

Wednesday, February 21, 2018

9:30 a.m. – Regular Meeting
Council Chambers – 4th Floor

Closed Session following (See Item 21)
Boardroom CH-6A – 6th Floor
(Under Section 239 of the Municipal Act, 2001)

Members: Mayor L. Jeffrey
Regional Councillor G. Gibson – Wards 1 and 5
Regional Councillor E. Moore – Wards 1 and 5
Regional Councillor M. Palleschi – Wards 2 and 6 (Acting Mayor – February)
Regional Councillor M. Medeiros – Wards 3 and 4
Regional Councillor G. Miles – Wards 7 and 8
Regional Councillor J. Sprovieri – Wards 9 and 10 (Acting Mayor – March)
City Councillor D. Whillans – Wards 2 and 6
City Councillor J. Bowman – Wards 3 and 4 (Acting Mayor – April)
City Councillor P. Fortini – Wards 7 and 8
City Councillor G. Dhillon – Wards 9 and 10

For inquiries about this agenda, or to make arrangements for accessibility accommodations for persons attending (some advance notice may be required), please contact:

Terri Brenton, Legislative Coordinator, Telephone 905.874.2106, TTY 905.874.2130
cityclerksoffice@brampton.ca

Note: Some meeting information may also be available in alternate formats upon request.

Agenda City Council

Note: Please ensure all cell phones, mobile and other electronic devices are turned off or placed on non-audible mode during the meeting. Council Members are prohibited from sending text messages, e-mails and other electronic messaging during the meeting.

1. Approval of Agenda

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

3. Adoption of the Minutes

3.1. Minutes – City Council – Regular Meeting – February 7, 2018

3.2. Minutes – City Council – Special Meeting – February 14, 2018

4. Consent Motion

All items listed with an asterisk (*) are considered to be routine and non-controversial by Council and will be approved by one resolution. There will be no separate discussion of these items unless a Council Member requests it in which case the item will be removed from the consent resolution and considered in its normal sequence on the agenda.

(8.4, 8.5, 8.6)

5. Announcements (2 minutes maximum)

5.1. Announcement – 2017 United Way Campaign Overview and Cheque Presentation

Craig Kummer, Senior Manager, Traffic Services, Public Works and Engineering, and 2017 United Way Campaign Chair, will be present to make the announcement and present the cheque to Anita Stellinga, Interim CEO, United Way of Peel Region.

6. Delegations (5 minutes maximum)

7. Reports from the Head of Council

8. Reports of Corporate Officials

Office of the Chief Administrative Officer

- 8.1. Report from J. Svedas, Advisor – Strategic Development, Office of the Chief Administrative Officer, dated February 12, 2018, re: **Development Charges Rebate Program: Ontario Ministry of Housing.**

Recommendation

Community Services

Corporate Services

- 8.2. Report from J. Macintyre, Director of Purchasing, Corporate Services, dated January 31, 2018, re: **New Purchasing By-Law.**

See By-law 19-2018

Recommendation

Planning and Development Services

- 8.3. Report from P. Doucet, Heritage Planner, Planning and Development Services, dated February 9, 2018, re: **Designation under Part IV, Section 29 of the *Ontario Heritage Act* and applications to amend the Zoning By-law and obtain approval for a Draft Plan of Subdivision – 11223 Torbram Road (Hewson Farm) – Ward 10 (File HE.x).**

See By-law 20-2018

Recommendation

- * 8.4. Report from D. VanderBerg, Central Area Planner, Planning and Development Services, dated February 2, 2018, re: **Interim Control By-law 246-2017 – Request for Exemption for 239 Queen Street East – Ward 3.**

See By-law 21-2018

Recommendation

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- * 8.5. Report from D. VanderBerg, Central Area Planner, Planning and Development Services, dated February 2, 2018, re: **Application to Amend the Zoning By-law – InfoPlan Inc. – Rexton Developments Inc. – East of Haggert Avenue North and North of Denison Avenue – Ward 1** (File C01W06.072).

See By-law 22-2018

Recommendation

Public Works and Engineering

- * 8.6. Report from J. Edwin, Manager, Development Construction, Environment and Development Engineering, Public Works and Engineering, dated December 18, 2017, re: **Subdivision Release and Assumption – Sequoia (Walnut Grove) Ltd. – Registered Plan No. 43M-1889 – North of Steeles Avenue and East of Churchville Road – Ward 4** (File C03W02.005).

See By-law 23-2018

Recommendation

9. Reports of Accountability Officers

- 9.1. Report from G. Giorno, Integrity Commissioner, re: **Integrity Commissioner Report 2017-01**

10. Committee Reports

- 10.1. **Minutes – CAO Performance Review Committee – February 5, 2018**
(Chair – Regional Councillor Gibson)

To be approved

- 10.2. **Minutes – Member Services Committee – February 12, 2018**
(Chair – Regional Councillor Gibson)

Note: To be distributed prior to the meeting

- 10.3. **Minutes – Planning and Development Committee – February 12, 2018**
(Chair – Regional Councillor Moore)

To be approved

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10.4. **Minutes – Committee of Council – February 14, 2018**

Chairs: Regional Councillor Palleschi, Vice-Chair, Public Works and
Engineering Section

Regional Councillor Palleschi, Community Services Section

City Councillor Bowman, Economic Development and Culture Section

Regional Councillor Miles, Corporate Services Section

To be approved

11. **Unfinished Business**

11.1. Report from D. Sutton, Treasurer, Corporate Services, dated February 14, 2018, re: **Mayor and Councillors' Expense Policy Update.**

See Item 10.2 – Member Services Committee Minutes

Recommendation

12. **Correspondence**

13. **Resolutions**

14. **Notices of Motion**

15. **Petitions**

16. **Other Business/New Business**

17. **Procurement Matters**

18. **Government Relations Matters**

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

Note: To be distributed prior to the meeting

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19. Public Question Period

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

20. By-laws

- 20.1. 19-2018 To repeal Purchasing By-law 310-2015, as amended, and replace with an updated by-law to provide for the Procurement of goods, services and construction
(See Item 8.2)
- 20.2. 20-2018 To designate the property at 11223 Torbram Road as being of cultural heritage value or interest – Ward 10
(See Item 8.3)
- 20.3. 21-2018 To amend Interim Control By-law 246-2017 – exemption for 239 Queen Street East – Ward 3
(See Item 8.4)
- 20.4. 22-2018 To amend Zoning By-law 270-2004, as amended – InfoPlan Inc. – Rexton Developments Inc. – East of Haggert Avenue North and North of Denison Avenue – Ward 1 (File C01W06.072)
(See Item 8.5)
- 20.5. 23-2018 To accept and assume works in Registered Plan 43M-1889 – Sequoia (Walnut Grove) Ltd. – north of Steeles Avenue and east of Churchville Road – Ward 4 (File C03W02.005)
(See Item 8.6)
- 20.6. 24-2018 To appoint Municipal By-law Enforcement Officers and to repeal By-law 14-2018
- 20.7. 25-2018 To amend By-law 308-2012, as amended, being the “Building Division Appointment By-law”
- 20.8. 26-2018 To establish certain lands as part of the public highway system (Gardenbrooke Trail) – Ward 10
- 20.9. 27-2018 To prevent the application of part lot control to part of Registered Plan 43M-1932 – southeast corner of Veterans Drive and Creditview Road – Ward 6 (File PLC17-039)
- 20.10. 28-2018 To prevent the application of part lot control to part of Registered Plan 43M-2032 – northwest corner of Remembrance Road and Creditview Road – Ward 6 (File PLC17-048)

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- 20.11. 29-2018 To prevent the application of part lot control to part of Registered Plan 43M-1924 – northwest corner of Remembrance Road and Creditview Road – Ward 6 (File PLC18-001)
- 20.12. 30-2018 To designate the property at 12061 Hurontario Street as being of cultural heritage value or interest – Ward 2
- 20.13. 31-2018 To designate the property at 2838 Bovaird Drive West as being of cultural heritage value or interest – Ward 6

21. Closed Session

Note: A separate package regarding this agenda item is distributed to Members of Council and senior staff only.

- 21.1. Minutes – Closed Session – City Council – February 7, 2018
- 21.2. Minutes – Closed Session – City Council – Special Meeting – February 14, 2018
- 21.3. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – potential litigation matter

22. Confirming By-law

- 22.1. To confirm the proceedings of the Regular Council Meeting of February 21, 2018

23. Adjournment

**Next Meetings: Wednesday, March 7, 2018 – 9:30 a.m.
 Wednesday, April 4, 2018 – 9:30 a.m.**

Proclamations

The following City of Brampton proclamation will be made on behalf of Council:

- International Women's Day – March 7, 2018 – to be given to the Zonta Club of Brampton-Caledon

Wednesday, February 7, 2018

Members Present: Mayor L. Jeffrey
 Regional Councillor G. Gibson – Wards 1 and 5
 Regional Councillor M. Palleschi – Wards 2 and 6
 Regional Councillor M. Medeiros – Wards 3 and 4 (arrived at 9:33 a.m. – personal)
 Regional Councillor G. Miles – Wards 7 and 8 (left at 11:21 a.m. – 12:38 p.m. – due to a declared conflict of interest)
 Regional Councillor J. Sprovieri – Wards 9 and 10 (arrived at 9:33 a.m.; left at 4:56 p.m. – personal)
 City Councillor D. Whillans – Wards 2 and 6
 City Councillor J. Bowman – Wards 3 and 4
 City Councillor P. Fortini – Wards 7 and 8 (left at 2:40 p.m. – personal)
 City Councillor G. Dhillon – Wards 9 and 10 (arrived at 9:36 a.m. – personal)

Members Absent: Regional Councillor E. Moore – Wards 1 and 5 (vacation)

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

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The meeting was called to order at 9:32 a.m. and recessed at 11:03 a.m. Council moved into Closed Session at 11:21 a.m. and recessed at 12:38 p.m. Council reconvened again in Closed Session at 1:38 p.m. and recessed at 4:09 p.m. Council reconvened again in Closed Session at 4:30 p.m., and recessed at 4:56 p.m. Council reconvened in Open Session at 5:14 p.m. and adjourned at 5:33 p.m.

1. **Approval of Agenda**

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

The following motion was considered.

C014-2018 Moved by City Councillor Bowman
Seconded by Regional Councillor Gibson

That the agenda for the Regular Council Meeting of February 7, 2018 be approved as amended, as follows:

To add:

8.1 Report from D. Waters, Interim Director, Policy Planning, Planning and Development Services, dated February 5, 2018, re: **Proposed Interim Control By-law for the Marysfield Neighbourhood within the Toronto Gore Rural Estate Secondary Plan Area – Ward 10**

By-law 15-2018 An Interim Control By-Law applicable to part of the area subject to Zoning By-law 270-2004 – Marysfield Neighbourhood within the Toronto Gore Rural Estate Secondary Plan Area – Ward 10

Carried

The following supplementary information was provided at the meeting.

6.1. Staff Presentation by A. Minichillo, Project Manager, Planning Vision, Planning and Development Services, re: Planning Vision Update

10.2. Minutes – Planning and Development Committee – January 29, 2018

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

- Presentation re:
 - Region of Peel (includes staff comments to identified Regional Council Reports)

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- Provincial Government (includes an update on the GTA West Corridor)

Closed Session items (in a separate package):

- 21.1. Minutes – Closed Session – City Council – January 24, 2018
- 21.3. Minutes – Closed Session – Planning and Development Committee – January 29, 2018
- 21.10. Minutes – Closed Session – CAO Performance Review Committee – February 5, 2018

The following was received by the City's Clerk's Office after the agenda was printed, and relates to a matter listed on the agenda. In accordance with the Procedure By-law, Council approval is not required to add this item to the agenda.

- Re: Item 10.2 (Minutes – Planning and Development Committee – January 29, 2018):
- 6.2. Delegations from Frank Carbone, President, and Steven Kirby, Vice President, 2585426 Ontario Ltd., re: Item 10.2 – Recommendation PDC002-2018 – Proposed Castlemore Development by Flintshire Building Group Inc. – 2585426 Ontario Ltd.

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

- 1. Regional Councillor Miles declared a conflict of interest in regards to the Minutes of the In-Camera Session of City Council (Item 21.1), indicating that at that time she declared a conflict of interest in regards to litigation or potential litigation as her husband was employed by the organization that the report was reporting on.
- 2. Regional Councillor Miles declared a conflict of interest under Item 21.6 – a litigation or potential litigation, as it is a property matter in which her daughter is a party to the application.

3. **Adoption of the Minutes**

3.1. **Minutes – City Council – Regular Meeting – January 24, 2018**

The following motion was considered.

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C015-2018 Moved by Regional Councillor Gibson
Seconded by City Councillor Bowman

That the **Minutes of the Regular City Council Meeting of January 24, 2018**, to the Council Meeting of February 7, 2018, be approved as printed and circulated.

Carried

4. **Consent Motion** – nil

5. **Announcements** – nil

6. **Delegations**

6.1. Staff Presentation by A. Minichillo, Project Manager, Planning Vision, Planning and Development Services, re: **Planning Vision Update**

The subject presentation was distributed at the meeting.

Antonieta Minichillo, Project Manager, Planning Vision, Planning and Development Services, provided a presentation entitled “Planning Vision Council Update #5”.

Harry Schlange, Chief Administrative Officer, and Ms. Minichillo responded to questions from Council with respect to the final report and vision document, public engagement, and identification of financial implications.

Council acknowledged the efforts of Ms. Minichillo toward the development of the Planning Vision.

The following motion was considered.

C016-2018 Moved by City Councillor Bowman
Seconded by Regional Councillor Gibson

That the staff presentation by A. Minichillo, Project Manager, Planning Vision, Planning and Development Services, to the Council Meeting of February 7, 2018, re: **Planning Vision Update**, be received.

Carried

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- 6.2. Delegations from Frank Carbone, President, and Steven Kirby, Vice President, 2585426 Ontario Ltd., re: **Item 10.2 – Recommendation PDC002-2018 – Proposed Castlemore Development by Flintshire Building Group Inc. – 2585426 Ontario Ltd.**

Council agreed to provide additional time for this delegation.

Frank Carbone, President, and Steven Kirby, Vice President, 2585426 Ontario Ltd., outlined their opposition to and concerns about the proposed development, provided e-mail correspondence dated February 6, 2018, and referenced reports prepared by Toronto and Region Conservation (TRCA) outlining potential impacts on the environment.

Mr. Carbone and Mr. Kirby agreed to provide copies of the TRCA reports to the City Clerk for Council's reference.

The following motion was considered.

- C017-2018 Moved by Regional Councillor Gibson
Seconded by Regional Councillor Palleschi

That the delegations and correspondence from Frank Carbone, President, and Steven Kirby, Vice President, 2585426 Ontario Ltd., to the Council Meeting of February 7, 2018, re: **Item 10.2 – Recommendation PDC002-2018 – Proposed Castlemore Development by Flintshire Building Group Inc. – 2585426 Ontario Ltd.**, be received.

Carried

7. **Reports from the Head of Council** – nil

8. **Reports of Corporate Officials**

Office of the Chief Administrative Officer – nil

Community Services – nil

Corporate Services – nil

Planning and Development Services

- 8.1. Report from D. Waters, Interim Director, Policy Planning, Planning and Development Services, dated February 5, 2018, re: **Proposed Interim Control By-law for the Marysfield Neighbourhood within the Toronto Gore Rural Estate Secondary Plan Area – Ward 10.**

The subject report was distributed at the meeting.

In response to questions from Council, staff outlined the rationale for the proposed Interim Control By-law, and provided details on the two studies outlined in the report (Toronto Gore Density Policy Review and associated Marysfield Neighbourhood Character Review).

The following motion was considered.

C018-2018 Moved by Regional Councillor Sprovieri
Seconded by City Councillor Dhillon

1. That the report from D. Waters, Interim Director, Policy Planning, Planning and Development Services, dated February 5, 2018, to the Council Meeting of February 7, 2018, re: **Proposed Interim Control By-law for the Marysfield Neighbourhood within the Toronto Gore Rural Estate Secondary Plan Area – Ward 10**, be received;
2. That staff be directed to continue with undertaking the Toronto Gore Density Policy Review and associated Marysfield Neighbourhood Character Review to ensure the protection of the existing community character of the Marysfield neighbourhood within the Toronto Gore Secondary Plan Area; and,
3. That pursuant to Section 38 of the *Planning Act*, City Council enact the proposed Interim Control By-law for a period of one year, attached as Appendix A to the report.

Carried

Public Works and Engineering – nil

9. **Reports of Accountability Officers** – nil

10. Committee Reports

10.1. Minutes – Citizen Appointments Committee – January 24, 2017

See also Item 21.2 – Resolution C025-2018

City Councillor Whillans, Committee Chair, introduced the minutes.

The following motion was considered.

C019-2018 Moved by City Councillor Whillans
Seconded by Regional Councillor Palleschi

1. That the **Minutes of the Citizen Appointments Committee Meeting of January 24, 2018**, to the Council Meeting of February 7, 2018, be received; and,
2. That Recommendations CAC001-2018 to CAC004-2018 be approved, as outlined in the subject minutes.

Carried

The recommendations were approved as follows.

CAC001-2018 That the agenda for the Citizen Appointments Committee Meeting of January 24, 2018, be approved as amended.

CAC002-2018 That the Citizen Appointments Committee move into Closed Session to consider the following matters:

- 4.1 Personal matters about an identifiable individual, including municipal or local board employees – citizen applicant appointment recommendations:

- Brampton Community Safety Advisory Committee

- 4.2 Personal matters about an identifiable individual, including municipal or local board employees – citizen applications for appointment to various committees

CAC004-2018 That the Citizen Appointments Committee now adjourn, to meet again at the call of the Chair.

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10.2. Minutes – Planning and Development Committee – January 29, 2018

See also Item 6.2. – Resolution C017-2018

The minutes were distributed at the meeting.

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

Staff responded to a question from Council with respect to an application from National Homes (referenced under Question Period in the subject minutes).

The following motion was considered.

C020-2018 Moved by Regional Councillor Gibson
Seconded by City Councillor Whillans

1. That the **Minutes of the Planning and Development Committee Meeting of January 29, 2018**, to the Council Meeting of February 7, 2018, be received; and,
2. That Recommendations PDC001-2018 to PDC011-2018 be approved, as outlined in the subject minutes.

Carried

The recommendations were approved as follows.

PDC001-2018 That the Agenda for the Planning and Development Services Committee Meeting of January 29, 2018, be approved as printed and circulated.

PDC002-2018 That the delegation by Frank Carbone, Resident, re: **Proposed Castlemore Development by Flintshire Building Group Inc. – 2585426 Ontario Ltd** be received.

PDC003-2018

1. That the Delegation by Mr. Mark Flowers, Davies Howe LLP, to the Planning and Development Committee meeting of January 29, 2018, re: **Digram Development Countryside Inc.**, be received; and,
2. That the **Minutes – Brampton Heritage Board – January 16, 2018**, to the Planning and Development Committee meeting of January 29, 2018, Recommendations HB001-2018 to HB008-2018, be approved as printed and circulated.

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- PDC004-2018 That staff be requested to report to Planning and Development Committee, through the Brampton Heritage Board, on the status and plan for heritage designation of the property at 11223 Torbram Road (Hewson Farm).
- PDC005-2018 1. THAT the Information Report dated December 27, 2017 from Natasha Rea, Policy Planner, Planning & Development Services to the Planning & Development Committee meeting of January 29, 2018, re: **Information Report: City of Brampton Comments on the Region of Peel's Draft Growth Management and Transportation Regional Official Plan Amendments (ROPAs)** (File: GD.X GM ROPA 17), be received; and,
2. THAT a copy of this report and Council resolution be forwarded to the Region of Peel, City of Mississauga and Town of Caledon for information.
- PDC006-2018 1. THAT the report from Carmen Caruso, Central Area Planner, dated December 22, 2017, to the Planning and Development Committee Meeting of January 29, 2018, re: **Recommendation Report: Central Area Community Improvement Plan, Downtown Brampton Building Improvement Program Grant Assessment – Wards 1 and 3**, be received; and,
2. THAT the eligibility requirements of the program be revised by adding to the Building Improvement Program Implementation Guidelines section 2.4.1.1 as follows:
- i) To be eligible, the building or addition in which the building improvement works are proposed must be more than fifteen (15) years of age (based on the date of the Certificate of Final Inspection for the shell of the building or addition as issued by the Building Division) unless it is demonstrated to the satisfaction of the Commissioner, Planning and Development Services, that the space to be improved has remained vacant for a continuous period of three years or more immediately prior to program application. If the foregoing vacancy requirement is satisfied, the proposed building improvement works shall be subject to all the other

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requirements and rules of the program as set out in the Implementation Guidelines; and,

3. THAT Council approve the revised *Building Improvement Program Implementation Guidelines* dated January 2018 attached as Appendix 1 to this report with an amendment to reflect a three-year vacancy requirement.

PDC007-2018

1. THAT the report from Kevin Freeman, Development Planner, Planning and Development Services Department, dated January 5, 2018 to the Planning and Development Services Committee Meeting of January 29, 2018 re:
RECOMMENDATION REPORT, Application to Amend the Zoning By-Law, Glen Schnarr & Associates Inc. – ABSOLUTE ANGELS, Ward 6, File: C04W12.005 be received; and,
2. THAT the application be approved in principle and staff be directed to prepare the appropriate amendment to the Zoning By-law; and,
3. THAT Zoning By-law 270-2004 be amended to rezone the property subject to this application from “Agricultural (A)” to a “Residential Single Detached D (R1D) – Special Section Zone” to permit a day nursery and to be in general accordance with the following:
 - i. Minimum front yard depth: 30 metres
 - ii. Minimum rear yard depth: 38 metres
 - iii. Minimum interior side yard (north) depth: 12 metres
 - iv. Minimum interior side yard (south) depth: 12 metres
 - v. Maximum gross floor area: 641 square metres
4. THAT the decision of approval for the subject application be considered null and void and a new development application be required, unless a Zoning By-law is passed within 60 months of the decision, or within an extended time, to the satisfaction of the Commissioner of Planning and Development Services Department; and,
5. THAT any and all written submissions relating to this application that were made to Council and the Planning and Development Committee before its decision and any and all oral submissions related to this application that were made at a public meeting, held under the *Planning Act*, have been,

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on balance, taken into consideration by Council as part of its deliberations and final decision on this matter. There were no oral or written submissions related to this application.

- HB001-2018 That the agenda for the Brampton Heritage Board Meeting of January 16, 2018 be approved as printed and circulated.
- HB002-2018 That the Delegation from Tim Desclouds, Artist, to the Brampton Heritage Board Committee Meeting of January 16, 2018, re: **Public Art in Honour of Alderlea's 150th Anniversary – 40 Elizabeth Street South – Ward 4 (File HE.x)** be received
- HB003-2018 That the **Minutes of the Heritage Resources Sub-Committee of January 11, 2018**, to the Brampton Heritage Board Meeting of January 16, 2018, be received.
- HB004-2018
 1. That the correspondence from Wayne Morgan, President, Community Heritage Ontario, date December 29, 2017, to the Heritage Board Meeting of January 16, 2018, re: **Request for Support for Federal Action on the Conservation of Heritage Properties (File HE.x)**, be received; and,
 2. That it is the position of the Brampton Heritage Board that the 17 Recommendations in Report 10 of the House of Commons Standing Committee on Environment and Sustainable Development – Preserving Canada's Heritage: The Foundation for Tomorrow, be supported; and,
 3. That staff be directed to prepare correspondence to the Minister of Environment, with copies to the Minister of Finance and Brampton area MPs, in support of the Recommendations in Report 10.
- HB005-2018
 1. That the report from Cassandra Jasinski, dated January 5, 2018, to the Brampton Heritage Board Meeting of January 16, 2018, re: **Recommendation Report: Listing 1000 Steeles Avenue East on the Municipal Register of Cultural Heritage Resources - Ward 3 (HE.x 1000 Steeles Avenue East)**, be received; and

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2. That 1000 Steeles Avenue East be listed on the City of Brampton's *Municipal Register of Cultural Heritage Resources*.

HB006-2018 That the report from Pascal Doucet, Heritage Planner, Planning and Development Services, dated January 10, 2018, to the Brampton Heritage Board Meeting of January 16, 2018, re: **Heritage Property subject to fire – 11223 Torbram Road (Hewson Farm) – Ward 10 (Hex 11223 Torbram Road)**, be received.

- HB007-2018 1. That the report from Peter Dymond and Paul Willoughby, Co-Chairs, re: **Heritage Report: Reasons for heritage Designation – 82-86 Main Street North – Heritage Theatre – Ward 1**, be deferred to the Brampton Heritage Board meeting of Feb 20, 2018; and,
2. That, in the interim, the Board requests staff provides a report update on the subject matter.

HB008-2018 That the Brampton Heritage Board do now adjourn to meet again on Tuesday, February 20, 2018 at 7:00 p.m. or at the call of the Chair.

PDC008-2018 That the **Minutes – Cycling Advisory Committee – December 14, 2017**, to the Planning and Development Committee meeting of January 29, 2018, Recommendations CYC070-2017 to CYC072-2017, be approved and circulated.

CYC070-2017 That the Agenda for the Cycling Advisory Committee meeting of December 14, 2017, be approved as printed and circulated.

- CYC071-2017 1. That the report by Nelson Cadete, Project Manager, Active Transportation, Planning and Development Services, to the Cycling Advisory Committee Meeting of December 14, 2017, re: **Brampton Cycling Advisory Committee – Update to Terms of Reference be received**; and,
2. That it is the position of the Cycling Advisory Committee that the current Mandate and Supported by sections by struck out and replaced with the following:

Mandate:

- Provide input and advice to City staff and to Council regarding the development and maintenance of a safe and connected cycling network within the City of Brampton and to neighbouring municipalities as part of an integrated multi-modal transportation system, and developing a culture in Brampton where cycling is a desirable activity and mode choice for both recreational and utilitarian purposes.
- Assist staff with the development, implementation, and monitoring of the Active Transportation Master Plan.
- Review legislation and policies relating to cycling and advocate to City Council and other legislative bodies for cycling-supportive legislation and policies.
- Represent the broad interests of the Brampton cycling community and facilitate opportunities for additional community input.
- Promote all forms of cycling activities within Brampton through campaigns, community rides and events.
- Liaise with other community, advocacy, groups to effectively utilize resources and share information relating to cycling in Brampton:
 - Brampton Environmental Advisory Committee
 - Brampton School Traffic Safety Council
 - Age Friendly Brampton Advisory Committee
 - Peel Safe and Active Routes to School Committee
 - GHTA Active and Sustainable School Transportation Regional Hub
 - Joint Committee of Cycling Advisory Committees of Western Lake Ontario
 - Cycling Committees and/or staff from surrounding municipalities
 - Peel Regional Police
 - Brampton Transit
 - Other cycling advocacy agencies and professional organizations (OTC, Share the Road Coalition, etc.)
- Work collaboratively with City staff to develop an achievable annual work plan that reflects the committee's

objectives, and that is consistent with the City's Strategic Plan, applicable master plans, and budgetary capacity.

Supported by:

- The Committee will be supported by staff from the Transportation Planning division (Planning and Development Services Department) and by staff from other City departments, as warranted. These include, but are not limited to the following:
 - Corporate Services (Enforcement and By-law Services)
 - Community Services (Recreation)
 - Economic Development & Culture
 - Fire & Emergency Services
 - Public Works & (Parks Engineering Maintenance and Forestry; Road Maintenance, Operations and Fleet)
 - Planning & Development Services (Policy Planning; Urban Design):
 - Brampton Transit
- Agency representatives may be involved in the development or implementation of cycling initiatives, and will attend as warranted. Such agencies include, but are not limited to the following:
 - Peel Regional Police
 - Region of Peel - Public Works Department
 - Peel District School Board
 - Dufferin-Peel Catholic District School Board
 - Smart Commute Brampton-Caledon
 - Sheridan College Brampton Campus

CYC072-2017 That the Cycling Advisory Committee do now adjourn to meet again on Thursday, January 18, 2018, at 7:00 p.m.

PDC009-2018 That the **Minutes – Age-Friendly Brampton Advisory Committee – November 20, 2017**, to the Planning and Development Committee meeting of January 29, 2018, Recommendations AFC011-2017 to AFC016-2017, be approved and circulated.

AFC011-2017 That the agenda for the Age-Friendly Brampton Advisory Committee Meeting of November 20, 2017, be approved, as amended, to add the following:

5.1. Verbal update by Daniella Balasal, Policy Planner, re:
Development of Age Friendly Strategy

- AFC012-2017 That the presentation by Ron Feniak, Member, to the Age-Friendly Brampton Advisory Committee, re: **Size and Growth of Brampton's Seniors Population Compared to Other Large Cities in Canada and the GTA** be received.
- AFC013-2017 That the presentation by Jayne Culbert, Co-Chair, to the Age-Friendly Brampton Advisory Committee, re: **Peel Elder Abuse Prevention Network** be received.
- AFC014-2017 That staff be directed to contact the City of Burlington and arrange for a member of that City's Age Friendly Committee staff to make a presentation to the Age-Friendly Brampton Advisory Committee at a future meeting.
- AFC015-2017
1. That the discussion to the Age-Friendly Brampton Advisory Committee re: **Schedule of Meetings for 2018** be deferred to the next meeting of the Committee; and
 2. That the next meeting of the Age-Friendly Brampton Advisory Committee be held on January 22, 2018 at 7:00 p.m.
- AFC016-2017 That the Age-Friendly Brampton Advisory Committee meeting do now adjourn to meet again on Monday, January 22, 2018 at 7:00 p.m.
- PDC010-2018 That Committee proceed into Closed Session to discuss matters pertaining to the following:
- 16.1 Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Ontario Municipal Board matter
- PDC011-2018 That the Planning and Development Committee do now adjourn to meet again on Monday, February 12, 2018, at 7:00p.m.

10.3. Minutes – Committee of Council – January 31, 2018

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

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

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

Regional Councillor Miles, Chair, Corporate Services Section, provided a summary of matters considered under that section.

The following motion was considered.

C021-2018 Moved by City Councillor Bowman
Seconded by City Councillor Whillans

1. That the **Minutes of the Committee of Council Meeting of January 31, 2018**, to the Council Meeting of February 7, 2018, be received; and,
2. That Recommendations CW024-2018 to CW040-2018 be approved, as outlined in the subject minutes.

Carried

The recommendations were approved as follows.

CW024-2018 That the agenda for the Committee of Council Meeting of January 31, 2018 be approved as printed and circulated.

*CW025-2018 That the Committee of Council waive the rules of the Procedure
Lost By-law to allow discussion on the request of the Brampton Music Theatre.*

CW026-2018 1. That the delegation from Sharon Vandrish, President, Brampton Music Theatre, to the Committee of Council Meeting of January 31, 2018, re: **Displacement of Brampton Music Theatre** be received; and

3.1-17

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2. That the content of the presentation and delegation requests be **referred** to staff for consideration and report back to Committee in a timely manner.

CW027-2018

1. That the delegation from Matthew Wilson, Senior Advisor, Association of Municipalities of Ontario (AMO), to the Committee of Council Meeting of January 31, 2018, re: **Local Share Campaign** be received;
2. That the report from D. Sutton, Treasurer, Corporate Services, and L. Rubin-Vaughan, Manager, Government Relations and Public Policy, Office of the Chief Administrative Officer, dated January 24, 2018, to the Committee of Council Meeting of January 31, 2018, re: **Association of Municipalities of Ontario (AMO) – Local Share Campaign** be received; and
3. Whereas Ontarians identify infrastructure and transit as the biggest problems facing their municipal government and Ontarians already pay the highest property taxes in the country; and

Whereas municipalities have limited authority to make changes that are needed to reduce the cost of delivering municipal services and financing infrastructure projects; and

Whereas a ten-year projection (2016-2025) of municipal expenditures against inflationary property tax and user fee increases shows there to be an unfunded average annual need of \$4.9 billion to fix local infrastructure and provide for municipal operating needs; and

Whereas this gap calculation presumes all existing and multi-year planned federal and provincial transfers to municipal governments will be fulfilled; and

Whereas each municipal government in Ontario faces unique issues, fiscal health is a challenge shared by all municipal governments, regardless of size; and

Whereas diversifying municipal revenues strengthens municipal long-term infrastructure planning and financing and would reduce the vulnerability of municipal governments to any federal or provincial changes and their own respective fiscal health;

3.1-18

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Therefore Be It Resolved that the City of Brampton request the leaders of each of the three (3) Provincial political parties provide their position on the Local Share initiative, as proposed by the Association of Municipalities of Ontario (AMO) and/or alternatives for addressing the problem of financing infrastructure renewal; and

That Council supports the Association of Municipalities of Ontario in its efforts to secure this new source of revenue to help fund critical municipal services like roads, bridges, transit, clean water and other services.

- CW028-2018
1. That the delegation from Carmen Spada, Artistic Director, B-Jazzed, to the Committee of Council Meeting of January 31, 2018, re: **2018 World of Jazz Festival** be received; and
 2. That the content of the presentation and delegation requests be **referred** to staff for consideration and report back to Committee in a timely manner.

- CW029-2018
1. That the report from I. Hans, Senior Project Engineer, Public Works and Engineering, dated December 18, 2017, to the Committee of Council Meeting of January 31, 2018, re: **Request to Begin Procurement and Budget Amendment – Purchasing By-law Section 4.0 – Road Resurfacing within the City of Brampton – Wards 1-9** be received;
 2. That the budget be amended to include \$123,000 (inclusive 1.76% HST) into the 2018 road resurfacing budget from Capital Project # 163820-001 – 2016 Road Resurfacing Program;
 3. That the budget be amended to include \$390,000 (inclusive 1.76% HST) into the 2018 road resurfacing budget from Capital Project # 173820-001 – 2017 Road Resurfacing Program;
 4. That \$375,000 (inclusive 1.76% HST) recoverable amount funded from Capital Project # 183820-002 – 2018 Road Resurfacing for watermain works to be completed on behalf of the Region of Peel; and,
 5. That the Purchasing Agent be authorized to commence the procurement for the 2018 Road Resurfacing Program.

3.1-19

Minutes City Council

- CW030-2018
1. That the report from R. Moryc, Traffic Operations Technologist, Public Works and Engineering, dated October 31, 2017, to the Committee of Council Meeting of January 31, 2018, re: **Traffic Calming Plan – Richvale Drive North / Richvale Drive South (Kennedy Road North to Bovaird Drive East) and Mountainash Road (Countryside Drive to Peter Robertson Boulevard) – Wards 2 and 10** be received; and
 2. That staff implement the recommended traffic calming measures for Richvale Drive North/Richvale Drive South and Mountainash Road, as outlined in this report.
- CW031-2018
1. That the report from G. Perez Miller, Traffic Operations Technologist, Public Works and Engineering, dated December 5, 2017, to the Committee of Council Meeting of January 31, 2018, re: **General Traffic By-law 93-93, as amended – Administrative Update to the Schedules Relating to Fire Routes, No Stopping, U-Turns, Stop Signs, and Rate of Speed** (File I.AC) be received; and
 2. That a by-law be passed to amend Traffic By-law 93-93, as amended.
- CW032-2018
- That the **Minutes of the Brampton School Traffic Safety Council Meeting of January 11, 2018**, to the Committee of Council Meeting of January 31, 2018, Recommendations SC001-2018 to SC011-2018, be approved as printed and circulated.
- SC001-2018
- That the agenda for the Brampton School Traffic Safety Council of January 11, 2018 be approved, as printed and circulated.
- SC002-2018
1. That the correspondence from Kathryn Bray, Vice Principal, to the Brampton School Traffic Safety Council meeting of January 11, 2018, re: **Request to Review Park and Ride/Traffic Congestion/Parking Issues on School Street/Property – Shaw Public School, 10 Father Tobin Road – Ward 10** be received; and,
 2. That a site inspection be undertaken.

