



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

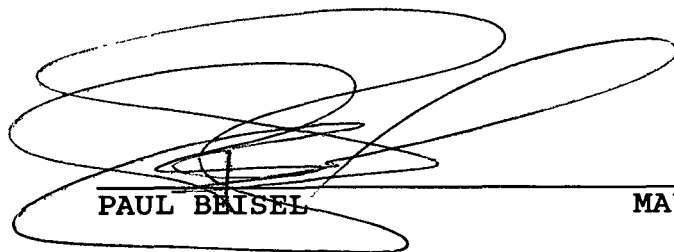
Number 104-91

To authorize the execution of an agreement between
The Corporation of The City of Brampton and
The Regional Municipality of Peel and
Southbridge Developments Inc.

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

1. The Mayor and the Clerk are hereby authorized to execute an agreement dated 1991 05 27, between The Corporation of The City of Brampton and The Regional Municipality of Peel and Southbridge Developments Inc. and all other documents approved by the City Solicitor required to implement the provisions of this agreement.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open
Council this 27th day of May 1991.



PAUL BEISEL MAYOR



LEONARD J. MIKULICH CLERK

TO: THE CORPORATION OF THE CITY OF BRAMPTON
(hereinafter called the "City")

AND TO: THE REGIONAL MUNICIPALITY OF PEEL
(herein called the "Region")

RE: DRAFT PLAN OF SUBDIVISION 21T-88043B
(herein called the "Plan")

BY: SOUTHBRIDGE DEVELOPMENTS INC.
(herein called the "Owner")

A G R E E M E N T

1. The Owner agrees with the City and the Region that prior to final approval of the Plan for registration by the City and the Region, the Owner shall enter into a subdivision agreement with the City and the Region in a form satisfactory to the City and the Region, to satisfy all the conditions of the draft approval, and without limiting the generality of the foregoing, to satisfy all the financial, legal, servicing, engineering, landscaping, and other requirements of the City and the Region for the development of the lands shown on the Plan, including the unconditional payment to the City and the Region without protest or qualification of the capital contributions required by the capital contribution policy of the City and the Regional levies required by the levy policy of the Region.

2.
 - 2.1 The Owner shall not commence removing trees or top soil from the tableland areas within the Plan and grading the tableland areas within the Plan until:
 - 2.1.1 all existing trees on the Plan have been surveyed, identified and designated for removal or protection; and
 - 2.1.2 a preliminary storm drainage plan and the siltation and erosion control plan have been approved by the City and the Region and all other governmental agencies (including conservation authorities) whose approvals are required by law have been obtained; and
 - 2.1.3 the approved siltation and erosion control works, the approved tree protection works, all temporary snow fencing or other suitable approved barriers and all other works required by the City, the Region, and other governmental agencies (including conservation authorities) have been erected or constructed; and

2.1.4 the Commissioner of Public Works has authorized the Owner in writing to commence removing top soil and trees and grading the tableland areas within the Plan; and

2.2 The Owner shall not commence any work within the Plan including grading within the watercourse and valleyland areas within the Plan or commence constructing any of the services for the Plan with the exception of the work permitted by paragraph 2.1 of this agreement until:

2.2.1 the Owner has complied with all of the requirements of paragraph 2.1; and

2.2.2 the detailed plans and specifications for all of the works, including the engineering plans, and the landscape and fencing plans and the parkland landscape plans have been approved by the City and the Region and all other governmental agencies (including conservation authorities) whose approval is required and all certificates and permits required by law have been obtained; and

2.2.3 the Plan has been registered or the Owner has entered into a preservicing agreement with the City and the Region in a form satisfactory to the City and the Region and has complied with the preservicing policy of the City and the Region; and

2.2.4 the Commissioner of Public Works has authorized the Owner in writing to commence constructing the works.

2.3 The Owner shall not store or stockpile topsoil on any lands shown on the plan that are to be transferred to the City for public use unless the City has consented in writing to this storage or stockpiling.

2.4 The Owner agrees that construction traffic shall enter and leave the Plan using only the streets and other access points designated by the Commissioner of Public Works for this use. The owner shall, when required by the Commissioner of Public Works, construct barricades at the end of other streets providing access to the Plan to prevent these streets from being used for construction traffic. The owner shall maintain these barricades in place until the Commissioner of Public Works instructs the Owner to remove them.

