the route for same will be finalized during processing of detailed engineering submissions. The construction access shall remain open at the discretion of the Commissioner of Public Works & Engineering.

#### **11. Road Design**

All internal roads shall be constructed by the owner and shall have asphalt pavement complete with concrete curbs and gutters designed and constructed in accordance with the latest O.P.S and /or City standards and requirements, as applicable.

The horizontal and vertical alignments of all roads, including their relative intersection geometrics, shall be designed to the latest City standards and requirements. In this regard, minor revisions to the road pattern may be required to accommodate intersection alignments and locations specified for bus bays and loading platforms.

All connecting roads shall be located such that they align precisely with their continuation beyond the limits of this Draft Plan.

#### **12. Sodding of boulevards and private Lands/Maintenance of Undeveloped Lands**

All portions of road allowance not covered by roads, sidewalks, splash pads, etc. shall be placed with 150 mm of topsoil and sodded with number 1 nursery sod.

The owner is to provide the City with securities to ensure that each of the lots will be sodded and topsoiled to City standards with driveways being provided. A security is to be established at time of detailed processing and is to be maintained with the City until substantial completion of the lots, and the securities reduced at the discretion of the Commissioner of Public Works & Engineering.

Lots and blocks with which there are no immediate development proposals shall be graded, seeded and maintained to the satisfaction of the Commissioner of Public Works &

Engineering, and securities shall be included in the Security & Payment Statement of the Agreement to guarantee this.

### **13. Acoustical**

At first engineering submission, the owner is to submit a Noise Report prepared by an Acoustical Consultant. The report is to address methods of dealing with acoustical aspects evolving from all the noise sources. The report should also detail the type of noise attenuation that will be implemented for all noise sources.

### **14. Community Postal Boxes**

Community Postal Delivery Box locations are to be shown on the servicing drawings in locations approved by Canada Post and are to be installed to City & Canada Post requirements by the owner when required by Canada Post or when constructing aboveground works, whichever is appropriate.

### **15. Preservicing**

Preservicing will not be permitted until arrangements have been made to the satisfaction of the Commissioner of Public Works & Engineering for the necessary outlets for the municipal services and adequate access roads to service the lands. In addition, preservicing will not be permitted until the zoning for the development of the lands is in effect or has been approved by the Local Planning Appeal Tribunal.

Any external land dedications or easements required to service the property must be obtained by the owner and conveyed gratuitously to the City or the Region prior to the commencement of Preservicing of the lands.

Regards,



Olti Mertiri, P.Eng.  
Supervisor, Development Approvals  
Engineering Division  
Public Works and Engineering Department  
Tel.(905) 874-5 273 Fax (905) 874-3369  
[olti.mertiri@brampton.ca](mailto:olti.mertiri@brampton.ca)

Cc: Accela  
Frank Mazzotta (Manager, Development Engineering)

## COMMENTS AND CONDITIONS MEMO

Date: July 19, 2019  
File: **OZS 2019-0012 and 21T- 19019B**  
To: Mark Michniak  
From: Adam Davidson  
Subject: Requirements for Plan of Subdivision 21T-19019B  
**KLM Planning Partners Inc.**  
**Berkinfield Management Inc. c/o DG Group**  
0 Torbram Road  
Part of Lot 17, Concession 5  
City of Brampton Ward 9 & 10

Circulation Date: September 27, 2019

Comment Revision #: 2

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In response to the circulation of the above noted application, the following represents a summation of comments and conditions from the Transportation Development Engineering section with respect to matters dealing with traffic engineering.

### **A. PRIOR TO DRAFT PLAN APPROVAL**

1. All priors have been addressed

### **B. DRAFT PLAN APPROVAL REQUIREMENTS/CONDITIONS**

1. Driveways shall not to encroach within intersection daylighting (rounded or triangles), and/or all driveway locations shall adhere to Section 10.12 of the residential zoning bylaw, which states "The minimum distance measured along a lot line between a driveway and the actual or projected point of intersection of two streets shall be 6.0 metres." Where intersection daylighting exceeds 6.0 metres, driveways locations will not be permitted to encroach within intersection daylighting.
2. A 15m by 15m daylight triangle is required at Torbram Road at Street "1".
3. Curb radii – curb radii are to adhere to City standard drawing #245. This includes laneways where the minimum allowable curb radius is 7.5 metres.
4. Laneways are to be 'straight-runs' as per City standard drawing #219.
5. Road Elbows – Road Elbows must adhere with City standard drawing #215.
6. Signals – LOC (Letter-of-Credit) in the amount of \$140,000 is required for future signalization of "Street-1" and "Street-2". Installation by the developer.

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### **C. GENERAL COMMENTS**

1. Vertical curves – grade changes in excess of 2% must be designed by means of a vertical curve for the design speed specified and depicted on the first engineering drawings to the satisfaction of the commissioner of Public Works.
2. Road alignments - the horizontal and vertical alignments of all roads, including their intersection geometrics, shall be designed to the latest City standards and requirements. In this regard, minor revisions to the road pattern and intersection alignments may be required.
3. Laneways – One-way traffic only is acceptable.
4. Parking – Parking supply is to be as per the City zoning requirements.
5. Cul-de-sacs - Temporary cul-de-sacs may be required. The applicant will acknowledge and provide cul-de-sacs on a temporary basis if deemed necessary by the City. The applicant may be required to obtain easements should it be necessary to locate the cul-de-sacs on adjacent lands. Further comments regarding cul-de-sacs may be forwarded during the engineering review process.
6. 0.3m Reserves – Legal Department requires reserves where Trans Planning does not necessarily request reserves. Therefore, ask for 0.3m reserves at all the following locations:
  - a. Local roads at subdivision limits (& collector). The Development technologists should request these;
  - b. Industrial, Commercial, Institutional, School, and High Density lots;
  - c. Cul-de-sacs.
7. Prior to registration, the City, at its own discretion, may require the early dedication of all roads, or portions thereof.
8. Driveways width requirements are: 3.5m (single), 6.0m (double), 7.3m (shared).
9. Driveway minimum separation from adjacent property lines unless coupled is 0.6 metres.
10. Utility clearance of 1.5 metres from residential driveways is required.
11. Identify the community mailbox location that will be affiliated with this proposed development.

If you have any questions or require further clarification with respect to the above comments, please contact the undersigned.