3.1-20

Minutes City Council

- SC003-2018
1. That the correspondence from Tony Kandola, Brampton Resident, to the Brampton School Traffic Safety Council meeting of January 11, 2018, re: **Request to Review Traffic Congestion/Safety Concerns/Crossing Guard on School Street – Fairlawn Public School, 40 Fairlawn Boulevard – Ward 10** be received; and,
 2. That a site inspection be undertaken.
- SC004-2018
1. That the verbal advisory from the Clerk's Office, to the Brampton School Traffic Safety Council, re: **Resignation from Brampton School Traffic Safety Council** be received; and,
 2. That Mr. Kainth be thanked for his participation as a volunteer with the Brampton School Traffic Safety Council; and,
 3. That the City Clerk be requested to fill the resulting vacancy for the term ending November 30, 2018, in accordance with the Citizen Appointment Process.
- SC005-2018
- That the report from Mike Mulick, Project Supervisor, Service Standards, Enforcement and By-law Services, to the Brampton School Traffic Safety Council Meeting of January 11, 2018, re: **School Patrol Statistics – Period ending December 29, 2017** be received.
- SC006-2018
- That the discussion, re: **School Board Representation at Committee** to the Brampton School Traffic Safety Council meeting of January 11, 2018 be deferred to a future meeting.
- SC007-2018
1. That the site inspection report to the Brampton School Traffic Safety Council meeting of January 11, 2018, re: **St. Andre Bessette Catholic School, 125 Riverstone Drive – Ward 8** be received; and,
 2. That the Manager of Enforcement and By-law Services be requested to enforce parking restrictions along Riverside Drive, Ballyshire Drive and Lindyfalls Drive during arrival and dismissal times at the school; and,

3.1-21

Minutes City Council

3. That the Crossing Guard Supervisor provide educational information to the school principal on pedestrian safety in and around schools for distribution to the school community; and,
4. That the Senior Manager of Traffic Services arrange for the implementation of “No U-Turn” signage on Riverstone Drive in the vicinity of the school; and,
5. That Peel Regional Police be requested to monitor and enforce “No U-Turns” restrictions in the vicinity of the school; and,
6. That the Principal continue to encourage parents and students to cross Riverstone Drive using the crossing guards that are positioned at the school location.

SC008-2018

1. That the site inspection report to the Brampton School Traffic Safety Council meeting of January 11, 2018, re: **St. Marguerite D'Youville Secondary School, 10815 Dixie Road – Ward 9** be received; and,
2. That the Manager of Enforcement and By-law Services be requested to enforce traffic regulations more so in the afternoon for right turns from Dixie Road to the school property; and,
3. That the Dufferin-Peel Catholic District School board review the possibility of widening the northerly entrance /exit to the school property from Father Tobin Road to ease the traffic flow of vehicles exiting the school property; and,
4. That the Principal encourage the parents to use the parking lots on the south side of the school to pick up or drop off students.

SC009-2018

1. That the site inspection report to the Brampton School Traffic Safety Council meeting of January 11, 2018, re: **Northwood Public School, 70 Gretna Drive – Ward 5** be received; and,
2. That it is the position of the Brampton School Traffic Safety Council that a crossing guard is not warranted at the intersection of Gretna Drive and Kimbark Drive, as no conflicts were observed between pedestrians and vehicles; and,

3. That the Manager of Enforcement and By-law Services be requested to enforce parking restrictions in the vicinity of the school during the morning and afternoon periods; and,
4. That the Senior Manager of Traffic Services arrange for a Stop Sign Compliance Study for the intersection of Gretna Drive and Kimbark Drive; and,
5. That Peel Regional Police monitor the intersection of Gretna Drive and Kimbark Drive to ensure compliance with the Stop Signs; and,
6. That the Crossing Guard Supervisor provide educational information to the School Principal regarding safety in and around the school for distribution to the school community.

SC010-2018

1. That the site inspection report to the Brampton School Traffic Safety Council meeting of January 11, 2018, **St. Angela Merici Catholic School, 83 Edenbrook Hill Drive – Ward 6** be received, and,
2. That the Principal be requested to remind all students living on the west side of Edenbrook Hill Drive to walk to the crossing guard at Edenbrook Hill Drive and Packham Road to cross Edenbrook Hill Drive safely to get to school; and
3. That the Senior Manager of Traffic Services arrange for:
 - the enhanced pavement markings on Duffield Road to be refreshed
 - a Stop Sign Compliance study to be conducted for the intersection of Edenbrook Hill Drive and Duffield Road;
 and,
4. That the Manager of Student Transportation of Peel Region arrange for the school bus pick-up location on Duffield Road to be moved further west and away from the intersection of Edenbrook Hill Drive and Duffield Road; and,
5. That it is the position of the Brampton School Traffic Safety Council that a crossing guard is not warranted at the intersection of Duffield Road and Edenbrook Hill Drive.

3.1-23

Minutes City Council

- SC011-2018 That the Brampton School Traffic Safety Council do now adjourn to meet again on Thursday, February 1, 2018 at 9:30 a.m. or at the call of the Chair.
- CW033-2018 That the correspondence from Scott R. Butler, Policy and Research, Ontario Good Roads Association (OGRA), dated January 17, 2018, to the Committee of Council Meeting of January 31, 2018, re: **OGRA Requests Support for Municipal Class Environmental Assessment (MCEA) Process Reform** be **referred** to Public Works and Engineering staff for review and recommendations thereon.
- CW034-2018
 1. That the report from K. Hamilton, Division Chief, Fire and Emergency Services, dated January 8, 2018, to the Committee of Council Meeting of January 31, 2018, re: **Request to Begin Procurement – Purchasing By-law Section 4.0 – Supply and Delivery of One (1) Fire Aerial Device for The City of Brampton – All Wards** be received; and
 2. That the Purchasing agent be authorized to commence the procurement and enter into direct negotiations with Emergency One Incorporated for one (1) aerial device for the City of Brampton.
- CW035-2018 That the presentation by V. Mountain, Manager, Culture, Economic Development and Culture, to the Committee of Council Meeting of January 31, 2018, re: **Culture Master Plan Update** be received.
- CW036-2018
 1. That the report from K. Stahl, Senior Manager, Cultural Services, dated January 4, 2018, to the Committee of Council Meeting of January 31, 2018, re: **Special Event Road Closure – Rogers Hometown Hockey** be received;
 2. That the closure of Main Street between Queen Street and Theatre Lane/Nelson Street West for Thursday, March 8, 2018 starting at 9:00am to Monday, March 12, 2018 at 5:00am for Rogers Hometown Hockey be approved, subject to standard permit requirements; and
 3. That the closure of Main Street South from Wellington Street to Queen Street and Queen Street from Chapel Street to George Street for Saturday, March 10, 2018 starting at

3.1-24

Minutes City Council

10:00am to Sunday, March 11, 2018 at 11:59pm for Rogers Hometown Hockey, be approved, subject to standard permit requirements.

- CW037-2018
1. That the report from K. Stahl, Senior Manager, Cultural Services, dated January 10, 2018, to the Committee of Council Meeting of January 31, 2018, re: **Year-Round Farmers' Market Feasibility Study – Final Report** be received; and
 2. That staff be directed to determine a site, develop a detailed preliminary implementation plan and report back to Council as part of the 2019 Budget process with associated funding requirements.
- CW038-2018
- That the correspondence (two letters) from Suzy Godefroy, Executive Director, Downtown Brampton Business Improvement Area (DBBIA), dated January 19, 2018, to the Committee of Council Meeting of January 31, 2018, re: **Board of Directors Replacement of Johnathan Pereira, Sul Irmaos Smokehouse, with Carrie Percival, The Brampton Academy of Martial Arts** be received.
- CW039-2018
- That the report from J. Macintyre, Director, Purchasing, Corporate Services, dated January 12, 2018, to the Committee of Council Meeting of January 31, 2018, re: **Purchasing Activity Quarterly Report – 2nd Quarter 2017** be received.
- CW040-2018
- That the Committee of Council do now adjourn to meet again on Wednesday, February 14, 2018 at 9:30 a.m. or at the call of the Chair.

11. **Unfinished Business** – nil

12. **Correspondence** – nil

13. **Resolutions** – nil

14. **Notices of Motion** – nil

15. **Petitions** – nil

16. **Other Business/New Business** – nil

17. **Procurement Matters** – nil

18. **Government Relations Matters**

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

The briefing report was distributed at the meeting.

Lowell Rubin-Vaughan, Manager, Government Relations and Public Policy, Office of the Chief Administrative Officer, provided a presentation entitled “Government Relations Matters”, which included information on the following:

- Region of Peel:
 - Regional Official Plan: Measuring and Monitoring Report
 - Engineering Services for the Reconstruction of The Gore Road
 - Use of Corporate Resources for Elections Policy
- Provincial Government:
 - GTA West Corridor

Joe Pitushka, Commissioner of Public Works and Engineering, and Mr. Rubin-Vaughan responded to questions from Council with respect to inclusion of safe cycling routes in the Region’s active transportation planning, and the Province’s anticipated announcement on the GTA West Corridor.

The following motion was considered.

C022-2018 Moved by Regional Councillor Gibson
Seconded by City Councillor Bowman

That the briefing report from the Office of the Chief Administrative Officer, to the Council Meeting of February 7, 2018, re: **Government Relations Matters**, be received.

Carried

19. **Public Question Period** – nil

20. **By-laws**

Note: By-law 15-2018 was added under Approval of Agenda Resolution C014-2018.

The following motion was considered.

C023-2018 Moved by Regional Councillor Palleschi
Seconded by Regional Councillor Sprovieri

That By-laws 12-2018 to 15-2018, before Council at its meeting of February 7, 2018, be given the required number of readings, taken by the Mayor and City Clerk and the Corporate Seal affixed thereto.

12-2018 To amend Traffic By-law 93-93, as amended - administrative update to schedules related to fire routes, no stopping, u-turns, stop signs and rate of speed (See Item 10.3 – Committee of Council Recommendation CW031-2018 – January 31, 2018)

13-2018 To establish certain lands as part of the public highway system (Remembrance Road) – Ward 6

14-2018 To appoint Municipal By-law Enforcement Officers and to repeal By-law 258-2017

15-2018 An Interim Control By-Law applicable to part of the area subject to Zoning By-law 270-2004 – Marysfield Neighbourhood within the Toronto Gore Rural Estate Secondary Plan Area – Ward 10

Carried

21. **Closed Session**

The following motion was considered.

C024-2018 Moved by Regional Councillor Gibson
Seconded by City Councillor Bowman

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

21.1. Minutes – Closed Session – City Council – January 24, 2018

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- 21.2. Minutes – Closed Session – Citizen Appointments Committee – January 24, 2018
- 21.3. Minutes – Closed Session – Planning and Development Committee – January 29, 2018
- 21.4. A proposed or pending acquisition or disposition of land by the municipality or local board – property acquisition matter
- 21.5. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Ontario Municipal Board matter
- 21.6. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Ontario Municipal Board matter
- 21.7. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Ontario Municipal Board matter
- 21.8. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Ontario Municipal Board matter
- 21.9. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Ontario Municipal Board matter
- 21.10. Minutes – Closed Session – CAO Performance Review Committee – February 5, 2018

Carried

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

- 21.1 – these minutes were acknowledged by Council
- 21.2 – these minutes were acknowledged by Council – see Resolution C025-2018 below
- 21.3 – these minutes were acknowledged by Council
- 21.4 – this item was considered by Council – see Resolution C026-2018 below
- 21.5 – this item was considered by Council and direction was given to staff in Closed Session – see also Resolution C027-2018 below

3.1-28

Minutes City Council

- 21.6 – this item was considered by Council and direction was given to staff in Closed Session – see also Resolution C027-2018 below
- 21.7 – this item was considered by Council and direction was given to staff in Closed Session – see also Resolution C027-2018 below
- 21.8 – this item was considered by Council and direction was given to staff in Closed Session – see also Resolution C027-2018 below
- 21.9 – this item was considered by Council and direction was given to staff in Closed Session
- 21.10 – this item was deferred to a Special Council Meeting to be held on February 14, 2018

The following motion was considered with respect to Item 21.2.

C025-2018 Moved by City Councillor Whillans
Seconded by Regional Councillor Palleschi

That the following citizen representatives be appointed to:

- a) the Brampton Community Safety Advisory Committee, effective immediately, for the term ending November 30, 2018, or until successors are appointed:
 - Milton Lester
 - Leslie Lee
- b) The School Traffic Safety Council Committee, effective immediately, for the term ending November 30, 2018, or until successors are appointed:
 - Wendell Cole
- c) Accessibility Advisory Committee, effective immediately, for the term ending November 30, 2018, or until successors are appointed:
 - Steve Surman

Carried

The following motion was considered with respect to Item 21.4.

C026-2018 Moved by Regional Councillor Palleschi
Seconded by City Councillor Whillans

3.1-29

Minutes City Council

1. That By-law 16-2018 be passed to authorize the Commissioner of Community Services and the Treasurer to execute an Agreement of Purchase and Sale together with such other documents as may be required to effect the purchase of 0 Inder Heights Drive from the Peel District School Board, in accordance with the terms and conditions considered by Council and on such other terms and conditions acceptable to the stakeholder staff and in a form acceptable to the City Solicitor or designate;
2. That a budget amendment and a new capital project be established in the amount of \$2,200,000 (inclusive of land transfer tax, due diligence costs, applicable HST, closing costs and other ancillary costs) for the purchase of 0 Inder Heights Drive from the Peel District School Board with funding transferred from the Reserve #2, Cash-In-Lieu of Parkland); and
3. That staff be authorized to deliver any Deposit as defined in the Agreement of Purchase and Sale to the Peel District School Board.

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

Yea
Bowman
Medeiros
Jeffrey
Dhillon
Palleschi
Whillans
Gibson

Nay
Miles

Absent
Fortini
Sprovieri
Moore

Carried
7 Yeas
1 Nay
3 Absent

A motion was introduced with respect to Items 21.5 to 21.8 to:

- direct staff to arrange for additional training for members of the current Committee of Adjustment
- to report back on options to improve the alignment of Committee of Adjustment decisions with the planning goals and policies of the City and reduce the number of future appeals of these decisions.

Staff responded to questions from Council with respect to the Committee of Adjustment process, and the availability of the Committee meeting agendas and decisions on the City's web portal.

The motion was considered as follows.

C027-2018 Moved by Mayor Jeffrey
Seconded by Regional Councillor Gibson

1. That staff be directed to arrange for additional training for members of the current Committee of Adjustment with respect to the role, powers and responsibilities of the Committee, and the applicable City and Provincial planning policies and legislation; and,
2. That staff be requested to review options in a report which will address how to improve the alignment of the decisions of the Committee of Adjustment with the planning goals and policies of the City, and reducing the number of future appeals.

Carried

22. **Confirming By-law**

The following motion was considered.

C028-2018 Moved by City Councillor Whillans
Seconded by City Councillor Bowman

That the following by-laws before Council at its Regular Meeting of February 7, 2018 be given the required number of readings, taken by the Mayor and the City Clerk and the Corporate Seal affixed thereto:

- 16-2018 To authorize the acquisition of property for future park purposes – Ward 2 (see Resolution C026-2018)
- 17-2018 To confirm the proceedings of the Regular Council Meeting held on February 7, 2018

Carried

23. **Adjournment**

The following motion was considered.

C029-2018 Moved by City Councillor Bowman
Seconded by City Councillor Whillans

3.1-31

Minutes

City Council

That Council do now adjourn to meet again for a Regular Meeting of Council on Wednesday, February 21, 2018 at 9:30 a.m. or at the call of the Mayor.

Carried

Proclamations

The following City of Brampton proclamation was made on behalf of Council:

- National Flag Day of Canada – February 15, 2018 – to be given to Deborah James, Brampton resident

L. Jeffrey, Mayor

P. Fay, City Clerk

Wednesday, February 14, 2018

Special Meeting

- Members Present:** Mayor L. Jeffrey
Regional Councillor G. Gibson – Wards 1 and 5
Regional Councillor E. Moore – Wards 1 and 5
Regional Councillor M. Palleschi – Wards 2 and 6
Regional Councillor M. Medeiros – Wards 3 and 4 (arrived at 1:10 p.m. – personal)
Regional Councillor G. Miles – Wards 7 and 8 (arrived at 1:01 p.m. – personal)
Regional Councillor J. Sprovieri – Wards 9 and 10
City Councillor J. Bowman – Wards 3 and 4
City Councillor P. Fortini – Wards 7 and 8
City Councillor G. Dhillon – Wards 9 and 10
- Members Absent:** City Councillor D. Whillans – Wards 2 and 6 (vacation)
- Staff Present:** H. Schlange, Chief Administrative Officer
P. Fay, City Clerk
C. Gravlev, Deputy City Clerk
T. Brenton, Legislative Coordinator

3.2-2

Minutes

City Council

The meeting was called to order at 1:00 p.m. and recessed at 1:02 p.m. Council moved into Closed Session at 1:10 p.m. and recessed at 2:14 p.m. Council reconvened in Closed Session at 2:15 p.m. and moved out of Closed Session at 2:54 p.m. Council reconvened in Open Session at 2:59 p.m. and adjourned at 3:00 p.m.

1. **Approval of Agenda**

Mayor Jeffrey outlined the purpose of the Special Meeting, to consider Closed Session Minutes from the CAO Performance Review Committee Meeting of February 5, 2018.

The following motion was considered.

C030-2018 Moved by City Councillor Dhillon
Seconded by Regional Councillor Sprovieri

That the agenda for the Special Council Meeting of February 14, 2018 be approved as printed and circulated.

Carried

2. **Declarations of Interest under the Municipal Conflict of Interest Act** – nil

3. **Public Question Period** – nil

4. **Closed Session**

4.1. Minutes – Closed Session – CAO Performance Review Committee – February 5, 2018

The following motion was considered.

C031-2018 Moved by City Councillor Dhillon
Seconded by City Councillor Bowman

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

4.1. Minutes – Closed Session – CAO Performance Review Committee – February 5, 2018

Carried

3.2-3

Minutes

City Council

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

- 4.1 – these minutes were acknowledged by Council and direction was given to staff

5. **Confirming By-law**

The following motion was considered.

C032-2018 Moved by City Councillor Dhillon
Seconded by Regional Councillor Palleschi

That the following by-law before Council at its Special Meeting of February 14, 2018 be given the required number of readings, taken by the Mayor and the City Clerk and the Corporate Seal affixed thereto:

18-2018 To confirm the proceedings of the Special Council Meeting held on February 14, 2018.

Carried

6. **Adjournment**

The following motion was considered.

C033-2018 Moved by City Councillor Dhillon
Seconded by Regional Councillor Sprovieri

That Council do now adjourn to meet again for a Regular Meeting of Council on Wednesday, February 21, 2018 at 9:30 a.m. or at the call of the Mayor.

Carried

L. Jeffrey, Mayor

P. Fay, City Clerk



BRAMPTON
Flower City

5.1

Corporate Services
Council and Administrative Services

For Office Use Only:
Meeting Name:
Meeting Date:

Announcement Request

Please complete this form for your request to make an Announcement at a future Council Meeting. An announcement can relate to an event of interest to the general public. Your request must include the name of the Member of Council sponsoring the Announcement. Once this completed form is received by the City Clerk's Office, you will be contacted to confirm your placement on the appropriate agenda. **Announcements are limited two (2) minutes at the meeting.**

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

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

Meeting: ☒ City Council ☐ Planning & Infrastructure Services Committee
☐ Corporate Services Committee ☐ Community & Public Services Committee
☐ Economic Development Committee ☐ Other:

Meeting Date Requested: FEB 21, 2018

Name of Individual(s): CRAIG KUMMER

Position/Title:

SR MANAGER - TRAFFIC SERVICES
2017 CHAIR - UNITED WAY CAMPAIGN

Organization/Person being represented:

N/A

Full Address for Contact: 1975 WILLIAMS PKWY

Telephone: (905) 874-2579

Email: craig.kummer@brampton.ca

Event or Subject Name/Title/Date/Time/Location:

2017 UNITED WAY CAMPAIGN OVERVIEW AND CHEQUE PRESENTATION.

Additional Information:

INTERIM CEO ANITA STELLINGA WILL BE PRESENT TO ACCEPT CHEQUE.

Name of Member of Council Sponsoring this Announcement:

COUNCILLOR NILES - UNITED WAY SPONSOR.

A formal presentation will accompany my Announcement: ☐ Yes ☐ No

Presentation format:

☒ (only 2 slides)
PowerPoint File (.ppt)
☐ Picture File (.jpg)

☐ Adobe File or equivalent (.pdf)
☐ Video File (.avi, .mpg)

☐ Other:

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

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

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

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

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

Date: 2018-02-12

Subject: **Development Charges Rebate Program: Ontario Ministry of Housing**

Contact: Jacqueline Svedas, Advisor - Strategic Development
Office of the Chief Administrative Officer
905-874-3987

Recommendations:

1. That the report from Jacqueline Svedas, Advisor, Strategic Development, Office of the CAO, dated February 12, 2018, to the Council Meeting of February 21, 2018, re: **Development Charges Rebate Program: Ontario Ministry of Housing**, be received;
2. That staff submit an Expression of Interest to the Ontario Ministry of Housing by March 2, 2018 as part of the Ontario Ministry of Housing Development Charges Rebate Program (the "Program") requirements;
3. That Council designate the Region of Peel as the administrator of the Program on the City of Brampton's behalf;
4. That as the designated administrator of the Program, the Region of Peel be directed to enter into a transfer payment agreement with the Ministry of Housing on behalf of the City of Brampton;
5. That Council enter into agreement with Region of Peel to give effect to the above resolutions; and
6. That staff report back to Council with the full Program guidelines for purpose-built market rentals.

Overview:

- **As part of its Fair Housing Plan, the Ontario Ministry of Housing introduced the Development Charges Rebate ("DC Rebate") Program, a \$125M program over 5 years (\$25M per year).**

8.1-2

- **The program provides rebates for Development Charges to reduce construction costs of building purpose-built rental housing with the aim to increase supply.**
- **The City of Brampton is working closely with the Region of Peel in creating program guidelines as part of the Program application.**
- **An Expression of Interest is required to be submitted to the Ontario Ministry of Housing by March 2, 2018.**
- **As part of the application, direction from Council is required to designate the Region of Peel as the administrator of the Program, within the terms set out by the City of Brampton.**

Background:

On April 20, 2017, the Ontario Government announced its Fair Housing Plan, a package of 16 measures with the goals to improve housing affordability, address demand, protect renters and buyers, increase the supply of housing, and improve information sharing. As part of this plan, the Development Charges Rebate Program was announced, with \$25M available each year for 5 years, totaling \$125M available for municipalities across Ontario. The Program was developed subsequent to consultations with various agencies, including the City of Brampton. The intent of the program is to increase the supply of purpose-built market rentals by lowering the cost of construction through a rebate of development charges. Applications are due to the Ontario Ministry of Housing by March 2, 2018.

In late 2017, City Council endorsed the framework of Brampton's affordable housing strategy, *Housing Brampton*, which is a made-in-Brampton approach for responding to local housing challenges. The strategy focuses on increasing the supply of purpose-built market rental units, as well as affordable ownership units. The Province's DC Relief Program, through financial incentives, supports the development of additional market rental units within the City, as a means to responding to local housing needs.

Current Situation:

Promoting a mix of housing that meets the needs of all residents is a priority of the City of Brampton's Strategic Plan. The high demand for market rental units is evident by the current vacancy rate of 1.3% in the City (for all unit types; CMHC, 2017). With a current population of over 600,000, expected to increase to 900,000 by 2041, this problem will only continue to exacerbate.

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The demand continues to outpace supply within the purpose-built market rental sector. Since 2012, the City received four (4) development applications for purpose-built market rentals, equating to just over 900 rental units. This does not include Region of Peel Housing units, where the average wait time for subsidized housing averages 6.42 years (based on all unit types). Given the low vacancy rates, high demand, and limited number of new rental units, the City of Brampton would benefit from a DC Rebate incentive to increase the supply of purpose-built market rentals. All Development Charges, including the City, Region and Education portion, are eligible for rebates.

The Ontario Ministry of Housing recently released the guidelines for the Program, with applications due March 2, 2018. Both Regional and City staff are working closely to define roles and responsibilities. Through the EOI program guide, there is an opportunity to assign the Region of Peel, as Housing Service Manager, to administer the program. City of Brampton staff is seeking direction to submit an Expression of Interest by the March 2, 2018 deadline, and to designate the Region of Peel as the administrator of the program. As the administrator, the Region may use up to 5% of allocations to cover administration costs, if needed, as indicated in a municipal take-up plan. Regional staff will be bringing forward a report to Regional Council on February 22, 2018 to seek a resolution that the Region of Peel act as the administrator of the DC Rebate Program.

Although the Region would administer the Development Charges Rebate Program, the City is tasked with creating the program guidelines. Within the guidelines, the City has the flexibility to determine:

- The built-form of rental housing developments eligible to receive a rebate (i.e. high-rises, mid-rises, townhomes) based on housing needs;
- Unit size configurations in the development, based on local need;
- The amount of development charges rebate provided for eligible rental housing developments and units (i.e. full or partial rebates); and
- The timing of the rebate (i.e. at what point after the development charges are collected would a rebate be made available), within program parameters.

A cross-functional working group will continue to craft the program guidelines, and bring forward a recommendation report to Council with the full details of the program.

Corporate Implications:

Financial Implications:

With the Region of Peel as the service administrator of the program, the City should not incur any significant staffing costs. Finance staff will be involved in crafting the details of the Program guidelines, with full details in an upcoming report to Council.

Strategic Plan:

This report achieves the Strategic Plan objectives by planning for affordable and accessible housing options as part of the strategic priority of Smart Growth.

Conclusion:

There is a need for purpose-built market rentals, and any assistance from the Ontario Ministry of Housing would serve to increase supply, benefitting the residents of the City of Brampton

Approved by:

Harry Schlange
Chief Administrative
Officer

Attachments:

Appendix 1 – Development Charges Rebate Program: Program Guidelines;
Ontario Ministry of Housing, December 2017

Report authored by: Jacqueline Svedas, Advisor – Strategic Development

2017

8.1-5

Development Charges Rebate Program

Program Guidelines

Ontario Ministry of Housing
December 2017



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Introduction

It is a provincial interest to have an appropriate mix and range of housing options, including purpose-built rental housing that caters to diverse needs of all ages and incomes.

There are two types of rental housing in Ontario: purpose-built rental housing (which includes market rentals, and social or affordable housing) and the secondary rental market (consisting primarily of individually rented condominiums, singles/semis and basement apartments).

While the secondary rental market is an important part of the overall rental stock, these units may be available in the rental pool one year and not the next. The availability of units in the secondary rental market in any community depends on the owner's decision, which is affected by prevailing economic and real estate conditions, among other factors.

There are many advantages in increasing the supply of purpose-built market rental housing, as it:

- Addresses the need for stable rental housing and better security of tenure for tenants with diverse needs, compared to individually rented homes and condos.
- Caters to older demographics within communities, by offering options for seniors looking to downsize, while enabling them to stay in their communities and age in place.
- Supports and aligns with provincial priorities and goals with respect to growth planning, intensification and the need for more missing middle housing.
- Attracts and retains skilled workers to Ontario and high growth urban areas.
- Increases the province's economic competitiveness and allows for increased mobility of residents, both geographically and within the housing market.

Fair Housing Plan and Development Charges Rebate Program

On April 20, 2017, the government announced its Fair Housing Plan, a comprehensive package of 16 measures to improve housing affordability, address demand, protect renters and buyers, increase the supply of housing, and improve information sharing.

The Development Charges Rebate Program (the "Program") is one of the measures to increase supply of housing, specifically purpose-built market rental development. The Program provides rebates for development charges and aims to reduce the construction costs of building market rental housing, particularly in those communities that are most in need of new purpose-built rental housing.

The Program is in addition to two other initiatives aimed at increasing the supply of purpose-built rental housing:

- A mandatory new multi-residential property tax class, which ensures that municipalities tax new rental apartments at a similar rate as other residential properties. The mandatory new multi-residential property tax class applies to all new rental housing for

which building permits have been issued on or after April 20, 2017.

- A Provincial Affordable Housing Lands Program that leverages surplus provincial land to develop a mix of market housing and new, sustainable affordable housing. Four sites in Toronto have been already announced under the program.

Program Funding

Under the Program, up to a total of \$125 million over five years is available as rebates for development charges, starting with 2018-19. Notional allocations for fiscal years 2018-19, 2019-20, and 2020-21 (\$25 million each year for a total of \$75 million) will be announced in spring 2018 in accordance with provincial accounting and budgetary practices.

Program funding, if approved, will be provided according to the terms and conditions of a Transfer Payment Agreement (TPA) between the Province and the municipality.

Funding for Program Administration

Participating municipalities or their designates such as their Service Managers that administer the program may use up to 5% of allocations to cover administration costs, if needed, as indicated in a municipal take-up plan.

Scope of the Guidelines

The Program Guidelines describe the various program requirements for the Program, including the role of municipalities, long-term affordability requirements for rental developments receiving provincial rebates, rental housing developments and units eligible to receive funding under the program, and accountability and reporting requirements.

Please note that the Program Guidelines may be updated on an as-needed basis and changes will be communicated to municipalities.

Municipal Contribution

There are no requirements for municipalities to contribute to the Program. However, municipalities are encouraged to consider providing municipal incentives, where possible, to purpose-built market rental developments eligible to receive provincial rebates under the program.

The Program cannot be used by municipalities to replace any existing housing programs and incentives that municipalities may already have with respect to affordable (below-market) rental housing. For greater clarity, this Program cannot be used by municipalities to replace or

support a municipal program or any municipal decision relating to deferrals or rebates or exemptions of development charges.

Role of Municipalities

Participating municipalities will administer the Program based on local need, changing rental market conditions, and demand for rental housing in their community.

Under the Program, municipalities have the flexibility to determine:

- The built-form of rental housing developments eligible to receive a development charges rebate (e.g., high-rises, mid-rises, town homes), based on local housing need;
- Unit size configurations in the development, based on local need;
- The amount of development charges rebate provided for eligible rental housing developments and units (e.g., full or partial rebates); and
- The timing of the rebate (e.g., at what point after the development charges are collected would a rebate be made available), within program parameters.

As program administrator, a municipality will:

- Enter into a TPA with the Ministry of Housing (MHO);
- Administer the Program in compliance with the TPA and the Program Guidelines;
- Plan activities related to program delivery, which may include assessing local housing needs and planning processes;
- Identify rental housing developments and units eligible to receive a rebate under the program;
- Determine the amount rebates on a project by project basis;
- Determine key milestones for payment of the rebate;
- Develop and enter into required agreements with developers of rental housing developments and units receiving provincial rebates to set out a procedure to receive provincial rebates and monitor progress;
- Flow provincial rebates to eligible rental housing developments and units;
- Complete and submit take-up plans to MHO, as indicated in the TPA; and
- Monitor progress and provide annual reports to MHO, as indicated in the TPA.

In administering the Program, municipalities are encouraged to work with their housing Service Manager and/or the upper-tier municipality (in case of a two-tier system) to ensure alignment with local planning and housing policies, and coordinate municipal incentives, if provided.

Municipalities have an option to designate their housing Service Manager as the administrator of the Program, and also submit an EOI on their behalf.

If a municipal council designates the housing Service Manager as the program administrator:

- The municipality must submit a copy of the municipal council's decision designating the housing Service Manager as program administrator, directing the Service Manager to submit an EOI to MHO, and authorizing the Service Manager to enter into a Transfer Payment Agreement with MHO on the municipality's behalf.
- The housing Service Manager must provide written confirmation from a person of appropriate authority of its willingness to act as program administrator.

In such cases, the Service Manager should work with the designating lower or single-tier municipality in determining rental housing developments and units that are eligible to receive rebate funding under the program, planning approval timelines, and any municipal incentives that may be available.

Rental Housing Developments and Units Eligible to Receive Provincial Rebate Funding

Under the Program, municipalities have the flexibility to determine the rental housing developments and units that will receive funding through this program based on local need, but within broad provincial program criteria:

- Developments must be consistent with the PPS and conform with the [Growth Plan](#);
- Developments must align with other provincial priorities and lead to net new additional public good (rental housing, family-sized units, senior-friendly, close to transit and transit hubs);
- Developments and units receiving provincial rebates remain rental for a minimum of 20 years;
- Non-luxury rental units, where starting rents do not exceed 175% of AMR as published by Canada Mortgage and Housing Corporation (CMHC). Municipalities have the ability to set a lower threshold based on local circumstances and housing policies.

The following types of developments and units are not eligible under the Program:

- Single and semi-detached homes, duplexes/triplexes, and retirement homes;
- Units already receiving provincial capital subsidies under housing supply programs (e.g., under IAH – Rental Component);
- Luxury market rental units, where starting rents exceed 175% of Average Market Rents, as published by CMHC; and
- Market rental developments receiving a deferral of or exemption from the payment of development charges.

Starting Rents and Long-Term Affordability Criteria

Proposed starting market rents for developments or units receiving development charges rebates cannot exceed 175% of Average Market Rents (AMRs), as published by CMHC, for a given year. In cases, where CMHC does not publish AMRs, municipalities should use AMRs based on local evidence and research (e.g., survey of market rents in the community or municipality), and inform the Ministry of Housing (MHO) accordingly.

Municipalities have the flexibility to target rebates for proposed market rental housing developments or units with starting rents at a percentage of AMR lower than 175%, without any further provincial restrictions. Municipalities also have the flexibility to use AMRs as the neighbourhood level, if available from CMHC.

There are no long-term affordability requirements for units receiving provincial rebates under the program beyond the threshold for starting market rents, subject to the provisions under the Residential Tenancies Act, 2006.

Stacking With Other Housing Supply Programs

Stacking or combining rebate funding under the Program with MHO's other housing supply programs is permitted only if some additional public good is created (e.g., construction of market-rent family-sized units or have market rental units that were not previously planned).

Examples of Stacking

To illustrate potential developments eligible under the program, please see the following examples:

Example #1	Eligibility
The developer would like to add six market rental units to an affordable rental housing development already approved to receive provincial funding under Investment in Affordable Housing – Rental Component to create a mixed-income rental development. Starting rents are at 150% AMR.	Yes. The six market rental units are not receiving provincial funding under Investment in Affordable Housing would be eligible to receive the development charge rebate under the program.
Example #2	Eligibility
The developer would like to add five market rental units to an affordable rental housing development already approved to receive provincial funding under Investment in Affordable Housing – Rental Component to create a mixed-income rental development. Starting rents are at 185% AMR.	No. The five units would not be eligible as they would be considered luxury units as they exceed this programs threshold of 175% of AMR.

Program Accountability and Reporting

Accountability for provincial actions, decisions, and policies with regard to the use of public funds for programs and services is important. The Province has an obligation to demonstrate value for money, and to ensure that funds have been spent appropriately and in a timely manner.

Transfer Payment Agreement (TPA)

The TPA sets out an accountability requirements between the Province (through MHO) and the municipality, and outlines the roles and responsibilities of both parties, as required by the Province's Transfer Payment Accountability Directive.

In case a housing Service Manager has been designated as program administrator, the Province would enter into a TPA with the Service Manager subject to council's authorization.

The TPA will require the municipality to develop formal contribution agreements with any developers who receive provincial rebates for the purpose of meeting program objectives and/or addressing obligations.

Bi-annual Take-up Plans

Based on their notional allocations, participating municipalities will be required to submit a take-up plan in the first quarter of each fiscal year for all years in the program to MHO for approvals.

The take-up plan for a particular fiscal year will be informed by rental housing developments that have come forward for planning approvals and meet program eligibility criteria. A municipality's take-up plan should:

- Provide details of the proposed market rental housing developments and units that meet program and eligibility criteria as laid out in the Program Guidelines;
- Indicate if municipality has set an AMR threshold for non-luxury market rental units that is lower than from provincial threshold of 175% AMR, and what that threshold would be;
- Indicate timing of when the rebate would flow towards the eligible market rental developments after the collection of the development charges;
- Indicate how much of the fiscal year's notional allocation the municipality would need on a quarterly basis, to facilitate transfer of provincial rebates from MHO to municipality;
- Indicate timelines around expected planning approvals and issuance of building permits for the proposed market rental developments specified in the plan;
- Indicate details of any municipal incentives provided; and
- Identify legal mechanisms that would keep proposed developments and units as rental for a minimum of 20 years.

The Province recognizes that the planning approval processes around market rental housing developments can sometimes take few years before a building permit is issued. To accommodate for any delays in the planning approval processes for developments and units proposed in the initial take-up plans, municipalities will have two years to rebate eligible developments. The two years start at the beginning of each fiscal year, when municipalities receive MHO approval on their initial (first quarter) spending plans. For example, for allocations made in fiscal year 2018-19, municipalities will have up until March 31, 2020 to make the rebates.

Payment Process and Schedule

Payment Process

The Ministry will advance funding directly to municipalities (or designated Service Managers), who will be responsible for rebating development charges for eligible developments and units. Municipalities (or designated housing Service Managers) will provide rebates for eligible developments based on a schedule as determined by the municipality, and in compliance with the program requirements.

Payment Schedule

MHO will provide quarterly funding to municipalities, based on MHO approved first quarter take-up plans.

Recovery and Reconciliations

MHO will also undertake reconciliations through adjusted municipal take-up plans submitted every six months to assess if the provincial rebates are being provided in accordance with program criteria and initial first quarter take-up plan.

If a municipality reports back that it is unable to rebate its allocation for that fiscal year, MHO would either reconcile unspent funding or re-allocate the funding to another municipality. Reallocation would be based on capacity of other municipalities to rebate development charges as reflected in their take-up plans. This would be determined through discussions between MHO and municipalities around proposed rental developments and units that would be eligible to receive provincial development charges rebates, and anticipated timelines these developments/units would be in a position to receive a building permit and make development charges payments within the given time frames.