2.5 The owner shall comply with the City's fire break policy for subdivisions under construction. The Owner agrees that building permits for those lots within the plan which are designated as fire break lots shall only be issued in accordance with the provisions of this policy.

3.

3.1 The owner shall, prior to offering lots or dwelling units on the plan for sale to the public, erect signs:

3.1.1 on all lots or blocks zoned or proposed to be zoned for other than single family detached or semi-detached dwellings indicating the approved or proposed land uses; and

3.1.2 on all parkland and open space in the plan indicating the proposed uses of each park block.

3.2 The numbering, wording, size and location of the signs referred to in paragraph 3.1 shall be approved by the Commissioner of Planning and Development and the Commissioner of Community Services prior to their erection.

4. 4.1 The Owner shall provide, at its own expense, in all principal sales offices of the Owner or any building used for the sale of lots or dwelling units within the plan and in all model homes constructed within this plan, a conspicuous display area including a bulletin board to be used for the purpose of permitting all government agencies, including local boards, commissions, and utilities, to display at no cost, any information considered relevant and of interest to potential purchasers of lots or dwelling units within the plan.

4.2 The Owner shall, prior to offering lots or dwelling units on the plan for sale to the public, display in all display areas referred to in paragraph 4.1 colour-coded maps or plans approved by the Commissioner of Planning and Development and the Commissioner of Community Services, showing:

4.2.1 those lots within the plan that have potential environmental problems as defined by the City, the Region and the Ministry of the Environment;

4.2.2 the location of all fences, berms, noise attenuation works, sidewalks, walkways, super mailboxes, parkland and open space, active recreation areas, potential school sites, commercial sites, high density residential sites and parking areas; and

4.2.3 those lots within the plan that are designated as fire break lots in accordance with the City's fire break policy for subdivisions under construction.

The Owner shall also include a reduction of these colour-coded maps or plans in all sales literature or promotional material available for prospective purchasers of lots or dwelling units within the plan. The Owner agrees that City staff may be permitted to inspect all such display areas, sales literature, or promotional material during business hours to insure compliance with this paragraph.

4.3 The provisions contained in paragraph 4.1 and 4.2 shall apply to all persons building dwelling units within the plan or selling either lots or dwelling units within the plan. The Owner shall bring these paragraphs to their attention by means of attaching a copy of them to all agreements of purchase and sale for all lots in the subdivision sold to such persons.


5. In the event the Owner transfers the land shown on the plan to a third party prior to registration of the plan, the Owner shall, prior to completing this transfer, provide the City with an agreement from the new owner in a form satisfactory to the City in which the new owner agrees to be bound by the terms of this agreement.

6. The Owner shall indemnify the City and the Region until they both execute the subdivision agreement for the plan, against all actions, causes of actions, suits, claims, demands and costs whatsoever arising by reason of the Owner, its agents or employees doing, failing to do or doing incorrectly or negligently anything it is required to do or permitted to do by the terms of this agreement.

DATED at *Vaughan*, this *15th* day of APRIL, 1991.


SOUTHBRIDGE DEVELOPMENTS INC.

(Print NAME of signatory)



Gino Di Florio - President TITLE

(Print NAME of signatory)



Renzo Belliz - Secretary TITLE

INTER-OFFICE MEMORANDUM

Law Department

April 24, 1991

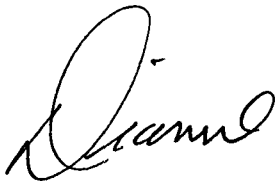
TO: Mr. John Marshall (Mr. L. Laine)

SUBJECT: **SOUTHBRIDGE DEVELOPMENTS INC.**
Draft Plan 21T-88043B
Planning File No. T2W14.7
Our File No. P1257

We are now in possession of the preliminary agreement signed and sealed by the subject developer.

Would you therefore please arrange with Mr. Len Laine for the preparation and submission to Council on May 13, 1991 of the final by-laws, this agreement, and the usual report to accompany them.