Regards,

**Adam Davidson**

Transportation Engineering | Public Works | City of Brampton  
T: 905.874.2277 | F: 905-874-2599 | 1975 Williams Parkway | ON L6S 6E5

## COMMENTS AND CONDITIONS MEMO

Date: June 4, 2020  
File: **OZS-2019-0012 and 21T-19019B**  
To: Mark Michniak  
From: Anthony Magnone  
Subject: Requirements for  
**Berkinfield Management Inc.**  
**0 Torbram Road**

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In response to the circulation of the above noted application, the following represents a summation of comments and conditions from the **BUILDING DIVISION** with respect to the above matter.

### **A. PRIOR TO DRAFT PLAN APPROVAL**

*The following shall be addressed prior to the release of the application for draft plan approval.*

- Not Applicable

### **B. DRAFT PLAN APPROVAL REQUIREMENTS/CONDITIONS**

*The following comments / requirements are applicable as a condition of draft plan approval.*

- Not Applicable

### **C. GENERAL COMMENTS**

*The following general comments are provided to assist the developer in the preparation of the related drawings, finalization of any required studies or resolution of any identified issues.*

- **Prior to registration of the Plan, or any phase thereof**, provide a **final version** of the detailed soils investigation of the site prepared, signed and sealed by a qualified Geotechnical Engineer.

### **Building Removal**

- Prior to registration, the applicant shall remove any existing buildings on the site.

### **Exposed Basements**

- Where a building style incorporating an exposed basement is proposed, the external treatment of the exposed basement shall be consistent with the exterior treatment of the balance of the structure.

### **Fire Break Lots**

- For those lots designated as fire break lots by the Building Division the erection of the superstructure shall be permitted only upon the approval of the Chief Building Official.

### **Foundations**

- Prior to the issuance of any building permit, the applicant shall provide an engineering report, to the satisfaction of the Chief Building Official, indicating special foundation requirements, if any, to support structures that may be erected on disturbed ground or lots where filling has occurred.

### **Noise Abatement**

- **Prior to registration**, site plan approval, and prior to the applicant entering into any purchase and sale agreements, the applicant shall engage the services of a qualified acoustical consultant to complete a noise study recommending noise control measures satisfactory to the City (and Region of Peel when requested by the Region). A copy of this report shall be provided to the City's Chief Building Official.
- The noise control measures and noise warnings recommended by the acoustical report shall be implemented to the satisfaction of the City of Brampton. (and Region of Peel as required )
- **Prior to registration** and site plan approval the applicant shall prepare a Noise Attenuation Statement, a copy of which shall be provided to the City's Chief Building Official.
- **Prior to the issuance of any building permits**, the applicant shall provide the City's Chief Building Official with a certificate certifying that the builder's plans for



each dwelling unit to be constructed on the plan shows all of the noise attenuation works required by the approved acoustical report and the approved plans.

### **Municipal Addressing**

- **Prior to registration**, the applicant shall forward the proposed plan of subdivision to be registered in digital format (Autocad) to the Digital Innovation & Information Technology department for uploading to the City's GIS system.

If you have any questions or require further clarification with respect to the above comments, please contact the undersigned.



Anthony D. Magnone  
Regulatory Co-ordinator  
Tel: (905) 874-2415 Fax: (905) 874-2499  
anthony.magnone@brampton.ca

**COMMENTS & CONDITIONS MEMO**

**Date:** August 18, 2021

**File:** OZS 2019-0012/ 21T-19019B

**To:** Mark Michniak, Development Services

**From:** Jaskiran Kaur Bajwa, Park Planning & Development

**Subject:** **REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT  
Proposed Draft Plan of Subdivision**  
**UPDATED** (Proposal for subdivision to permit single detached and townhouse units, work/live units, schools, parks and future expansion of inspire Boulevard via Official Plan Amendment and Rezoning)

Comments from the Park Planning unit of the Park Planning & Development Section

**Consultant:** **KLM PLANNING PARTNERS INC.**

**Owner:** **BERKINFIELD MANAGEMENT INC.**

**Location:** West side of Torbram Road, mid-block between Countryside Drive and Mayfield Road.  
Circulation Date: November 25, 2019  
Ward: 9

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In response to the circulation of the above noted Official Plan Amendment and Rezoning for subdivision dated November 25, 2019, the following represents a summation of comments from the Park Planning unit of the **Park Planning and Development Section** in the Environment & Development Engineering Division – Public Works Department.

Please note that as this application was circulated through Accela/Unity and due to the way this software collects and tracks comments, the **Open Space Development Unit of the Park Planning & Development Section** will be providing separate comments.

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*Requested Adjustments to Plan:* **Satisfied August 16, 2021**

~~Planning and Development services are advised to note, that Park Planning provided comments during its Pre-consultation stage (2018), to remove the proposed Park block 155 and redesign the development. However, the Plan of Subdivision submitted under the above mentioned application does not reflect these changes.~~

Park Planning remains consistent with the comments from 2018 and requests a payment of CIL in complete instead of a Park Block. Please refer to comments provided by Matthew Volpintesta (Park Planning Coordinator) under 'notes to file' under file number PRE18.029 in Accela for details.

\*Applicant has submitted an amended Draft Plan depicting separate block for the sewer infrastructure.

## **A. PRIOR TO DRAFT PLAN APPROVAL**

***The following must be addressed prior to the release of the application for draft plan approval.***

*Plan Requirements: **Satisfied August 18, 2021***

1. ~~The Community Design Guidelines (CDG) for Countryside Villages Block Plan 48-2, prepared by MBTW, dated May 29<sup>th</sup>, 2017 shall be finalized and approved, to the satisfaction of the Commissioner, Planning and Development Services.~~

*Tableland Vegetation: **Satisfied July 28<sup>th</sup>, 2021***

2. ~~The [Tree Evaluation Report](#), shall be finalized and approved), to the satisfaction of the Director, Environment & Development Engineering.~~

*N.B. The Owner shall ensure that no trees are removed or damaged prior to by-law approval or during any phase of the servicing and construction of the site, if applicable, without the prior approval of the Planning and Development Services and Public Works & Engineering Departments.*

*Sustainability – Park and Open Space Requirements: **Accepted January 20, 2021***

3. ~~The Sustainability Score and Summary shall be finalized and approved to the satisfaction of the Director, Development Services. The Sustainability Score and Summary shall comply with the [latest requirements](#) set out by the City for the development of such documents.~~

## **B. DRAFT PLAN APPROVAL REQUIREMENTS / CONDITIONS**

***The Owner is required to address the following prior to the identified milestone, in accordance with City standards, and to the satisfaction of the Environment and Development Engineering Division.***

### **a) Prior to 1<sup>st</sup> Engineering Submission:**

*Hoarding of Natural Features:*

4. The Owner shall erect and maintain in good condition, hoarding along the property boundary where the proposal abuts an existing park, along the buffer of the Natural Heritage System (NHS) lands (*Valleyland, Woodland*), and/or along the drip line of any

vegetation identified for preservation in the approved Tree Evaluation Report, to the satisfaction of the Director, Environment & Development Engineering.