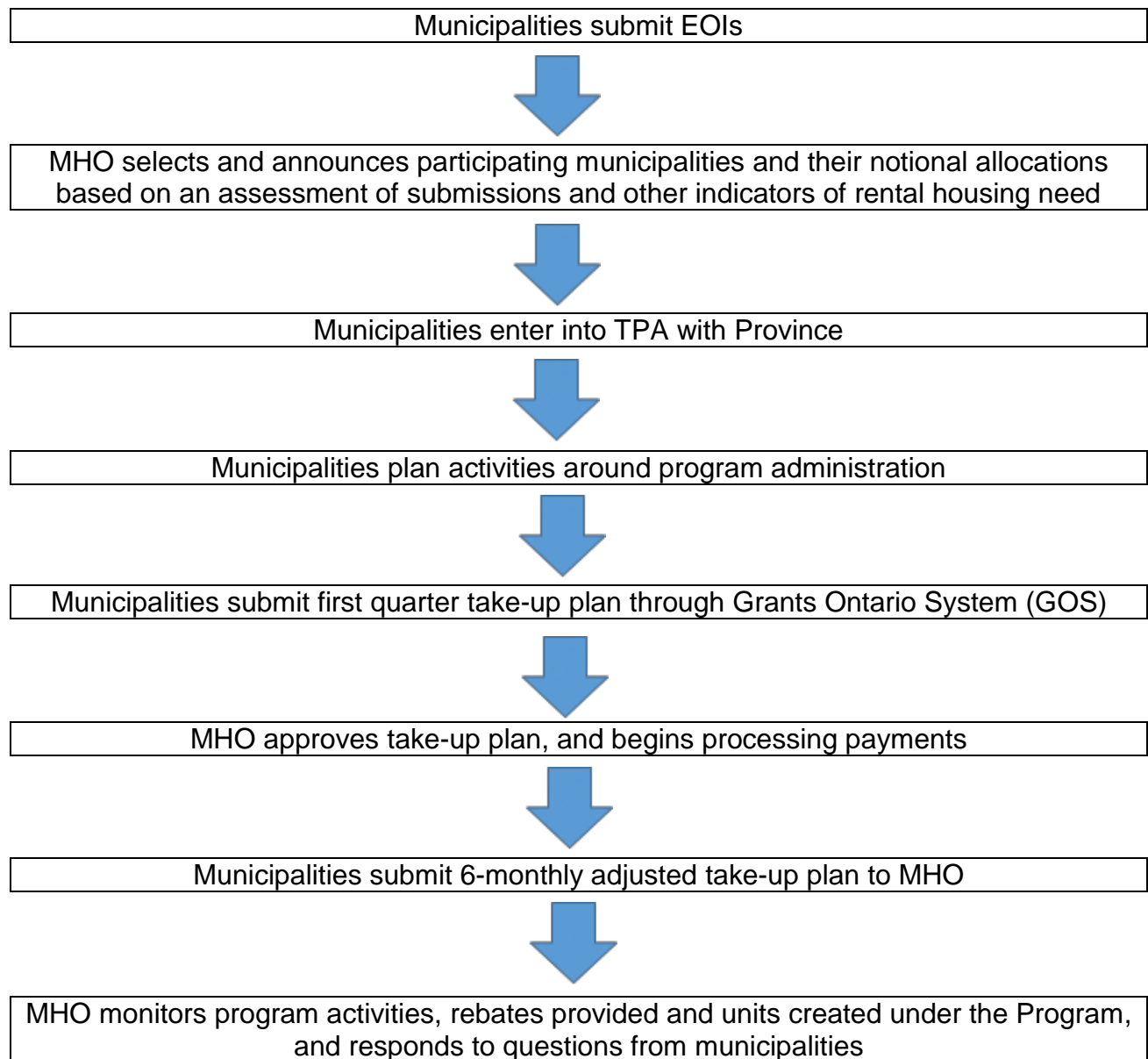
Indemnification and Repayment

There are obligations for all Program recipients with regard to the indemnification and recovery of provincial government funding. The TPAs will contain specific obligations and provisions relating to indemnification and recovery of provincial funding.

Other Reporting Requirements

Through their adjusted spending plans, municipalities will report back on a bi-annual basis on the following:

- Adjusted forecasted and actual rebates made to date;
- Details of the developments receiving rebates (address of site, total number of units in the development, if there are units in the development receiving capital subsidies through another provincial program such as IAH);
- Total and per unit provincial rebates provided to eligible developments or units on a site-by-site basis (until fully transferred);
- Details of any municipal incentives provided to the eligible developments or units on a site-by-site basis;
- Total number of market rental units receiving rebates by bedroom type and unit size;
- Expected or actual starting market rents by bedroom type and comparison against AMR threshold; and
- Expected or actual occupancy date for the development/units.

Appendix A: Program Implementation Flow Chart

Appendix B: Ministry of Housing Contacts

Municipal Services Office – Central

777 Bay Street 13th Floor
 Toronto, ON, M5G 2E5
 General Inquiry: 416-585-6226
 Toll Free: 1-800-668-0230
 Fax: 416-585-6882

Contact: Ian Russell, Team Lead, Regional Housing Services
 Tel: 416-585-6965
 Email: ian.russell@ontario.ca
 Serving: Durham, Halton, Hamilton, Niagara, Muskoka, Peel, Simcoe, York

Municipal Services Office – Eastern

8 Estate Lane, Rockwood House
 Kingston, ON, K7M 9A8
 General Inquiry: 613-545-2100
 Toll Free: 1-800-267-9438
 Fax: 613-548-6822

Contact: Mila Kolokolnikova, Team Lead, Regional Housing Services
 Tel: 613-545-2123
 Email: mila.kolokolnikova@ontario.ca
 Serving: Cornwall, Hastings, Kawartha Lakes, Kingston, Lanark, Leeds and Grenville, Lennox and Addington, Northumberland, Ottawa, Peterborough, Prescott and Russell, Renfrew

Municipal Services Office – Western

659 Exeter Road, 2nd Floor
 London, ON, N6E 1L3
 General Inquiry: 519-873-4020
 Toll Free: 1-800-265-4736
 Fax: 519-873-4018

Contact: Pearl Dougall, Senior Housing Advisor,
 Tel: 519-873-4521
 Email: pearl.dougall@ontario.ca
 Cynthia Cabral, Senior Housing Advisor,
 Tel: 519-873-4520
 Email: cynthia.cabral@ontario.ca

Serving: Brantford, Bruce, Chatham-Kent, Dufferin, Grey, Huron, Lambton, London, Norfolk, Oxford, St. Thomas, Stratford, Waterloo, Wellington, Windsor

Municipal Services Office – Northeastern

159 Cedar Street, Suite 401
Sudbury, ON, P3E 6A5
General Inquiry: 705-564-0120
Toll Free: 1-800-461-1193
Fax: 705-564-6863

Contact: Cindy Couillard, Team Lead, Regional Housing Services
Tel: 705-564-6808
Email: cindy.couillard@ontario.ca

Serving: Algoma, Cochrane, Greater Sudbury, Manitoulin-Sudbury, Nipissing, Parry Sound, Sault Ste. Marie, Timiskaming

Municipal Services Office – Northwestern

435 James Street, Suite 223
Thunder Bay, ON, P7E 6S7
General Inquiry: 807-475-1651
Toll Free: 1-800-465-5027
Fax: 807-475-1196

Contact: Peter Boban, Team Lead, Regional Housing Services
Tel: 807-473-3017
Email: peter.boban@ontario.ca

Serving: Kenora, Rainy River, Thunder Bay

Housing Programs Branch - Toronto

777 Bay Street, 14th Floor
Toronto, ON, M5G 2E5
Fax: 416-585-7003

Contact: Walter Battello, Account Manager, Regional Services Delivery Unit
Tel: 416-585-6480
Email: walter.battello@ontario.ca

Serving: Toronto

Date: 2018-01-31

Subject: **New Purchasing By-Law**

Contact: James Macintyre, Director of Purchasing, (905) 874-3985

Recommendations:

1. That the report from James Macintyre, Director of Purchasing, Corporate Services, dated January 31, 2018, to the Council meeting of February 21, 2018 entitled **New Purchasing By-law** be received; and
2. That the Purchasing By-law as set forth in Appendix "A" attached to this report, be approved.

Overview:

- **A comprehensive review of the Purchasing By-law is complete;**
- **The new Purchasing By-law has been updated to:**
 - **Encourage competition and enhance transparency**
 - **Streamline and expedite process**
 - **Shift from transactional to strategic procurement**
- **Efforts to modernize and transform procurement and become "Future Ready" include:**
 - **Enhancing Vendor outreach**
 - **Public Engagement**
 - **Demonstrating value for money**

8.2-2

Background:

The City spends millions of dollars each year for goods and services that are needed to deliver public services. Good public service outcomes depend on a well-managed and effectively executed procurement program. The successful delivery of the procurement program instills trust and confidence in the stewardship of public funds and Council plays a key role by setting the policy through the approval of the Purchasing By-law.

The current Purchasing By-law was amended in February of 2017 to reflect the new organizational structure and consolidate reporting. At that time staff committed to conduct a review of the By-law to ensure; alignment with pending trade legislation; address potential recommendations from the forthcoming Provincial Ombudsman's report; modernization efforts to improve the procurement function. The comprehensive review process followed project management practices including establishing an advisory committee of Legal Services, Purchasing and Departmental staff from across the organization.

The review included an environmental scan of Purchasing By-laws from local and similar sized municipalities for benchmarking purposes. This comparative exercise included low value transactions, social and environmental procurement, monetary thresholds and reporting requirements. The assessment of all applicable legislation was an essential component of the process including the Canada - European Union Comprehensive Economic & Trade Agreement (CETA) and the Canadian Free Trade Agreement (CFTA). Valuable input from key stakeholders was gathered from the Mayor, Council, the Corporate Leadership team and the Vendor community. The changes incorporate, policy improvements, low value efficiencies, enhancements to invitational procurement and support of procurement transformation. The improvements also uphold the best practice as proposed by the Ombudsman to "ensure revisions to the By-law adequately balance the need for controls and enforcement mechanisms with the desire for flexibility".

Policy Improvements:

Procurement transformation requires an effective Purchasing By-law that supports efforts to improve processes while balancing risk. The new By-law is constructed within the corporate policy framework including; disentangling what is required in the by-law from policy and procedures; using consistent plain language, eliminating duplication, updating definitions and schedules. It includes language to formulate strategies for social and environmental procurement and vendor management. It also

8.2-3

supports the key objectives of the new trade legislation to encourage competition and enforce greater transparency including;

- Provisions for bid posting periods;
- Notice of total estimated contract value, including optional terms;
- Public notice of Architectural & Engineering Services; and
- Dispute resolution obligations.

Low Value Efficiencies:

Currently the By-law exempts Direct Purchases up to \$5,000 from competitive procurement. Low value transactions consume significant resources and many progressive organizations are shifting to more efficient ways of processing these repetitive, low risk transactions. With the rise of Ecommerce and online marketplaces the savings through competitive processes for low value items has dissipated and the benefits of increasing Direct Purchases up to \$25,000 is warranted.

This requires a shift from a traditional perspective to a new way of thinking. However, considering the proposed increase from \$5,000 to \$25,000 represents 1% of the total annual procurement spend, expenditures under \$25,000 represent 6%, accounting for 90% of all transactional activity, there are significant efficiencies to be realized. By using more efficient, low risk tools such as Purchasing Cards (PCard) significant savings and cost avoidance can be realized. The resources carrying out transactional activities can be utilized for value added work such as strategic sourcing and utilizing business intelligence and data analytics to get best value. Best practices show that using a PCard versus a Purchase Order saves the City approximately \$70 per transaction. Migrating Corporate contracts to PCard will create further efficiencies and cost savings, as well the bank rebate potential of approximately \$140,000 annually.

The goal is to expand the program and although the rates of non-compliance and fraud are low, more robust monitoring and reporting is being developed to ensure risk is managed appropriately. The implementation of new technology in 2018 will automate and provide better reporting and data analytics capability. To balance the risk, Purchasing staff will ensure those involved in the process have adequate training and that the proper controls are in place with regular disclosure reporting and auditing.

8.2-4

Invitational Procurements:

Currently there are two processes for invitational procurement, Informal - \$5,000 to \$50,000 delegated to the departments to conduct, and Formal - \$50,000 to \$100,000 conducted by Purchasing. The opportunity now arises to merge the two streams into one process from \$25,000 to \$100,000. Increasing the low value threshold to \$25,000 limits the procurement conducted by the departments to a small range and broadening the delegation will expedite bidding processes and reduce cycle times. Leveraging the new eBidding application will further improve the invitational process and support local business by providing user friendly access to bidding opportunities. Purchasing will continue oversight and to manage risk and ensure proper controls are in place with monitoring and disclosure of activity.

Procurement Modernization:

The new Purchasing By-law aligns to the City's strategic objectives. It enables further streamlining and automation of processes to improve cycle times and reduce administrative red tape. Adjustments to the purchasing thresholds enable efficient processing of low value activity and further empowerment of staff for invitational procurement. Measures to demonstrate value for money and balance risk include: public notice of procurements greater than \$100,000 with regular reporting to Council; disclosure reporting of low value activity; and utilizing business intelligence to demonstrate value for money.

Vendor and Public Engagement:

The By-law will be supported by a Vendor strategy focused on enhancing access to bidding opportunities, improving contract performance, as well as, education and training. Vendor outreach includes our first annual Vendor Forum taking place in March 2018, a multi-faceted event providing Vendors the opportunity to interact with Departmental staff. Additionally, Purchasing in collaboration with the Brampton Entrepreneurship Centre, are commencing regular training sessions to inform local Vendors on how to do business with the City.

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Strategic Plan:

This report achieves the Strategic Plan priorities by practicing proactive, effective and responsible management of municipal assets and services. This By-law demonstrates Purchasing's continuous commitment to be fair, transparent and accountable in the stewardship of public funds.

Conclusion:

Improving the Corporation's procurement function is a critical component of the City's efforts to become "Future Ready". The adoption of the new Purchasing By-law described in this report will support procurement modernization, demonstrate value for money while ensuring transparency and disclosure of procurement activity for the public and members of Council.

Approved by:

James Macintyre
Director of Purchasing

Joseph Pittari
Commissioner, Corporate Services

Attachment: Appendix 1 – Proposed Purchasing By-Law

Report Authored by: James Macintyre, Director of Purchasing



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2018

To repeal Purchasing By-law 310-2015, as amended, and replace with this updated By-law to provide for the Procurement of goods, services and construction.

WHEREAS the *Municipal Act, 2001*, s.270 (1), requires Ontario municipalities to adopt a policy for the procurement of goods and services;

WHEREAS the *Canadian Free Trade Agreement (CFTA)*, the *Comprehensive Economic and Trade Agreement (CETA)* and the *Ontario-Quebec Trade and Cooperation Agreement (OQTCA)* apply to the Procurement of goods and services by the Corporation;

WHEREAS this By-law establishes the authority, policies and procedures by which goods, services and construction will be purchased and disposed of for the purpose of the City;

WHEREAS on December 9, 2015, Council enacted By-law 310-2015 to repeal and replace Purchasing By-law 35-2012, for the Procurement of goods and services;

WHEREAS Council wishes to repeal By-law 310-2015; and,

NOW THEREFORE the Council of the Corporation hereby ENACTS as follows:

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1.0 **OBJECTIVES**

- 1.1 Promote Procurement activities and decisions which are consistent with the strategic, financial, social and environmental objectives of the City;
- 1.2 Provide professional and ethical leadership through the provision of fair and transparent Procurement Processes;
- 1.3 Promote the most cost effective and efficient use of City funds by achieving best value for money; and
- 1.4 Maintain trust and confidence in the stewardship of public funds.

2.0 **PRINCIPLES**

2.1 Non-Discrimination

The City will not adopt Discriminatory procurement practices in accordance with the requirements of any applicable trade agreements, as set out in Schedule E.

2.2 Transparency

The City will ensure this By-law and Supporting Policies and Procedures are made readily accessible to the public.

2.3 Exceptions

2.3.1 The City may exclude a Procurement from a competitive Procurement Process in the circumstances as set out in Schedule C.

2.3.2 Where it is known before commencement that a Procurement may not comply with this By-law in some respect, the Procurement shall not be commenced unless the Procurement has been authorized by Council.

2.3.3 Procurements that have commenced and which subsequently are found not to comply with this By-law in some respect must be authorized as follows:

- a) A Procurement with a value of less than \$100,000 shall not continue unless authorized by the Purchasing Agent and the requisitioning Department Head.
- b) A Procurement with a value of \$100,000 or greater shall not continue unless authorized by the Purchasing Agent, the requisitioning Department Head and Chief Administrative Officer.

2.4 Non-Application

The By-law does not apply to the exclusions as set out in Schedule D. Agreements regarding the purchase of goods or services where this By-law does not apply, must be approved in accordance with the applicable By-law, Policy, Administrative Directive or Standard Operating Procedure.

2.5 No Local Preference

2.5.1 In the evaluation of Bids or award of contracts, the City shall not impose or consider local content or other economic benefits criteria that are designed to favour:

- a) The goods or services of a particular Province or region, including goods and services included in a construction contract; or
- b) The suppliers of a particular Province or region of such goods or services; and

2.5.2 The City may accord a preference for Canadian value-added, in accordance with the applicable trade agreements and Supporting Policies and Procedures.

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2.6 Complaints and Disputes Resolution

Objective and timely consideration will be given to any Bid complaint submitted to the City in accordance with Supporting Policies and Procedures. Any such consideration shall not result in undue discrimination against a Vendor resulting in limiting the Vendor's participation in ongoing or future Procurements.

2.7 Language

The City's Procurement Processes will be conducted in the English language and where required by legislation or by agreement with the Federal Government, the Government of Ontario or an Ontario municipality, also in the French language.

2.8 Confidentiality

2.8.1 Nothing in this By-law requires the City to breach confidentiality obligations imposed by law or to compromise security concerns or commercially sensitive or proprietary information identified by a Vendor in its procurement documents.

2.8.2 Notwithstanding Section 2.8.1, information collected by the City is subject to the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M-26.

2.9 Sustainable and Ethical Procurement

2.9.1 The City supports the acquisition of goods, services and construction from Vendors who conduct their business in a sustainable and ethical manner. The City acknowledges its responsibility to conduct its Procurements in a socially and environmentally responsible manner. This includes zero-tolerance of child labour or involuntary labour. Vendors are required to adhere to the core international labour standards of the International Labour Organization that support the Universal Declaration of Human Rights.

2.9.2 The City encourages the Procurement of goods, services and construction with due regard to protect natural ecosystems and resources, and the human and built communities. Vendors may be required to supply goods, services and construction made by methods resulting in the least damage to the environment, and/or supply goods, services and construction incorporating recycled materials where practical as specified in procurement documents.

3.0 COUNCIL

Prior to the commencement of a Procurement Process, being the date Procurements are advertised or solicited, Council shall authorize the commencement of Procurements with an estimated value of \$1,000,000 or greater and Procurements less than \$1,000,000 that are deemed to be of significant risk, involve security concerns or significant community interest as recommended by the requisitioning Department Head and/or the Purchasing Agent.

3.1 In keeping with municipal procurement best practices, the Mayor and Members of Council shall have no involvement in specific Procurements, including not seeing any related documents or receiving any related information from the time those Procurements have been advertised or solicited until the Contract has been entered into.

3.2 The Mayor and Members of Council who receive inquiries from Bidders related to any specific Procurement are required to advise the Bidders(s) to communicate with the contact person listed in the procurement document.

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- 3.3 For Procurements described in Section 3.0, during the months where there is no meeting of Council or if Council is in a lame duck period, authority shall be delegated to Chief Administrative Officer. Any exercise of such delegated authority shall be reported to Council as information only, in accordance with Section 11.0.

4.0 **PURCHASING AGENT AUTHORITY**

The Purchasing Agent shall:

- a) Act on behalf of or in consultation with the requisitioning Department Head to authorize the use of the most appropriate Procurement Process;
- b) Execute procurement documents including Contracts, Purchase Orders and all other documents related to specific procurements under the Corporate Seal on behalf of the Mayor and the Clerk;
- c) Ensure that all Contracts and related documents executed under Section 4.0, b) are Approved as to Content by the appropriate requisitioning Department Head; and
- d) Ensure that all Contracts and related documents executed under Section 4.0, b) are Approved as to Form by the City Solicitor.

5.0 **RESPONSIBILITY OF THE PURCHASING AGENT**

The Purchasing Agent is responsible for the Purchasing function of the City including:

- a) Acquisition of goods, services and construction required by the City excluding Real Property;
- b) Disposal of assets excluding Real Property;
- c) Determining the appropriate Procurement Process based on the Total Procurement Value provided by the requisitioning Department;
- d) Delegation of Purchasing Agent authority where appropriate;
- e) Disqualification of Vendors from participating in Procurements in accordance with the Supporting Policies and Procedures; and
- f) Reporting to Council as required in Section 11.0.

6.0 **RESPONSIBILITY OF THE DEPARTMENT HEAD**

The Department Head is responsible for:

- a) Ensuring compliance with this By-law and Supporting Policies and Procedures with respect to the activities of their Department;
- b) Obtaining Council approval to proceed with Procurement in accordance with Section 2.3.3.;
- c) Delegating appropriate authority to employees within their Department as set out in this By-law and Supporting Policies and Procedures; and
- d) Reporting to Council as required in Section 3.0.

7.0 **GENERAL AUTHORITY**

- 7.1 The required goods, services and construction have been requisitioned in accordance with this By-law and the Supporting Policies and Procedures.
- 7.2 The Procurement has been approved by the appropriate level of authority as set out in Schedule B.
- 7.3 For Procurements confidential in nature, the Chief Administrative Officer or the Commissioner, Corporate Services may act as the Purchasing Agent.

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- 7.4 The Purchasing Agent is authorized to proceed with the acceptance of the next Compliant Bid, and so on as necessary, should a Bidder fail to enter into a Contract or default on its contractual obligations.
- 7.5 The Purchasing Agent may cancel any Procurement in consultation with the requisitioning Department Head.
- 7.6 The Purchasing Agent, in consultation with the requisitioning Department Head, may cancel or negotiate any Procurement, where Bids exceed the budget and additional funds are not available.

8.0 **PROCUREMENT**

Unless otherwise provided in this By-law, all Procurements having a price or value within each of the dollar ranges set out in this By-law shall be purchased as set out in Schedule B and in accordance with Supporting Policies and Procedures.

8.1 **Direct Purchase (Up to and including \$25,000)**

Direct Purchases are delegated to Departments.

8.2 **Invitational Procurement (Greater than \$25,000 to less than \$100,000)**

Invitational Procurements may be delegated to Departments by the Purchasing Agent to conduct the Procurement Process.

8.3 **Public Procurement (\$100,000 & Greater)**

Public Procurement is conducted by Purchasing.

8.4 **Limited Tendering (Greater than \$25,000)**

Departments must provide the Purchasing Agent with valid justification in accordance with the conditions as set out in Schedule C.

8.5 **Emergency Purchase**

Emergency Purchases must be procured in accordance with Supporting Policies and Procedures.

8.6 **No Cost Procurement**

- 8.6.1 A "no cost" procurement is a Procurement where the City will not bear any cost. These types of procurements include:

- a) Revenue generating opportunities, and
- b) Cost pass through to a third party.

- 8.6.2 "No cost" procurements must be acquired in the same manner and using the same Procurement Process and corresponding approval requirements as Procurements that have a cost to the City, depending on the value of the no cost procurement.

8.7 **Co-operative Purchasing**

The Purchasing Agent may make arrangements with one or more public bodies for Co-operative Purchasing where there are economic advantages in doing so, provided that if the Procurement is to be conducted by other public bodies, the Purchasing Agent determines that:

- a) The method of Procurement used by the other public body is a competitive method consistent with that as set out in this By-law; and
- b) The awarding, reporting and execution of contracts resulting from the co-operative Procurement is consistent with that as set out in this By-law and Supporting Policies and Procedures.

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8.8 **Unsolicited Proposal**

Unsolicited Proposals received by the City from a Vendor who has approached the City to advise the City of their ability or desire to undertake City requirements shall be reviewed by the Purchasing Agent and Department Head to determine if it is in the best interest of the City to initiate a Procurement Process as set out in this By-law.

8.9 **Tied Bids**

In the case of tied Bids, the successful Bidder will be determined by a coin toss, conducted by the Purchasing Agent in accordance with the Supporting Policies and Procedures.

8.10 **Use of Formal Agreement**

8.10.1 Formal agreements shall be used in conjunction with a Purchase Order, for complex requirements, which may contain terms and conditions other than those of the City's standard terms and conditions.

8.10.2 The Purchasing Agent in consultation with the requisitioning Department Head shall determine if a formal agreement is required.

8.10.3 Formal agreements and associated contracts shall be Approved as to Content, Approved as to Form and executed in accordance with the Supporting Policies and Procedures.

8.10.4 When a formal agreement is required, the Purchasing Agent shall issue a Purchase Order incorporating the formal agreement.

8.11 **Communication During a Procurement**

A Procurement Process begins when the Procurement is advertised or solicited (Start Date) and ends when The City signs an agreement and/or issues a Purchase Order with a Vendor (End Date) or when the Procurement Process is cancelled. Throughout the Procurement Process, all communications with Vendors involved in the process must occur formally, through the contact person identified in the procurement documents.

8.12 **Disposal of Assets**

The Department Head shall declare surplus, obsolete or non-repairable assets as surplus to the Purchasing Agent for disposal in accordance with Supporting Policies and Procedures. The Purchasing Agent may redeploy such assets to other City Departments or if no longer useful for City purposes, arrange for their disposal at the highest return or the reduction or avoidance of net cost from the disposition.

9.0 **FAIRNESS MONITOR**

The City may elect to utilize a fairness monitoring process for specific procurements, and may engage a fairness monitor as an independent third party to observe all or part of a Procurement Process, to provide related feedback on fairness issues to the Purchasing Agent and the requisitioning Department Head, or to Council for Procurements in excess of \$1,000,000 to provide an unbiased opinion on the fairness and transparency of the process.

10.0 **CODE OF CONDUCT AND CONFLICT OF INTEREST**

10.1 All Procurements of goods, services and construction described in this By-law are subject to the City of Brampton Policies and applicable law, including the following:

- a) The Employee Code of Conduct Policy;
- b) The Employee Conflict of Interest Policy;
- c) The Code of Conduct for the Members of Council of the City of Brampton;
- d) The *Municipal Conflict of Interest Act*; and
- e) The *Municipal Act, 2001*.

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- 10.2** The submission of all bids must include a declaration by the Bidder that there is no actual, potential or perceived conflict of interest in that Bidder submitting a Bid in respect of that Procurement Process or where there is an actual, potential or perceived conflict of interest, the Bidder must provide details of same. Where a Bidder submits details in respect of an actual, potential or perceived conflict of interest, the Purchasing Agent shall review details of same and, in consultation with the City Solicitor, determine if the actual, potential or perceived conflict of interest serves to disqualify that Bidder from further participation in the Procurement Process.

11.0 REPORTING

The Purchasing Agent shall report quarterly to Council providing a summary of Purchasing activities including:

- a) Contract awards with a value of \$100,000 and over;
- b) Contract Extensions with a value of \$100,000 and over;
- c) Exceptions for Sections 2.3.2 and 2.3.3;
- d) Emergency Purchases; and
- e) Disposal of assets.

12.0 PROHIBITIONS AND COMPLIANCE

- 12.1** All employees and elected officials of the City are required to adhere to the Purchasing By-law and Supporting Policies and Procedures related to the acquisition of goods, services and construction for the City.
- 12.2** Any employee who knowingly contravenes this By-law commits an act of misconduct is liable to disciplinary action.
- 12.3** No acquisition of goods, services or construction or the disposal of assets shall be made where the quantity or delivery is divided or in any other manner arranged so that the price or value of the goods and services to be acquired or disposed of is artificially reduced to circumvent the requirements of this By-law.
- 12.4** Vendors shall not be permitted to Bid on a Procurement that they have developed the specification for, unless approved in advance by the Purchasing Agent.
- 12.5** All employees and elected officials will not acquire or accumulate, either directly or indirectly, where the benefit does not accrue to the City, points through loyalty programs such as Air Miles, Aeroplan, etc. when making purchases on behalf of or for the City.
- 12.6** No goods, services or construction shall be requisitioned by any employee or the Mayor or Councillor unless:
- a) The goods, services or construction are legitimately required for the purposes of the City or any other local Board or other Agency on whose behalf the purchase is being undertaken;
 - b) The funds for the Procurement are available with an approved budget or the request to purchase is expressly made subject to funding approval of the City or any other local Board or other Agency on whose behalf this is being made;
 - c) No employee or the Mayor or Councillor shall be permitted to purchase any asset to be disposed of except by successfully bidding on the same at a public auction or by sealed Bid but in no case if the duties of that employee or the Mayor or Councillor include making decisions regarding the disposal of such assets or

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activities relating to the conduct of the disposal process unless specifically provided by another Council Resolution;

- d) No employee or the Mayor or Councillor shall knowingly cause or permit anything to be done or communicated to anyone which is likely to cause any potential Bidder to have an unfair advantage or disadvantage in obtaining a Contract with the City, or any other municipality, local board or public body involved in the Procurement; and
- e) No employee or the Mayor or Councillor shall knowingly cause or permit anything to be done which will jeopardize the legal validity or fairness of any Procurement under this By-law which is likely to subject the City to any claim, demand, action or proceeding as a result of such act or omission.

13.0 **ADMINISTRATIVE PROCEDURES**

- 13.1 In the event of any conflict between this By-law and any applicable legislation or trade agreement to which the City is bound, the more restrictive provision shall apply.
- 13.2 If a court of competent jurisdiction declares any provision, or any part of a provision, of this By-law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this By-law, that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.
- 13.3 The Purchasing Agent is responsible for the administration of this By-law and is authorized to recommend changes to this By-law, and where permitted by law to do so, may create, amend and delete Supporting Policies and Procedures.

14.0 **APPEAL AND EFFECTIVE DATE**

14.1 Purchasing By-law 310-2015, as amended is hereby repealed; and

14.2 This By-law is effective as of March 1, 2018.

READ a FIRST, SECOND and THIRD TIME and PASSED this 21st day of February 2018.

ENACTED and PASSED this 21 day of February, 2018.

Approved as to
form.

year/month/day

[insert name]

Linda Jeffrey, Mayor

Approved as to
content.

year/month/day

[insert name]

Peter Fay, City Clerk

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SCHEDULE A TO BY-LAW

Definitions

For the purposes of this By-law, the following terms shall have the following meanings:

“Approved as to Content” means that the content, substance and material dealt within the document are approved as set out in this By-law;

“Approved as to Form” means that the document is approved for execution in the correct form, style and procedures of the City as set out in this By-law;

“Bid” means an offer to supply goods, services or construction in a Procurement Process;

“Bidder” means any proponent, respondent or other person or entity who has obtained official procurement documents for the purpose of submitting or who has submitted a Bid in response to a Procurement Process;

“Buying Group” means a group of two or more members which combines the Purchasing requirements and activities of the members of the group into one joint Procurement Process.

“Chief Administrative Officer” means the highest ranking administrator of the Corporation and includes an acting Chief Administrative Officer who has all the authority and responsibility of the Chief Administrative Officer for the duration of the acting designation;

“Compliant Bid” means a Bid that in accordance with this By-law and the City’s policies and procedures:

- has been found to have met specific mandatory requirements;
- does not give rise to any conflicts of interest;
- has not been submitted by a Vendor ineligible to bid; and
- has not been disqualified and rejected.

“Confidential Information” means any and all information and materials, which:

- are designated as confidential at the time of disclosure (in a manner reflecting the manner in which they are disclosed); or
- a reasonable person, having regard to the circumstances, would regard as confidential (including Personal Information). “Personal Information” means any personal information which is required to be protected pursuant to MFIPPA or any laws (including regulations and common law) pertaining to the protection of personal, healthcare or insurance information.

“Contract” means a formal legal agreement between two or more parties with binding legal and moral implications whereby goods and/or services are exchanged for money or other consideration;

“Contract Extension” means an amendment increasing the value, changing the scope of work or extending the term, where the terms of the Contract do not include the option for such amendment;

“Co-operative Purchasing” means a competitive Procurement Process that is conducted by one public body or Buying Group on behalf of one or more public bodies in order to obtain the benefits of volume purchases and administrative efficiencies;

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

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“Department” means a Department with a Council appointed Commissioner or officer as the Department Head and includes the General Manager of Transit and Fire Chief.

“Department Head” means the individual accountable for departmental operations and includes an acting Department Head who has all the authority and responsibility of the Department Head for the duration of the acting designation and delegated authority as set out in the Administrative Directive, Delegation of Department Head Purchasing Authority;

“Deputy Purchasing Agent” means the staff person so designated who has all the powers and duties of the Purchasing Agent;

“Direct Purchase” means the purchase of goods, services or construction with a Total Procurement Value not exceeding \$25,000;

“Disposal” means the sale, exchange, transfer, destruction or donation of assets in accordance with the Supporting Policies and Procedures;

“Emergency” means an unforeseeable, serious emergency situation where the immediate purchase of goods, services or construction is essential in order to maintain a required service or to prevent danger to life, health or property within the City of Brampton;

“Emergency Purchase” means a Procurement Process where the usual competitive process is suspended due to the prevailing Emergency circumstances;

“Irregular Result” means a result in a Procurement in which:

- another Procurement Process should have been conducted based on the bid results;
- award of a Contract to the Bidder, as a result of the Procurement Process, does not represent best value and is not in the best interest of the City; or
- Council authority to commence Procurement should have been obtained;

“Limited Tendering (previously known as Single/Sole Source)” means a Procurement

Process where negotiations are entered into with one or more than one Vendor based on the conditions as set out in Schedule C to this By-law and includes Direct Negotiations as a Procurement Process where there is no competitive process;

“Mayor” means the elected Mayor of the City or the person duly appointed to act in the place of the Mayor;

“Procurement” means acquiring goods, services, construction or any legal or equitable right, title or interest, in goods, services, construction and includes the lease of goods, services and “purchased,” “acquisition”, “procure”, “buy” shall have similar meanings;

“Procurement Complaints and Disputes Resolution Committee” means a committee of City staff as described in the Procurement Complaints and Disputes Resolution Policy and Procedures

“Procurement Process” means all methods of competitive and non-competitive Procurement;

“Purchase Order” means the legal document which is the City’s commitment to the Vendor for the purchase of goods, services or construction at an agreed upon price, terms, conditions and delivery specified on the order;

“Purchasing” means central purchasing within Corporate Services of the City authorized to perform the purchasing activities on behalf of all Departments;

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“Purchasing Agent” means the staff person so designated who is vested with such authorities, duties and responsibilities as are prescribed by this By-law, and includes any other staff person to whom such authority is delegated pursuant to Section 5.0, d);

“Request for Expression of Interest” means a Procurement Process used to gather information on Vendor interest in an opportunity or information on Vendor capabilities/qualifications;

“Request for Information” means a Procurement Process to gather service or product information from Vendors;

“Request for Prequalification” means a Procurement Process used to gather information on Vendor capabilities and qualifications, with the intention of creating a list of pre-qualified Vendors;

“Request for Proposal” means a Procurement Process where a need is identified and Bidders propose solutions evaluated on technical and financial criteria;

“Request for Quotation” means an invitational Procurement Process where prices on specific goods, services or construction are requested from selected Bidders;

“Supporting Policies and Procedures” means policies and procedures to support the objectives, principles and application of this By-law;

“Tender” means a public Procurement Process where prices on specific goods, services or construction are requested;

“Tied Bids” means two or more Compliant Bids which score equally after evaluation, or otherwise are equal, and which are the lowest or best Compliant Bids received in accordance with Supporting Policies and Procedures;

“Total Procurement Value” means the total estimated value of the Procurement over its entire duration, including all renewal options, taking into account; premiums, fees, commissions, interest, exclusive of taxes; and

“Vendor” means an individual or organization that may offer goods, services or construction to the City.

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SCHEDULE B TO BY-LAW

Award Authority

DOLLAR RANGES	PROCUREMENT PROCESS	AUTHORITY
≤\$25,000	Direct Purchase	Department Head
> \$25,000 to < \$100,000	Request for Proposal (Invitational) Request for Quotation (Invitational) Limited Tendering Contract Extension (Cumulative) Irregular Result	Purchasing Agent and Department Head
≥\$100,000 to < \$1 million	Request for Proposal (Public) Tender (Public) Limited Tendering Contract Extension (Cumulative) Irregular Result	Purchasing Agent and Department Head
≥\$1 million	Request for Proposal (Public) Tender (Public) Limited Tendering Contract Extension (Cumulative) Irregular Result	Purchasing Agent, Department Head and Chief Administrative Officer
≤\$25,000	Emergency Purchase	Department Head
Any Dollar Value	Disposal of Assets	Purchasing Agent and Department Head

This should be read in conjunction with the Administrative Directive, Delegation of Department Head Purchasing Authority.

