



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 58-88

To amend By-law 107-86 to
prohibit or regulate the placing
or dumping of fill in areas of
the City of Brampton

WHEREAS the Council of The Corporation of the City of
Brampton enacted By-law 107-86 pursuant to section 1 of the City
of Brampton Act, 1985;

AND WHEREAS it is deemed expedient to amend By-law 107-86;

NOW THEREFORE the Council of The Corporation of the City of
Brampton ENACTS AS FOLLOWS:

1. By-law 107-86 is hereby amended as follows:

- (a) Clause 1(i) is hereby amended by adding the word
"concrete or concrete product" between the words "a"
and "wall" in the first line.
- (b) Section 3 is hereby amended by changing the period to
a semi-colon at the end of clause (d) and by adding
clause (e) as follows:

"(e) security in a form and amount to be determined
by the Commissioner to secure performance of the
work for which the permit was obtained. The
Commissioner may require an owner to agree that
the Commissioner may use the security to recover
the cost of the City performing any required
work which the owner has failed to perform."
- (c) Section 4 is hereby repealed and the following
substituted therefor:

4(1) The Commissioner may, prior to the issuance of a
permit, require the applicant to enter into an
agreement which may be registered on title to
the subject lands containing such requirements
as the Commissioner considers necessary to
ensure that the placing or dumping of fill is
done in accordance with prevailing City of
Brampton design standards and proper engineering
principles. Such agreement may contain a provi-
sion that the applicant post with the City
security in an amount determined by the
Commissioner to ensure performance of the appli-
cant's obligations under the agreement.

(2) The Commissioner shall issue a permit where:

- (a) the Commissioner is satisfied that the lands which are the subject of the application for a permit are not within an area where the placing or dumping of fill is prohibited under subsection 2(1) of this by-law;
- (b) the applicant has fulfilled all requirements of section 3 of this by-law;
- (c) the applicant has entered into the agreement referred to in section 4(1) of this by-law, if required, and has performed all its obligations which the agreement requires to be performed prior to the issuance of a permit;
- (d) the Commissioner is satisfied that the proposed final elevations and resulting drainage pattern, the design of any retaining wall, the type of fill to be used and the method of placing or dumping of fill, are all in accordance with prevailing City of Brampton design standards and proper engineering practice;
- (e) the Commissioner is satisfied that the height of any retaining wall to be constructed shall not exceed one metre; and
- (f) the Commissioner is satisfied that the placing or dumping of fill will not result in:
 - (i) soil erosion;
 - (ii) blockage of a watercourse;
 - (iii) siltation in a watercourse;
 - (iv) pollution of a watercourse;
 - (v) flooding or ponding caused by a watercourse overflowing its banks; or
 - (vi) a detrimental effect on any healthy 75mm caliper or larger trees located on the lands.

(d) Section number "10" on page 5 is hereby changed to the number "9", and the section is amended as follows:

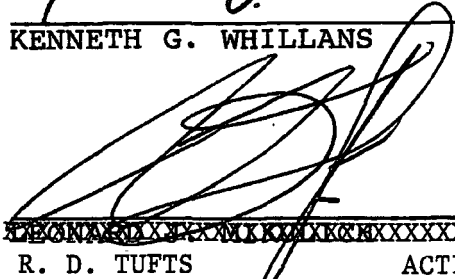
- (i) the word "and" is deleted from the end of clause (d);
- (ii) the period is changed to a semi-colon at the end of clause (e) and the word "and" is added after the semi-colon; and
- (iii) clause (f) is added as follows:

"(f) provide such siltation control measures as may be required by the Commissioner."

- (e) The section beginning with the words "Any person who contravenes the provisions" is renumbered from 12 to 13.

READ a FIRST, SECOND and THIRD TIME, and passed in Open Council this 21st day of March , 1988.


KENNETH G. WHILLANS MAYOR


~~LEONARD J. MCINTOSH~~
R. D. TUFTS ACTING CLERK

APPROVED
BY TO FORM
LAW DEPT.
DESCRIPTION

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DATE 8/8/88