*Notification Signage – Public Lands:*

5. The Owner is required to install and maintain notification signage, to City standards, advising future residents of the future uses of all identified park, open space blocks. The signs will be installed on the subject blocks, along all public road frontages, and will state the name of the City of Brampton, provide a schematic of the facilities (if any) to be included on the subject block, the telephone number where additional information can be obtained and the date the sign is installed.

**b) Prior to Registration:**

***The following are requirements that the Owner shall be required to fulfill prior to the release of the plan for registration. Items are listed alphabetically.***

*Sustainability – Open Space Requirements:*

6. The Sustainability Score and Summary shall be finalized and approved in conjunction with the Community Design Guideline, to the satisfaction of the Director, Environment & Development Engineering. The Summary shall comply with the latest requirements set out by the City for the development of such documents.

*Community Information Maps:*

7. The Owner shall prepare a detailed Homebuyers' Information Map, based on the final M-plan, to the satisfaction of the City.

*Fencing:*

8. The Owner shall make satisfactory arrangements with the City to provide fencing, at their cost, in accordance with the City Fencing Policy and the approved Community Design Guidelines (as applicable), for incorporation into the landscape drawings' submission, to the satisfaction of the Director, Environment & Development Engineering.

*Maintenance Fees:*

9. The Owner shall agree to contribute a maintenance fee for any landscape item deemed necessary by the Owner, but which exceeds the City standard. This may include, but not be limited to special entry feature structures and centre medians, irrigation systems, acoustical walls and architectural landscape elements located on public property.

10. The Owner shall agree to provide a cash-contribution in accordance with Council Resolution 181-2014 towards the long-term management of all Natural Heritage System (NHS) lands conveyed to the City. The payment shall be calculated at a rate of \$5,000 / hectare of NHS lands conveyed (per the final plan) and shall be documented in Schedule 'G' of the Subdivision Agreement.

*Parkland Dedication:*

11. Parkland Dedication requirements for the plan shall be in accordance with the Planning Act, R.S.O. 1990, c.P.13 as amended (the Planning Act) and the City's Parkland Dedication By-law, as amended. The current Plan yields a projected Parkland Dedication requirement of 2.0 ha (4.95 ac.), based on Section 51.1 of the Planning Act. The Owner shall convey Block 155 totaling 0.193 ha (0.477 ac.) to the City, as partial fulfillment of the Parkland Dedication requirements. This results in a projected Parkland under-dedication of 1.1 ha (2.7 ac.). Prior to registration, the Owner shall be required to compensate the City in accordance with the Parkland Dedication By-law (as amended) and the City's current policies, for the projected under-dedication balance, in the form of a Cash In Lieu of Parkland Payment.

*Note: Final calculations will be undertaken as part of the Subdivision Agreement review process and represented in Schedule 'D' of the Agreement*

*Plan Requirements for all Public Lands:*

12. Prior to plan registration, the Owner shall provide detailed working drawings for all identified NHS block, landscape buffer blocks, streetscape planting, walkways and fencing to the satisfaction of the applicable approving departments and in accordance with the latest City standards. Fencing shall be included along holdout properties where they abut the plan, subject to the approval of the existing property owners. The Owner shall comply with both the facility fit/concept plan approved prior to draft plan approval and/or the recommendations of the approved Design Brief.
13. The Applicant agrees that Park Block 155 of File 21T-19019B owned by Berkinfield Management Inc. is to be combined with Park Block owned by Cedar City Greenvale Maytor Inc. (the "adjacent development" plan) to provide a park for the two developments. The Applicant acknowledges that Cedar City Greenvale Maytor Inc. will prepare landscape drawings and will construct the entire park to the satisfaction of the City. The entire park is to be completed within twenty-four (24) months of the registration of the Park Block owned by Cedar City Greenvale Maytor Inc., unless the time is extended in writing by the City.
14. In the event that Park Block owned by Cedar City Greenvale Maytor Inc. is not developable within the timeframe as outlined above, the Applicant agrees to prepare drawings and construct a partial park on park Block 155 of File 21T-19019B to the satisfaction of the City. In this event, the Applicant will be compensated by the City for all the reasonable costs to design and construct the partial park on Park Block 155 of File 21T-19019B owned by Berkinfield Management Inc. as identified as DC eligible within the most recent Development Charge Background Study.

*Signage for NHS:*

15. Prior to plan registration the Owner shall submit a comprehensive signage package for the Natural Heritage System (NHS) lands, to the satisfaction of the Director, Environment & Development Engineering.

*Streetscape Plans:*

16. Prior to plan registration, the Owner shall make satisfactory arrangements with the City, through the Subdivision Agreement and the landscape drawings' submission, to provide street trees along all internal streets within the subject plan and along immediately abutting street, including the implementation of boulevard and buffer planting, and entry features. The Owner shall comply with the recommendations of the approved Community Design Guidelines (as amended and as applicable).

*Summary Requirements:*

17. Prior to registration, and in conjunction with the final landscape submission, the Owner agrees to provide the City with a detailed summary of all areas of parkland, open space, valleylands, and buffers including quantities or areas of boulevard and buffer sod, boulevard and buffer trees, shrub beds and irrigation systems that will be installed by the Owner and will become the City's responsibility to maintain.

*Tableland Tree Compensation:*

18. Prior to registration, the Owner shall provide restoration-planting drawings that detail compensation plantings for tableland trees removed to accommodate the development. Compensation plantings shall be in accordance to current City of Brampton compensation planting standards. Compensation plantings shall be provided by the Owner at no cost to the City.

*Warning Clauses – Parks, Open Space and Natural Heritage System, etc.*

19. Prior to registration, the Owner shall ensure that the builder(s) include a warning clause in all Offers of Purchase and Sale for all Lots or Blocks abutting blocks designated for park, Natural Heritage System (Block 156) and open space - (Block 159) that:

“The subject blocks (NHS and Open Space) may contain active recreational facilities. Purchasers are advised that residents close to these blocks may be disturbed by users and/or facilities within the subject blocks. For more information, please call the City of Brampton's Public Works & Engineering Department at (905) 874-2050.