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SCHEDULE C TO BY-LAW

Limited Tendering

A non-competitive Procurement is an exception to the competitive Procurement Process that may be undertaken where both the proposed non-competitive Procurement and the particular Vendor can be justified in good faith, based on one or more of the following:

1.
 - a) No Bids were submitted;
 - b) No Bids conforming to the essential requirements of the procurement document were submitted;
 - c) No Bidders satisfied the conditions for participation; or
 - d) The submitted Bids were collusive.
2. If goods or services can be supplied only by a particular Vendor and no reasonable alternative or substitute goods or services exist for the following reasons:
 - a) The protection of patents, copyrights, or other exclusive rights; or
 - b) Due to an absence of competition for technical reasons.
3. For additional goods or services from the original Vendor that were not included in the initial Procurement, if a change of Vendor for such additional goods or services;
 - a) Cannot be made for economic or technical reasons; and
 - b) Would cause significant inconvenience or substantial duplication of costs for the City;
4. If strictly necessary and for reasons of urgency brought about by events unforeseeable by the City, the goods or services could not be obtained in time using a competitive process;
5. For goods purchased on a commodity market;
6. If a procuring entity procures a prototype or a first good or service that is developed in the course of a contract for research, experiment, study, or original development;
7. The goods or services are purchased under circumstances which are exceptionally advantageous to the City, such as in the case of a bankruptcy or receivership;
8. If a contract is awarded to a winner of a design contest;.
9. If goods or services regarding matters of a confidential or privileged nature are to be purchased and disclosure through a competitive process could reasonably be expected to compromise confidentiality, result in the waiver of privilege, cause economic disruption, or otherwise be contrary to the public interest;
10. The supply of goods and services is controlled by a Vendor that is a statutory monopoly;
11. To ensure compatibility with existing goods, or to maintain specialized goods that must be maintained by the manufacturer of those goods or its representative;
12. Work is to be performed on property by a contractor according to provisions of a warranty or guarantee held in respect of the property or the original work; or
13. Work is to be performed on a leased building or related property, or portions thereof, that may be performed only by the lessor.

Any amendments to applicable legislation or trade agreement to which the City is bound which expand or limit the permitted exceptions set out in this Schedule C shall apply and this By-law shall be deemed to have been amended accordingly.

SCHEDULE D TO BY-LAW**Non-Application**

The following circumstances do not require a Procurement Process under Section 2.4 of this By-law. The purchasing and reporting methods described in this By-law do not apply to the following items.

1. Public employment contracts;
2. Non-legally binding agreements;
3. Any forms of assistance, such as grants, loans, equity infusions, guarantees, and fiscal incentives;
4. A contract awarded under a cooperation agreement between a party and an international cooperation organization if the Procurement is financed, in whole or in part, by the organization, only to the extent that the agreement includes rules for awarding contracts that differ from the obligations of this By-law;
5. Acquisitions or rental of land, existing buildings, or other immovable property, or the rights thereon;
6. Measures necessary to protect intellectual property, provided that the measures are not applied in a manner that would constitute a means of arbitrary or unjustifiable discrimination between Parties where the same conditions prevail or are a disguised restriction on trade;
7. Procurement or acquisition of:
 - a) fiscal agency or depository services;
 - b) liquidation and management services for regulated financial institutions; or
 - c) services related to the sale, redemption, and distribution of public debt, including loans and government bonds, notes, and other securities;
8. Procurement of:
 - a) financial services respecting the management of government financial assets and liabilities, including ancillary advisory and information services, whether or not delivered by a financial institution;
 - b) health services or social services;
 - c) services that may, under applicable law, only be provided by licensed lawyers or notaries; or
 - d) services of expert witnesses or factual witnesses used in court or legal proceedings.
9. Procurement of goods or services:
 - a) financed primarily from donations that require the Procurement to be conducted in a manner inconsistent with this By-law;
 - b) by a procuring entity on behalf of an entity not covered by this By-law;
 - c) between enterprises that are controlled by or affiliated with the same enterprise, or between one government body or enterprise and another government body or enterprise;
 - d) by non-governmental bodies that exercise governmental authority delegated to them;
 - e) from philanthropic institutions, non-profit organizations, prison labour, or natural persons with disabilities;
 - f) under a commercial agreement between a procuring entity which operates sporting or convention facilities and an entity not covered by this By-law that contains provisions inconsistent with this By-law;
 - g) conducted for the specific purpose of providing international assistance, including development aid, provided that the procuring entity does not discriminate on the basis of origin or location within Canada of goods, services, or suppliers; or
 - h) conducted under the particular procedure or condition of an international agreement relating to the stationing of troops or relating to the joint

8.2-21

implementation by the signatory countries of a project or under the particular procedure or condition of an international organization, or funded by international grants, loans, or other assistance, if the procedure or condition would be inconsistent with this Chapter.

- i) provided only by the following licensed professionals: medical doctors, dentists, nurses, pharmacists, veterinarians, accountants, land surveyors;
- j) for a work of art;
- k) for entertainment, cultural or artistic services;
- l) for subscriptions to newspapers, magazines or other periodicals;
- m) for memberships in professional and business related associations;
- n) for training and education including conferences, seminars, courses, conventions, workshops, staff training and staff development;
- o) for travel and entertainment expenses; or
- p) for a particular brand of goods or services that are intended solely for resale to the public and no other brand meets the City's program objectives nor is the brand available from any other source.

SCHEDULE E TO BY-LAW

Discriminatory Practices

Discriminatory Procurement practices which are not allowed under this By-law include:

1. Registration requirements and restrictions on calls for Bids based upon the location of a Vendor and its subcontractors, or the place where the goods or services are produced and, generally, pre-qualification procedures that discriminate between Vendors by Province of origin;
2. The biasing of specifications in favour of, or against, a particular good or service for the purpose of circumventing this By-law;
3. The timing of Bid opening and closing dates for the purpose of preventing one or more qualified Vendors from submitting Bids;
4. The specification of quantities and delivery schedules of a scale and frequency that may reasonably be judged as deliberately designed to prevent qualified Vendors from meeting the requirements of the Procurement;
5. The division of required quantities in a manner designed to circumvent this By-law;
6. The consideration, in evaluating Bids, of provincial content or economic benefits that favour a Vendor or good of one Province over another;
7. The giving of preference to selected Bids after Bids have been submitted and without any mention of the intended preference in the procurement documents;
8. The use of price discounts or preferential margins to favour Vendors of one Province;
9. The unjustifiable exclusion of a qualified Vendor from bidding; and/or
10. The requirement that a construction contractor or subcontractor use workers, materials or Vendors of materials originating from the Province where the work is being carried out.

Date: 2018-02-09

Subject: **Transmittal Report: Designation under Part IV, Section 29 of the Ontario Heritage Act and applications to amend the Zoning By-law and obtain approval for a Draft Plan of Subdivision - 11223 Torbram Road (Hewson Farm) – Ward 10 (He.x 11223 Torbram Road)**

Contact: Pascal Doucet, Heritage Planner, Planning and Development Services, 905-874-2780, pascal.doucet@brampton.ca

Recommendations:

1. That the report from Pascal Doucet, Heritage Planner, Planning and Development Services, dated February 09, 2018, to the Meeting of February 21, 2018, **re: Transmittal Report: Designation under Part IV, Section 29 of the Ontario Heritage Act and applications to amend the Zoning By-law and obtain approval for a Draft Plan of Subdivision - 11223 Torbram Road (Hewson Farm) – Ward 10 (He.x 11223 Torbram Road)**, be received;
2. That the heritage designation by-law attached as Appendix 2 to this report, be adopted; and
3. That City Council direct Planning staff not bring forward a recommendation report regarding the planning applications referred to in this report until such time as they have been amended in accordance with the by-law referred to in recommendation number 2 above and all the requirements of the *Planning Act*, as amended, have been satisfied and staff have reported back to the Planning and Development Committee in respect of the required changes.

Overview:

- The purpose of this report is to recommend that Council pass a by-law designating the property at 11223 Torbram Road under Part IV of the *Ontario Heritage Act* to protect the heritage attributes of the property.
- At its meeting of April 13, 2016 Council stated its intention to designate the property at 11223 Torbram Road for its cultural heritage value or interest.

8.3-2

The notice of intention to designate the property was issued in May 2016.

- **Applications to amend the Zoning By-law and obtain approval for a residential plan of subdivision were received by the City in May 2017. Since then, the property was subject to three fire incidents.**
- **The *Ontario Heritage Act* requires that Council pass a by-law designating the property at 11223 Torbram Road or withdraw its notice of intention to designate the property.**
- **The property at 11223 Torbram Road continues to have historical or associative value because it is associated with the Hewson Family in perpetuity. The surviving heritage attributes and the vestiges of the Hewson Farmhouse yield evidence of the property's cultural heritage value.**

Background:

Designation of property

Council has endorsed the recommendation from staff and the Brampton Heritage Board to designate the property at 11223 Torbram Road for its cultural value or interest. On April 13, 2016, Council stated its intention to designate the property. A notice of intention to designate the property was issued in May 2016. Once the period during which an appeal of the designation has expired, Council is required to pass a by-law designating the property or withdraw its notice of intention to designate the property.

Planning Applications

A subdivision pre-consultation application (File: PRE15.035) was filed on June 2, 2015 in support of 72 lots for single detached dwelling units. Planning Staff provided a reply letter, dated January 5, 2016, advising that any formal development applications submitted in advance of final Block Plan approval for Area 48-2 will be considered premature and will not be accepted and considered for review.

Rezoning and subdivision application (Files: C06E16.005 & 21T-15008B) were filed on December 2, 2015 proposing 84 lots for single detached dwelling units. Planning staff provided a reply letter, dated January 5, 2016, advising that the application was premature and would not be accepted until the official plan amendment implementing the Block Plan for this area was in force and effect.

The Block Plan was approved on April 27, 2016 and applications can now be processed.

The subject rezoning and subdivision applications (Files: C06E16.007 & 21T-17009B) modify and replace the previous applications (File: C06E16.005). The applications were submitted on May 10, 2017 and deemed to be complete for the purposes of the *Planning Act* on October 25, 2017. The subject applications seek to permit 54 single

8.3-3

detached residential dwellings, 12 townhouse dwellings, 24 residential reserve blocks, a park block.

The Heritage Impact Assessment submitted as part of these planning applications recommends that the Hewson farmhouse be retained in situ and integrated into the residential subdivision. No further conservation or commemoration strategy has been proposed as the property was subject to fire in 2017.

Fire History

There have been three separate fire incidents on this property since the planning applications were submitted. There is currently one building left standing.

The fire incidents are described below:

- On June 21, 2017, the four-bay garage on the property was subject to fire. The cause of this fire is currently undetermined. This garage is no longer standing.
- On August 30, 2017, the barn with the gambrel roof was subject to fire. The cause of this fire is currently undetermined. This barn is still standing.
- On December 8, 2017, the Hewson farmhouse and detached garage behind it were both subject to fire. The cause of this fire is currently undetermined. These two buildings are no longer standing.

Planning and Development Committee

A delegation was made at the Planning and Development Committee meeting of January 29, 2018 by the applicant's solicitor to request that Council withdraw its notice of intention to designate the Hewson farm property. The Planning and Development Committee requested that staff report back and proceed with the designation of the property.

Applicable Law

The property at 11223 Torbram Road is subject to the *Ontario Heritage Act* and must be treated as though it is designated to the extent of subsection 30 (2) of the Act. As such, no heritage attributes on the property can be altered without prior approval as required under section 33 of the Act, and no building or structure on the property can be demolished or removed without prior approval as required under section 34 of the Act. Applications to obtain approvals referred to in this paragraph must include a heritage permit application with all the information as Council may require, which in this case includes a heritage impact assessment containing all information required by the City's Heritage Impact Assessment Terms of Reference.

Current Situation:

Designation of property

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Staff recommends that Council pass a by-law to designate the property as provided in Appendix “A” attached to this report. Although the property at 11223 Torbram Road was subject to fire, it still meets the criteria for designation under the category of historical and associative value. The direct association of the Hewson family with the land is perpetual and sufficient to meet the criteria set out by the Province of Ontario to warrant the designation of the property for its cultural value or interest. The description of the property’s historical and associative value is provided under Schedule “B” to the proposed by-law. The heritage attributes that have been recognized by Council are the significant landscape elements and important vistas, the large willow tree and features of the Hewson farmhouse. These attributes are also described under Schedule “B” to this by-law.

Completing the designation process of the property will confirm that Council recognizes the property’s heritage value and the importance of pursuing a conservation and commemoration strategy despite the fire incidents. The passing of this by-law will also maintain Council’s ability to conserve the property’s heritage value in the future through decisions regarding the alteration of heritage attributes and the demolition or removal of buildings or structures on the property.

The by-law reflects the content of the notice of intention to designate by ensuring that the vestiges of the Hewson farmhouse and remaining heritage attributes continue to be protected under the *Ontario Heritage Act*. Once passed, Council has the authority to amend the designation by-law to reflect the current disposition of the attributes on the property and correct or clarify the statement explaining the property’s cultural value or interest.

Staff is recommending that the attached by-law be passed at this time to recognize the property’s heritage value despite the fire incidents.

Planning Application

The planning application does not provide a conservation and commemoration strategy that is informed by the fire incidents. Heritage staff is not prepared to support this planning application until all of the heritage issues are addressed. The designation of the property does not preclude the property from being redeveloped in accordance with the policies of the block plan, yet it ensures that future development conserves the property’s heritage value. The vestiges of the Hewson farmhouse and remaining heritage attributes deserve an appropriate conservation and commemoration strategy.

Authority of the Ontario Heritage Act

A decision made under the *Planning Act* respecting the development applications described above does not preclude the authority of the *Ontario Heritage Act* to conserve heritage properties. No heritage attributes of the property can be altered, and no building or structure on the property can be demolished or removed without prior approvals as required by the *Ontario Heritage Act*. The City has not received any application for 11223 Torbram Road that satisfies the requirements of the *Ontario Heritage Act*.

8.3-5

Applications for alteration, demolition or removal required under Section 33 or 34 of the Act must be accompanied by a Heritage Impact Assessment that provides all the information required by the Heritage Impact Assessment Terms of Reference. Such information is essential as it would determine the extent of the Hewson farmhouse that still exists on the property though the proper excavation of the site, and would provide a transition for future conservation and commemoration strategies.

Corporate Implications:

Financial Implications:

There are no financial implications resulting from the adoption of the recommendation in this report.

Other Implications:

Legal Services reviewed this report and their comments have been incorporated accordingly.

Strategic Plan:

This report achieves the Strategic Plan priorities by:

- Preserving and protecting heritage environments with balanced, responsible planning.

Conclusion:

The purpose of passing the designation by-law is to conserve the remaining heritage attributes which includes the vestiges of the Hewson farmhouse. The T-shaped layout of the farmhouse can be recovered through proper excavation and analysis. The property at 11223 Torbram Road should be conserved despite the fire incidents as the property still meets the criteria for designation prescribed by the Province of Ontario. As such, staff recommends that the by-law designating the property be passed to ensure recognition and conservation of the property.

Furthermore, Development Planning staff will not bring forward a recommendation report regarding the development applications until such time as the heritage concerns have been addressed, and all the requirements under the *Planning Act* have been satisfied.

Original Approved by:

Pam Cooper, MCIP, RPP
Interim Manager, Land Use Policy

Original Approved by:

David Waters, MCIP, RPP, PLE
Interim Director, Policy Planning

8.3-6

Attachments:

Appendix A – By-law to designate the property at 11223 Torbram Road as being of cultural heritage value or interest.

Report authored by: Pascal Doucet, MCIP, RPP, Heritage Planner



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2017

To designate the property at
11223 Torbram Road as being of
cultural heritage value or interest.

WHEREAS Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O. 18, as amended, (“Act”) authorizes the Council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, to be of cultural heritage value or interest, if the property meets the Act’s prescribed criteria;

AND WHEREAS the Brampton Heritage Board supports the designation of the property;

AND WHEREAS a Notice of Intention to Designate has been published and served in accordance with the *Act*, and there has been no Notice of Objection served on the Clerk.

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

1. The property at 11223 Torbram Road, more particularly described in Schedule “A”, is hereby designated as being of cultural heritage value or interest pursuant to Part IV of the *Ontario Heritage Act*.

8.3-8

2. City Council shall cause a copy of this by-law to be registered against the property described in Schedule “A” to this by-law in the proper Land Registry Office.
3. The City Clerk shall cause a copy of this by-law to be served upon the owners of the property at 11223 Torbram Road and upon the Ontario Heritage Trust, and cause notice of this by-law to be published on the City’s website in accordance with Council’s Procedure By-law.
4. The short statement of the reason for the designation of the property, including a description of the heritage attributes are set out in Schedule “B” to this by-law.

ENACTED and PASSED this [enter date] day of [enter month], 2018.

Approved as to
form.

20__/month/day

[insert name]

Linda Jeffrey, Mayor

Approved as to
content.

20__/month/day

[insert name]

Peter Fay, City Clerk

(file reference, if applicable, or delete)

8.3-9

SCHEDULE "A" TO BY-LAW

LEGAL DESCRIPTION

CHINGUACOUSY CON 6 EHS PCL B PT LOT 16 RP 43R18218 PT PART 14
RP 43R32842 PART 13; BRAMPTON

14222-0813 (LT)

8.3-10

SCHEDULE "B" TO BY-LAW

DESCRIPTION OF PROPERTY:

The property at 11223 Torbram Road is approximately 9.8 acres located on the east side of the Torbram Road, north of Countryside Drive. The subject site contains one-and-a-half storey single detached dwelling, several trees, and several accessory structures including a large gambrel-roof barn, long driveway and agricultural fields.

SHORT STATEMENT OF THE REASON FOR THE DESIGNATION OF 11223 TORBRAM ROAD:

Design/Physical Value

The cultural heritage value of 11223 Torbram Road (Hewson Farmhouse) is related to its design or physical value as a representative example of a Gothic Revival residence from the late 19th century. The Gothic Revival period in Canadian architecture occurred between 1830 and 1890. Gothic Revival was widely used for churches, colleges and other public buildings, but residential dwellings were also built in the style. Common features on Gothic Revival houses include steep gable roofs, gabled dormers, arched windows, and decorative bargeboard and other millwork.

Built between the 1870s and 1880s, the Hewson Farmhouse has many characteristics of the Gothic Revival style. It is a one-and-a-half storey, T-shaped brick structure with cross-gable roof. The front façade is defined by a projecting central bay and three steeply-pitched gabled dormers, with the central dormer being the largest. The dwelling also features arched windows with brick voussoirs and wood sills, and two bay windows.

The farmhouse once had fine architectural features that were staples of the Gothic Revival style including bargeboard and finials on the gabled-dormers, roof gable finials, large front porch with fretwork and central balcony, and tall corbelled chimneys. The original red brick and buff brick quoining and window arches have been covered by white paint.

8.3-11

Historical/Associative Value:

The property is also valued for its association with the Hewson family. The property at Lot 16 Concession 6 EHS, Chinguacousy Township was originally owned by John Bostwick Senior, who received the Crown Patent for the 200 acre parcel in 1826. Thompson Thompson bought the southwest half in February 1832 and immediately resold the property to James Hewson. The *City of Toronto and the Home District Commercial Directory (1837)* locates James Hewson on Lot 16, Concession 6 EHS Chinguacousy Township. The Assessment Roll (1844) also notes that James 'Hughson' was located on Lot 16, Concession 6.

The Hewsons were an early settler family in Chinguacousy. James Hewson and his sister Mary, who became Mrs. Woodhall, immigrated to Upper Canada from Yorkshire, England, in the 1830s. James, born in York Fleet, was the brother of Matthew Hewson who fought in the Battle of Queenston Heights and received a medal for his bravery.

The Hewson family were Methodist and many of them are buried in Harrison's United Cemetery. A family reunion was held at Eldorado Park in 1930 to mark the centenary of their arrival in Canada, and was attended by over two hundred people. Charles Hewson, who eventually came to own the family property, was one of the organizers. The Hewsons are connected by marriage to many notable Chinguacousy families including the Harrisons.

James Hewson lived on the property until his death in 1888. While he was still alive, James sold the land to his son, Richard Hewson in 1877. Richard served as Deputy Reeve in 1877-78, and as Reeve in 1879. He was elected Warden of Chinguacousy in 1879. Richard lived on the property with his family until his first wife, Mary Somerville, passed away in the 1880s. He remarried to Emma Vernon and moved to Toronto Township but chose to retain and lease his land in Chinguacousy.

After Richard's death in 1909, the land passed to his widow. In 1927, the west half of the property, which contains the subject farmhouse, was granted first to Charles Hewson and then to Alma and Robert Ackroyd. The Ackroyds owned and ran a farm on the property from 1934 until 1965. The property continues to be used for agricultural purposes, however, the dwelling was recently vacated.

8.3-12

Contextual Value:

The property has contextual value as it defines, maintains, and supports the original agricultural character of the area. It is a familiar structure on the landscape and is visible from both Torbram Road and Countryside Drive.

DESCRIPTION OF THE HERITAGE ATTRIBUTES OF THE PROPERTY:

The heritage attributes comprise all façades, architectural detailing, construction materials and associated building techniques, as well as significant landscape elements and important vistas. The detailed heritage attributes/character defining elements include, but are not limited to:

- Gothic Revival architecture
- One-and-a-half storey height
- Cross-gable roof
- T-shaped layout
- Brick construction
- Three bay front façade with projecting central bay
- Three steeply-pitched gabled dormers
- Bay windows
- Arched windows
- Brick voussoirs
- Wood sills
- Wood soffit
- Wood fascia
- Wood front door
- 2-over-2 wood sash windows
- 1-over-1 wood sash windows
- Central chimneys
- Large willow tree

Date: 2018-02-02

Subject: **Recommendation Report – Interim Control By-law 246-2017**
Exemption Request for 239 Queen Street East
 Ward 3

Contact: David VanderBerg, Central Area Planner, Planning & Development Services, (905) 874-2325, david.vanderberg@brampton.ca
 Bernie Steiger, Manager, Development Services, Planning & Development Services, (905) 874-2097, bernie.steiger@brampton.ca

Recommendations:

1. That the report from David VanderBerg, Central Area Planner, Planning and Development Services dated February 2, 2018, to the Council Meeting of February 21, 2018, re: **Recommendation Report – Interim Control By-law 246-2017 Exemption Request for 239 Queen Street East**, Ward 3, be received; and
2. That a by-law be passed to amend Interim Control By-law 246-2017, attached hereto as Appendix 4.

Overview:

- At its November 11, 2017 meeting, Council enacted Interim Control By-law 246-2017 (ICBL) to protect lands along Queen Street East between Etobicoke Creek and Highway 410 from development that may prejudice the outcome of a planning study being undertaken for the area.
- The applicant is seeking an exemption from ICBL 246-2017 to allow a place of commercial recreation (virtual reality experience centre) to operate within the existing commercial plaza at 239 Queen Street East.
- The establishment of a commercial recreational use at the subject property would not prejudice the outcome of the Queen Street Corridor planning study.
- If the exemption is approved, the applicant will still need to have a minor variance approved by the Committee of Adjustment to allow the use.

8.4-2

Background:

At its November 11, 2017 meeting, Council enacted Interim Control By-law 246-2017 (ICBL) to protect lands along Queen Street East between Etobicoke Creek and Highway 410 from development that may prejudice the outcome of a planning study being undertaken for the area. The study is reviewing the existing Secondary Plan policies and zoning regulations to identify those that are incompatible with the area's designation as an Urban Growth Centre. The ICBL prohibits the erection of new buildings, enlargement or replacement of existing buildings, and the establishment of new uses, with some exceptions, within the study area for a one-year period.

This report addresses a request for an exemption from the ICBL for a business looking to operate at 239 Queen Street East. A location map is included in Appendix 1 and a copy of ICBL 246-2017 is included in Appendix 2.

Current Situation:

The applicant is proposing to open a "virtual reality experience centre" within a unit in the existing commercial plaza located at 239 Queen Street East. The business would include 14 virtual reality booths equipped with computers and virtual reality equipment, such as goggles and headphones. The applicant has provided further information about the use in their letter requesting the exemption, which is attached as Appendix 3.

The virtual reality use is classified as a place of commercial recreation under the Zoning By-law. The property at 239 Queen Street East is zoned "Service Commercial – Section 3214" (SC-3214). While that zone permits a range of commercial uses, such as retail, offices, personal service shops, restaurants, health / fitness centres and a billiard hall, it does not permit a place of commercial recreation.

ICBL 246-2017 is intended to ensure that development does not occur in the study area under the current Secondary Plan policies and zoning regulations that may prejudice the outcome of the planning study. The ICBL does allow for some exceptions to the general prohibition on new uses because it is considered that the replacement of uses and filling of vacant commercial space within existing buildings will not affect the City's ability to achieve its planning objectives for the study area. For this reason, the ICBL includes a list of uses that may be permitted as an exception.

Although a place of commercial recreation is included in the referenced list of uses, the ICBL also requires that the Zoning By-law had permitted the use at the time of ICBL adoption. The Zoning By-law does not permit the use, which is why an exemption to the ICBL is required. The applicant will also be required to obtain a minor variance from the Committee of Adjustment before opening their business. The exemption would allow the applicant to proceed with that application. Conditions and restrictions on the use that

8.4-3

may be appropriate to ensure its compatibility with other uses on the site and with surrounding properties can be addressed through the minor variance process.

The proposed business would operate within a unit in the existing commercial plaza. The use is similar in character to the commercial uses that are permitted at the site. The establishment of a commercial recreational use at the subject property would not prejudice the outcome of the Queen Street Corridor planning study. It is recommended that an exemption be approved. The proposed exemption by-law is attached as Appendix 4.

Corporate Implications:

Financial Implications:

There are no financial implications associated with this report.

Other Implications:

There are no other corporate implications associated with this report.

Strategic Plan:

The proposed exemption by-law supports the Smart Growth goal of the Strategic Plan to “Build complete communities to accommodate growth for people and jobs.”

Conclusion:

It is recommended that Council enact an exemption to Interim Control By-law 246-2017 for a place of commercial recreation at 239 Queen Street East.

Approved by:

Bernie Steiger, RPP, MCIP
Manager, Development Services
Planning & Development Services

Approved by:

Allan Parsons, RPP, MCIP
Director, Development Services
Planning & Development Services

Approved by:

Rob Elliott, RPP, MCIP, MBA
Commissioner
Planning & Development Services

Report authored by: David VanderBerg, Central Area Planner

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Attachments:

- Appendix 1: Location Map
- Appendix 2: Interim Control By-law 246-2017
- Appendix 3: Exemption Request Letter
- Appendix 4: Proposed Exemption By-law



SUBJECT LANDS GREENSPACE

SCHOOLS WARDS



8.4-6



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 246 - 2017

An Interim Control By-Law applicable to part of the area subject to
Zoning By-law 270-2004

WHEREAS Council of The Corporation of the City of Brampton ("Council") directed staff by resolution to initiate a study of the planning policies and zoning regulations applicable to a defined area of the Urban Growth Centre (the "Study");

AND WHEREAS section 38 of the Planning Act, R.S.O. 1990 c. P13, as amended, permits the municipality to pass an interim control by-law to be in effect for a period of time, not to exceed one year, to prohibit the use of land, building or structures within a defined area;

AND WHEREAS Council deems that while the City expeditiously completes the Study, an interim control by-law should be enacted with respect to the lands subject to the Study.

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

1. Notwithstanding any other by-law to the contrary, no person shall, within the bolded area identified in Schedule A to this interim control by-law:

- (a) use any land, building or structure for any purpose whatsoever except for the uses listed below provided the specified use is listed as a permitted use within the zone that applies to the property or if the use has been approved through a minor variance application for a property as of the date of enactment of this by-law:
 - i. a retail establishment having no outside storage
 - ii. a supermarket
 - iii. a service shop
 - iv. a personal service shop
 - v. an office
 - vi. a bank, trust company and finance company, but not including a drive-through facility
 - vii. a parking lot
 - viii. a dining room or take-out restaurant, but not including a drive-through facility
 - ix. a printing or copying establishment
 - x. a commercial school
 - xi. a place of commercial recreation
 - xii. a community club
 - xiii. a health or fitness centre
 - xiv. a custom workshop

8.4-7 *By-law Number* 246 - 2017

- xv. an animal hospital
- xvi. a day nursery
- xvii. an apartment dwelling
- xviii. a public or private school
- xix. a place of worship
- xx. an art gallery
- xxi. purposes accessory to a permitted use; or;
- xxii. a use that lawfully existed on the date of the passage of this interim control by-law and continues to be used for such purpose;

(b) permit the erection, enlargement, replacement, in whole or in part, of the use of any land, building or structure identified within subsection (a) to this by-law;

2. This by-law expires one year from the date of its enactment and passage by Council.

ENACTED and PASSED this 8th day of November, 2017.

Approved as to
form.

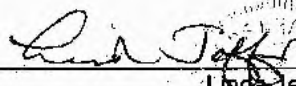
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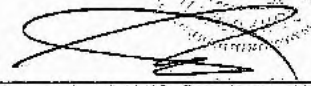
[MR]

Approved as to
content.

2017/11/07

AP


Linda Jeffrey, Mayor


Peter Fay, City Clerk

8.4-8



LEGEND

—— LANDS SUBJECT TO THIS INTERIM CONTROL BY-LAW

PART LOTS 5&6, CONCESSION 1&2 E.H.S.

By-Law 246-2017

Schedule A



CITY OF BRAMPTON

Planning and Development Services

Date: 2017 11 03

Drawn by: CJK

File no. QUEEN ST E INTERIM BY LAW

8.4-9 Appendix 3 : Exemption Request Letter

Application for Exemption for Interim Control By Law 246-2017 at 239 Queen Street East, Brampton, Ontario, L6W 2B6

To Allan Parsons, Director of development services, City of Brampton

Thank you for this opportunity to explain the business we are proposing at 239 Queen Street East, units 24-26 with a total space of 4060 square feet or 377 square meters. As you may be aware, there is an ICBL (246-2017) that was recently passed around this section of Queen Street East. Specifically, I am requesting an exemption to this ICBL to allow a place of commercial recreation.

The current zoning allows for commercial use. We would need the use to include commercial recreation as well. The business in question is a franchise location of CTRL V – a virtual reality experience centre. CTRL V started in Waterloo and has grown to 13 locations (currently) with expansion plans for at least 10-15 more locations in progress.

ICBL 246-2017 does allow for a place of commercial recreation; however this location address need a minor variance as it is currently zoned for commercial, retail and office use. I have a file with the committee of adjustments open, but require this first step in order to move forward (File #A18-022).

CTRL V would be the first (to our knowledge) Virtual Reality centre in Brampton. There are several locations in neighbouring cities (Mississauga, Toronto and Vaughan) both of this franchise as well as other independent businesses, but none at this time in Brampton.

The current owners of the buildings have just purchased them within the last year; as a result, any historical data is limited.

What is a Virtual Reality Experience Centre?

The main purpose of these types of centres is entertainment. Our use of the space would be a clean and quiet use, with patrons visiting the location to purchase a service to be utilized in the location. The location would have booths inside that would provide the patron with a dedicated 10' x 10' space rented to them on an hourly basis. This space would have a higher powered computer as well as virtual reality equipment such as VR goggles and controllers. When in this space, the patron can choose from dozens of experiences. These experiences include games, educational as well as informative options.

What types of clientele visit a VR centre?

The patrons of VR centres vary. The minimum height requirement to properly use VR equipment is approximately 48". As such, we find that the minimum age is typically around 10 years old. With that said, the average age group that visits other locations tends to be in the late teens to early and mid-20's. The service is also marketed to and frequented by corporate clients for the purposes of team building or client appreciation events.

Will this business be disruptive to any other business in the area or tenant of the building?

In short, no. Unlike traditional entertainment venues, such as laser tag, bowling or night clubs, we do not use a speaker system to pump music through the space. This would disrupt the VR experience as each person in the VR space has a set of headphones on to further immerse them into the VR world. By having a loud environment, we would be ruining this experience. In fact, we would be complimentary to many businesses in the area, in that we would be providing entertainment in addition to their services (restaurants for example).

Parking requirements

The facility will house 14 VR experience booths. At peak usage, we could anticipate 20-25 people in the facility at any given time. The location currently has ample available parking for use by patrons frequenting any of the businesses in the plaza. The plaza has approximately 240 parking spots available. From our observations, parking is always abundantly available at any given time during the day.

8.4-10

Who can utilize our service?

Unlike many other uses, such as trampoline parks, our facility can be used by young and old, able-bodied and disabled alike. In the virtual space, the patron does not need to necessarily move around to enjoy the environment. The facility has a ramp way for patrons in wheelchairs and we will be building a disabled accessible washroom for their use.

Given that the zoning bylaws were written at a time when VR didn't exist, it is our belief that this use fits in with the general intent and purpose of the bylaw. Should you require any more information, I would be happy to provide that. Please feel free to contact me (details below).

Thank you,

Deep Mehta
647-407-1144
Deep.p.mehta@gmail.com



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2018

To amend Interim Control By-Law 246-2017

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

1. By-law 246-2017 is amended as follows:
- 1.1 Section 1 is amended by adding before the words “Notwithstanding any other by-law to the contrary,” the following:
- “Except as provided for in Section 1.1,”
- 1.2 The following is added as Section 1.1:
- “Subject to Section 1(b), the lands, buildings and structures municipally known as 239 Queen Street East and referenced as the “Lands Subject to Specific Exemption from Interim Control By-law 246-2017, as amended by By-law _____” as outlined on Schedule A to this by-law may be used for a Place of Commercial Recreation provided that such a use is permitted through a minor variance application.
- 1.3 Schedule A is deleted and replaced with Schedule A attached to this By-law.

ENACTED and PASSED this [enter date] day of [enter month], 2018.

Approved as to
form.
20__/_/month/day
[insert name]


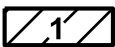
Linda Jeffrey, Mayor

Approved as to
content.
20__/_/month/day
[insert name]

Peter Fay, City Clerk



LEGEND

-  LANDS SUBJECT TO THIS INTERIM CONTROL BY-LAW 246-2017
-  LANDS SUBJECT TO SPECIFIC EXEMPTION FROM INTERIM CONTROL BY-LAW AS AMENDED BY BY-LAW _____

PART LOTS 5&6, CONCESSION 1&2 E.H.S.

By-Law _____ Schedule A



CITY OF BRAMPTON
Planning and Development Services

Date: 2018 02 02 Drawn by: CJK
File no. QUEEN ST E INTERIM BY LAW

Date: 2018-02-02

Subject: Recommendation Report
Application to Amend the Zoning By-Law
Infoplan Inc. – Rexton Developments Inc.
(To lift a “Holding (H)” symbol to allow for the development of 3 townhouse dwellings)
East of Haggert Avenue North and north of Denison Avenue
File: C01W06.072
Ward: 1

Contact: David VanderBerg, Central Area Planner, Development Services Division, 905-874-2325, david.vanderberg@brampton.ca
Bernie Steiger, Manager, Development Services Division, 905-874-2097, bernie.steiger@brampton.ca

Recommendations:

1. That the report from David VanderBerg, Central Area Planner, Planning and Development Services Department dated February 2, 2018 to the Council Meeting of February 21, 2018 re: **Recommendation Report**, Application to Amend the Zoning By-law, **Infoplan Inc. – Rexton Developments Inc.**, File: C01W06.072, Ward: 1 be received;
2. That the Mayor and City Clerk be authorized to execute the subdivision agreement based on terms and conditions approved by the Commissioner, Planning and Development Services and in a form acceptable to the City Solicitor; and,
3. That a by-law be passed to amend the Comprehensive Zoning By-law 270-2004 as amended, attached hereto as Appendix 3.

Overview:

- **This report forwards an amending By-law to Council to lift a “Holding” symbol to allow the development of three townhouse dwellings at the northeast corner of the intersection of Haggert Avenue North and a proposed extension of Denison Avenue.**

8.5-2

- A “Holding” symbol was applied to the property to ensure that it would not be developed for residential uses before appropriate arrangements had been made for the extension of Denison Avenue.
- The CN spur line along Haggert Avenue, which had prevented the extension of Denison Avenue when the property was rezoned to permit townhouse dwellings, has been removed. Appropriate arrangements have been made through the Subdivision Agreement for the development and financial security requirements to ensure that Denison Avenue is extended.
- This application is consistent with the ‘Smart Growth’ priority in the Strategic Plan and the goal of building complete communities to accommodate growth for people and jobs.