JGM/dl
Attachment


Dianne Lightowler,
Senior Legal Assistant

c. Messrs. D. M. Gordon
L. T. Koehle
L. J. Mikulich (originals for Council)
Ms. Deborah E. Trouten, Clerk,
Region of Peel (1)

RECEIVED
CLERK'S DEPT.

APR 25 1991

REG. No. 2022
FILE No. T2W14.7

*Noted + referred to Karen Hardy
to hold until report is received
by Cheryl for agenda item*

*J. Mikulich
1991-04-25*

TO: **THE CORPORATION OF THE CITY OF BRAMPTON**
(hereinafter called the "City")

AND TO: **THE REGIONAL MUNICIPALITY OF PEEL**
(herein called the "Region")

RE: **DRAFT PLAN OF SUBDIVISION 21T-88043B**
(herein called the "Plan")

BY: **SOUTHBRIDGE DEVELOPMENTS INC.**
(herein called the "Owner")

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2.2.1 the Owner has complied with all of the requirements of paragraph 2.1; and

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3.2 The numbering, wording, size and location of the signs referred to in paragraph 3.1 shall be approved by the Commissioner of Planning and Development and the Commissioner of Community Services prior to their erection.

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4.2.2 the location of all fences, berms, noise attenuation works, sidewalks, walkways, super mailboxes, parkland and open space, active recreation areas, potential school sites, commercial sites, high density residential sites and parking areas; and

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4.3 The provisions contained in paragraph 4.1 and 4.2 shall apply to all persons building dwelling units within the plan or selling either lots or dwelling units within the plan. The Owner shall bring these paragraphs to their attention by means of attaching a copy of them to all agreements of purchase and sale for all lots in the subdivision sold to such persons.

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In the event the Owner transfers the land shown on the plan to a third party prior to registration of the plan, the Owner shall, prior to completing this transfer, provide the City with an agreement from the new owner in a form satisfactory to the City in which the new owner agrees to be bound by the terms of this agreement.

6. The Owner shall indemnify the City and the Region until they both execute the subdivision agreement for the plan, against all actions, causes of actions, suits, claims, demands and costs whatsoever arising by reason of the Owner, its agents or employees doing, failing to do or doing incorrectly or negligently anything it is required to do or permitted to do by the terms of this agreement.

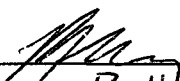
DATED at *Vaughan*, this *15th* day of APRIL, 1991.

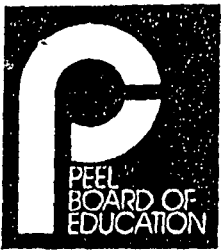
SOUTHBRIDGE DEVELOPMENTS INC.

(Print NAME of signatory)


Gino Di Florio - President TITLE

(Print NAME of signatory)


Renzo Belluz - Secretary TITLE



March 27, 1991

Rec'd April 2/91
[Signature]

Mr. Doug Billett
Director of Development Review &
Transportation Policy
Region of Peel
10 Peel Centre Drive
Brampton, Ontario
L6T 4B9

TRUSTEES
William Kent
(Chair)
Gary Helghinglon
(Vice Chair)

Roger Barrell
Cathrine Campbell
George Carlson
Karen Carlensen
Beryl Ford
Gail Green
Dr Ralph Greene
L Cliff Gyles
Alex Jupp
Robert Lagerquist
Thomas McAulliffe
Janet McDougald
Elaine Moore
Marolyn Morrison
Carolyn Parrish
Sandy Ransom
Rosemary Taylor
Ruth Thompson
Carolyne Wedgbury

Director of Education
and Secretary
Robert J. Lee, B.A., M.Ed

Associate Director
of Education
W. Wayne Hulley, B.A., M.Ed

Associate Director of
Education/Business
and Treasurer
Michael D. Roy, C.A.

Dear Mr. Billett:

Re: 21T-90014B 830460 Ontario Ltd.
Pt. Lots 6 & 7, Con. 9 N.D.S.
City of Brampton

At the Regular Board Meeting of March 26, 1991, The Peel Board of Education approved the following response, by Resolution, to the above noted draft plan of subdivision circulation:

"The Peel Board of Education has no objection to the further processing of draft plan of subdivision 21T-90014B.