*Warning Clauses – Street Trees*

20. Prior to registration, the Owner shall ensure that the builder(s) include a warning clause in all Offers of Purchase and Sale indicating that:

“The Owner is required to provide street trees at regular intervals on all public boulevards within this subdivision. Local site conditions may not allow a tree to be planted in front of some homes. For more information, please call the City of Brampton’s Public Works & Engineering Department at (905) 874-2050.

**c) Post Registration:**

***The following are requirements that the Owner shall be required to fulfill as a condition of plan registration. Items are listed in typical order of completion:***

*Conveyance of Public Lands:*

21. All identified parks, Natural Heritage System (NHS) lands (including associated buffers) shall be conveyed to the City in a form and condition satisfactory to the Director, Environment & Development Engineering.

*Development of all Public Lands:*

22. The Owner is responsible for the development of all dedicated parks and open space (e.g. Neighbourhood Parklands, valleylands, open space and landscape buffer blocks) in accordance with the approved plans and the approved Subdivision Agreement subject to the satisfaction of the City.

*Streetscape Implementation:*

23. The Owner shall implement, at their expense and to the satisfaction of the City, all works shown on the approved streetscape plans in accordance with the Subdivision Agreement and the approved Community Design Guidelines (where applicable) and will include the implementation of boulevard and buffer planting, and entry features including all structures and planting.

*Reimbursement for Creditable Work:*

24. Following completion of (park/NHS) development works, the Owner shall invoice the City for the cost of all works completed. The City will inspect the works for completion and issue payment in accordance with the approved cost estimates. Notwithstanding the date upon which works are completed, no payment shall be made to the Owner as compensation payable for the design and construction of identified works until after completion and sign off by the City and approval of the funding for such works in the City’s Capital Budget.

*Note: The Owner shall be entitled to compensation for select works in accordance with the approved drawings and cost estimates and in accordance with the most recently approved Development Charge Background Study document. Where applicable, arrangements for development charge credits/compensation select works will be concluded upon in conjunction with the development of the block. The identified works shall be completed within twelve (12) months of the first building permit being issued for any lot or block in the plan of subdivision, unless an extension has been*

*granted in writing by the City or unless a more rapid delivery of the (e.g. park/valleyland) block(s) is required to service existing residents.*

*As-Built Drawings:*

25. Prior to issuance of final acceptance of all landscape works the Owner shall provide as-built drawings in the form of digital files for all dedicated park, open space, landscape buffer blocks, etc. The submission of these drawings will meet the latest digital standards as prescribed by the City of Brampton.

**d.) Prior to Assumption:**

*Hazard Removal:*

26. Prior to assumption, any material identified in the Tree Evaluation Report and Woodlot Management Plan as hazardous, or identified for removal for accessibility or safety reasons, and any deleterious materials and debris not normally found in a Natural Heritage System (NHS) lands, whether in a woodlot block/valleyland or other location as determined by the City, shall be removed at the Owner's expense.

**C. GENERAL COMMENTS**

***The following General Comments are provided to assist the Owner. These comments shall be read in conjunction with the Draft Plan conditions (Section B).***

*Parks and Open Space Naming:*

27. Names for all identified park, open space and Valley block shall be finalized in conjunction with the naming of the municipal road at a later stage:
- a) Open Space Block '159' shall be finalized at the later date.
  - b) NHS Valley Block '156' shall be finalized at the later date.
  - c) Park Block '155' shall be finalized at the later date

*Note: Park Planning & Development will identify and finalize names for the identified blocks, in conjunction with the Owner, Development Services and in accordance with the Parks and Open Space Naming Policy, prior to incorporation into the Recommendation Report.*



If you have any questions or require further clarification with respect to the Park Planning & Development comments, please contact the undersigned.

---

Jaskiran Kaur Bajwa  
Park Planner, Park Planning & Development Section  
Environment & Development Engineering Division  
Public Works & Engineering Department  
Tel: (905) 874-3479 Fax: (905) 874-3819  
[jaskiran.bajwa@brampton.ca](mailto:jaskiran.bajwa@brampton.ca)

cc. (via email only):  
J. Mete, R. da Cunha, W. Kuemmling, G. Serravite

*(Note: A digital copy has also been uploaded to Accela)*

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March 10, 2021

Mark Michniak  
Planner III  
City of Brampton  
2 Wellington Street West  
Brampton ON, L6Y 4R2  
[Mark.Michniak@brampton.ca](mailto:Mark.Michniak@brampton.ca)

**RE: Draft Plan of Subdivision  
0 Torbram Road  
Berkinfield Management Inc.  
Brampton  
City File: OZS-2019-0012  
Region File: 21T-19019B**

Dear Mr. Michniak,

The Region has reviewed the materials submitted in support of the Draft Plan of Subdivision Plan for the above-noted application. Our comments and Draft Plan Conditions can be found below.

### **Region of Peel Conditions of Draft Approval**

As per the Conditions of Draft Approval for Draft Plan of Subdivision 21T-19019B, the developer is required to fulfill the Conditions to the satisfaction of the Region. Release for Registration will not be provided by the Region until such time as all Regional requirements have been satisfactorily addressed.

### **General Comments**

**The following general comments are provided to assist the developer in the preparation of the related drawings.**

#### **Sanitary Sewer Facilities**

- Municipal sanitary sewer facilities consist of a 525mm diameter sanitary sewer on Torbram Road and a 525mm diameter sanitary sewer on Countryside Drive, east of Torbram Road.
- External easements and construction may be required.

#### **Water Facilities**

- The subject lands are located in Water Pressure Zone 6.
- Existing infrastructure consists of a 400mm diameter watermain (zone 6) on Torbram Road, a 600mm diameter watermain (zone 5) on Countryside Drive, a 300mm diameter watermain (zone 6) on Countryside Drive at Moldovan Drive, a 400mm diameter watermain (zone 6) on Bramalea Road, a 300mm diameter watermain (zone 6) on

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Mayfield Road, a 750mm diameter sub-transmission main (zone 6) on Mayfield Road and a 400mm diameter watermain (zone 6) on Inspire Boulevard.

- External easements and construction may be required.
- The Region will require a Condominium Water Servicing Agreement and a draft Declaration and Description with completed Schedule A for the future Common Elements Condominium (Block 152).

### Functional Servicing Report

- The Region has reviewed the revised Functional Servicing and Stormwater Management Report (dated November 2020) prepared by Rand Engineering Corporation and find the report satisfactory.

### Hydrogeological Assessment and Water Balance Report

- The Region has reviewed the Hydrogeological Assessment and Water Balance Report (dated October 2020) prepared by RJ Burnside & Associates. The report must be revised to address the following:
  - Review of the MECP WWR database has to be extended to 500 meters.
  - A door-to-door survey has to be done and information provided for review and approval
  - A contingency and monitoring plans must be included for the proposed development conditions
  - Information on dewatering values is required to understand the potential impact from dewatering in case requested for the underground services.