Background:

The applicant, Rexton Developments Inc., is proposing to develop ten townhouses on two parcels of land located on the northeast and southeast corners of the intersection of Haggert Avenue North and a proposed extension of Denison Avenue. A concept site plan and a location map are attached as Appendix 1 and Appendix 2 respectively.

Council approved the Plan of Subdivision in principle at its meeting of February 26, 2014 (Council Resolution PDD027-2014). The City issued Draft Plan Approval for the subdivision on July 30, 2015.

Holding Symbol

The zoning for the northerly parcel includes a “Holding” symbol. The “Holding” symbol was established through Council’s approval in 2003 of an Official Plan and Zoning By-law Amendment application (File # C01W06.056) for the "Brownstones of Olde Brampton" townhouse development located adjacent to the subject property. The applications were approved on the basis that Denison Avenue would be extended to Haggert Avenue when a rail spur line along Haggert was no longer in service. The Subdivision and Site Plan agreements for the development included conditions requiring that Denison Avenue be extended once the rail spur line is removed.

A “Holding” symbol was included in the zoning for the lands on the northeast corner of the Denison and Haggert intersection that prevents the development of the parcel until appropriate arrangements have been made for the extension of Denison Avenue. In this regard, Section 3434.2 (21) of the site-specific zone for the property states:

8.5-3

“The holding (H) symbol shall not be removed until the City of Brampton has confirmed that satisfactory arrangements have been made for the abandonment of the westerly abutting CN rail line and in addition Denison Avenue shall be extended to its intersection with Haggert Avenue.”

The applicant has submitted a Zoning By-law Amendment application to lift the “Holding” symbol.

Property Description and Surrounding Land Use

The proposed development is located on the east side of Haggert Avenue North at its proposed intersection with Denison Avenue. The property is approximately 0.16 hectares (0.41 acres) in area and has a combined frontage of 67.0 metres (220 feet) along Haggert Avenue.

The surrounding land uses are described as follows:

North:	Residential apartment buildings
South:	Industrial uses
East:	Medium density residential uses
West:	Haggert Avenue, beyond which are residential uses to the south of Denison Avenue and Chris Gibson Park to the north of Denison Avenue

Current Situation:

This report recommends the adoption of a Zoning By-law Amendment to lift the “Holding” symbol that applies to the north parcel of the proposed development. It also seeks authority from Council to execute the Subdivision Agreement for the proposed development.

Arrangements for Denison Avenue Extension

The “Holding” symbol requires that the satisfactory arrangements be made for the removal of the CN rail line adjacent to Haggert Avenue and for the extension of Denison Avenue.

The CN rail line has been removed. The applicant has signed a Subdivision Agreement for the development that includes conditions requiring that the extension of Denison Avenue and removal of the existing temporary turning circle be completed before the registration of the subdivision. Financial securities have been taken for the extension to ensure that it is completed.

These arrangements are satisfactory to fulfill the conditions set out for the lifting of the “Holding” provision. Therefore, staff recommends that a Zoning By-law Amendment be

8.5-4

approved to lift the “Holding” provision. It is also recommended that the Mayor and City Clerk be authorized to execute the Subdivision Agreement for the development.

Notification and Stakeholder Circulation

Pursuant to the requirements in the *Planning Act*, no statutory public meeting is required in association with an application to remove a “Holding” symbol. Notice informing the public of Council’s intent to lift the “Holding” symbol was provided in a newspaper advertisement in the Brampton Guardian.

Corporate Implications:

Financial Implications:

There are no financial implications identified at this time to the Corporation of the City of Brampton. Revenue collected through development application fees are accounted for in the approved operating budget.

Other Implications:

There are no other corporate implications identified at this time to the Corporation of the City of Brampton.

Strategic Plan:

This proposal is consistent with the ‘Smart Growth’ priority in the Strategic Plan and the goal of building complete communities to accommodate growth for people and jobs.

Conclusion:

Appropriate arrangements have been made to ensure that Denison Avenue is extended to intersect with Haggert Avenue as part of the development proposal for ten (10) townhouse dwellings on the lands adjacent to the intersection. Staff recommends that a by-law be adopted to lift the “Holding” symbol related to the extension and that the Mayor and City Clerk be authorized to execute the Subdivision Agreement for the development.

8.5-5

Original Approved by:

Original Approved by:

Bernie Steiger, MCIP, RPP
Manager, Development Services

Allan Parsons, MCIP, RPP
Interim Director, Development Services

Original Approved by:

Rob Elliott MCIP, RPP, MBA
Commissioner, Planning and Development Services

Report authored by: David VanderBerg, Central Area Planner

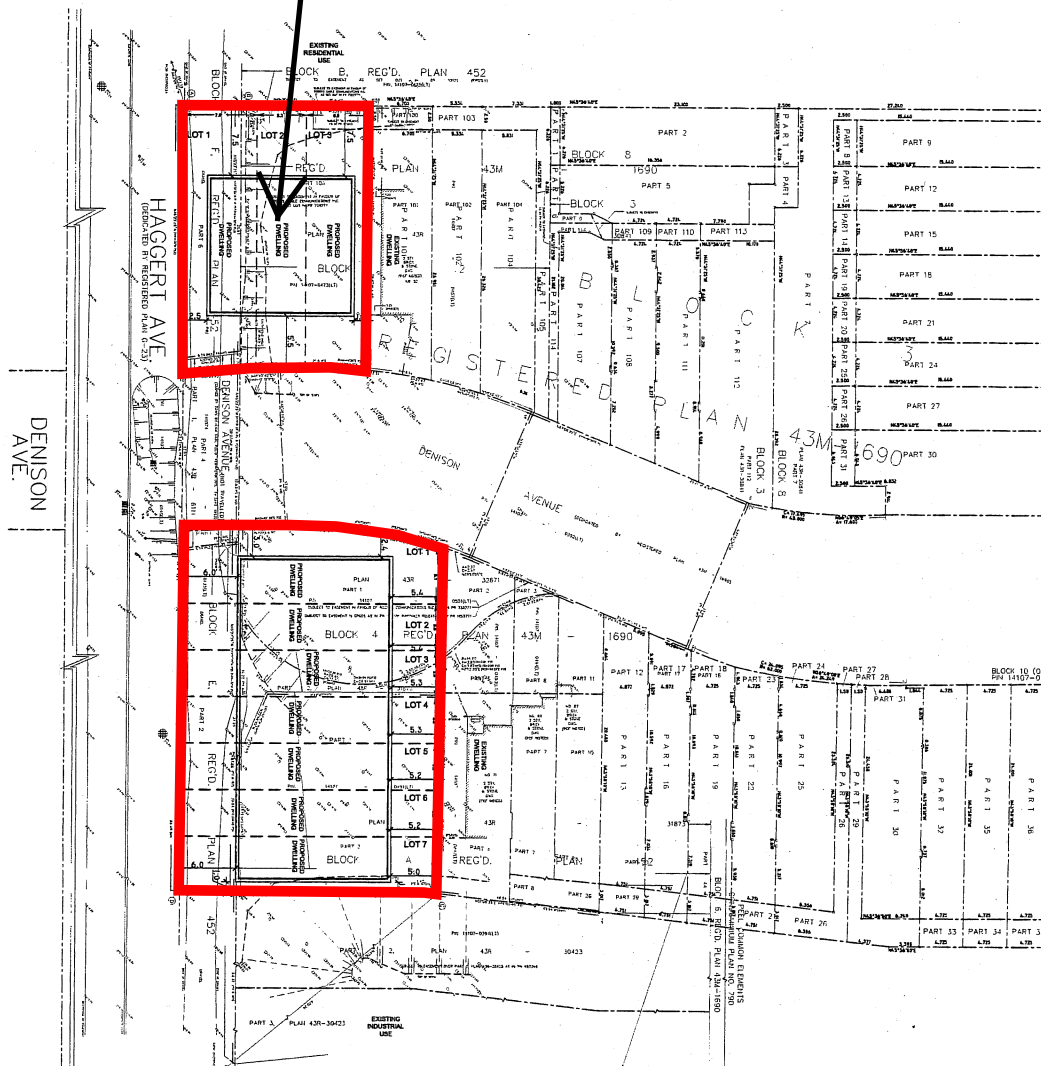
Attachments:


Appendix 1: Development Plan

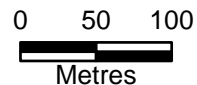
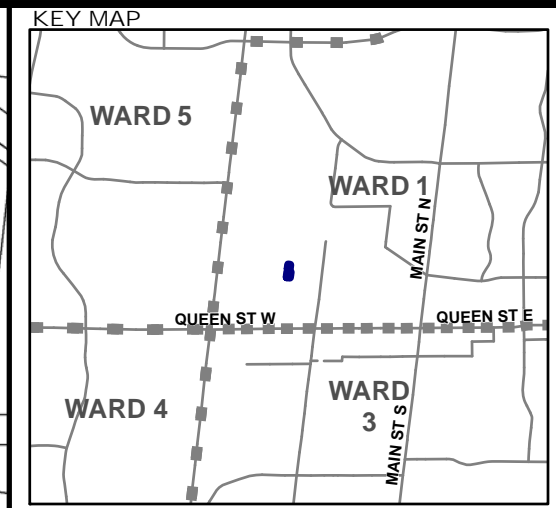
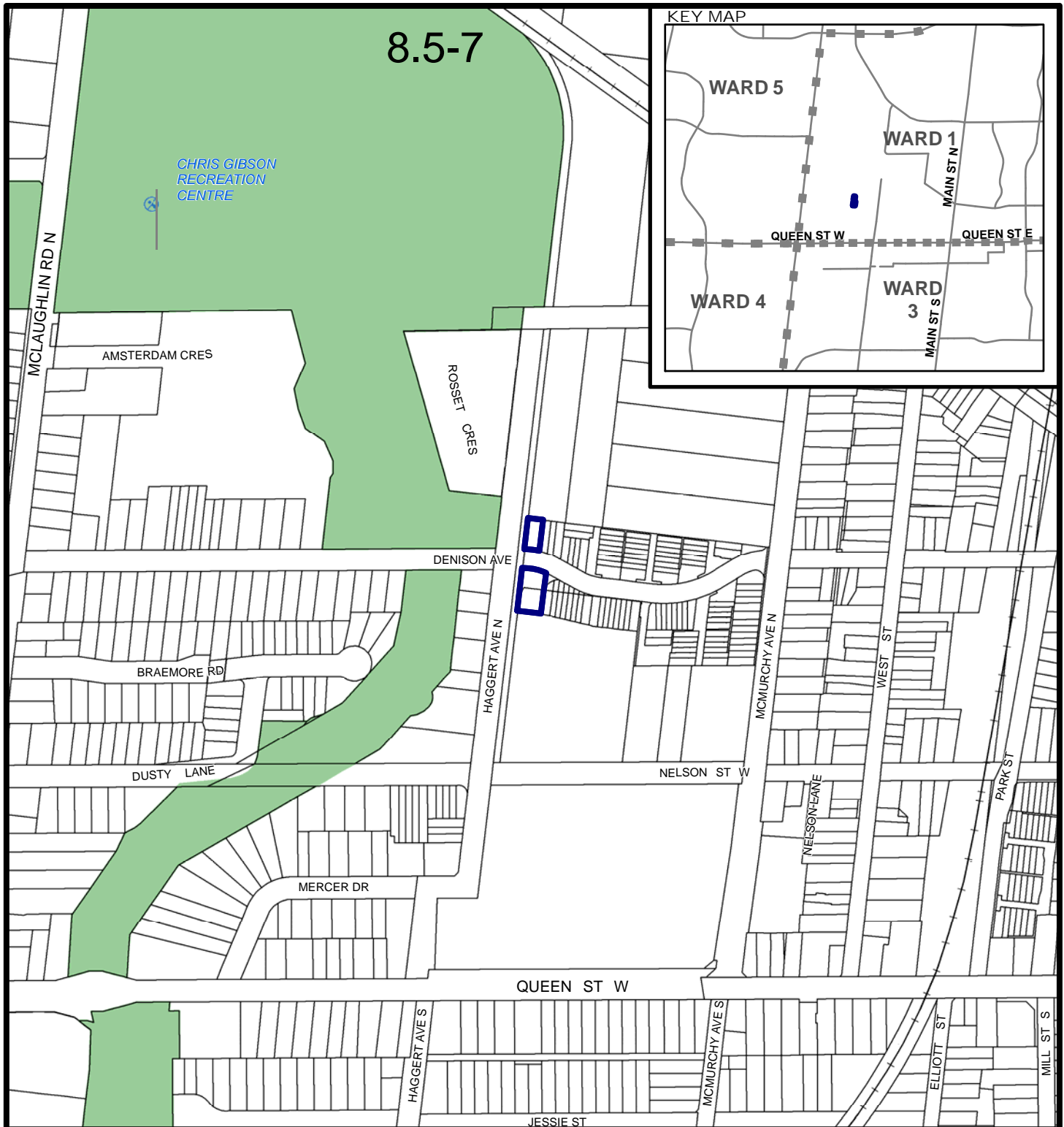
Appendix 2: Location Map

Appendix 3: Zoning By-law Amendment

LANDS SUBJECT
TO HOLDING
SYMBOL



 SUBJECT LANDS





THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2018

To amend By-law 270-2004, as amended

The Council of The Corporation of the City of Brampton, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c.P. 13, hereby ENACTS as follows:

1. By-law 270-2004, as amended, is hereby further amended:

- (1) by changing Schedule A thereto, the zoning designation of the lands as shown outlined on Schedule A to this by-law:

From:	To:
Residential Street Townhouse B (H) – Section 3434 (R3B (H)-3434)	Residential Street Townhouse B – Section 3434 (R3B-3434)

- (2) by amending Section 3434 by deleting Section 3434.2 (20) and Section 3434.2 (21) in their entirety.

ENACTED and PASSED this _____ day of _____, 2018.

Approved as to
form.

2018/Feb/08

AWP

Linda Jeffrey, Mayor

Approved as to
content.

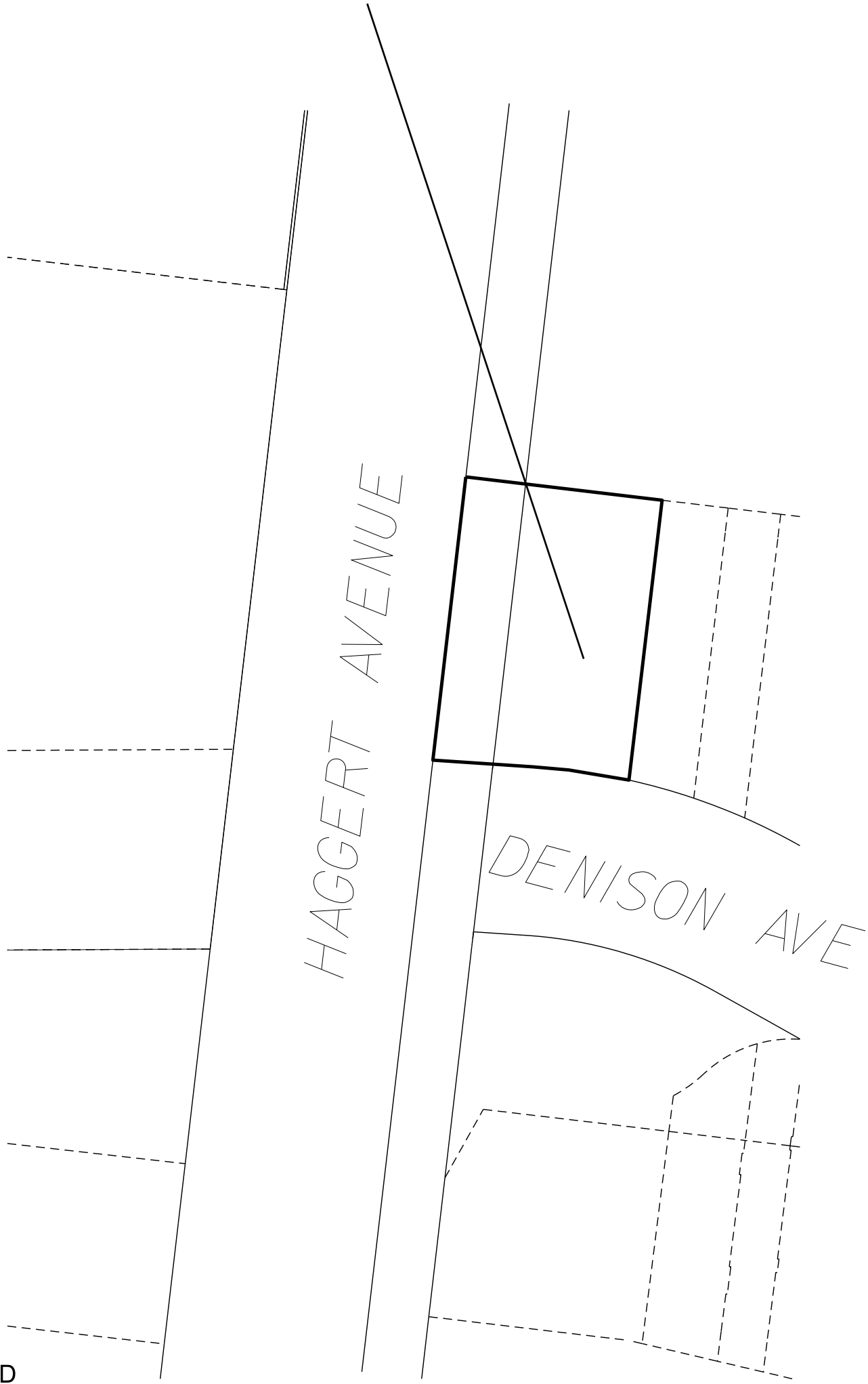
20__/_/month/day

[insert name]

Peter Fay, City Clerk

8.5-9

R3B-3434



LEGEND

 ZONE BOUNDARY

PART LOT 6, CONCESSION 1 W.H.S.

By-Law _____ Schedule A



CITY OF BRAMPTON
Planning and Development Services

Date: 2017 11 15 Drawn by: CJK

File no. C01W06.072_ZBLA

Date: 2017-12-18

Subject: **Subdivision Release and Assumption - Sequoia (Walnut Grove) Ltd., - Registered Plan No. 43M-1889 – North of Steeles Avenue, East of Churchville Road – Ward 4 - Planning References: 21T-10010B and C03W02.005**

Contact: John Edwin, Manager, Development Construction, Environment & Development Engineering (905-874-2538)

Recommendations:

1. **THAT** the report from John Edwin, Manager, Development Construction, Environment & Development Engineering Services, dated December 18, 2017, to the Council Meeting of February 21, 2018, re: **Subdivision Release and Assumption - Sequoia (Walnut Grove) Ltd., - Registered Plan No. 43M-1889 – North of Steeles Avenue, East of Churchville Road – Ward 4 - Planning References: 21T-10010B and C03W02.005**, be received; and
2. **THAT** all works constructed and installed in accordance with the subdivision agreement for **Registered Plan No. 43M-1889** (the “Subdivision”) be accepted and assumed; and
3. **THAT** the Treasurer be authorized to release the securities held by the City; save and except for the amount of \$10,000 which shall be held by the City until such time as the Director, Environment & Development Engineering is satisfied that the warranty period in respect of all landscaping works has expired; and
4. **THAT** a by-law be passed to assume the following streets as shown on the Registered Plan No. 43M-1889 as part of the public highway system:

Coach House Court, Fairmont Close and Honour Oak Crescent

Overview:

- **This report recommends that the works constructed and installed in accordance with the subdivision agreement for Registered Plan No. 43M-1889 be accepted and assumed.**

8.6-2

Background:

City Council, at its meeting of September 13, 2017, approved Recommendation CW294-2017, whereby the streets as shown on the subject Registered Plan are to be assumed by the City, once all departments have provided clearance for assumption by the City.

Current Situation:

City departments have now reviewed the Registered Plan for this subdivision and have provided clearance for assumption.

Financial Implications:

The annual operating impacts associated with the assumption of new subdivisions are approved in the Public Works and Engineering operating budget. There is sufficient funding approved to proceed with the recommendations in this report.

Corporate Implications:

All City Departments and the Region of Peel have provided clearances for assumption of the Subdivision to the Manager, Development Construction. This subdivision will now be included in the City's list of assets. The City of Brampton will now be fully responsible for on-going maintenance.

Strategic Plan:

This report accomplishes the Strategic Plan priorities by supporting the benefits of sustainable growth to build a pre-eminent city with vibrant and connected communities.

Conclusion:

With approval of this report, the works constructed and installed in accordance with the subdivision agreement for Registered Plan No. 43M-1889 will be accepted and assumed.

Respectfully submitted,

Approved by:

Approved by:

John Edwin, EIT, C.E.T.
Manager, Development Construction
Environment & Development Engineering
Public Works and Engineering

Michael Won, P. Eng., Director
Environment & Development Engineering
Public Works and Engineering

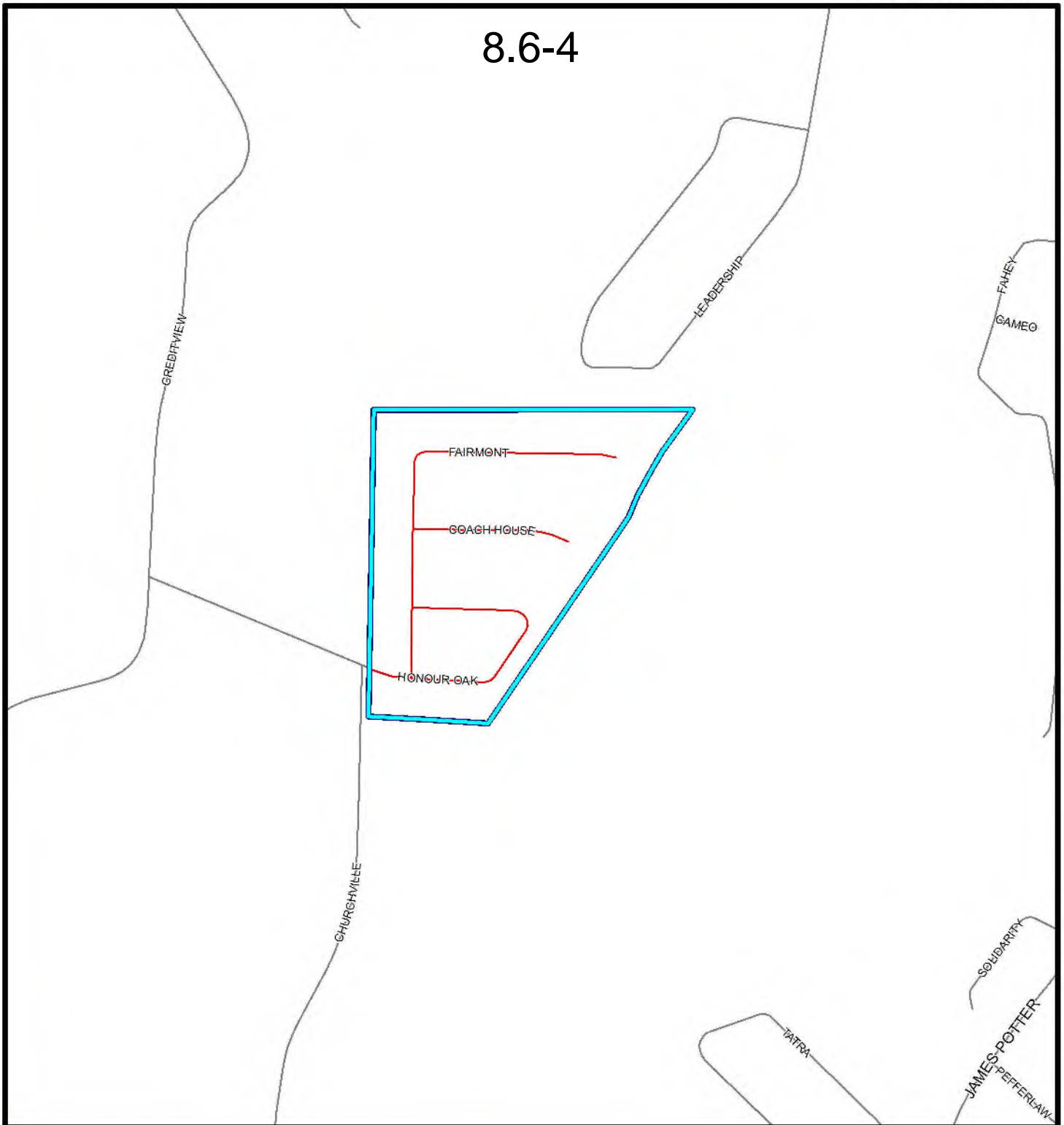
8.6-3


Attachments:


Attach 1: Subdivision Map

Attach 2: Registered Plan 43M-1889

8.6-4



 SUBJECT LAND

 ROAD NETWORK MEASURED (0.811)km



PLAN OF SUBDIVISION OF
PART OF LOT 2
CONCESSION 3,
WEST OF HURONTARIO STREET
(GEOGRAPHIC TOWNSHIP OF CHINGUACOUSY)
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL

8.6-5

ATTACHMENT 2

PLAN 43M-1889

SCALE 1:1000

RADY-PENTEK & EDWARD SURVEYING LTD., O.L.S.,

METRIC

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

I CERTIFY THAT THIS PLAN IS REGISTERED
IN THE LAND REGISTRY OFFICE FOR THE
LAND TITLES DIVISION OF PEEL
AT 15:37 CLOCK ON THE 19th
DAY OF June, 2012 AND ENTERED IN THE
PARCEL REGISTER(S) FOR PROPERTY IDENTIFIER(S)
14086-1280(15) 14086-1460(15)
14086-1461(15) 14086-1462(15)

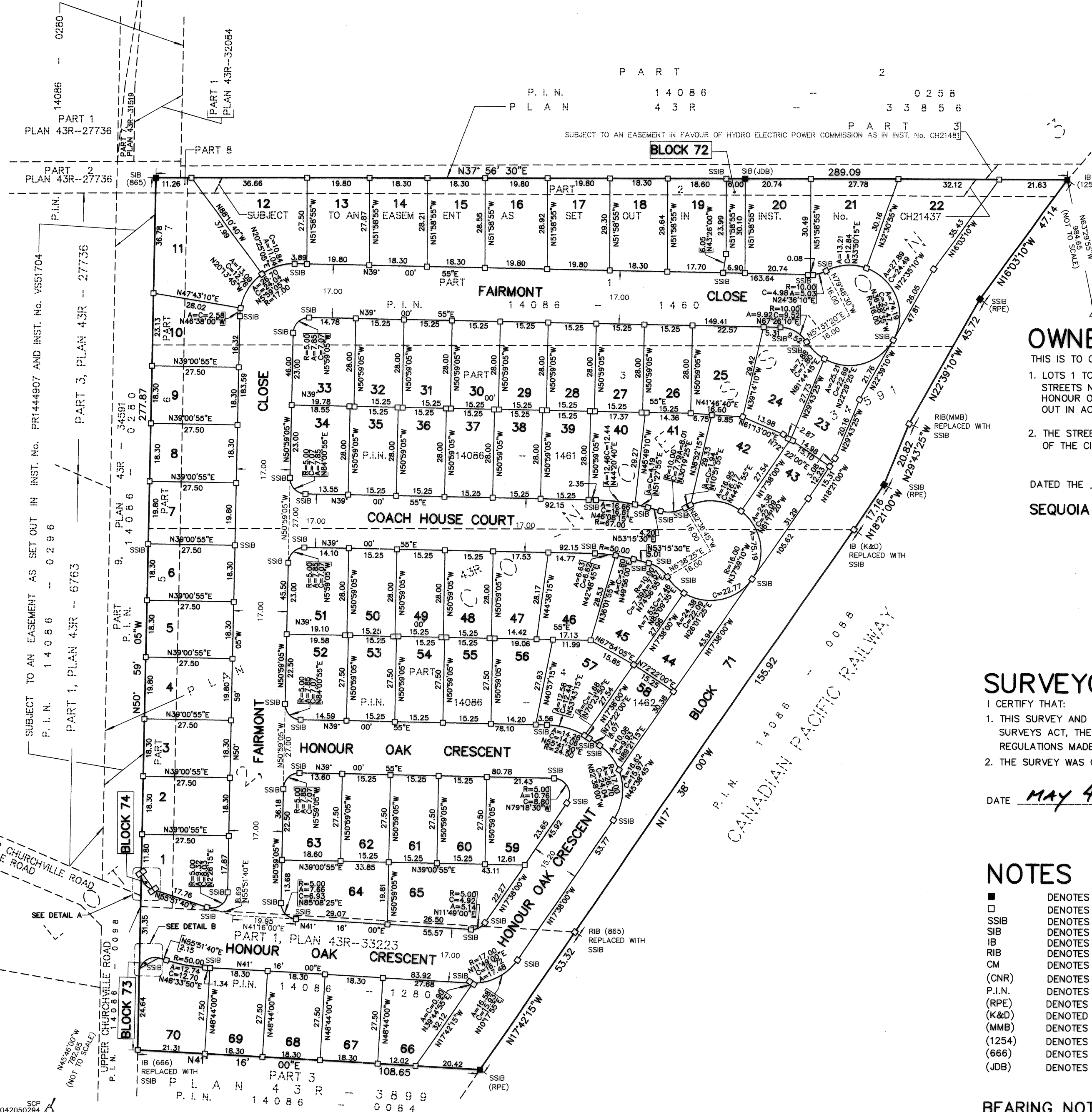
AND THE REQUIRED CONSENTS ARE

REGISTERED AS PLAN DOCUMENT

No. PL 2213750

D. Parker
REPRESENTATIVE FOR LAND REGISTRAR

THIS PLAN COMPRISES ALL OF P.I.N.S 14086-1280,
14086-1460, 14086-1461 AND 14086-1462.
SUBJECT TO AN EASEMENT OVER PARTS 2 AND 8
PLAN 43R-34591 AS SET OUT IN INST. No. CH21437
(AFFECTS PART OF LOTS 11 TO 22, BOTH INCLUSIVE AND
PART OF BLOCKS 71 AND 72).



OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT:

- LOTS 1 TO 70 BOTH INCLUSIVE, BLOCKS 71 TO 74 BOTH INCLUSIVE, STREETS NAMELY COACH HOUSE COURT, FAIRMONT CLOSE AND HONOUR OAK CRESCENT HAVE BEEN LAID OUT IN ACCORDANCE WITH OUR INSTRUCTIONS.
- THE STREETS ARE HEREBY DEDICATED TO THE CORPORATION OF THE CITY OF BRAMPTON AS PUBLIC HIGHWAYS.

DATED THE 10th DAY OF MAY, 2012.

SEQUOIA (WALNUT GROVE) LTD.

Giulio Bianchi
GIULIO BIANCHI
AUTHORIZED SIGNING OFFICER
I HAVE THE AUTHORITY TO BIND THE CORPORATION

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 12th DAY OF Nov., 2011.

DATE MAY 4th, 2012.

C. P. Edward
C. P. EDWARD
ONTARIO LAND SURVEYOR

NOTES

- DENOTES MONUMENT FOUND
- DENOTES MONUMENT SET
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- IB DENOTES ROUND IRON BAR
- CM DENOTES CONCRETE MONUMENT
- (CNR) DENOTES CANADIAN NATIONAL RAILWAY
- P.I.N. DENOTES PROPERTY IDENTIFIER NUMBER
- (RPE) DENOTES RADY-PENTEK & EDWARD SURVEYING LTD., O.L.S.
- (K&D) DENOTES E. KITTO & A. DEATH, O.L.S.
- (MMB) DENOTES McLEAN, McMURPHY & BIASON, O.L.S.
- (1254) DENOTES R. CLIPSHAM, O.L.S.
- (666) DENOTES ARTHUR DEATH, O.L.S.
- (JDB) DENOTES J. D. BARNES LIMITED, O.L.S.

BEARING NOTE

BEARINGS ARE UTM GRID, ZONE 17, NAD83 (ORIGINAL), DERIVED FROM SPECIFIED CONTROL POINTS 04219910109 AND 04219920140.

COORDINATES ARE UTM ZONE 17, NAD83 (ORIGINAL), TO URBAN ACCURACY PER SEC. 14 (2) OF O.R.E.G. 216/10, AND CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

POINT ID	NORTHING	EASTING
SCP 042050243	4833110.306	600204.734
SCP 042050294	4832629.728	599887.019

DISTANCE NOTE

DISTANCES SHOWN ON THIS PLAN ARE GROUND DISTANCES AND CAN BE USED TO COMPUTE GRID DISTANCES BY MULTIPLYING THE DISTANCES BY THE COMBINED SCALE FACTOR OF 0.999697.

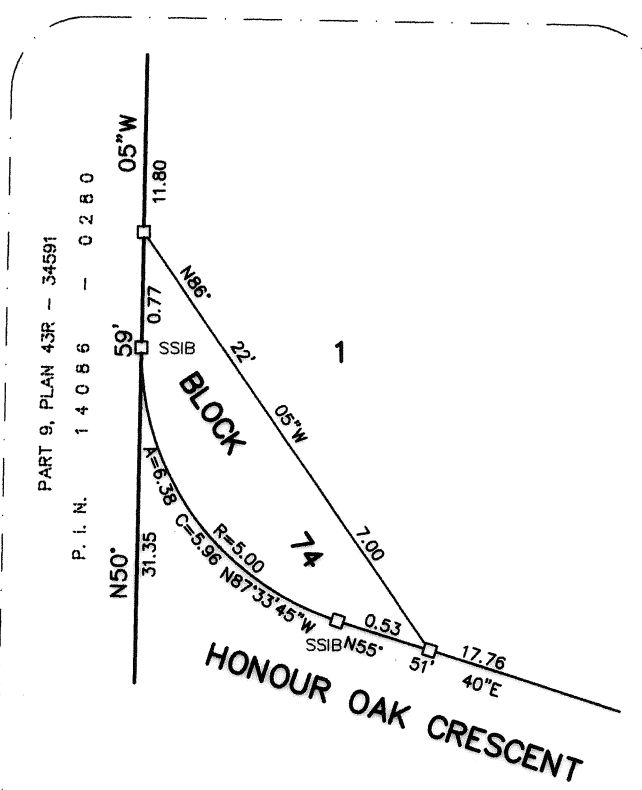
MUNICIPAL APPROVAL
21T-10010B

APPROVED UNDER SECTION 51 OF
THE PLANNING ACT, R.S.O. 1990

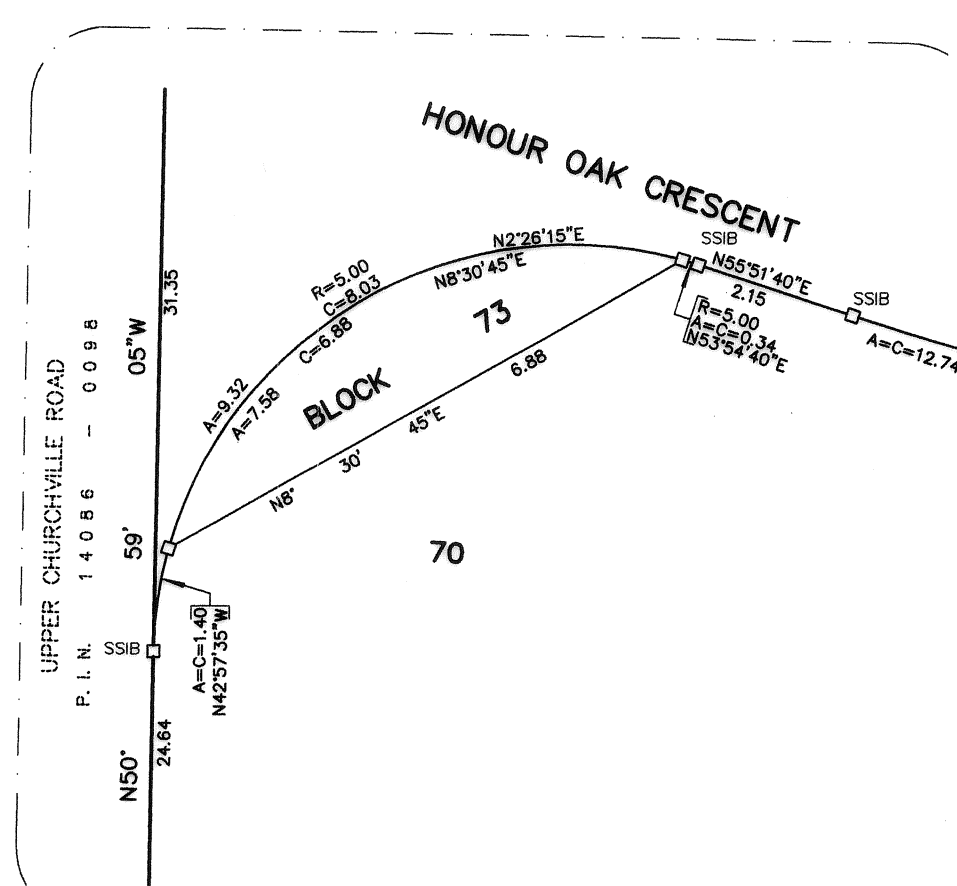
THIS 19 DAY OF June, 2012

Commissioner
COMMISSIONER, PLANNING DESIGN AND DEVELOPMENT
CORPORATION OF THE CITY OF BRAMPTON

RADY-PENTEK & EDWARD SURVEYING LTD.
ONTARIO LAND SURVEYORS
643 Chrislea Road, Suite 7
Woodbridge, Ontario L4L 8A3
Tel. (416) 635-5000 Fax (416) 635-5001
Tel. (905) 264-0881 Fax (905) 264-2099
Website: www.r-pe.ca
DRAWN: P.M./ C.D.S./E.R. CHECKED: C.P.E.
JOB No. 10-233 CAD FILE No. 10233s1
May 09, 2012 - 13:30:36



DETAIL A (NOT TO SCALE)



DETAIL B (NOT TO SCALE)

TOTAL AREA OF SUBDIVISION = 5.665 Ha.