The anticipated yield from this plan is as follows:

101	JK-6
37	7-8
81	9-OAC

The students generated are within the following attendance areas:

	Project. Sept. 1991	OME
	<u>Enrolment</u>	<u>-10%</u>
Castlemore P.S.	JK-6 134	174
Greenbriar Sr.	7-8 566	644
Chinguacousy S.S.	9-OAC 1107	1050

It is understood that this application is within an area that will be subject to an Official Plan Amendment.

The ultimate school accommodation requirements must be reviewed as part of that process.

The foregoing comments apply for a two year period, at which time updated comments will be supplied upon request."

Yours truly,

[Signature]
Stephen Hare
Assistant Chief Planning Officer
Planning Department

SH:ee
PLANNCPD:3156
c. J. Marshall
J. Watts

H J A Brown Education Centre
5650 Hurontario Street
Mississauga, Ontario L5R 1C6
Telephone (416) 890-1099
Fax (416) 890-6747

An Equal Opportunity Employer



Ontario

P. O. Box 7400
10401 Dufferin Street
Maple, Ontario
L6A 1S9

Ref:21T-90014.B

May 8, 1991

Regional Municipality of Peel
10 Peel Centre Drive
Brampton, Ontario
L6T 4B9

Attention: Ms. D. E. Trouten
Regional Clerk

Dear Sirs:

SUBJECT: Proposed Plan of Subdivision
Draft Conditions of Approval
21T-90014B - 830460 Ontario Limited
Pt. Lots 6 & 7, Concession 9
City of Brampton

Staff of the Ministry of Natural Resources have now reviewed the above application.

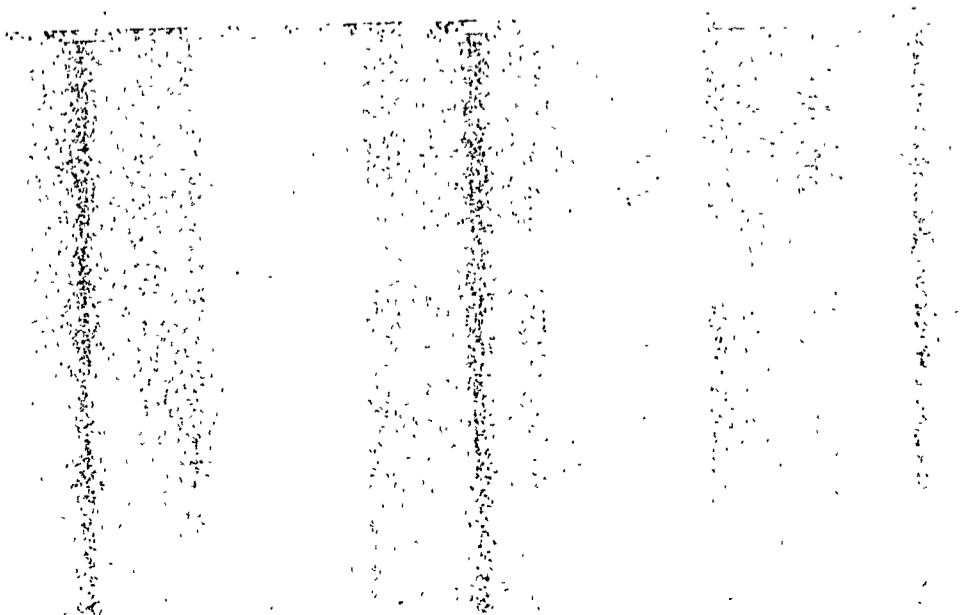
The subject property contains the West Humber River which our ministry has identified as a coldwater fishery stream.

There is concern that, unless proper stormwater management techniques and erosion and sedimentation control measures are employed on site both during and after construction, negative impact on the downstream water quality as it relates to fish and their habitat could result. Stormwater leaving the site will require 'treatment', both before and after development. 'Treatment' refers to providing some form (or forms) of water quality abatement usually accomplished by allowing stormwater run-off to infiltrate into the ground or through temporary stormwater detention or retention that would allow some settling of suspended solids and associated contaminants, prior to release. Maximizing on site stormwater retention, primarily through ground infiltration, is encouraged through design considerations such as discharging roof leaders to rock filled catchments or splash pads and utilizing between property line swales. Siting consideration that are sensitive to the natural topography and microdrainage patterns will also increase on site stormwater retention.