### Development Charges

- The Developer acknowledges that the lands are subject to the Region's Development Charges By-law in effect from time to time. The applicable development charges shall be paid in the manner and at the times provided by this By-law.
  - Please be advised that indexing is done the 1<sup>st</sup> of every February and August.

### Capital Budget

- Servicing of this Plan will require construction of oversized 525mm diameter sanitary sewers and oversized 400mm diameter watermain which are the financial responsibility of the Region as per Development Charges By-law.
- Should the Developer wish to proceed with these works in order to obtain clearance of the Draft Plan conditions at a time when the Region is not prepared to fund the works, then the Developer shall be required to enter into a Front-Ending Agreement prior to the construction of the works. This Agreement will be subject to the Region's determination that it has or will have sufficient funds to justify entering into the Front-Ending Agreement and Regional Council approval.
- The following required oversized sanitary sewers, watermain and intersection improvement works are included in the Five Year Capital Budget and Forecast:

Component No.	Project No.	Construction Year	Description
3856	21-2156	2021	525mm dia. sanitary sewer on future Street "1" from Torbram Road to the west limit of the proposed development.
29739	18-1159	2018	400mm dia. watermain on future Street "1" from Torbram Road to the west limit of the proposed development.

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### Waste Management Requirements

- The Region of Peel will provide curbside waste collection to the detached, townhouse, and live work townhouse units provided that future submissions satisfy the requirements outlined in sections 2.0 and 3.0 of the Waste Collection Design Standards Manual.
- The Mixed-use units will receive front end collection provided that future submissions satisfy the requirements outlined in sections 2.0 and 4.0 of the Waste Collection Design Standards Manual.
- For more information, please consult the Waste Collection Design Standards Manual available at: <https://www.peelregion.ca/pw/standards/design/waste-collection-design-manual-2016.pdf>

### Conditions of Draft Approval

**The following requirements/conditions will be required to be satisfactorily addressed as they relate to the Region's Conditions of Draft Plan Approval:**

#### Development Charges

1. Prior to execution of the Subdivision Agreement by the Region, the Developer shall:
  - a. Obtain and submit to the Region a Residential Development Charges Payment Form completed to the best of the Developer's knowledge at the time of the submission and to the satisfaction of the Region in accordance with the engineering drawings and final draft M-plan.
  - b. Pay to the Region the appropriate hard service residential development charges (water, wastewater and road service components), pursuant to the Region's Development Charges By-law, as amended from time to time, calculated based on the information provided in the Residential Development Charges Payment Form.
2. Provision shall be made in the Subdivision Agreement with respect to:
  - a. Payment to the Region of appropriate soft service development charges and any outstanding hard service development charges; and
  - b. Collection of development charges for future residential development blocks (non-freehold townhouses or apartment blocks).

pursuant to the Region's Development Charges By-law, as amended from time to time.

#### Water Meter Fees

3. In respect of the water meter fees:
  - a. Prior to registration of the plan of subdivision, the Developer shall pay to the Region the appropriate water meter fees, in accordance with the Region's Fees By-law, as amended from time to time for residential building lots (singles, semi-detached and freehold

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townhomes) to the satisfaction of the Region in accordance with the engineering drawings and final draft M-plan for the Lands;

- b. A clause shall be included in the Subdivision Agreement that water meter fees for future residential development (non-freehold townhouses or apartment blocks) and commercial blocks shall be payable to the Region prior to issuance of building permits, in accordance with the Region's Fees By-law, as amended from time to time; and
- c. A clause shall be included in the Subdivision Agreement that in the event of an underpayment of water meter fees, the Developer shall be responsible for payment thereof forthwith upon request.

### Land Dedications

4. A provision shall be made in the subdivision agreement that:
  - a. The Developer shall gratuitously transfer to the Region free and clear of all encumbrances and to the satisfaction of the Region:
    - i. All necessary easements for proposed and existing Regional infrastructures as required by the Region to service the proposed plan and external lands.
  - b. All costs associated with land transfers and easements shall be 100% the responsibility of the Developer.

### Traffic/Development Engineering Conditions

5.
  - a. The Developer shall acknowledge and agree that landscaping, signs, fences, gateway features, and any other encroachments will not be permitted within the Region's easements and right-of-way.

Clauses shall be included in the Subdivision Agreement in respect of same

6. Servicing of the subdivision will require:
  - a. Construction of oversized 400mm diameter watermain which is the financial responsibility of the Region as per Development Charges By-Law. A 400mm diameter watermain is included in the Five Year Capital Budget and Forecast.
  - b. Construction of oversized 525 mm diameter sanitary sewers which are the financial responsibility of the Region as per Development Charges By-Law. 525mm diameter sanitary sewers are included in the Five Year Capital Budget and Forecast.
  - c. The Developer shall make appropriate financial arrangement with the Region prior to construction of such works. The construction will be subject to the Region's determination that it has or will have sufficient funds to finance the works.

### Drawings – Servicing and “As Constructed”

7. Prior to servicing, the Developer's engineer shall submit all engineering drawings in the digital format to the latest Region's Digital Format Guidelines.
8. Within (60) days of preliminary acceptance of the underground services, the Developer's engineer shall submit “As Constructed” drawings in digital format, pursuant to the latest Region's Digital Format Guidelines. The Developer's engineer shall also provide ties to all main line valves, ties to individual water service boxes, linear ties to sanitary sewer services and GPS coordinates of all watermain and sanitary sewer appurtenances in accordance with the latest requirements of the Region “Development Procedure Manual”.

A clause shall be included in the Subdivision Agreement in respect of same.

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### General Conditions

9. Prior to registration of the subdivision, the Developer shall execute a Subdivision Agreement with the local municipality and Region for the construction of municipal sanitary sewer, water, and regional roads associated with the lands. The Developer shall construct and design these services in accordance with the latest Region standards and requirements.
10. Prior to servicing, the Developer shall submit a satisfactory engineering submission to the Region to review and approval.
11. Prior to registration of the plan of subdivision, the Developer shall pay the Region's costs for updating its electronic "As Constructed" information for the infrastructure installed by the Developer. The cost shall be based on a "per kilometre" basis for combined watermains and sanitary sewers installed pursuant to the Region's latest User Fees By-law.
12. Prior to registration of the plan of subdivision, the Developer shall ensure that:
  - a. All lots and blocks must be serviced via an internal road network.
  - b. The proposed Lots or Blocks fronting Laneways within the plan can be serviced by municipal water and wastewater services in accordance with the City's current approved standard drawings where Region's underground services are permitted and in accordance with the Region's latest Standards and Specifications. Due to maintenance and operation issues/concerns for Laneways, servicing Lots and Blocks fronting Laneways must be from the approved public R.O.W. in accordance with the City of Brampton standard drawings where Region's underground services are permitted. Any new proposed standard, or modifications to an existing standard, would need to be submitted and reviewed through the City of Brampton's Standards Committee.