City of Brampton Integrity Commissioner File 2017-01

REPORT ON COMPLAINT

The Complaint

Harkirat Singh (the Complainant) alleged that Regional Councillor John Sprovieri (the Respondent) contravened the Code of Conduct for Members of Council by making comments in two emails and in a July 5 CityNews newscast.

The specific words that give rise to the Complaint appear in the “Analysis and Findings” section of this report, and also in Appendix 2 and Appendix 3.

The Complainant’s position is summarized in the following passage from the Complaint:¹

I am deeply offended by the rhetoric displayed by him in a recent email. In his email, covered by CityNews (link below) Councillor Sprovieri tells “people of all races, colour and creeds” to “learn the values of the white people.” To make matters worse, in his interview on CityNews regarding the email, the Councillor goes on to reaffirm and defend his insensitive views. Additionally, after being suggested to take on cultural sensitivity training by Mayor Linda Jefferies, Councillor Sprovieri responds in email to the Mayor, “From my understanding the Native people want their land back. Any suggestions on how that may happen?”

This statement regarding “Native people” is just as offensive as the “white people” statement as it shows a total disregard to the devastating colonial legacy and genocide that occurred of the First Nations, Metis and Indigenous people. His response trivializes and mocks legitimate grievances that the First Nations, Metis and Indigenous people are fighting for.

This is not the first time Councillor Sprovieri has made insensitive statements. In 2014, Councillor Sprovieri was also found to have forwarded “Jewish” jokes (link below).

The Complainant then cited five specific provisions of the Code that he said had been contravened.

While I understand the Complainant’s position to be that the 2014 “Jewish joke” incident was relevant because it showed a pattern of conduct, I declined to consider it because it occurred outside the time frame of this Complaint. Subsection 1(4) of the Complaint Protocol provides:

The integrity Commissioner shall not accept any complaint from any person which arises from the conduct of a member(s) that occurred, or such conduct

¹ In quoting from documents, my practice in an investigation report is to correct obvious spelling errors without drawing attention to the correction unless the correction is material. This report also edits punctuation and capitalization for consistency.

was first learned of by the complainant, six (6) months prior to receipt of such complaint by the Integrity Commissioner.

Despite the argument that they form a pattern, the 2014 joke and the 2017 emails are separate incidents and they cannot be considered a single, continuous course of conduct. I am, therefore, unable to consider the 2014 incident.

The following specific allegations became the basis of my investigation:

- A. Allegation that the Respondent contravened Principle (b) of the Code, which states that, “Members of Council should be committed to performing their functions with integrity and transparency.”
- B. Allegation that the Respondent contravened Principle (c) of the Code, which states that, “Members of Council shall perform official duties and arrange their public affairs in a manner that promotes public confidence and respect and will bear close public scrutiny.”
- C. Allegation that the Respondent contravened the *Human Rights Code* (Ontario) and thereby contravened Rule No. 1(e) of the Code, which states in part that, “Members of Council shall seek to serve the public interest by upholding both the letter and the spirit of the laws and policies established by the ... Ontario Legislature ...”²
- D. Allegation that the Respondent failed to encourage public respect for the City and its by-laws, contrary to Rule No. 13 of the Code.
- E. Allegation that the Respondent failed to conduct himself with appropriate decorum, contrary to Rule No. 15 of the Code.

As part of my consideration of allegations A and B, which involve the “Key Principles” section of the Code, I also asked the Complainant and Respondent to address whether it was even possible to bring a Complaint that alleged a contravention of a statement of principle:

- F. Issue of whether Principles (b) and (c), which are among the “key principles that underline rule in this *Code of Conduct*,” are provisions that are capable of being breached.

After the Respondent issued his apology (see “Analysis and Findings” section and also Appendix 4), the Complainant confirmed that he wanted this proceeding under the Code to continue. In the Complainant’s words:

² Initially I told the parties that I had not yet determined whether an alleged contravention of the *Human Rights Code* can give rise to an Integrity Commissioner complaint. I invite both parties to comment on this question. The Respondent, through legal counsel, subsequently conceded Rule No. 1(e) requires Council Members to abide by the spirit and intent of human rights legislation in their conduct.

An apology was indeed warranted. However, an apology only came after a complaint had been made to yourself. Councillor Sprovieri's initial response was to defend his insensitive views and make further problematic statements regarding the Indigenous, First Nation, Metis people of Canada.

I think his remarks clearly contravened the Code of Conduct and as a result Councillor Sprovieri should be held accountable.

Summary

I find that Councillor Sprovieri contravened Rule No. 15 of the Code.

I note Councillor Sprovieri's concession that Rule No. 1(e) requires Council Members to abide by the spirit and intent of human rights legislation in their conduct. Nonetheless, I have chosen to consider his conduct under Rule No. 15, which I find he contravened.

I find that Rule No. 13 of the Code does not apply to the facts of this case.

I further find the Code's "Key Principles" section cannot give rise to a Complaint. A Complaint must allege contravention of one or more of the Code's substantive rules. I could find no violation of Principle (b) or Principle (c) because these are statements of principle that are incapable of forming the basis of a Complaint.

Process Followed

In operating under the Code, I follow a process that ensures fairness to both the individual bringing a Complaint (Complainant) and the Council Member responding to the Complaint (Respondent). The process is governed by the Council Code of Conduct Complaint Procedure.

This fair and balanced process includes the following elements:

- The Respondent receives notice of the Complaint and is given an opportunity to respond.
- The Complainant receives the Respondent's response and is given an opportunity to reply.
- More generally, the process is transparent in that the Respondent and Complainant get to see each other's communications with me.³
- The Respondent is made aware of the Complainant's name. I do, however, redact personal information such as phone numbers and email addresses.

³ Occasionally, in my discretion, I may decline to share a communication when the communication is irrelevant to the investigation or I will not consider the communication and (in either case) the other party is not prejudiced by the lack of sharing.

- As a further safeguard to ensure fairness, I will not help to draft a Complaint and will not help to draft a response or reply.
- Where appropriate I will, however, invite a Complainant to clarify a Complaint. When a Complaint has been clarified the Respondent is provided with the original document and all communications between the Complainant and me related to clarification.
- When a Complaint has been clarified I deem the date of final clarification to be the official date the Complaint was made.

During this process, the Complainant and the Respondent each had full opportunity to provide information and to make representations. I have taken each party's submissions and communications with me into account.

The parties also had an opportunity to consider and to make representations on the draft findings and recommendations in this report before the report was finalized.

Analysis and Findings

There is no dispute that the Respondent sent the emails and made the televised statements that are the subject of the Complaint. The Respondent agrees they were sent and made.

The text of the emails is reproduced in Appendix 2 and the text of the televised statements is reproduced at Appendix 3.

In the case of the emails, I have also included, as context, the bulk of the email exchange in which the Respondent's comments were made. I find that the context in which the Respondent sent the emails is important and necessary to an understanding of what happened and in determining whether the Respondent contravened the Code.

The Respondent did not initiate the email exchange. He was one of 22 (later 23) recipients of an email sent by a local resident, whom I will refer to as the Initial Writer. The recipients were: Councillor Sprovieri (the Respondent), Mayor Jeffrey, Councillor Bowman, Councillor Dhillon, Councillor Fortini, Councillor Medeiros, the Mayor's Chief of Staff, another City employee, federal MP Ruby Sahota, the Chief Commissioner of the Ontario Human Rights Commission and the Commission's general email address, two (later three) news reporters,⁴ a representative of the Brampton Board of Trade, a representative of B'nai Brith and seven other citizens.

The Initial Writer's first email made two general (and related) points. The writer objected to the City's decision to engage a particular individual (Individual Two) to perform a particular project. The writer felt that the engagement of Individual Two, a white male, was part of a pattern of institutional racism (and individual racism) that resulted in the

⁴ Starting with the third email in the exchange, the Initial Writer added a third news reporter to the recipients.

City's senior management and the City's workforce not being sufficiently representative and not being sufficiently diverse.

While I have deleted information that might identify specific employees accused of racism, I have left intact the Initial Writer's strongly worded allegations of institutional racism and of hiring practices that are insufficiently representative and insufficiently diverse. The reasons for doing so are explained in detail in Appendix 2. In short, I believe the portions of the Initial Writer's email included in this report are contextual information that is necessary to assess the Respondent's conduct in light of the Code. Further, while the allegations of institutional racism are strongly worded I am hesitant to do anything to the resident's words that might be considered misappropriation of voice or silencing.

In incorporating the Initial Writer's emails into this report as necessary context, I am making no comment on their content. My jurisdiction is limited to the conduct of Council Members under the Code.

The Respondent was the only recipient to respond to the Initial Writer's first email. In responding, he did not address the criticism of hiring Individual Two and he did not directly address the allegations of racism and insufficient diversity.

Instead, he wrote the following:

To be fair, people of all races, colour and creeds are eager to come to Brampton and Canada because the white people of this nation have developed a great system where everyone is welcome and can live peacefully together. I hope that the new comers will learn the values of the white people so that Brampton and Canada will continue to be a favourite destination for people who want a better and peaceful lifestyle.

The Initial Writer took issue with the Respondent's reply, and sent a second email, two-thirds longer longer than the first one.⁵ The new email mentioned a variety of topics including the First Crusade, slavery, the racism of John A. Macdonald, and the U.S. decision to drop the A-bomb on Japan. I have appended the email nearly in its entirety both because it is relevant context and because I do not wish to truncate or to silence another individual's exposition of the historic origins of systemic racism.

(In sending this email, the Initial Writer added a third news reporter to the "Cc" line. That reporter was included on all subsequent emails in the exchange.)

Once again, only the Respondent appears to have sent a reply:

Thank you for the History Lesson. As you have noted, Humans of all races have skeletons in their closets, some bigger and some smaller. As you are well aware, there was a great destruction of the Human kind about 12,000 years ago caused by the Big flood. The Jewish Bible tells us that God caused the Flood to happen

⁵ Initial Writer's first email was 1371 words, 6533 characters. Initial Writer's second email was 2276 words, 10,867 characters, 66 per cent longer.

to cleanse the earth of Human corruption. As you are also aware, the Human race may be headed that way again with Global Warming.

Just to bring you back to reality, the discussion is about today and how Canada was developed by the white folks of French and British background. People of all races have come to this land and are able to live together in peace and harmony, because of the system that those folks developed.

The Reason why we are all here is because Canada is Number 1. Happy Canada Day to everyone.

Within nineteen minutes of the Respondent's second email, Mayor Jeffrey responded (including all recipients of the previous emails) as follows:

Unfortunately, my office was recently included on an email exchange between Councillor Sprovieri and a resident on corporate email.

I believe the original intent of the correspondence was to complain about hiring practices at the City of Brampton but it has become clear that the correspondence has now deteriorated into a disrespectful, crude and insensitive tirade about ethnicity.

As a City, and as a country that is struggling to find the right language and respect for indigenous people and their role in our past, I find it disheartening to hear such insensitive language being used by a member of my Council. Unfortunately, this is not an isolated incident. I urge my colleague to seek some diversity training in order to better understand the role of multiculturalism in building our national fabric.

The Respondent then replied:

Mayor Jeffrey,

From my understanding the native people want their land back. Any suggestions on how that may happen?

John.

When the Respondent's emails came to the attention of CityNews, he participated in a televised interview and made the following statements:

Was it a poor choice of words? I don't believe so. Maybe it doesn't sound good but, really, I don't see how it's incorrect. It may be improper, possibly, but it's not incorrect.

and

I'm not insensitive to people. I think I am very sensitive to my constituents, especially, 60 per cent of my constituents are South Asian and probably, only, I'd say maybe 20 per cent are actually white people.

After links to news reports of the Respondent's emails started appearing on social media, the Respondent, from his @JohnSprovieri account, issued two series of identical Tweets in reply:⁶

The Values found in the Canadian Charter of Rights & freedoms passed by the English and French [White] Canadian M.P.'s in 1982.

and

Don't be like the crowd that said "Crucify Him" without knowing all the facts.

Subsequently the Respondent apologized. His statement is attached as Appendix 4. The text was as follows:

To the City of Brampton, my colleagues and my fellow Canadians,

I wish to discuss my recent comments regarding values as reported in the media. I have, with the wisdom that comes with hindsight and somber reflection, realized that I owe an apology for a confusing e-mail exchange with a constituent.

In my haste to defend my friends, colleagues, city employees, and those hired to bring their expertise and skills to the City of Brampton to help a bigger and better city for the future of all our residents, I choose my words poorly, and my comments did not reflect my intended meaning when I wrote that email. My intention was to make a point about Democratic values and Freedoms, but in so doing, I committed the very same error that I was rallying against. In categorizing people on the basis of Color, and in giving recognition to only one Color, it was improper.

I want to make myself very clear on this point: when I referred to "White Values", I was referring to "Canadian Values" and was applauding Canada's commitment to build a nation of equity, peace, democracy and prosperity. I was addressing how fortunate we all are to live in a country that has adopted great values such as multiculturalism, diversity, freedom of Religion and freedom of speech. Being Canadian is a source of great pride for me. In expressing that pride, it was not my intention to marginalize or ignore the contributions of people of all origins. My intention to highlight Canadian values of Inclusiveness, Democracy, and Freedom was lost as result.

In my haste to defend those under attack, I failed to include all those people for whom I have great respect, appreciation and admiration. In my zeal, I let my passion cloud my judgment and colour my words.

I understand that Canadian Values, Morals and Ideals, are not based on color, and I recognize it was unfair to phrase my comments in that manner. This oversight was not a deliberate slight. I reacted too quickly, and failed to appreciate how my words would be interpreted outside of the context in which they were written.

Obviously, freedom, equity and the desire to live in peace and harmony for the prosperity of all, are not "White Values" *per se*. Obviously, it wasn't "Only White People" that built this great nation, nor was it "Only White People" that have fought to defend it. I realize that my words did not pay homage to all of the

⁶ That is, the Respondent did not initiate the Twitter conversations on this subject. He only Tweeted replies.

people, of all origins, that have served our country, at home and abroad, or the people of all origins who continue to safe guard our most important ideals. To all of those people, I am forever indebted for my freedoms and my liberties.

I regret that I lost sight of my position as a public servant, of my duty to speak on behalf of my constituents. It behooves me to do better; to remember the privileges and responsibilities afforded me as a member of Council. It is my duty to reflect the values of the whole city, and in fact this whole nation. It was my duty to ensure my words acknowledged all people who helped build this great nation. In highlighting only certain contributions, as specific as it was to a particular line of communication, I neglected that duty.

And I apologize for that.

I want to thank all of the people who reached out with messages of support and understanding for the underlying message I was trying to convey. While my original comments were limited in their scope, I will forever appreciate the country that welcomed my family in 1956 and I was overwhelmed by the number of people who share in that sense of gratitude.

I hope that in issuing this apology, we can all move forward, and work together for to the betterment of all citizens, to build a free, peaceful, democratic, and prosperous city.

Sincerely yours,

John Sprovieri

The Respondent shared with me numerous emails that he received from other individuals. In summary these emails express support for the Respondent and/or opposition to the Respondent's critics. While I took all these emails into account I do not find them particularly relevant to the issues I must decide under the Code.

The Respondent formally responded to the Complaint through his legal counsel, Mr. Wesley Jackson. The legal submissions declined to address the substance of the complaint, stating that:

For the reasons that follow, the Councillor will not be commenting extensively on the complaint.

The subject matter of the complaint is intrinsically tied to issues of race, ethnicity, multiculturalism, representative democracy, and the systemic barriers to participation in the democratic process. It is simply not possible to address these issues fully, completely and respectfully in the context of this matter. After all, that is what essentially lead to the within complaint in the first place.

Counsel's submissions drew attention to the Respondent's voluntary, public apology and suggested that the apology was sufficient to resolve the issues in the investigation. According to Mr. Jackson:

Councillor Sprovieri has recognized the deficiencies in his email exchanged, has accepted responsibility for it, and will be issuing his apology to Council and the public.

It is submitted that ... the apology of Councillor Sprovieri, made voluntarily, is sufficient to resolve the within Integrity Commissioner investigation.

As I have previously noted, the Complainant did not consider the apology to be sufficient to resolve the matter.

A) Did the Respondent contravene Principle (b)?

No.

For the reasons detailed under sub-heading (F), below, I find that a statement of principle cannot be contravened and a statement of principle cannot give rise to a Complaint under the Code. As Principle (b) is only a statement of principle, I cannot find a contravention of it.

(B) Did the Respondent contravene Principle (c)?

No.

For the reasons detailed under sub-heading (F), below, I find that a statement of principle cannot be contravened and a statement of principle cannot give rise to a Complaint under the Code. As Principle (c) is only a statement of principle, I cannot find a contravention of it.

(C) Did the Respondent contravene Rule No. 1(e)?

I find that the issues raised by Rule No. 1(e) are best considered, below, in the context of Rule No. 15.

Rule No. 1(e) states as follows:

Members of Council shall seek to serve the public interest by upholding both the letter and the spirit of the laws and policies established by the Federal Parliament, Ontario Legislature, and the City Council.

The *Human Rights Code* (Ontario) is a provincial statute and therefore constitutes a law “established by the ... Ontario Legislature” within the meaning of Rule No. 1(e).

I asked the parties to address whether an Integrity Commissioner has jurisdiction to deal with alleged breaches of the *Human Rights Code*. (The alternative would be for a complainant to take a case to the Ontario Human Rights Commission.) That issue was settled, at least for purposes of this proceeding, by the Respondent’s acknowledgement, through legal counsel, that an Integrity Commissioner can apply the *Human Rights Code*. Mr. Jackson wrote:

The precedent for an Integrity Commissioner addressing a complaint in the nature of a Human Rights Complaint concerns former Toronto Mayor, the late

Rob Ford.⁷ ... With similar language to the Brampton Code of Conduct, it appears to be accepted that an Integrity Commissioner can read into the Code of Conduct an expectation that councilors will abide by the spirit and intent of our Human Rights legislation as a matter of Conduct.

The Councillor takes no exception to that interpretation in this file.

While the analysis is simplified by the Respondent's concession that an Integrity Commissioner may apply the *Human Rights Code*, there remains the issue of whether the *Human Rights Code* applies to the facts of this case.

The *Human Rights Code* applies to services, goods, facilities, accommodation, contracts, employment, and membership in various organizations. To assess whether the Respondent's emails and televised statements contravened the *Human Rights Code*, I would need to determine whether the sending of emails and making of the televised statements were subject to the *Human Rights Code*.

Two recipients of the emails were employees of the City. This means that the Respondent's emails might have been subject to the *Human Rights Code* prohibitions against employment discrimination and workplace harassment.

Nonetheless, it seems clearer and more straightforward to analyze the Respondent's comments under Rule No. 15. I do so in subsection (E), below.

(D) Did the Respondent contravene Rule No. 13?

No.

Rule No. 13 states that, "Members shall encourage public respect for the City and its by-laws."

The Commentary to this rule explains that, "A Councillor must not denigrate a City by-law in responding to a citizen, as this undermines confidence in the City and the rule of law."

In my view, Rule 13 applies to respect or disrespect for the City or a City by-law that is exhibited or encouraged by a Council Member.

While the Commentary is only an example, and does not limit the breadth of Rule 13, it does indicate that the rule contemplates specific conduct by a Councillor that relates to respect or disrespect.

The mere fact that conduct by a Councillor might tend to embarrass the City, does not, absent an intention by the Councillor to promote disrespect, contravene Rule 13.

⁷ Mr. Wesley then referenced and provided a copy of a City of Toronto precedent: *Integrity Commissioner Report Regarding Conduct of Then-Mayor Rob Ford* (March 25, 2015), Integrity Commissioner Valerie Jepson

(E) Did the Respondent contravene Rule No. 15?

Yes.

According to Rule No. 15, “Members shall conduct themselves with appropriate decorum at all times.”

The Commentary adds that, “As leaders in the community, members are held to a higher standard of behaviour and conduct, and accordingly their behaviour should be exemplary.”

This rule is not limited to decorum during Council and Committee meetings. (Rule No. 8 addresses meeting conduct.) The rule applies, “at all times.”

I find that “at all times” includes the sending of emails and the making of televised statements. The Respondent was therefore required to ensure that his emails and televised statements complied with Rule No. 15.

Oxford defines “decorum” as “Behaviour in keeping with good taste and propriety.” Merriam-Webster defines it as, “Propriety and good taste in conduct or appearance.”

I find that the Respondent’s comments about “white people” – in particular the comments that credit “white people” for values and for developing a system in which people can leave peacefully – are not proper or in good taste, and therefore fail to reflect the decorum required by Rule No. 15.

I rely in part on the Respondent’s own apology statement, where he acknowledged the following:

... I choose my words poorly, and my comments did not reflect my intended meaning when I wrote that email. My intention was to make a point about Democratic values and Freedoms, but in so doing, I committed the very same error that I was rallying against. In categorizing people on the basis of Color, and in giving recognition to only one Color, it was improper.

...

I understand that Canadian Values, Morals and Ideals, are not based on color, and I recognize it was unfair to phrase my comments in that manner. ...

...

I regret that I lost sight of my position as a public servant, of my duty to speak on behalf of my constituents. It behooves me to do better; to remember the privileges and responsibilities afforded me as a member of Council. It is my duty to reflect the values of the whole city, and in fact this whole nation. It was my duty to ensure my words acknowledged all people who helped build this great nation. In highlighting only certain contributions, as specific as it was to a particular line of communication, I neglected that duty.

In the above passages, the Respondent effectively concedes a failure to keep his comments proper and in good taste – in other words, a failure to comply with Rule No. 15.

In light of what the Respondent has acknowledged, there is no need for me to analyze Rule No. 15 any further.

(F) Is the “Key Principles” section of the Code capable of being breached?

No.

Early on in the proceeding I told each party, in writing, that an issue under consideration was whether an alleged contravention of the “Key Principles” section of the Code can give rise to an Integrity Commissioner complaint. I expressly invited their submissions on this point and I have taken their representations into consideration.

In other municipalities I have had to consider whether the “principles” section of a code of conduct can be the subject of a complaint: see Township of Scugog Investigation Report 2017-01, Town of Orangeville Investigation Report 2017-01 and Regional Municipality of Durham Investigation Report 2017-01.

In this case, the Complaint was partly based on Principles (b) and (c) of the Code. These appear in the “Key Principles” section. As the name indicates, this section does not contain rules. It states principles.

As a general matter, a statement of principle does not create an obligation. It merely states the principle(s) that may be used to interpret obligations created elsewhere in the law.⁸

The Council Code of Conduct was enacted by by-law.⁹ Principles of statutory interpretation apply. As explained in *Sullivan on the Construction of Statutes*, 6th ed.:

Purpose statements may reveal the purpose of legislation either by describing the goals to be achieved or by setting out the governing principles, norms or policies. ... However, like definitions and application provisions, purpose statements do not apply directly to facts but rather give direction on how the substantive provisions of the legislation – that do apply to facts – are to be interpreted.¹⁰ [emphasis added]

I find that the “Key Principles” section provides interpretive direction only, and it does not create rules or obligations on Council Members that can be the subject of a Complaint. Thus, even though the section declares, “The key principles that underline

⁸ *Greater Vancouver Regional District v. British Columbia (Attorney General)*, 309 BCAC 124, 2011 BCCA 345 (CanLII), at para. 45: “Section 3(c) purports only to state a principle ... It is plain and obvious that s. 3(c) creates no legally enforceable obligation ...”

⁹ By-law 14-2016 confirms the proceedings of Council at its January 27, 2016, meeting. These proceedings included approval of the Code.

¹⁰ Sullivan, R., *Sullivan on the Construction of Statutes*, 6th ed. (2014), at 454, §14.39.

the rules in this *Code of Conduct* are as follows” these are only statements of principle. Statements of principle are not enforceable rules. Indeed, the language the sentence indicates that the principles and the rules are different.

Another reason that I am not prepared to treat the content of the Principles section as binding rules is that its content is too general and unspecific to be treated as clear, enforceable obligations. Council Members are subject to penalties if they contravene the rules in the Code; it necessarily follows that the rules must be clear, certain and unambiguous. Council Members must be able to understand clearly the conduct that is required. In this respect I refer to the observations of Integrity Commissioner Swayze in Report L05 IN (May 12, 2015):

In my experience members of councils in Ontario are busy people serving their community and want certainty in the interpretation of the many rules that apply to them. A code, by definition, is a set of rules of behaviour and should not be interpreted by each councillor according to subjective values. The rules need to be clear and where possible, capable of only one meaning. [emphasis added]

While I do not agree that being busy is relevant to interpretation of the Code, I accept and adopt Integrity Commissioner Swayze’s comments about the need for clarity, certainty and lack of ambiguity in the rules.

I find that the “Key Principles” section of the Code provides interpretive guidance but is not itself a provision that can be contravened.

Going forward, I will not consider the “Key Principles” section as capable of giving rise to a contravention or forming the basis for a Complaint. This section may, however, be considered in the course of interpreting other sections of the Code.

Recommendation

I do not think this is a case for a suspension of compensation paid to the Respondent.

In my view, this is an appropriate case for a public apology coupled with acceptance by Council of my finding that the Respondent has contravened Rule No. 15 of the Code.

While I believe it would be a good idea for the Respondent to accept the offer of diversity sensitivity training, neither the Code nor the Complaint Protocol permit me to include this request in my recommendations for corrective action.

The Respondent has already issued a complete, voluntary, public apology. Therefore no point would be served by recommending that Council request an apology.

I recommend that Council accept this report and adopt the finding that Councillor Sprovieri contravened Rule No. 15 of the Code.

Concluding Observation

It is worth noting that this incident began when a resident wrote an email that alleged institutional racism, individual racism and a lack of representative diversity among the City's senior management and workforce.

Subsequently the focus shifted to Councillor Sprovieri and the manner in which he expressed his views.

This investigation report addresses only the Councillor's conduct. This report leaves for Council the original issues raised by the resident, including the claim that the City's senior management and workforce do not sufficiently represent the diversity of Brampton.

Respectfully submitted,



Guy Giorno
Integrity Commissioner
City of Brampton

February 9, 2018

APPENDIX 1: RELEVANT PROVISIONS OF COUNCIL CODE OF CONDUCT

Key Principles:

The key principles that underline the rules in this *Code of Conduct* are as follows:

- a) Members of Council shall serve and be seen to serve their constituents in a conscientious and diligent manner.

Commentary

This underscores that Members' carry out their official City activities in a way that will foster and enhance respect for government and above all, demonstrate respect for members of the public.

- b) Members of Council should be committed to performing their functions with integrity and transparency.

Commentary

As public officials, Members of Council recognize the public's right to reasonable access to information in relation to how decisions are made. This right of access includes the right of the public to receive complete and understandable information which must be balanced against the requirement to protect the legitimate interests of the City and the respect for approved policies of the City.

- c) Members of Council shall perform official duties and arrange their public affairs in a manner that promotes public confidence and respect and will bear close public scrutiny.

Rule No. 1 General

...

- e) Members of Council shall seek to serve the public interest by upholding both the letter and the spirit of the laws and policies established by the Federal Parliament, Ontario Legislature, and the City Council.

Commentary

A number of the provisions of this Code incorporate policies, procedures and provisions adopted by Council and contained in various statutes. The provisions of this Code are intended to be applied in concert with existing legislation and go beyond the minimum standards of behaviour.

...

Rule No. 13

Encouragement of Respect for the City and Its By-Laws

1. Members shall encourage public respect for the City and its by-laws.

Commentary

A Councillor must not denigrate a City by-law in responding to a citizen, as this undermines confidence in the City and the rule of law.

...

Rule No. 15

Discreditable Conduct

1. Members shall conduct themselves with appropriate decorum at all times.

Commentary

As leaders in the community, members are held to a higher standard of behaviour and conduct, and accordingly their behaviour should be exemplary.

APPENDIX 2: EMAILS

The *Municipal Act*¹¹ provides that I may disclose in this report such matters as in my opinion are necessary for purposes of the report.

In my view it is essential to consider the Respondent's emails in the context of the full exchange of which they form part. It is necessary to consider both the audience to which the Respondent's emails were sent and the originating emails to which the Respondent was replying.

The emails to which the Respondent replied were strongly worded, but they provide important and necessary context. The originating email, from a resident, forcefully argued that the City of Brampton senior management and workforce are not sufficiently diverse and not sufficiently representative of the City's population. The resident alleged racism, both institutional and individual.

I make no findings concerning the resident's claims, because they fall outside my jurisdiction. My jurisdiction is limited to the conduct of Council Members under the Code. It does not extend to members of the public. In reproducing the resident's communication (as necessary context) I make no comment on its content.

I have, however, chosen to edit out portions of the resident's communication that are not necessary to understanding the context. Specifically:

- I have deleted information that could identify the resident (Initial Writer) who started the email chain.
- I have deleted individuals' names.
- The original email started with a criticism of the City's decision to contract with an individual (Individual Two) to provide a particular service. It criticized the individual's track record and experience. The contract with this individual was then used as an example to support more general allegations that the City's leadership and workforce are insufficiently representative and insufficiently diverse, which the email author attributed to racism. I have removed portions of the first part of the email that could identify the individual contractor whose engagement was being criticized. The contractor is not a party to this proceeding and has had no chance to respond to the allegations. The specific allegations are not essential to this report.
- For consistency I have reformatted all emails so that they appear in the same font, but I have left intact any bolding, upper case lettering, colouring and other means of emphasis.

¹¹ Subsection 223.6(2).

On the other hand, except to remove mentions of specific individuals¹² I have reproduced entirely the resident's comments about the alleged lack of diversity, lack of representativeness and racism in the City's employment practices. These comments are strongly worded and address directly the perceived "whiteness" of the City's senior management and workforce. I did not remove those comments for the following reasons:

First, I believe they provide essential context for the Respondent's written replies and thus are necessary to this report.

Second, I have no jurisdiction over the conduct of members of the public. Editing the resident's words might wrongly imply that my role is to evaluate those words.

Third, I am in no position to dictate the manner in which an allegation of racism should be explained. The individual making the case is entitled to choose the appropriate method to express the truth as he or she sees it.

Fourth, I hesitate to edit an allegation of racism in order to soften its impact on the audience. Rewording the position of another can be associated with misappropriation of voice and/or silencing of viewpoints.

All emails in this chain were exchanged among the following individuals:

- The resident who wrote the first email, referred to as Initial Writer
- Councillor Sprovieri, the Respondent
- Mayor Jeffrey
- Councillors Bowman, Dhillon, Fortini and Medeiros
- The Mayor's Chief of Staff
- Another City employee
- Federal MP Ruby Sahota
- The Chief Commissioner of the Ontario Human Rights Commission and the Commission's general email address
- Two news reporters (mid-way through the exchange the Initial Writer added a third news reporter)
- A representative of the Brampton Board of Trade
- A representative of B'nai Brith
- Seven other citizens

The email that started the exchange was sent by the Initial Writer:

Subject: Why are WHITE PEOPLE still planning Brampton's future? ...
Importance: High

It seems the INMATES still running the asylum at Brampton's City Hall.

I am appalled to read, in today's Toronto Star's GTA Section ... Monday, June 26, 2017 ... an article on the front page of the GTA Section, written by Fatima

¹² I also deleted the use of a derogatory term used to describe an Anglo-Saxon ethnic group.

Syed, that [INDIVIDUAL ONE] ... The City's [position deleted], has 'HIRED' an old, white man ... named [Individual Two] ... with white hair, much like [Individual One], himself, to be an ADVISOR to the City's [location deleted] to help Brampton [description of project deleted].

Also, in this same article in the GTA Section in today's Toronto Star ... Monday, June 26, 2017 ... there is mention of another "white man" ... [Individual Three] ... Brampton's new head of [deleted], & the former [title deleted] for the [name of municipality deleted].

How long was [Individual Three] with [name of municipality]? Or did he also come from the [a third municipality] to land a job with [name of municipality], or knew [Individual One] during [Individual One]'s previous incarnations, such as his stint in [third municipality], & now [Individual Three] is also feeding at Brampton's Public Trough, brought in by [Individual One]?

As per today's Toronto Star article, [Individual Three] will be the local Brampton partner for [INDIVIDUAL TWO], because [Individual Two] is based in [other place], and [Individual Two] & his 'team' will be embarking on six or so trips to Brampton, FOUR DAYS EACH, to engage [details that would identify project deleted].

How much can be, possibly, "achieved" in a mere SIX TRIPS or so, to Brampton, given that Brampton's population has been cited, in today's Toronto Star article as being 600,000 at the present time ... that means, that if we do the simple "math", [Individual Two] &/or his "team" will be "conferring" with some 100,000 people on each of his six or so "trips" of 4 days duration each ... which makes it 25,000 people per day, during each of the FOUR days of each of the six or so "trips" to Brampton ... and, giving the benefit of the doubt to [Individual Two]'s "team", that they will be working "an 8-hour" day, less one hour for lunch ... that's a maximum of 7 hours of work ... makes it 3571.43 people per hour, per day, during each of the 4 days per "trip" ... and, going further in doing the "math", it means that [Individual Two]'s TEAM will be conferring with 59.52 people PER MINUTE ... that's almost ONE Brampton citizen per second.

WOW.

(I have an undergraduate B.Sc. degree in Theoretical Math ... but it's been some [deleted] years since I graduated from undergrad university ... so, I haven't really used "math" in its purest form since then ... I hope the "math" I've done above, is accurate ... and I hope that the readers of this e-mail will forgive me if I've made any mistakes in the above calculations).

Frankly, based on my life's experience in Business ... now that I am [age deleted], I DON'T think that [Individual Two], himself, will be coming out here to Brampton to actually do the "grunge" work of conferring with the grass-roots level of citizens in Brampton ... I think he will be getting his "team" to do most of this "conferring" work during those six or so "trips" to Brampton ... but I'm quite certain that [Individual Two], himself, WILL BE HERE in Brampton, to "present" his "Report of Findings & Recommendations" at the end of the period of the six or so "trips" to Brampton, when he will [possibly defamatory content, not relevant to this report, deleted].

And, I think it would be interesting to find out “who” is on [Individual Two]’s so-called ‘TEAM’. [potentially defamatory content, not relevant to this report, deleted]

This [Individual Two], as mentioned in this Toronto Star article in the GTA Section, has, [description of Individual Two’s experience deleted]. Now, [Individual Two]’s ‘NEXT STOP IS BRAMPTON’.

Or, as I would prefer to put it: **[Individual Two]’s “NEXT STOP IS THIS SUCKER TOWN OF BRAMPTON”**.

First – [Individual Two] sounds like just another [deleted], much like [Individual One] & [Individual Four], who will, most probably, sweep through Brampton, [potentially defamatory content deleted], leaving behind who-knows-what, here in Brampton.

Second – [Individual Writer’s questioning of Individual Two’s track record deleted; not relevant to this report]

It is also mentioned in that same Toronto Star article in the GTA Section, today ... Monday, June 26, 2017 ... **“THAT BRAMPTON HAS ONE OF THE LARGEST SOUTH ASIAN COMMUNITIES IN THE WORLD, OUTSIDE OF SOUTH ASIA, BUT THIS DIVERSITY IS, STRANGELY, NOT VISIBLY EVIDENT”**.

This is simply because “Racist & White Supremacist” practices continue at City Hall in Brampton, & as the years go by, and the “white population” of Brampton is AGEING & shrinking rapidly, & the “non-white” population of Brampton is growing by leaps & bounds, making 2/3 of Brampton’s population ... that is 67% of Brampton’s population ... NON-WHITE, Brampton is looking more & more like a microcosm of an Apartheid nation where a minority WHITE POPULATION RULES THE MAJORITY NON-WHITE POPULATION.