It may be necessary to alter the configuration of this plan through redline revisions to provide adequate land for the requirements of the stormwater management plans and erosion and sedimentation control measures. The conditions of draft approval that follow provide sufficient flexibility to allow us to address our concerns.

Accordingly, the Ministry of Natural Resources would not object to draft approval, subject to the following conditions:

... 2



- 1) Prior to final registration of the plan of subdivision, or any on site grading, the Ministry of Natural Resources must have reviewed and accepted the following reports describing:
 - (a) the manner in which stormwater will be conveyed from the site, including any stormwater management techniques that may be required, in accordance with the provincial 'Urban Drainage Design Guidelines', April 1987;
 - (b) the impact of this development and the proposed stormwater management techniques, on the quality and quantity of ground and surface water resources as it relates to fish and their habitat. A comprehensive hydrogeological investigation must be able to demonstrate that this development will not have a negative effect on fisheries resources:

Note: Studies should demonstrate that the pre-development hydrologic conditions will be reproduced, applying necessary mitigative technology.

On-site stormwater retention will be maximized through infiltration practices and siting considerations that are sensitive to the natural topography, microdrainage patterns and natural depressions. Facilities will be designed to capture the "first flush" and maintain the recharge and baseflow contribution characteristics of the site.

- (c) the means whereby erosion and sedimentation and their effects will be minimized on the site during and after construction, in accordance with the provincial 'Guidelines on Erosion and Sediment Control for Urban Construction Sites', May 1987;

Note: Ponds for sediment control shall be capable of accommodating 125 cubic metres per hectare of contributing drainage for a period of not less than 12 hours or removing particle sizes down to 40 microns.

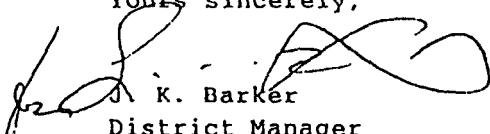
- (d) It is required that an erosion and sediment control plan for the development site be prepared by and stamped by a Registered Professional Engineer and be submitted to the District Manager, Ministry of Natural Resources, Maple for their records. The plan must outline all actions to be taken to prevent an increase in the concentration of suspended solids in any waterbody as a result of on site or other related works. Any increase in concentrations of suspended solids or sediment loading may be a violation of the Canada Fisheries Act. If warranted, charges under this act may be applied to the proponent and their agents.
- (e) site soil conditions, including grain size distribution profiles; and infiltration characteristics; and
- (f) site grading plans.

... 3

- (g) that a naturally vegetated buffer strip be maintained at a distance of 15 meters from the edge of the water course or the top of bank, whichever, is greater of the two, and this will be placed in the Open Space category of the official plan and zoning by-law.
 - (h) that site plans for blocks 2 and blocks 10 and 13 of the Golf Course be provided for the Ministry of Natural Resources prior to their approval.
 - (i) that protective snow fence to demarcate the limits of construction be placed along the rear of lots 26 to 75, and 100 to 140 inclusive during construction on these lots.
- 2) That this plan be subject to redline revisions to accommodate stormwater management facilities, if required as a result of the requirements of condition 1).
 - 3) That sufficient lands for stormwater management purposes if required as a result of the reports prepared in condition 1) above be placed in the appropriate zoning category.
 - 4) That detailed plans be submitted regarding alterations to the watercourse. Any proposed alterations require application under the Lakes and Rivers Improvement Act for review and approval by the Ministry of Natural Resources. Three copies of this information should be submitted in conjunction with the requirements of condition 1).
 - 5) That the owner agree in the subdivision agreement, in wording acceptable to the Ministry of Natural Resources:
 - (a) to cause to be carried out the works referred to in conditions 1), and 4) above;
 - (b) 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 Ministry of Natural Resources; and
 - (c) to advise the Ministry of Natural Resources 48 hours prior to commencement of grading or the initiation of any on site works.

Please advise us about your decision. Should you have any questions, please contact Christopher Tschirhart (416-832-7228) of this office.

Yours sincerely,


K. Barker
District Manager
Maple District

CT:js

cc: MTRCA - Planning
City of Brampton - Planning