Clauses shall be included in the Subdivision Agreement in respect of same.

13. Prior to servicing the Region may require the Developer to construct a sampling hydrant (at the Developers cost) within the proposed plan. Location and the requirement for sampling hydrant will be determined at the engineering review stage.
14. The Developer agrees that the Region shall hold back a portion of the Letter of Credit to cover the costs of services completed by the Region on a time and material basis pursuant to the current Region's User Fee By-Law.

A clause shall be included in the Subdivision Agreement in respect of same.

15. The Developer will maintain adequate chlorine residuals in the watermains within the plan from the time the watermains are connected to the municipal system until such time as the Region issues Final Acceptance. To maintain adequate chlorine residuals, the Developer shall either install automatic flushing devices or retain Regional staff to carry out manual flushing. Regional staff shall conduct the monitoring and testing for chlorine residuals. All costs associated with the monitoring and flushing shall be the responsibility of the Developer pursuant to the current Region's User Fee By-Law.

A clause shall be included in the Subdivision Agreement in respect of same.

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- 16.
- a. In respect of servicing existing properties within the zone of influence in the event that existing private services (wells) deteriorate due to the servicing of the proposed plan of subdivision.
  - b. Until the issuance of Final Acceptance a portion of the Letter of Credit shall be held back to serve as protection for the private wells in the zone of influence of the plan of subdivision. This amount shall be based on the anticipated cost of replacing water supplies within the zone of influence as shown in the schedules of the agreement. The minimum amount shall be \$20,000.00. If the private well systems in the zone of influence deteriorate due to the servicing of the plan of subdivision the Developer shall provide temporary water supply to the residents upon notice by the Region and the Developer shall continue supplying the water to the effected residents until the issue is resolved to the satisfaction of involved parties. If the quantity of water in the existing wells is not restored to its original condition within a month after first identification of the problem, the Developer shall engage the services of a recognized hydrogeologist to evaluate the wells and recommend solutions including deepening the wells or providing a permanent water service connection from the watermain to the dwelling unit.
  - c. The Developer shall inspect, evaluate and monitor all wells within the zone of influence prior to, during and after the construction has been completed. Progress Reports should be submitted to the Region as follows:
    - i. Base line well condition and monitoring report shall be submitted to the Region prior to the pre-servicing or registration of the plan (whichever occurs first) and shall include as a minimum requirement the following tests:
      - a) Bacteriological Analysis - Total coliform and E-coli counts
      - b) Chemical Analysis - Nitrate Test
      - c) Water level measurement below existing grade
  - d. In the event that the test results are not within the Ontario Drinking Water Standards, the Developer shall notify in writing the Homeowner, the Region of Peel's Health Department (Manager - Environmental Health) and Public Works Department (Development Supervisor) within 24 Hours of the test results.
  - e. Well monitoring shall continue during construction and an interim report shall be submitted to the Region for records. Well monitoring shall continue for one year after the completion of construction and a summary report shall be submitted to the Region prior to Final Acceptance.

Clauses shall be included in the Subdivision Agreement in respect of same.

17. The Developer shall agree that neither the Developer nor any Builder will apply for building permits for any lots or blocks within the plan of subdivision until the Region's Public Works Department has issued Preliminary Acceptance and provided notice to the local municipality stating that internal and external sanitary sewers and watermains, including fire protection, have been completed to the Region's satisfaction. The Developer's Consulting Engineer shall certify in writing that the internal and external sanitary sewers and watermains, including fire protection, have been constructed, inspected and shall function in accordance with the detailed design as approved by the Region.

A clause shall be included in the Subdivision Agreement in respect of same.

18. Prior to registration of the plan of subdivision, the Developer shall submit draft reference plan(s) for the Region's review and approval prior to such plans being deposited. All costs associated with preparation and depositing of the plans and transfer of lands shall be at the sole expense of the Developer.

19. The Developer agrees that prior to the Region granting clearance of the draft plan conditions of subdivision approval, the following shall require to be forwarded to the Region's Legal Services Division:
- a. A copy of the final signed M-Plan
  - b. A copy of the final draft R-Plan(s)
  - c. Easement and conveyance documents required pursuant to this Agreement and the registration of this plan.

A clause shall be included in the Subdivision Agreement in respect of same

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If you have any questions or concerns, please contact me ([Alex.Martino@peelregion.ca](mailto:Alex.Martino@peelregion.ca) 905.791.7800 x4645) at your earliest convenience.

Yours truly,



Alex Martino  
Planner, Development Services  
Region of Peel





June 21, 2021

62260

**BY EMAIL: [mark.michniak@brampton.ca](mailto:mark.michniak@brampton.ca)**

Mr. Mark Michniak, Development Planner  
Planning and Development Services  
City of Brampton  
2 Wellington Street West  
Brampton, ON  
L6Y 4R2

Dear Mr. Michniak:

**Re: Draft Plan of Subdivision Application – 21T-19019B  
Zoning By-law Amendment Application – OZS-2019-0012  
0 Torbram Road  
Part Lot 17, Concession 5  
City of Brampton  
Berkinfield Management Inc. c/o DG Group (Agent: KLM Planning Partners Inc.)**

Further to our previous letter dated February 2, 2021, the purpose of this letter is to provide Toronto and Region Conservation Authority (TRCA) staff comments on the third submission materials for the above noted Draft Plan of Subdivision and Zoning By-law Amendment (ZBLA) applications. The formal circulation package from the City was received from the applicant on April 20, 2021, and includes the following materials:

- Response Letter, dated April 20, 2021, prepared by RAND Engineering Corporation.

Thank you for the opportunity to review and provide comments. As per the “Living City Policies for Planning and Development within the Watersheds of the TRCA” (LCP), staff provides the following comments as part of the TRCA’s commenting role under the *Planning Act*, the Authority’s delegated responsibility of representing the Provincial interest on natural hazards encompassed by Section 3.1 of the Provincial Policy Statement (PPS, 2020); TRCA’s Regulatory Authority under O. Reg. 166/06 (as amended), *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and our Memorandum of Understanding (MOU) with the Region of Peel, wherein we provide technical environmental advice.