The population statistics showing that Brampton is now 2/3 ... 67% ... non-white, were made public during the 2014 Municipal Election campaign ... and that was THREE YEARS AGO ... it’s now 2017, & with the rapid growth of Brampton’s population, every year, the non-white population in Brampton is now, probably, even more than 67% non-white.

The FUTURE OF BRAMPTON, in reality, is NON-WHITE ... So, why are, seemingly, white people, especially old white men, with “white hair”, such as [Individual One], & [Individual Two] (and neither of them is originally from Brampton, or has ever lived in Brampton for long), planning Brampton’s FUTURE?

And [Individual One] is, clearly, continuing the long-time practices of RACISM & WHITE SUPREMACY, at City Hall in Brampton. Just his reluctance to fire, with cause, those TWO racist, Anti-Semitic, dishonest white [national/ethnic origin] immigrant women in the [department] in Brampton, who don’t speak or understand much English, & speak a [national/ethnic origin]-version of English with a heavy [national/ethnic origin] accent, even after I spent a great deal of my time, over the phone, in Jan. 2017, to tell [Individual One] about the deceit & racism of those two [national/ethnic origin] employees at City, is a glaring example of [Individual One]’s socio-political values that are ugly & unacceptable in today’s diverse Canada, but, evidently, tolerated, &, perhaps, even encouraged, here in Brampton.

In other words, based on [Individual One]’s “practices” at City Hall in Brampton, dishonest, racist, white [national/ethnic origin] immigrants who are less than competent due to their lack of speaking or understanding English well, are worthy of being kept on the City’s Payroll, when there isn’t much of a white [national/ethnic origin] immigrant or Canadian-born [national/ethnic origin] community in Brampton to justify their employment. And, worse, the Commissioner of [deleted] in Brampton is a white man named [Individual Five] ... another white person of seemingly-[national/ethnic origin] background. How did so many “white [national/ethnic origin]” &/or white [place of origin] people get hired in one & the same small [department] at City, when the majority population of Brampton is NON-WHITE? And there are ALMOST NO or, at best, only a few, non-whites in top management positions at City Hall in Brampton.

And, we, as Taxpayers of Brampton, should be asking **HOW MUCH IS [INDIVIDUAL ONE] PAYING THIS WHITE FELLOW ... [INDIVIDUAL TWO], FROM THE PUBLIC PURSE OF THE CITY OF BRAMPTON?**

BLESSINGS ... [Initial Writer].

The Respondent was the only recipient to reply to the original email.

His first reply was as follows:

Subject: RE: Why are WHITE PEOPLE still planning Brampton’s future? ...

Hi [Initial Writer],

To be fair, people of all races, colour and creeds are eager to come to Brampton and Canada because the white people of this nation have developed a great system where everyone is welcome and can live peacefully together. I hope that the new comers will learn the values of the white people so that Brampton and Canada will continue to be a favourite destination for people who want a better and peaceful lifestyle.

Regards, John.

John Sprovieri
Regional Councillor for wards 9 & 10
City of Brampton
(905) 874-2610

The Respondent’s email triggered a lengthy reply from the Initial Writer. At this point the resident added a third news reporter to “cc” line of the email and this reporter was copied on all subsequent emails in the exchange.

Subject: My reply to John Sprovieri’s reply to: Why are WHITE PEOPLE still planning Brampton’s future? ...

Hi, John! I don’t know quite what to say about your reply below to my earlier e-mail, titled: Why are WHITE PEOPLE still planning Brampton’s future?

While your “reply” below claims “to be fair”, & sounds “politically correct” & generic, IT IS, in fact, NOT FAIR.

These are TWO points to be made here in this discussion about “white people”
...

(1) Since the FIRST CRUSADE (& you & I have had those discussions before), about a thousand years ago, the WHITE CAUCASIAN RACE has wreaked havoc all over this planet, without any awareness of the extensive permanent damage they have done in their path, more than all the non-white races put together. This damage, as seen even to this day, cannot be repaired ... be it the damage done to the “indigenous peoples” in the western hemisphere, in Australia, New Zealand, Africa, & beyond. Even Genghis Khan had more humanity & decency toward his subjects & the people he went on to conquer, than the white peoples of European Caucasian racial ancestry, in just the last thousand years.

The “slavery” inflicted upon the African peoples by the white race is, perhaps, the very worst of all documented slavery in human history. Remember the shocking docudrama “Roots”? And that was actually “tame” compared to the “real” brutality of slavery of the African peoples by whites, going back to the Portuguese, who were the first “white” people to bring African slaves to the western hemisphere.

Sure, there was “slavery” in the ancient world, but the horrors of slavery committed by the white race against non-whites are beyond belief.

If you read the “Bible”, especially the Old Testament [potentially identifying information deleted], you will find that there was some semblance of “rules” about how to treat one’s slaves, etc., not that these rules were strictly observed, or that violators were punished ... but, at least, there was some attempt to mitigate the horror & misery of slavery.

When one looks at how the white race in Canada has carried on with impunity, anyone with any sense of fairness, must speak up, as I am doing.

Did you know that one of my favorite Prime Ministers of Canada ... Sir John A. MacDonald ... cornered the Natives in Ontario, & made sure that they would be “starved” & forced to accept the only option given to them which was to “leave” the Southern Ontario regions, which the Natives then did, in huge numbers, & they went farther up north ... some went on to Ontario’s north, or they moved to parts northwest of Ontario, such as northern Manitoba.

Sir John A. did this to make room for the tidal waves of Scots who were being driven out of Scotland by the English, & these Scots needed a place to go. And Canada was that place, & Sir John A. made room for them, here in Canada. After all, Sir John A., himself, was a Scot.

There was a very realistic documentary done by an Iranian-Canadian, aired on TV Ontario, some years ago, which showed white people, mostly Anglo-Scottish types, somewhere in B.C., in the early-1900s, dancing, while singing “Canada for whites only”.

When one looks at the history of the white peoples, especially the British Anglo [deleted] during the Colonial Period, it is beyond comprehension that any race or creed could do the sort of despicable things that the [deleted] did in rich distant societies whose great civilizations were in their “down cycles”. The [deleted] were quick to take advantage of the “down cycles” of those great civilized societies, & to loot those lands as though these [deleted] had some God-given right.

All FIVE of my ancestral homelands, in the Middle East, South Asia, & Malaysia, were unconscionably looted by the British Anglo [deleted], over a 350-year period.

Even the Disney animated movie "Pocahontas" has Pocahontas singing a song to John Smith, in the first quarter of the movie, about how the "white man" thinks that he owns whatever land he puts his foot upon.

Wherever the whites have gone, throughout human history, they have plundered, lied, cheated, stolen, destroyed, burned, enslaved, etc. on an alarming scale, more than any other documented conquest by any non-white peoples.

Remember what the white Spaniards, starting with Cortes in Mexico, and Pizarro in Peru, with the help of the white Spanish Jesuits, did to the Natives in South America that nearly wiped out those indigenous peoples?

Okay ... so, IT WASN'T ALL WHITE PEOPLES who committed these horrors ... I admit that ... but enough of them did more damage on this planet than the world could ever recover from.

Too many white people think that human civilization began with them. This is the ignorant arrogance of whites.

There have been dozens of great civilizations, on this planet, that existed long before the white Caucasian peoples got out of their animal skin clothing, & stopped eating raw meat off the ground. The Chinese, the Persian, the Hindu, the Egyptian, & others, were great civilizations that successively brought all of us to where we are today. Many of these great early civilized peoples had several "cycles" of civilizations, & each of those cycles of civilization had its peaks & valleys.

Historically speaking, the wrongs done by the white race to non-whites, far outweigh any good that white race has ever done.

There is one very chilling historical fact about how the "white race" thinks: It involves the German Nazis in Europe during WWII, & the Japanese during WWII, & the horrific decision the Americans made (under President Harry Truman) that was based strictly on RACE and RELIGION.

The Americans had begun their development of the Atom Bomb in a research project called The Manhattan Project, headed by the brilliant Physicist J. Robert Oppenheimer, who was a Jewish American of Germanic European racial ancestry. The Manhattan Project was well underway when WWII began in 1939. And the Americans had achieved a viable Atom Bomb about 6 months before the Germans surrendered in late-April 1945, but the Americans kept that fact a "secret". (The "actual" surrender was signed by Germany on May 7th., 1945). Japan was also at war with the U.S. at that time, but in the Pacific, when the Americans had, secretly, perfected the Atom Bomb.

President Truman sat with his top Generals & other top decision-makers & advisors & discussed the possibility of dropping the Atom Bomb on German as early as December 1944 & January 1945.

BUT ... the Americans in this "discussion" headed by President Truman, were ALL WHITE CAUCASIANS, & CHRISTIAN.

So, they decided NOT TO DROP THE ATOM BOMB ON GERMANY BECAUSE, ACCORDING TO TRUMAN & HIS ADVISORS, THE GERMANS WERE, AFTER ALL, OF THE SAME RACE & RELIGION as these Americans ... the Germans were also WHITE CAUCASIANS & CHRISTIAN.

And, therefore, it was decided NOT to drop the Atom Bomb on Germany.

But what this decision did was it continued the systematic murder of hundreds of thousands more of innocent Jews, & others, in concentration camps in Europe in the last SIX MONTHS before Germany surrendered in late-April 1945.

When it was learned, especially by American Jews, through the countless Jewish American Physicists who had worked on The Manhattan Project (but were sworn to secrecy), that the U.S. did, indeed, have a viable Atom Bomb about SIX months before Germany's surrender, but the American white Caucasian Christian President Truman & his advisors had decided NOT TO DROP THE ATOM BOMB ON GERMANY as early as Dec. 1944 & Jan. 1945, because the Germans were also white Caucasian & Christian, which then caused the continued & unnecessary murder of countless more innocent Jews & others, by Hitler, the American Jewish population was furious.

So, the white Caucasian Christian American President Truman & his Generals & Advisors ordered a highly-publicized test of the Atomic Bomb in July 1945, in New Mexico, as though that was the first time the Americans had a viable Atomic Bomb, in order to dispel any suspicions or rumors that the American Gov't. had such a viable Atom Bomb some 6 months before Germany's surrender in late-April 1945, but had decided not to drop the Atom Bomb on Germany, which then led to the death of hundreds of thousands more of innocent Jews & others, in Nazi concentration & extermination camps in Europe.

Then, came the big decision regarding the Japanese in WWII in the Pacific that continued well after Germany's official surrender in early-May 1945.

Again, President Truman & his Generals & Advisors, etc., had "discussions" about how to bring the War in the Pacific with the Japanese to a swift end.

As early as 1943, Japan was being considered as the target of the atomic bomb as it was being perfected in the Manhattan Project, but the Americans had not had the opportunity to do anything about this as long as the Americans were caught up in the War in Europe to fight Hitler.

But after Germany's surrender, in late-April 1945, the Americans decided to DROP THE ATOM BOMB ON JAPAN MOSTLY BECAUSE THE JAPANESE WERE NEITHER WHITE-CAUCASIAN, NOR CHRISTIAN.

That was it.

And in August 1945, the Americans dropped the Atom Bomb on Hiroshima, & Nagasaki, & brought the Japanese to an unconditional surrender.

So, when one looks at the unconscionable actions of white Caucasians, & especially of Christian white Caucasians, over the course of human history, anyone with an iota of fairness can clearly see that the white race has incurred the eternal wrath of almost all non-whites in the world.

(2) By the year 2060, THE ENTIRE POPULATION OF THE WHITE RACE WILL BE LESS THAN 10% OF THE TOTAL HUMAN POPULATION ON THIS PLANET.

Last year, in 2016, the UN, & other reputable agencies around the world that keep statistics on human population growth, projected that the white race will be less than 10% of the total human population on this planet, by the year 2060, which is 44 years from 2016.

In recent years, a "generation" is taken to be 22 years, whereas in earlier centuries a "generation" was about 20 years.

The increase in education & more distractions in today's modern lifestyles, in industrialized nations, has caused the urge to reproduce for adult humans to no longer be a priority.

The UN & other reputable agencies that keep track of human population growths, have projected that the population of the white Caucasian race will between 9.72% and 9.86% of the total human population on this planet, by the year 2060.

BUT ... THIS DOES **NOT** MEAN THAT THE WHITE CAUCASIAN RACE WILL BE MASSACRED BY NON-WHITES TO BRING DOWN THE POPULATION NUMBERS OF THE WHITE RACE TO UNDER 10%.

What is projected to bring the population of the white race down to less than 10% of the total human population in the world, is that the white race will actually remain the same in numbers as it is today ... it is now at between 13% and 15% of the total human population in the world ... BUT the other races ... the NON-WHITE RACES WILL BE REPRODUCING AT AN ALARMING RATE until their total population will reach about 90.1% of the total human population on this planet. And the total human population on this planet ... both white & non-white populations together ... will be near-10 Billion by the year 2060.

And here's the kicker ... the fastest growing race will be THE BLACK AFRICAN RACE, all over the world, to bring it up to between 32% and 33% of the total human population on this planet. That is ... the BLACK AFRICAN RACE is projected to be nearly 1/3 of the total human population of this world, by the year 2060.

I believe that the Lord always "levels the playing field" ... and I believe that the Lord will increase the population numbers of the Black African Race to make up for the millions upon millions of African Blacks that have been murdered by other races, especially by whites, & by the poverty, famine, starvation, & disease ravaging the African continent for centuries.

So, no one is out to annihilate the white race, no matter how racially paranoid too many "whites" are becoming about their "white race" being sought after for annihilation or assimilation by non-whites (e.g. The 21-year old racially-paranoid, White Supremacist who shot & mass murdered 9 innocent Black African Americans at a Bible Study class in a Historic Black Church in Charleston, South Carolina, in the U.S. in June 2015).

Actually, it seems that the whites are going to be left alone to their own devices, while the non-white populations around the world are going to go on & multiply their population numbers at an alarming rate.

And if this racial population projection by the UN & other reliable statistical agencies spooks white people, I have a good suggestion for whites:

GO LIVE ON AN ICE FLOAT WAY UP NORTH NEAR THE ARCTIC CIRCLE where you can live your “white” lifestyle without being surrounded by non-whites ... I’m sure the Natives up there will be very happy to see you white folks come up there.

And you whites probably won’t like the Natives being around you up there near the Arctic circle because the Natives aren’t white ... the Natives might even push your ice float out to sea where you can be assured not to have any non-whites around you ... and you’ll just have to hope and pray that the Polar Bears up there don’t eat you & your young.

BLESSINGS ... [Initial Writer].

Once again, the Respondent was the only recipient to send an email in reply. He wrote as follows:

Subject: RE: My reply to John Sprovieri’s reply to: Why are WHITE PEOPLE still planning Brampton’s future? ...

Hi [Initial Writer],

Thank you for the History Lesson. As you have noted, Humans of all races have skeletons in their closets, some bigger and some smaller. As you are well aware, there was a great destruction of the Human kind about 12,000 years ago caused by the Big flood. The Jewish Bible tells us that God caused the Flood to happen to cleanse the earth of Human corruption. As you are also aware, the Human race may be headed that way again with Global Warming.

Just to bring you back to reality, the discussion is about today and how Canada was developed by the white folks of French and British background. People of all races have come to this land and are able to live together in peace and harmony, because of the system that those folks developed.

The Reason why we are all here is because Canada is Number 1. Happy Canada Day to everyone.

Regards, John.

John Sprovieri
Regional Councillor for wards 9 & 10
City of Brampton
(905) 874-2610

Nineteen minutes later, Mayor Jeffrey emailed the group:

Subject: RE: My reply to John Sprovieri’s reply to: Why are WHITE PEOPLE still planning Brampton’s future? ...

Unfortunately, my office was recently included on an email exchange between Councillor Sprovieri and a resident on corporate email.

I believe the original intent of the correspondence was to complain about hiring practices at the City of Brampton but it has become clear that the

correspondence has now deteriorated into a disrespectful, crude and insensitive tirade about ethnicity.

As a City, and as a country that is struggling to find the right language and respect for indigenous people and their role in our past, I find it disheartening to hear such insensitive language being used by a member of my Council. Unfortunately, this is not an isolated incident. I urge my colleague to seek some diversity training in order to better understand the role of multiculturalism in building our national fabric.

Regards,

Linda Jeffrey

Mayor | City of Brampton

2 Wellington Street West | Brampton, Ontario | L6Y 4R2

T 905.874.2600

The Respondent emailed the group in reply, as follows:

Mayor Jeffrey,

From my understanding the native people want their land back. Any suggestions on how that may happen?

John.

APPENDIX 3: TV NEWS INTERVIEW

The Respondent made the following two comments (appearing at different points in the news story) in a CityNews story that was broadcast July 5, 2017:

“Was it a poor choice of words? I don’t believe so. Maybe it doesn’t sound good but, really, I don’t see how it’s incorrect. It may be improper, possibly, but it’s not incorrect.”

and

“I’m not insensitive to people. I think I am very sensitive to my constituents, especially, 60 per cent of my constituents are South Asian and probably, only, I’d say maybe 20 per cent are actually white people.”

APPENDIX 4: RESPONDENT'S APOLOGY



John Sprovieri
Regional Councillor
Wards 9 & 10



To the City of Brampton, my colleagues and my fellow Canadians,

I wish to discuss my recent comments regarding values as reported in the media. I have, with the wisdom that comes with hindsight and somber reflection, realized that I owe an apology for a confusing e-mail exchange with a constituent.

In my haste to defend my friends, colleagues, city employees, and those hired to bring their expertise and skills to the City of Brampton to help a bigger and better city for the future of all our residents, I choose my words poorly, and my comments did not reflect my intended meaning when I wrote that email. My intention was to make a point about Democratic values and Freedoms, but in so doing, I committed the very same error that I was rallying against. In categorizing people on the basis of Color, and in giving recognition to only one Color, it was improper.

I want to make myself very clear on this point: when I referred to "White Values", I was referring to "Canadian Values" and was applauding Canada's commitment to build a nation of equity, peace, democracy and prosperity. I was addressing how fortunate we all are to live in a country that has adopted great values such as multiculturalism, diversity, freedom of Religion and freedom of speech. Being Canadian is a source of great pride for me. In expressing that pride, it was not my intention to marginalize or ignore the contributions of people of all origins. My intention to highlight Canadian values of Inclusiveness, Democracy, and Freedom was lost as result.

In my haste to defend those under attack, I failed to include all those people for whom I have great respect, appreciation and admiration. In my zeal, I let my passion cloud my judgment and colour my words. I understand that Canadian Values, Morals and Ideals, are not based on color, and I recognize it was unfair to phrase my comments in that manner. This oversight was not a deliberate slight. I reacted too quickly, and failed to appreciate how my words would be interpreted outside of the context in which they were written.

Obviously, freedom, equity and the desire to live in peace and harmony for the prosperity of all, are not "White Values" *per se*. Obviously, it wasn't "Only White People" that built this great nation, nor was it "Only White People" that have fought to defend it. I realize that my words did not pay homage to all of the people, of all origins, that have served our country, at home and abroad, or the people of all origins who continue to safe guard our most important ideals. To all of those people, I am forever indebted for my freedoms and my liberties.

I regret that I lost sight of my position as a public servant, of my duty to speak on behalf of my constituents. It behooves me to do better; to remember the privileges and responsibilities afforded me as a member of Council. It is my duty to reflect the values of the whole city, and in fact this whole nation. It was my duty to ensure my words acknowledged all people who helped build this great nation. In highlighting only certain contributions, as specific as it was to a particular line of communication, I neglected that duty.

And I apologize for that.

Brampton City Hall, 2 Wellington Street West, Brampton, ON L6Y 4R2



John Sprovieri
Regional Councillor
Wards 9 & 10



I want to thank all of the people who reached out with messages of support and understanding for the underlying message I was trying to convey. While my original comments were limited in their scope, I will forever appreciate the country that welcomed my family in 1956 and I was overwhelmed by the number of people who share in that sense of gratitude.

I hope that in issuing this apology, we can all move forward, and work together for to the betterment of all citizens, to build a free, peaceful, democratic, and prosperous city.

Sincerely yours,

John Sprovieri

Brampton City Hall, 2 Wellington Street West, Brampton, ON L6Y 4R2

February 5, 2018
Bdrm-6A – City Hall

- Members Present:** Regional Councillor G. Gibson – Wards 1 and 5 **(Chair)**
Mayor L. Jeffrey
Regional Councillor M. Medeiros – Wards 3 and 4
Regional Councillor M. Palleschi – Wards 2 and 6
City Councillor G. Dhillon – Wards 9 and 10
- Members Absent:** Regional Councillor E. Moore – Wards 1 and 5 (vacation)
- Staff Present:** H. Schlange, Chief Administrative Officer (portion of Item 9 only)
F. Peacefull, Director, Human Resources
P. Fay, City Clerk

10.1-2

Minutes

CAO Performance Review Committee

The meeting was called to order at 1:01 p.m. and moved into closed session at 1:04 p.m. Committee moved back into open session at 2:36 p.m. and adjourned at 2:36 p.m.

1. **Approval of Agenda**

The following motion was considered.

CAP001-2018 That the agenda for the CAO Performance Review Committee Meeting of February 5, 2018, be approved, as printed and circulated.

Carried

2. **Declarations of Interest under the Municipal Conflict of Interest Act** – nil

3. **Previous Minutes** – nil

4. **Delegations/Presentations** – nil

5. **Reports**

5.1 **CAO Performance Review Committee Terms of Reference**

Peter Fay, City Clerk, provided an overview of the Committee terms of reference and mandate.

6. **Other/New Business** – nil

7. **Councillors Question Period** – nil

8. **Public Question Period** – nil

9. **Closed Session**

9.1 Personal matters about an identifiable individual including municipal or local board employees – an identifiable individual performance review

10.1-3
Minutes
CAO Performance Review Committee

The following motion was considered.

CAP002-2018 That Committee proceed into Closed Session to discuss matters pertaining to the following:

Personal matters about an identifiable individual including municipal or local board employees – an identifiable individual performance review

Carried

10. Adjournment

The following motion was considered:

CAP003-2018 That the CAO Performance Review Committee do now adjourn to meet again at the call of the Chair.

Carried

Regional Councillor G. Gibson, Chair



Minutes

Planning & Development Committee Committee of the Council of The Corporation of the City of Brampton

Monday, February 12, 2018

Members:

Regional Councillor E. Moore – Wards 1 and 5 (Chair)
Regional Councillor G. Gibson – Wards 1 and 5 (Vice-Chair)
Regional Councillor M. Palleschi – Wards 2 and 6
Regional Councillor M. Medeiros – Wards 3 and 4
Regional Councillor J. Sprovieri – Wards 9 and 10
City Councillor J. Bowman – Wards 3 and 4
City Councillor P. Fortini – Wards 7 and 8
City Councillor G. Dhillon – Wards 9 and 10

Members Absent:

Regional Councillor G. Miles – Wards 7 and 8 (illness)
City Councillor D. Whillans – Wards 2 and 6 (vacation)

Staff Present:

H. Schlange, Chief Administrative Officer
Planning and Development Services:
R. Elliott, Commissioner
D. Waters, Interim Director, Policy Planning
M. Gervais, Manager, Development Services
S. Dykstra, Planner
K. Freeman, Planner
D. Monaghan, Coordinator, Traffic Operations
Corporate Services:
J. Zingaro, Deputy City Solicitor
City Clerk's Office:
P. Fay, City Clerk
C. Gravlev, Deputy City Clerk
T. Jackson, Legislative Coordinator

10.3-2
Minutes
Planning & Development Committee

The meeting was called to order at 7:00 p.m. and adjourned at 7:12 p.m.

1. **Approval of Agenda**

PDC012-2018 That the Agenda for the Planning and Development Committee Meeting of February 12, 2018, be approved as amended as follows:

To Add:

9.1 Discussion at the request of Regional Councillor Michael Palleschi, re: **GTA West Corridor**

Carried

Note: The Chair made note that there was a Statutory Public Meeting item originally planned for this meeting, but was subsequently removed from the agenda prior to the publication as the application was withdrawn by the proponent.

2. **Declarations of Interest under the Municipal Conflict of Interest Act** - nil

3. **Consent**

* The following items listed with an asterisk (*) were considered to be routine and non-controversial by the Committee and were approved at one time.

(7.1, 8.1)

4. **Statutory Public Meeting Reports** - nil

5. **Delegations** - nil

6. **Staff Presentations** - nil

10.3-3
Minutes
Planning & Development Committee

7. Planning

- 7.1. Report from K. Freeman, Development Planner, Planner, Planning and Development Services, dated January 19, 2018, re: **Application for Proposed Draft Plan of Subdivision – PMG Planning Consultants – Chinguacousy Farm Limited – Southwest Corner of Demaris Drive and Great Lakes Drive – Ward 9** (File C09E05.021)

- PDC013-2018
1. That the report from Kevin Freeman, Development Planner, Planning and Development Services Department, dated January 19, 2018 to the Planning and Development Services Committee Meeting of February 12, 2018, re: **Application for Proposed Draft Plan of Subdivision – PMG Planning Consultants – Chinguacousy Farm Limited – Southwest Corner of Demaris Drive and Great Lakes Drive – Ward 9** (File: C02E12.019), be received; and,
 2. That the Supplementary Report be deemed acceptable to clear Conditions 7 and 8 in association with Council Resolution PDC 130-2017.

Carried

- 7.2. Report from S. Dykstra, Development Planner, Planning and Development Services, dated January 12, 2018, re: **Application to Amend the Official Plan and Zoning By-law KLM Planning Partners Inc. – Gore Road Investments Ltd. - Northeast Corner of Queen Street East and McVean Drive – Ward 8** (File C09E05.021)

The following motion was considered.

- PDC014-2018
1. That the report from Stephen Dykstra, Development Planner, Planning and Development Services Department, dated January 12, 2018, to the Planning and Development Committee Meeting of February 12, 2018, re: **Application to Amend the Official Plan and Zoning By-law KLM Planning Partners Inc. – Gore Road Investments Ltd. - Northeast Corner of Queen Street East and McVean Drive – Ward 8**, (File C09E05.021) be received; and,
 2. That the application by KLM Planning Partners Inc. – Gore Road Investments Ltd., City File: C09E05.021 be approved in principle subject to the conditions set out in recommendations 2 to 8 of Resolution PDD 077-2014, as amended by the following:

10.3-4

Minutes

Planning & Development Committee

- 2.1 The preamble of recommendation 8 is hereby deleted and replaced with the following: "That prior to the adoption of the Official Plan amendment and the enactment of the amending Zoning By-law, the applicant shall enter into an agreement with the City, which shall generally include the following." This amendment adds the word "generally"; and,
- 2.2 Recommendation 8 is hereby amended by adding the following new Recommendation 8.10: "prior to the issuance of site plan approval, arrangements to the satisfaction of the Director of Development Services shall be completed to facilitate public access to an open space amenity area to be generally located in the middle of the site. The public access may require the conveyance of an easement in favour of the City over a portion or portions of the lands. This arrangement shall not give rise to any credits related to the parkland dedication requirements of the *Planning Act*, as amended"; and,
3. That the approval in principle in Recommendation 2 of this Report shall be considered null and void unless a Zoning By-law Amendment is passed by June 27, 2018 or the timeline for compliance with this condition is extended by no more than six months by the Commissioner of Planning and Development Services prior to June 27, 2018.

Carried

8. Minutes

* 8.1. **Minutes - Cycling Advisory Committee - January 18, 2018**

PDC015-2018 That the Minutes – Cycling Advisory Committee – January 18, 2018 to the Planning and Development Committee Meeting of February 12, 2018, Recommendations CYC001-2018 to CYC005-2018, be approved as printed and circulated.

Carried

The recommendations were approved as follows:

CYC001-2018 That the Agenda for the Cycling Advisory committee meeting of January 18, 2018, be approved as amended as follows:

10.3-5
Minutes
Planning & Development Committee

To Add:

- 7.2 Discussion at the request of Dayle Laing, Committee Member, Cycling Advisory Committee, re: **Toronto International Bike Show**
- 7.3 Discussion at the request of Dayle Laing, Committee Member, Cycling Advisory Committee, re: **Ontario and National Bike Summits.**
- CYC002-2018
1. That the Verbal Update from Nelson Cadete, Project Manager, Active Transportation, Planning and Development Services, to the Cycling Advisory Committee Meeting of January 18, 2018, re: **2018 Brampton Cycling Advisory Committee Work Plan and Budget** be received; and,
 2. That the Cycling Advisory Committee's, Workplan Sub-Committee, review the information and provide an update at a future meeting.
- CYC003-2018 That the Verbal Update from Dayle Laing, Member, to the Cycling Advisory Committee Meeting of January 18, 2018, re: **Toronto International Bike Show**, be received.
- CYC004-2018 That the Verbal Update from Dayle Laing, Member, to the Cycling Advisory Committee Meeting of January 18, 2018, re: **Ontario and International Bike Summit**, be received.
- CYC005-2018 That the Cycling Advisory Committee do now adjourn to meet again on Thursday, February 15, 2018, at 7:00 p.m.

9. **Other/New Business**

- 9.1. Discussion at the request of Councillor Palleschi, re: **GTA West Corridor**

Councillor Palleschi asked for further clarification with respect to the matter. Commissioner Elliott advised Council that the Provincial announcement regarding the GTA West Corridor study area came as a surprise. At this time, it is not clear if the new study area definition is conceptual or not. Mr. Elliott advised Council that once staff receives further information it will be shared with Council. Staff are developing a chronology related to the GTA West Corridor.

10. **Referred Matters** - nil

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Minutes
Planning & Development Committee

- 11. **Deferred Matters** - nil
- 12. **Notice of Motion** - nil
- 13. **Correspondence** - nil
- 14. **Councillor Question Period** -nil
- 15. **Public Question Period** - nil
- 16. **Closed Session** - nil
- 17. **Adjournment**

PDC016-2018 That the planning and Development Committee do now adjourn to meet again on Monday, February 26, 2018, at 1:00 p.m.

Carried

Regional Councillor E. Moore, Chair

Regional Councillor G. Gibson, Vice -Chair

Wednesday, February 14, 2018

Members Present:

Regional Councillor G. Gibson – Wards 1 and 5
Vice-Chair, Recreation
 Regional Councillor E. Moore – Wards 1 and 5
Vice-Chair, Service Brampton and Facilities
 Regional Councillor M. Palleschi – Wards 2 and 6
Chair, Community Services Section
Vice-Chair, Public Works and Engineering
 Regional Councillor M. Medeiros – Wards 3 and 4
 Regional Councillor G. Miles – Wards 7 and 8
Chair, Corporate Services Section
 Regional Councillor J. Sprovieri – Wards 9 and 10
Vice-Chair, Transit Services
Vice-Chair, Engineering and Construction
 City Councillor J. Bowman – Wards 3 and 4
Chair, Economic Development and Culture Section
Vice-Chair, Fire Services
 City Councillor P. Fortini – Wards 7 and 8
 City Councillor G. Dhillon – Wards 9 and 10
Vice-Chair, Corporate and Financial Affairs
 (arrived at 10:39 a.m. – personal)

Members Absent:

City Councillor D. Whillans – Wards 2 and 6 – vacation
Chair, Public Works and Engineering Section
Vice-Chair, By-law Enforcement
Vice-Chair, Economic Development and Culture

Staff Present:

H. Schlange, Chief Administrative Officer
 A. Meneses, Commissioner, Community Services
 J. Pittari, Commissioner, Corporate Services
 J. Pitushka, Commissioner, Public Works and Engineering
 R. Elliott, Commissioner, Planning and Development Services
 A. Milojevic, General Manager, Transit
 B. Darling, Director, Economic Development and Culture
 B. Boyes, Fire Chief, Fire and Emergency Services
 P. Fay, City Clerk, Office of the Chief Administrative Officer
 C. Gravlev, Deputy City Clerk, Office of the Chief Administrative Officer
 S. Pacheco, Legislative Coordinator, Office of the Chief Administrative Officer

10.4-2

Minutes

Committee of Council

The meeting was called to order at 9:30 a.m. and adjourned at 11:18 a.m.

The various sections of the meeting were chaired as follows:

Regional Councillor Palleschi, Chair, Community Services Section, and Vice Chair, Public Works and Engineering

- Sections 1, 2, 3, 4, 5, 6 and 7

City Councillor Bowman, Chair, Economic Development and Culture Section

- Section 8

Regional Councillor Miles, Chair, Corporate Services Section

- Section 9, 10, 11, 12, 13 and 14

1. **Approval of Agenda**

During consideration of the Approval of Agenda, there was Committee consensus to re-order the agenda to deal with Item 8.3.1 immediately before Item 7.2.1.

The following motion was considered.

CW041-2018 That the agenda for the Committee of Council Meeting of February 14, 2018 be approved, as amended, to add the following items:

4.1. **Announcement –Fire and Emergency Services
Valentine’s Day Message – “Nothing says ‘I love you’
like working smoke alarms”**

6.3.1. Discussion at the request of Regional Councillor Miles, re:
Snow Removal Financial Assistance Program.

8.3.2. Discussion at the request of Regional Councillor Moore, re:
Provincial Funding Opportunity.

Carried

The following supplementary information was received by the City Clerk’s Office after the agenda was published, and was distributed at the meeting:

11.1. Briefing report from L. Rubin-Vaughan, Manager, Government Relations and Public Policy, Office of the Chief Administrative Officer, re: **Government Relations Matters.**

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Minutes
Committee of Council

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

3. Consent

The following items listed with an asterisk (*) were considered to be routine and non-controversial by the Committee and were approved at one time.

(6.2.1, 7.3.1, 9.2.2, 9.2.4)
(Item 9.2.2 was added to consent)

4. Announcements

**4.1. Announcement –Fire and Emergency Services Valentine’s Day Message
 – “Nothing says ‘I love you’ like working smoke alarms”**

Mayor Jeffrey expressed her support for the messaging from Fire and Emergency Services regarding the importance of having working smoke alarms.

The promotional video “Nothing says ‘I love you’ like working smoke alarms” was played.

B. Boyes, Fire Chief, highlighted the importance of having working smoke alarms, carbon monoxide detectors and a fire escape plan, noting that each year lives are lost due to fire.

Committee discussion on this matter included the following:

- Indication that batteries should never be removed to silence a smoke alarm
- Availability of smoke alarms with a “hush” feature
- Provisions for smoke alarms in the Building Code

5. Delegations

5.1. Delegation from Henry Verschuren, Parade Commander and Poppy Trust Fund Chair, Royal Canadian Legion Branch 15 Brampton, re: **Certificate of Appreciation for the City's Contribution to the 2017 Poppy Campaign.**

Henry Verschuren, Parade Commander and Poppy Trust Fund Chair, Royal Canadian Legion Branch 15 Brampton, provided details on the 2017 Poppy Campaign and presented a Certificate of Appreciation to the City of Brampton it's contributions to the campaign.

10.4-4

Minutes

Committee of Council

The following motion was considered.

- CW042-2018 That the delegation from Henry Verschuren, Parade Commander and Poppy Trust Fund Chair, Royal Canadian Legion Branch 15 Brampton, to the Committee of Council Meeting of February 14, 2018, re: **Certificate of Appreciation for the City's Contribution to the 2017 Poppy Campaign** be received.

Carried

- 5.2. Delegation from Henry Verschuren, Parade Commander and Poppy Trust Fund Chair, Royal Canadian Legion Branch 15 Brampton, re: **Proposal to Build a Memorial Wall Adjacent to the Cenotaph.**

Henry Verschuren, Parade Commander and Poppy Trust Fund Chair, Royal Canadian Legion Branch 15 Brampton, presented a proposal to build a Memorial Wall adjacent to the Cenotaph on Ken Whillans Square, and provided information regarding Brampton's memorial record, and the design, location, cost and timeline for the proposed wall. Mr. Verschuren advised Committee that a Memorial Book with the names of those who sacrificed their lives in World War I and II is located in a crypt behind the bronze plaque on the Cenotaph. These names along with those who died on duty for Korea, Afghanistan and all UN and NATO deployments would be engraved in the Memorial Wall. Mr. Verschuren sought Committee's support to approve this project, in principle, subject to a staff report at a future meeting.

Committee discussion took place with respect to the following:

- Challenge of meeting the desired timelines to complete this project
- Concern regarding incidents of stolen plaques across the City and security of the plaque on the Cenotaph
- Dimensions and location of the proposed Memorial Wall

The following motion was considered.

- CW043-2018
1. That the delegation from Henry Verschuren, Parade Commander and Poppy Trust Fund Chair, Royal Canadian Legion Branch 15 Brampton, to the Committee of Council Meeting of February 14, 2018, re: **Proposal to Build a Memorial Wall Adjacent to the Cenotaph** be received; and
 2. That the proposal to build a Memorial Wall adjacent to the Cenotaph be **referred** to staff for review and a report back to a future Committee of Council Meeting.