#### **Purpose of the Application**

It is our understanding that the purpose of the above noted Draft Plan of Subdivision and ZBLA applications is to permit the development of single-detached and townhouse units, a retail/mixed use block, schools, park, and future expansion of Inspire Boulevard.

#### **O. Reg. 166/06**

The subject lands are traversed by Tributary G1, G2 and D, all tributaries of the Humber River Watershed. As such, a portion of the subject lands are located within TRCA’s Regulated Area and are subject to O. Reg. 166/06 and TRCA’s LCP. Based on our review, the proposed development involves the removal of Tributary G1 and G2, as per the recommendations of the Block 48-2 Environmental Implementation Report (EIR), as

well as development adjacent to Tributary D valley corridor. As such, a TRCA permit will be required from TRCA prior to any works commencing within the regulated portion of the site. TRCA staff will discuss permit fees and requirements with the applicant at such time that the review and approvals have advanced and TRCA permits are required to facilitate the proposed development.

### **Background**

The subject property is located within the boundaries of the Countryside Villages Secondary Plan (Area 48) and Block 48-2. A Master Environmental Servicing Plan (MESP) (dated 2010) was prepared and approved by the City and TRCA as part of the Secondary Plan review, and an EIR (dated 2017) was approved by the City and TRCA for Block 48-2.

### **Comments**

TRCA has an interest in several issues associated with the proposed development. Our issues relate to natural hazards, natural heritage protection and restoration, stormwater management, and water balance. TRCA staff has reviewed the latest submission and provide the following comments:

1. Based on the responses and our recent meeting with the applicant on May 31, 2021, it is staff's understanding that due to the ephemeral nature of the headwater drainage feature (HDF), it does not have substantial impact on the baseflow of the H4 Tributary. Mitigation measures will be implemented long-term.

### **Recommendation**

Given the supplementary documents submitted, TRCA's key priority issues have in-principle been adequately addressed. As such, TRCA has **no objection** to the Draft Plan of Subdivision and ZBLA as currently submitted. Based on the draft plan dated June 19, 2020, prepared by KLM Planning Partners Incorporated, TRCA staff are in position to provide Conditions of Draft Plan Approvals that are attached as Appendix I.

Please note that when the applicant requests clearance of TRCA's conditions, a copy of the most recent Conditions of Draft Plan Approval and draft plan, the Executed Subdivision Agreement, the implementing Zoning By-law and supporting documentation must be provided to the TRCA with a cover letter that identifies how the conditions have been fulfilled.

I trust these comments are of assistance. Should you have any questions or comments, please do not hesitate to contact the undersigned.

Yours truly,



Adam Miller, BES, MCIP, RPP  
Senior Manager  
Development Planning and Permits  
Extension 5244  
/am

cc: Juli Laudadio, DG Group: [jlaudadio@dgggroup.ca](mailto:jlaudadio@dgggroup.ca)  
Alistair Sheilds, KLM Planning Partners Inc.: [ashields@klmplanning.com](mailto:ashields@klmplanning.com)  
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Brennan Paul, TRCA  
Dilnesaw Chekol, TRCA

## **APPENDIX I: TRCA Staff Conditions of Draft Plan Approval (City File #21T-19019B)**

### **TRCA Conditions of Draft Plan Approval**

#### **Red-line Revisions**

1. The final Plan shall be in general conformity with the draft plan prepared by KLM Planning Partners Incorporated, dated June 19, 2020, prior to a request for clearance of any phase of this plan, to:
  - a. Include appropriate blocks that are to be conveyed to the City of Brampton or TRCA as appropriate to the satisfaction of the City of Brampton and TRCA.
  - b. Meet the requirements of TRCA's conditions, including the adjustment of block lot lines to the satisfaction of the City of Brampton and TRCA as a result of the completion of required studies.
  - c. Should the above not be adequately addressed in the Plan, red-line revision will be required to the satisfaction of the TRCA, to address TRCA's requirements with respect to these conditions.
2. Prior to registration of the Plan of Subdivision, provide an M-Plan showing the adjusted block lines, additional blocks and any other required revisions to the satisfaction of the City of Brampton and the TRCA.

#### **Prior to Works Commencing**

3. That prior to any development, pre-servicing or site alteration, or registration of this plan or any phase thereof, the applicant shall submit and attain the approval of the TRCA for:
  - a. A detailed engineering report (i.e., Stormwater Management and Site-Level Water Balance) that describes in detail the applicable stormwater management criteria (i.e., quantity, quality, erosion control, and water balance), how the proposed storm drainage system will be designed to meet the stormwater management criteria, and how it will comply with all related master servicing plans (i.e., Functional Servicing Report) and TRCA requirements. This report shall include, but is not limited to:
    - i. Plans illustrating the existing drainage systems internal and external to the site, and how the proposed drainage plan will tie into surrounding drainage systems. Plans which demonstrate the proposed stormwater management techniques which are required to control minor or major flows. Confirmation must be provided with respect to how target flows as per the hydrologic studies will be achieved during and post-development.
    - ii. Provide provisions for appropriately sized Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quality, quantity, and volume of ground and surface water resources, including how they relate to terrestrial and aquatic species and their habitat, in addition to natural features and systems, in accordance with TRCA's current Stormwater Management Guidelines. The existing drainage patterns should be maintained, to the greatest extent possible, and the existing ecological function of all features, and proposed ecological function for proposed features (i.e., wetlands) is to be maintained, consistent with TRCA's guidelines.

- iii. Proposed methods for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction, in accordance with the TRCA's Erosion and Sediment Control (ESC) guidelines (dated 2019) utilized by the TRCA. Erosion and sediment control plans and a report addressing phasing and staging, consistent with TRCA's guidelines must be included.
  - iv. Detailed plans indicating location, orientation, size and description of all stormwater management features, including outlet structures, all other proposed servicing facilities (i.e., lot level LIDs, pumping stations, access roads), grading, site alterations, development, infrastructure and watercourse alterations, which are required to service or facilitate the development of the subject lands, which may require a permit pursuant to Ontario Regulation 166/06, the Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation.
  - v. Mapping of proposed stormwater management measures, with consideration for existing vegetation to be disturbed, grade differentials and grading required.
  - vi. Measures for minimizing and mitigating erosion related impacts on downstream areas (during and post construction), which are to be integrated into the stormwater management plan to the satisfaction of the TRCA.
  - vii. The integration of Low Impact Development (LID) measures and the employment of source and conveyance controls to mimic, to the extent possible, pre-development hydrology to the satisfaction of the TRCA.
  - viii. Design of flow dispersal measures associated with the stormwater management outlets to reduce potential erosion and maximize potential infiltration, and the integration of a naturalized outlet channel and/or wetland, where applicable, to the satisfaction of the TRCA.
  - ix. Stormwater Management facility and outlet design details. Design requirements shall conform to the requirements outlined in the Ministry of Environment, Conservation and Parks (MECP) 2003 "Stormwater Management Planning and Design Guide", TRCA's Stormwater Management Criteria Document, and TRCA's LID Stormwater Management Planning and Design Guide, and all applicable City of Brampton design standards.
- b. Grading plans for the subject lands. These plans must indicate how grade differentials will be accommodated without the use of retaining walls within or adjacent to natural feature blocks or associated buffers. All modifications to existing slopes must result in geotechnically-stable slopes to the satisfaction of the TRCA.
  - c. Plans illustrating that all works, including all grading, site alterations, or materials associated with these activities, will not encroach, or be placed on lands outside of the development areas. These plans must also identify no grading works and fill placement within environmental buffer areas, or proposes environmental protection area lands, beyond those approved by the TRCA.

- d. A groundwater constraint assessment that will examine existing and proposed groundwater levels in relation to the proposed development, underground construction and servicing and stormwater management infrastructure. Interactions between untreated (or insufficiently treated) surface and groundwater, shallow groundwater, and dewatering requirements should not be permitted. If identified, refinements and/or revisions to the stormwater management system will be required to mitigate against any potential impacts, to the satisfaction of the TRCA. No permanent dewatering of groundwater or interflow associated with any component of this development shall be permitted. All underground construction and infrastructure must be designed to not require permanent dewatering, and any potential impacts to the groundwater system that may result from development must be assessed and mitigated.
- e. Information detailing all anticipated temporary dewatering that may be required during the construction phases, including anticipated volumes, duration, discharge locations, and filtration media – as required, to the satisfaction of the TRCA, for the purposes of dewatering whether a TRCA permit is required.
- f. Overall Site-Level Water Balance Report that will identify measures that will be implemented during and pre and post-development that:
  - i. Mimic the pre-development surface and groundwater balance for the overall site to the greatest extent achievable;
  - ii. Demonstrate how post-development conditions will retain a minimum of the first 5mm of rainfall over the entire site to the satisfaction of the TRCA;
  - iii. Mitigate against any potential on-site or downstream erosion associated with the stormwater management system;
  - iv. Maintain baseflow contributions at pre-development levels, duration, and frequency, in all areas of affected watercourses to the satisfaction of TRCA staff.
- g. That the applicant obtains all Ontario Regulation 166/06 permits from the TRCA for all works proposed on the subject property for which permits would be required.
- h. That the size and location of all LID measures associated with this development be confirmed to the satisfaction of TRCA. And, if required to meet TRCA requirements, red-line revisions be made to the plan to provide for necessary blocks within the Plan or modify their size or configuration into surrounding lands within this subdivision which are currently proposed for development.
- i. That an extensive enhancement planting plan be provided to the satisfaction of the TRCA for Block 156 (Valleyland Block) and 157 (Buffer Block).

**Subdivision Agreement**

- 4. That the owner agrees in the subdivision agreement, in wording acceptable to the TRCA:
  - a. To carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the technical reports and plans referenced in TRCA's conditions.

- b. To implement the requirements of the TRCA's conditions in wording acceptable to the TRCA.
- c. To design and implement on-site erosion and sediment controls in accordance with current TRCA standards.
- d. To maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA.
- e. To obtain all necessary permits pursuant to Ontario Regulation 166/06 from the TRCA.
- f. To erect a permanent fence to the satisfaction of the TRCA on all lots and blocks abutting natural areas and their buffers (if gratuitously dedicated to the TRCA).
- g. To implement all water balance/infiltration measures identified in the water balance study that is to be completed for the subject property.
- h. To design a monitoring protocol, obtain approvals, monitor, and maintain the site level water balance measures on this site (including LIDs) and to provide for the long-term monitoring of this system for a period as agreed to once the facilities are operational, to the satisfaction of the TRCA.
- i. To provide for planting, and enhancement of all-natural heritage features and buffer areas in accordance with the drawings approved by the TRCA. And that monitoring and replanting of these areas be completed for a minimum 3-year period, to the satisfaction of the TRCA, with sufficient funds being secured through Letter of Credit in favour of the City of Brampton, or other appropriate measure.
- j. To provide for the warning clauses and information identified in TRCA's conditions.
- k. That where required to satisfy TRCA's conditions, development shall be phased within this Plan.
- l. That prior to a request for renewal of Draft Approval of any phase of this subdivision, that the owner consult with the TRCA with respect to whether the technical studies submitted in support of this development remain to meet current day requirements, and that the owner update any studies and plans, as required, to reflect current day requirements.
- m. To carry out, or cause to be carried out the cleaning-out and maintenance of all stormwater management infrastructure (including best management practice measures) prior to assumption of the subdivision by the City of Brampton. And, to include appropriate clauses in all agreements of purchase or sale agreements, for lots and blocks on which stormwater management measures are being constructed to identify the presence of such measures and to clearly identify the owner's responsibilities for long-term maintenance, and any restrictions to uses on any portion of their property that these may require.
- n. To gratuitously dedicate Block 156 (Valleyland Block) and Block 157 (Buffer Block) to the City of Brampton or TRCA, in a condition that is satisfactory to the City of Brampton and TRCA.

- o. That all community information maps and promotional sales materials for blocks adjacent to Block 156 and 157 clearly identify the presence of these features, identify limitations to permitted uses within these areas, and restrictions to access.

#### **Purchase and Sale Agreements**

- 5. That a warning clause be included in all agreements of purchase and sale, and information be provided on all community information maps and promotional sales materials for lots and blocks adjacent to Block 156 and 157 (natural heritage system and buffers) which identifies the following:
  - a. That a natural environmental restoration block is being provided adjacent to the subject property. These blocks are part of the publicly owned environmental protection area and will remain in a naturalized state. Private uses are not permitted on these lands. Uses such as private picnic; barbeque or garden areas; storage of materials and/or dumping of refuse or ploughed snow are not permitted on these lands. In addition, access to the environmental protection lands such as private gates are prohibited.

#### **Implementing Zoning By-law**

- 6. That the implementing Zoning By-law recognize all natural heritage features and environmental buffer blocks in a suitable zoning category which has the effect of prohibiting development and structural encroachment and ensuring the long-term preservation of the lands in perpetuity, to the satisfaction of the TRCA.