Carried

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Minutes
Committee of Council

6. Public Works and Engineering Section
(City Councillor Whillans, Chair)

6.1. Staff Presentations – nil

6.2. Reports

- * 6.2.1. Report from W. Guy, Supervisor, Contracts, Public Works and Engineering, dated January 12, 2018, re: **Request to Begin Procurement – Purchasing By-law Section 4.0 – Street and Parking Lot Sweeping Services For a Three (3) Year Period Within the City of Brampton – All Wards** (File EG.X).

- CW044-2018 1. That the report from from W. Guy, Supervisor, Contracts, Public Works and Engineering, dated January 12, 2018, to the Committee of Council Meeting of February 14, 2018, re: **Request to Begin Procurement – Purchasing By-law Section 4.0 – Street and Parking Lot Sweeping Services For a Three (3) Year Period Within the City of Brampton – All Wards** (File EG.X) be received; and
2. That the Purchasing Agent be authorized to commence the procurement for street and parking lot sweeping services for a three-year period within the City of Brampton.

Carried

6.3. Other/New Business

- 6.3.1. Discussion at the request of Regional Councillor Miles, re: **Snow Removal Financial Assistance Program**.

Regional Councillor Miles advised staff of a situation where seniors may not qualify for the Snow Removal Financial Assistance Program, and asked staff if there is any flexibility in the eligibility criteria.

J. Pitushka, Commissioner, Public Works and Engineering, advised that staff would review this situation, and provide a response to the Councillor.

In addition, Mr. Pitushka responded to questions regarding the process for reimbursement of costs incurred from hiring a service provider to remove snow.

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Minutes
Committee of Council

6.4. Correspondence – nil

6.5. Councillors Question Period – nil

7. Community Services Section
(Regional Councillor Palleschi, Chair)

7.1. Staff Presentations

7.2. Reports

7.2.1. Report from D. Falsarella, Manager, Building Design and Construction, Community Services, dated January 26, 2018, re: **Request to Begin Procurement – Purchasing By-law Section 4.0 – Hiring of an Architect to provide Design Services for the Brampton Centre for Education, Innovation and Collaboration (BCEIC).**

Item 8.3.1 was brought forward and dealt with at this time.

B. Seguin, Advisor, Economic Development, Office of the Chief Administrative Officer, provided an update on the status of the university project, and provided information regarding meetings held with Provincial and Ryerson University representatives.

Committee discussion took place with respect to the following:

- Indication that the announcement regarding the location and funding for the university may occur closer to the Provincial Election
- Suggestion that the Brampton Centre for Education, Innovation and Collaboration (BCEIC) be referred to as the Brampton Centre for Innovation, Collaboration and Education (Brampton Centre ICE)
- Concern regarding the Province's commitment to the university project following the Provincial Election
- Questions regarding the selection of a site for the university, the role of Council in this regard, and an indication from staff that a downtown location is preferred
- Significant economic impact of a Ryerson University in downtown Brampton
- Questions regarding the impact of the university on the downtown mobility hub and the vision for development in this area
- Alignment of various projects with the university

The following motions were considered.

10.4-7

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Committee of Council

CW045-2018 That the verbal update from B. Seguin, Advisor, Economic Development, Office of the Chief Administrative Officer, to the Committee of Council Meeting of February 14, 2018, re: **University Update** be received.

Carried

- CW046-2018
1. That the report from D. Falsarella, Manager, Building Design and Construction, Community Services, dated January 26, 2018, to the Committee of Council Meeting of February 14, 2018, re: **Request to Begin Procurement – Purchasing By-law Section 4.0 – Hiring of an Architect to provide Design Services for the Brampton Centre for Education, Innovation and Collaboration (BCEIC)** be received;
 2. That the Purchasing Agent be authorized to begin procurement to retain an Architectural firm to provide design and contract administration services for the Brampton Centre for Education, Innovation and Collaboration (BCEIC); and
 3. That, until such time that all the funding principles are achieved, Council authorizes a capped interim sum of \$750,000, from the currently approved budget, to allow for functional programming, visioning and due diligence work while maintaining delivery schedules with the proposed Ryerson University facility.

Carried

7.3. Other/New Business

* 7.3.1. Minutes – Brampton Sports Hall of Fame Committee – February 1, 2018

CW047-2018 That the **Minutes of the Brampton Sports Hall of Fame Committee Meeting of February 1, 2018**, to the Committee of Council Meeting of February 14, 2018, Recommendations SHF006-2018 to SHF010-2018, be approved as printed and circulated.

Carried

The recommendations were approved as follows

SHF006-2018 That the agenda for the Brampton Sports Hall of Fame Committee Meeting of February 1, 2018 be approved, as printed and circulated.

10.4-8

Minutes

Committee of Council

- SHF007-2018 That the update by Sindy Maguire, Event Sub-Committee Member, to the Brampton Sports Hall of Fame Committee meeting of February 1, 2018, re: **Event Sub-Committee Meeting of January 24, 2018** be received.
- SHF008-2018
1. That the list of keynote speakers to Sports Hall of Fame Committee meeting of February 1, 2018, re: **Review and Selection of Sports Hall of Fame Induction Ceremony Keynote Speaker** be received; and,
 2. That Damon Allen, considered by the National Speakers Bureau as one of the greatest CFL quarterbacks of all-time, be selected as the keynote speaker at the Brampton Sports Hall of Fame Induction Ceremony on May 15, 2018; and
 3. That Recreation staff follow the required procedure to secure the services of Mr. Allen for the event.
- SHF009-2017 That funds from the Community Services budget be allocated to the purchase of golf shirts in various sizes with the City of Brampton Sports Hall of Fame logo.
- SHF010-2018 That the Brampton Sports Hall of Fame Committee do now adjourn to meet again on Thursday, March 1, 2018 at 7:00 p.m.

7.4. Correspondence – nil

7.5. Councillors Question Period – nil

8. Economic Development and Culture Section (City Councillor Bowman, Chair)

8.1. Staff Presentations – nil

8.2. Reports – nil

8.3. Other/New Business

10.4-9

Minutes

Committee of Council

- 8.3.1. Verbal Update from B. Seguin, Advisor, Economic Development, Office of the Chief Administrative Officer, re: **University Update**.

Dealt with under Item 7.2.1 – Recommendation CW045-2018

- 8.3.2. Discussion at the request of Regional Councillor Moore, re: **Provincial Funding Opportunity**.

Regional Councillor Moore advised Committee that during a meeting of the Downtown Brampton Business Improvement Area (DBBIA), the Executive Director advised of a potential funding opportunity from the Province regarding digital mainstreet opportunities, for which limited information was available.

In response to a question from Councillor Moore, B. Darling, Economic Development and Culture, advised that he was not aware of a funding opportunity, and would follow up with the Executive Director of the DBBIA in this regard.

- 8.4. **Correspondence – nil**

- 8.5. **Councillors Question Period – nil**

9. **Corporate Services Section**
(Regional Councillor Miles, Chair)

- 9.1. **Staff Presentations – nil**

- 9.2. **Reports**

- 9.2.1. Report from J. Pittari, Commissioner, Corporate Services, dated February 6, 2018, re: **Smart Cities Challenge**.

J. Pittari, Commissioner, Corporate Services, advised Committee that Brampton will be participating in the 2018 Smart Cities Challenge and is eligible to compete for the largest prize of \$50M. Mr. Pittari indicated that Brampton is in an advantageous position in this competition, as a result of the public engagement program implemented through the Planning Vision. In addition, Mr. Pittari advised that staff will further engage the public to create a refined challenge statement for the Smart Cities Challenge submission, with support from an external consultant.

10.4-10

Minutes

Committee of Council

Mr. Pittari responded to questions from Committee regarding public engagement for the challenge statement.

The following motion was considered.

- CW048-2018
1. That the report from J. Pittari, Commissioner, Corporate Services, dated February 6, 2018, to the Committee of Council Meeting of February 14, 2018, re: **Smart Cities Challenge** be received;
 2. That staff continue to build on its successes by further engaging the public to create a refined challenge statement for the Smart Cities Challenge submission with the support from an external consultant; and
 3. That staff report back to Council with the outcomes of the public engagement, a refined challenge statement, and the Smart Cities application prior to the submission deadline of April 24, 2018 to the Ministry of Infrastructure and Communities.

Carried

- * 9.2.2. Report from C. Hicks, Legal Counsel, Corporate Services, dated January 30, 2018, re: **Administrative Authority Policy** (File GDX-DEL).

- CW049-2018
1. That the report from C. Hicks, Legal Counsel, Corporate Services, dated January 30, 2018, to the Committee of Council Meeting of February 14, 2018, re: **Administrative Authority Policy** (File GDX-DEL) be received; and
 2. That the Administrative Authority Policy as set forth in Appendix "A" attached to this report, be approved.

Carried

- 9.2.3. Report from F. Peacefull, Director, Human Resources, dated February 2, 2018, re: **Building a Culture of Respect: Status Update.**

Committee discussion took place with respect to the following:

- Issues relating to respect among Members of Council
- Expectation that all Members of Council and employees comply with the Respectful Workplace Policy
- Continuous efforts to enable a culture of respect
- Opportunities to bring staff together from different areas to learn about their roles in the Corporation

10.4-11

Minutes

Committee of Council

- Process for addressing a breach of the Employee Code of Conduct and Respectful Workplace Policy

The following motion was considered.

- CW050-2018
1. That the report from F. Peacefull, Director, Human Resources, dated February 2, 2018, to the Committee of Council Meeting of February 14, 2018, re: **Building a Culture of Respect: Status Update** be received; and
 2. That Council continue to support and enable organizational results that build a culture of respect, in concert with our human capital strategy: People Advantage.

Carried

- * 9.2.4. Report from L. Robinson, Business Coordinator, City Clerk's Office, Office of the Chief Administrative Officer, dated January 5, 2018, re: **2017 Council / Committee Meeting Attendance Record** (File BC.x).

- CW051-2018
- That the report from L. Robinson, Business Coordinator, City Clerk's Office, Office of the Chief Administrative Officer, dated January 5, 2018, to the Committee of Council Meeting of February 14, 2018, re: **2017 Council / Committee Meeting Attendance Record** (File BC.x) be received.

Carried

9.3. Other/New Business – nil

9.4. Correspondence – nil

9.5. Councillors Question Period

1. In response to a question from City Councillor Fortini regarding the status of staff's review on the regulation of short-term residential properties (i.e. AirBnB), J. Pittari, Commissioner, Corporate Services, advised that meetings have taken place with staff to develop a mitigation strategy, and a report will be provided to Committee at a future meeting.

10. Referred Matters List – nil

10.4-12

Minutes

Committee of Council

11. **Government Relations Matters**

- 11.1. Briefing report from L. Rubin-Vaughan, Manager, Government Relations and Public Policy, Office of the Chief Administrative Officer, re: **Government Relations Matters**.

L. Rubin-Vaughan, Manager, Government Relations and Public Policy, Office of the Chief Administrative Officer, provided an update on the GTA West Corridor, noting that Ontario has announced that it will not proceed with a highway for this corridor.

Committee discussion on this matter included the following:

- Indication that the GTA West Advisory Panel did not assess the work done by Brampton or Peel Region
- Indication from staff that further information on this matter will be provided at the March 5, 2018 Planning and Development Committee Meeting
- The need for a 4-6 lane arterial road in the GTA West Corridor to address transportation needs and advance planning in this area
- Request to the Province for detailed mapping of the subject area
- Designing communities to be less car-oriented
- Suggestion that a resolution be sent to the Province outlining Brampton's position on the decision to not proceed with a highway for the GTA West Corridor

The following motion was introduced.

That staff prepare a draft motion for consideration at the February 21, 2018 Council Meeting, outlining the City's concerns and requesting reconsideration of the decision to discontinue the GTA West Corridor environmental assessment.

Further discussion took place with respect to the following:

- The need for additional information regarding the Province's new plan for the GTA West Corridor
- Information from staff regarding a proposed election strategy

The following motion was considered.

- CW052-2018 1. That the briefing report from L. Rubin-Vaughan, Manager, Government Relations and Public Policy, Office of the Chief Administrative Officer, to the Committee of Council Meeting of February 14, 2018, re: **Government Relations Matters** be received; and,

10.4-13

Minutes

Committee of Council

2. That staff prepare a draft motion for consideration at the February 21, 2018 Council Meeting, outlining the City's concerns and requesting reconsideration of the decision to discontinue the GTA West Corridor environmental assessment.

Carried

12. **Public Question Period**

1. Silvio Roberts, Brampton resident, asked a question regarding the City's long-term transportation plan to meet growth demands and provide service to future university students.

H. Schlange, Chief Administrative Officer, advised that he would provide information on this matter to the resident following the meeting.

13. **Closed Session – nil**

14. **Adjournment**

The following motion was considered.

CW053-2018 That the Committee of Council do now adjourn to meet again on Wednesday, February 28, 2018 at 9:30 a.m. or at the call of the Chair.

Carried

Regional Councillor M. Palleschi, Chair
Community Services Section, and Vice Chair,
Public Works and Engineering

City Councillor J. Bowman, Chair
Economic Development and Culture Section

Regional Councillor G. Miles, Chair
Corporate Services Section

Date: February 14, 2018

Subject: **Mayor and Councillors' Expense Policy update**

Contact: David Sutton, Treasurer
905-874-2257

Recommendations:

1. That the report from David Sutton, Treasurer, dated February 14, 2018, to the City Council meeting of February 21, 2018, re: **Mayor and Councillors' Expense Policy update** be received;
2. That the updated Mayor and Councillors' Expense Policy attached to the subject report be approved, effective December 1, 2018; and
3. That the following Council policies be rescinded from the Council policy registry effective December 1, 2018:
 - a) Automobile for Council & Senior Staff (13.1.0), 2013
 - b) Remuneration and Expenses Reporting for Elected Officials (13.3.6.1), 2014
 - c) Mayor and Councillors' Office Technology, Equipment and Furniture Policy (13.3.6.2), 2014

Overview:

- **Policies are the foundation of good governance and ensure a consistent and transparent provision and operation of the City's services, programs and facilities.**
- **Staff held meetings with Members of Council to understand and obtain feedback with respect to the current Mayor and Councillors' expense policy and related documents.**
- **The purpose of these undertakings was to update the current policies in order to provide the flexibility needed by Council to efficiently conduct business related to the City while continuing focus on accountability and transparency.**
- **KPMG also completed a specified procedures audit over Mayor and Councillors' expenses claimed in 2016 at the City and issued a report with key findings and recommendations.**

11.1-2

Background:

Modernizing the City's policies and practices is a critical support for ongoing transformation. Policies are the foundation of good governance and ensure a consistent and transparent provision and operation of the City's services, programs and facilities. In 2017, Council approved a new governing policy and policy framework to modernize the City's policies and practices.

As part of this initiative to update the City's policies and practices and to be aligned with the new policy framework, staff held meetings with Members of Council during 2017 to understand and obtain feedback with respect to the current Mayor and Councillors' expense policy and related policy documents. Staff also conducted a benchmarking exercise with other municipalities in terms of their respective Mayor and Council expense policies.

The purpose of these undertakings was to update the current policies in order to provide the flexibility needed by Council to efficiently conduct business related to the City while continuing focus on accountability and transparency.

KPMG also completed a specified procedures audit over Mayor and Councillors' expenses claimed in 2016 at the City and issued a report dated August 31st, 2017, with key findings and recommendations.

Current Situation:

The updated Mayor and Councillors' Expense Policy attached to this report takes into account the new policy framework, feedback provided by Members of Council, benchmarking analysis conducted by staff and also addresses the key findings and recommendations from the KPMG specified procedures audit.

All expenses addressed in this Policy will be reported in the statement of remuneration and expenses on an annual basis.

Corporate Implications:

Financial Implications:

There are no direct financial implications related to this report.

Strategic Plan:

This report supports our Strategic Plan's strong foundation of Good Government and the principles of accountability and transparency.

Conclusion:

We recommend that the updated Mayor and Councillors' Expense Policy attached to this report be approved, effective December 1, 2018.

11.1-3

Report Approved By

David Sutton
Treasurer

Joe Pittari
Commissioner, Corporate Services

Appendices:

Appendix A *Updated Mayor and Councillors' Expense Policy*

Appendix B *Benchmarking Matrix - Advertising in programs for local/community special events*

Appendix C *Councillors' Term of Council Expense Account Statement as of December 31, 2017(Preliminary)*

Report Authored by:

Zeeshan Majid, Senior Manager, Accounting Services and Deputy Treasurer

Category: Finance

Title: Mayor and Councillors' Expense Policy

Policy Number: 13.3.6

Approved by: [Committee Recommendation #], [Council Resolution #]

Administered by: Finance, Accounting Services

Effective: December 1, 2018 - *Subject to Council approval*

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11.1-6

1. Purpose

The purpose of this Policy is to provide the business rules and guidelines for expenditures that support Members of Council in performing their diverse roles and in representing their constituents.

This Policy is intended to:

- a) Provide Members of Council with the ability to allocate resources in the most efficient way to meet their own particular requirements; and,
- b) Recognize Members of Council's accountability for managing City resources allocated to them.

2. Application and Scope

This Policy applies to all expenses incurred by Members of Council including the Mayor, City Councillors and Regional Councillors, while conducting official City business and performing their duties as elected officials of the City.

2.1 Exceptions

This Policy does not apply to:

- a) Permanent, temporary and contract City staff;
- b) Appointed members of local boards and committees;
- c) Family members of Members of Council; and,
- d) Personal expenses incurred for goods or services for non-City business.

3. Guiding Principles

The following guiding principles should be applied with respect to this Policy:

3.1 Integrity of Council

- a) The integrity of Council as a whole and the office of the Mayor and offices of the Councillors must be protected.

3.2 Accountability

- a) Members of Council are the stewards of City resources and are ultimately accountable to the public and their constituents for the type and level of expenses they incur;
- b) Eligible expenses must be reasonable and reflect what the public expects of a Member of Council; and,
- c) Reimbursement of an expense should not result in a Member of Council receiving any product, service or asset for personal use, benefit or gain.

3.3 Transparency

- a) The public has a right to know how public funds allocated to Members of Council are spent; and,
- b) The public's request to a Member of Council's expense information must be balanced against the need to protect privacy and personal information, and allow time for proper accounting and reconciliation of expenses.

3.4 Compliance

- a) Eligible expenditures should be administered in accordance with policies and procedures of the City, including all purchasing and procurement policies as set out in the City's Purchasing By-law, as well as other statutory requirements; and,
- b) All accounting, audit and Income Tax Act principles and rules must be followed.

4. Mandatory Requirements

4.1 General Guidelines

Expenses submitted for reimbursement by Members of Council or expenditures incurred by the City on behalf of Members of Council must be charged to one of the City accounts reported in the Statement of Remuneration and Expenses on a monthly, quarterly and annual basis, in accordance with Section 284 of the Municipal Act, 2001. (Refer to **Appendix C** for information on the public reporting of Member of Council remuneration and expenses).

- a) Members of Council reimbursement claims for expenses must follow basic accounting and audit principles:
 - i. Expenses must relate to the business of the City and for the advancement of the City's approved strategic goals and objectives;
 - ii. A Member of Council or the City must directly incur the expense. Expenses incurred by third parties cannot be claimed;
 - iii. Expenses must be consistent with what is permitted in this Policy;
 - iv. Members of Council must provide proper documentation, including detailed original receipts, invoices or e-bills for all expense claims. The name of attendees must be provided for all hospitality expenses;
 - v. Invoices must include a description of the goods purchased or service rendered, the cost, taxes and HST registration number, if applicable;
 - vi. In the case where the receipt/invoice shows the name of the establishment or company providing the service as a numbered

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company, the operating name of the establishment must be provided;

- vii. Expenses must be charged for the year in which they were incurred. Expenses cannot be carried forward to subsequent years;
 - viii. Expenses must be submitted for reimbursement within 60 calendar days of incurring the expense or receiving an invoice; and,
 - ix. Members of Council will, on a quarterly basis, provide to Finance a standardized signed memo confirming any personal expenses refunded to the City and compliance with this Policy.
- b) City facilities, services, funding or property are not to be used by Members of Council for any election-related purposes. Refer to the Use of Corporate Resources Protocol; and
 - c) Any expenses incurred that promote for-profit organizations, third parties, other levels of government, political parties, or candidates in any election campaigns will be ineligible for reimbursement.

4.2 Term of Council Expense Account Budget

- a) The annual budgets for the Mayor's Business Expenses Accounts and Councillors' Term of Council Expense Account are established as part of the City's annual budget process;
- b) A Member of Council shall not exceed his/her term of Council budget without the prior approval of Council;
- c) Any funds remaining unspent at the end of the term of Council, cannot be carried forward to the next term of Council;
- d) A Member of Council who does not return to the subsequent term of Council is personally responsible for any over-budget amounts remaining at the completion of the term of Council, except where Council waives the requirement for reimbursement;
- e) A Member of Council who does not return to the subsequent term of Council may not incur expenses in his/her Councillor Expense Account after the date of the Municipal election;
- f) Should a Member of Council not complete his/her term of Council, their term of Council expense budget shall be pro-rated to the end of the term of Council year in which the Member leaves office; and,
- g) At the end of their respective term of Council, a Member of Council must return all assets purchased with City funds or purchase any such items from the City,

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utilizing personal funds, at fair market value (plus associated taxes and disposition costs at the time of purchase).

4.3 Attendance on Behalf of Another Member of Council

- a) Expenses incurred by a Member of Council, in connection with attendance at a function on behalf of another Member of Council, shall be charged to the account that would otherwise have been charged for the original attending person, except for Regional Council meetings; and
- b) Expenses incurred by the substitute Member of Council, that may be charged on behalf of the original attending person, are limited to the guidelines in this Policy.

4.4 Use of Procurement Cards ("PCard")

- a) Members of Council can request a PCard, available from the City's PCard Program, for their support staff;
- b) PCards can be used by Members of Council support staff for booking a hotel, air tickets, conference registration and for the purchase of low-value materials and supplies for use by Members of Council; and
- c) Members of Council support staff who use PCards must follow the applicable procedures and guidelines of the City PCard program including the City PCard Policy.

4.5 Approvals and Dispute Resolution

- a) Members of Council shall authorize expenditures from their respective expense account budgets after orders have been received or services rendered;
- b) The Treasurer shall approve all requests for payment/reimbursement of expenses covered by this Policy; and,
- c) In the event of disputes or extraordinary circumstances that may arise regarding the application of this Policy:
 - i. The Treasurer (or Chief Information Officer and City Clerk as it relates to the technology and office equipment/furniture components respectively) shall meet with the Member of Council and make every reasonable effort to resolve the matter; and,
 - ii. Disputes or extraordinary circumstances that cannot otherwise be resolved will be referred to Committee of Council.

4.6 Roles and Responsibilities

Members of Council:

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- a) Comply with the Code of Conduct for Members of Council and rules and requirements outlined in this Policy when submitting expense documents;
- b) Exercise integrity and good business judgment when incurring expenses;
- c) Attending an event for which a reimbursement is claimed is expected;
- d) Keep safe and maintain all equipment and furniture provided by the City or purchased with City funds; and,
- e) Meet all financial, legal and Income Tax obligations.

Treasurer:

- a) Ensure Members of Council are in compliance with the rules and requirements of this Policy and take appropriate corrective actions when required;
- b) Verify expenses were incurred in the performance and benefit of City business; and,
- c) Verify funds are available within the allocated budget.

City Finance Staff:

- a) Reimburse individuals in a timely manner;
- b) Monitor compliance and follow up on those expense claims not in compliance;
- c) Provide accounting and financial support to Members of Council by paying expenditures, preparing financial management reports and providing advice and direction on the interpretation and application of this Policy; and,
- d) Provide training and orientation for Members of Council and their support staff at the beginning of each term and when required or as requested during the term, from time to time.

5. Resources Available/Allocated to Members of Council

5.1 Information Technology

- a) At the start of each term of Council, the City will provide to Members of Council, the standard technology assets listed in **Appendix A**;
- b) Standard technology package is to be used only for City purposes as set out in the City's Information Technology Use Policy;
- c) Technical maintenance and support will not be provided by City staff at the residence of the Members of Council;

- d) Standard technology package will be replaced, upgraded or refurbished in accordance with City policy and standards;
- e) Non-standard technology may be purchased by Members of Council:
 - i. Subject to approval by the Chief Information Officer;
 - ii. Will remain the property of and will be inventoried by the City; and
 - iii. Will be charged to a capital account but funded from and reported as part of the Member of Council's business expense account based on actual expenditures.
- f) Members of Council are prohibited from connecting non-standard technology to the City's network or IT infrastructure unless prior approval is obtained from the Chief Information Officer; and
- g) Standard and non-standard technology will be reported on the annual remuneration statement.

5.2 Office Equipment and Furniture Assets

- a) At the start of each term of Council, the City will provide to Members of Council, the standard office equipment and furniture assets listed in **Appendix B**;
- b) Standard office equipment and furniture assets are to be used only for City purposes;
- c) Members of Council may purchase non-standard office equipment or furniture of their choosing and request reimbursement by the City:
 - i. Reimbursement will be limited to a maximum of the cost of the equivalent item at City standards, as determined by the City Clerk, in consultation with appropriate City staff;
 - ii. Non-standard equipment and furniture includes any equipment not listed in **Appendix B** with a fair market value of more than \$50;
 - iii. Non-standard equipment and furniture may be purchased from the Members of Council's business-related office expense account. This may include purchases related to a home office for the Members of Council; and,
 - iv. All non-standard equipment and furniture purchased by the Members of Council remains the property of and will be inventoried by the City.
- d) A new Member of Council will be entitled to a one-time start-up operating budget at the start of their term to cover costs such as minor furnishings, office equipment and décor, start-up supplies, business cards, stationery and similar types of expenditures. Refer to **Appendix B** for further information.

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6. Eligible Expenses

This section outlines alphabetically the categories and types of eligible expenses that can be charged to the Term of Council Expense Account Budget. It outlines the details for each type of expense and conditions/exceptions that apply.

6.1 Allowance for Automobiles

Narrative:

- a) Members of Council will receive a monthly automobile allowance as determined and approved by Council;
- b) The monthly automobile allowance will be treated as a taxable benefit; and
- c) It will be exclusive of the base salary bands of Members of Council and will increase on January 1st of each year based on the prior year's Consumer Price Index as published by Statistics Canada.

6.2 Business Office Expenses and Other Miscellaneous Expenses

Eligible expenses:

- a) General office related expenses such as business cards, courier services, home phone and/or internet service for home office, internal printing, stationery, and service plans for iPad or equivalent device and City provided smart phone;
- b) Newsletters (ward reports) printing and distribution;
- c) Corporate business meals; and
- d) Photographs and slides.

Ineligible expenses:

- a) Any incremental cost above a monthly contracted service plan or any other charges related to personal usage;
- b) Purchase of magazines and newspapers is not permitted; and
- c) Purchase or rental of clothing.

Narrative:

- a) Any charges related to personal usage must be reimbursed to the City when accumulated charges, on a quarterly basis, exceed \$15 (plus sales tax);
- b) Members of Council will on a quarterly basis, provide to Finance, a standardized signed memo outlining any personal usage along with reimbursement as defined above; and

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- c) The Council office subscribes to newspapers for reference copies for the entire Council Office.

6.3 Community Involvement

Members of Council may support and sponsor community organizations providing services in the Brampton community.

Eligible expenses:

- a) Membership, support and sponsorship of City of Brampton based not-for-profit corporations, charitable or non-charitable organizations or community organizations and groups;
- b) Cash donations shall be authorized for equal to or less than \$500 for each request (\$1,000 per year maximum per eligible organization);
- c) Merchandise donations (i.e. City souvenir/promotional items) shall not exceed \$200 in value, provided the total of all related merchandise donations to each organization does not exceed \$400 per year to the same group;
- d) General communication with constituents related to advertising in programs for local/community special events:
 - i. The annual maximum allowed is \$1,000 per Member of Council;
 - ii. Advertising must be related to specific community programs or local special events (e.g. Spring clean-up, Town Hall, etc.); and,
 - iii. All other media advertising shall be administered by Corporate Strategic Communications.
- e) Purchase of tickets for community events held at the Rose Theatre by eligible organizations as defined above.

Ineligible expenses:

- a) Financial donation/sponsorship to religious organizations unless it is for a Brampton community event/fundraiser;
- b) Financial donation/sponsorship to individuals unless they are a member of an eligible organization and the donation is for a Brampton community event/fundraiser. Therefore, the donation/sponsorship is to the eligible organization;
- c) Financial donation/sponsorship to eligible organizations that have already received funding or had a grant request rejected through a City grants program for that specific fiscal year unless specifically approved by Council;
- d) Purchase of seasonal sponsorships or tickets to Rose Theatre performances;

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- e) Purchase of sports event tickets; and
- f) Purchase of bags, pens, pins or any promotional materials with the Member of Council's name.

Narrative:

- a) Members of Council will not be allowed to advertise in programs for local/community special events during an election year. An election year begins at the start of the nomination period and ends with the end of that current Council term; and
- b) For reimbursement of eligible advertising expenses, the Member of Council must provide the itemized original invoice from the media organization stating the name of the publication, the date that the print ad appeared or that a television or radio ad aired. A copy of the print ad must also be provided.

6.4 Corporate Representation

Eligible expenses:

- a) Attendance at the Association of Municipalities of Ontario (AMO) and the Federation of Canadian Municipalities (FCM) conferences;
- b) Attendance on a trade mission or a research trip;
- c) Attendance at Board related functions (i.e. separate from Board appointments approved by Council); and
- d) Hospitality or entertainment expenses.

Ineligible expenses:

- a) Any expenses not specifically approved by Council to be charged to the Corporate Representation Account

Narrative:

- a) Members of Council's attendance on a trade mission or a research trip must be approved by Council in advance of the trip.

6.5 Event Tickets or Hospitality Expenses

Eligible expenses:

- a) Purchase of only two (2) tickets for attendance at any lunch, dinner or other event (community charitable event or function for weekend social events); and

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- b) Members of Council's expenses for food and beverages related to business meals or receptions with constituents, business contacts, representatives of other levels of government, international delegations or visitors.

Ineligible expenses:

- a) Alcohol and alcoholic beverages unless purchased or provided as a matter of hospitality or protocol while conducting City business; and
- b) Theatre, sporting events, concerts, movie theatres, dining establishments that include an entertainment element (i.e. live music).

Narrative:

- a) Expectation is that a Member of Council will physically be in attendance for the event for which a reimbursement is being claimed; and
- b) The second ticket may be used by the Member of Council's spouse or guest (excluding City staff).

6.6 Gifts to individuals

Eligible expenses:

- a) Nominal gifts for less than \$100 for special business related occasions:
 - i. Retirements or work anniversaries;
 - ii. Taxpayer or community group recognition;
 - iii. Gift baskets/flowers for constituents for special occasions (including a congratulatory note for new business openings in the City); and,
 - iv. In-memoriam gifts for constituents, such as trees and/or floral tributes.

Ineligible expenses:

- a) Gifts for City staff or other employees of City agencies, boards, commissions and special purpose bodies.

Narrative:

- a) Request for reimbursement for flowers and gifts to specific constituents must include an explanation on how it relates to City business.

6.7 Professional Development

Eligible expenses:

- a) Conferences and seminars;

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- b) Professional education and development programs;
- c) Skills development programs;
- d) All other professional development related travel; and
- e) Book purchases that are relevant to the duties as a Member of Council.

Ineligible expenses:

- a) Professional fees, professional memberships and insurance charges;
- b) Training unrelated to City business;
- c) Professional designation training and exams; and
- d) Physical fitness, sports, arts programs.

Narrative:

- a) Expenses incurred shall be permitted to be paid by the Corporate Representation Account if specifically approved by a Council resolution as discussed earlier; and
- b) If pre-approved by a Council resolution and paid by the Corporate Representation Account, expenses incurred for eligible conferences and seminars will be submitted with a follow-up report to Council outlining the outcomes of attendance at the event.

6.8 Travel Expenses

Travelling on City business includes attendance by the Members of Council at:

- a) External Technical Skills Development Programs;
- b) External Professional Development Programs;
- c) Conference/Symposiums/seminars/workshops and other similar events;
- d) Trade/Economic Development Missions;
- e) Research Trips; and
- f) Other City Business or other travel as approved by Council.

6.8.1 EVENT RELATED EXPENSES

Eligible expenses:

- a) Event registration costs;

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- b) Cost of hotel accommodation providing best value available at the time of making travel arrangements;
- c) Cost of meals based on receipts submitted or a meal per diem of \$60 (\$15 for breakfast, \$15 for lunch and \$30 for dinner) or any portion of in lieu of submitting receipts for meal expenses;
- d) Incidental hotel expenses supported by appropriate receipts or itemized hotel statement of account such as internet charges, laundry and dry cleaning; and
- e) Trip cancellation insurance.

Ineligible expenses:

- a) Meals per diem if event registration fees include breakfast, lunch or dinner; and
- b) Incidental expenses that are either clearly unrelated or not required to support the Members of Council while travelling on City business such as “pay per view” entertainment and alcohol.

Narrative:

- a) Members of Council are encouraged to use conference sponsored hotels;
- b) Per diems claimed will be calculated based on the same number of days associated with the purpose of the trip, including the day of departure and day of return; and
- c) Members of Council may not acquire or accumulate, either directly or indirectly, where the benefit does not accrue to the City, points through loyalty programs such as Air Miles, Aeroplan, etc.

6.8.2 TRANSPORTATION EXPENSES

Eligible expenses:

- a) Air/train fare based on economy class or at the best rate available at the time of making travel arrangements;
- b) Ground transportation (taxis, buses, airport shuttles, and airport limousines, parking fees, etc.);
- c) Vehicle rental for business related purposes;
- d) Highway toll charges, including the cost of a transponder;
- e) Should the Members of Council elect to drive to a destination that is greater than 300km from Brampton in lieu of traveling by air/train:
 - i. Receipted accommodation expenses;

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- ii. Meals (per diems or receipts); and,
 - iii. Mileage charges for use of a personal vehicle.
- f) Mileage rates will be based on the approved mileage rates in effect at time of travel.

Ineligible expenses:

- a) Bulk purchase of flight passes or similar bulk airfare programs unless specifically approved by Council;
- b) Ground transportation if Members of Council elect to drive to the destination;
- c) Highway toll charges related to travel between home and normal work location (City Hall);
- d) Personal vehicle maintenance and repair costs; and
- e) Traffic and parking fines.

Narrative:

- a) Upgrades from economy class will be acceptable for non-North American air travel to no higher than business class in recognition of the travel times involved (if in excess of 5 hours of travel time) unless otherwise specifically pre-approved by Council;
- b) Compact cars should be rented at all times;
- c) When requesting highway toll charges for reimbursement, Members of Council must identify the business purpose for the trip requiring use of the toll highway;
- d) Mileage reimbursement shall be calculated based on the driving distance from City Hall to the destination location utilizing www.google.ca/maps or similar free mapping service;
- e) Members of Council shall reduce the total mileage distance claimed by 160 km prior to calculating the mileage reimbursement amount for travel expenses; and
- f) If Members of Council elect to drive to a destination that is greater than 300km from City Hall (in lieu of traveling by air/train), charges for reimbursement may not exceed the cost of regular economy airfare or lowest rate available at the time of making travel arrangements.

7. Monitoring and Compliance

It is the Treasurer's responsibility to monitor and ensure the Members of Council's compliance with this overall policy.

Monitoring and compliance of the actual expense submission will be conducted by the Manager, Accounting Services, Finance, Corporate Services through a review and approval of each expense submission.

7.1 Consequences of non-compliance

Failure to follow this policy may result in:

- a) Processing and reimbursement delays;
- b) Members of Council may be required to repay the City for any expense claims in excess of the annual budget amounts that are not approved by Council; and,
- c) The Member of Council being in non-compliance with the Code of Conduct for Members of Council and subject to investigation by the Office of the Integrity Commissioner and consequences as deemed appropriate by Council.

8. Definitions

8.1 Business Meal Allowance – Breakfast, lunch or dinner expenses that council members incur for meeting with other Members of Council, City staff, or staff of the City's or Region's boards, committees or other special purpose bodies.

8.2 Eligible Expenses – Expenses that the City will reimburse or pay for.

8.3 Hospitality Expenses – Breakfast, lunch, dinner and reception expenses that Members of Council incur while hosting a third party.

8.4 Incidentals – includes expenditures for reasonable out of pocket expenses for gratuities, baggage handling, dry cleaning, laundry, etc.

8.5 Ineligible Expenses – Expenses that the City will not reimburse or pay for.

8.6 Mileage rates – a fixed allowance per kilometre for the use of a personal vehicle which recognizes the expenses associated with operating a personal vehicle (e.g. gas, insurance repairs and maintenance, etc.).

8.7 Per Diem - a fixed allowance for which no receipts are required.

8.8 Receipt – a document received from a 3rd party vendor that itemizes and describes all items purchased.

9. References and Resources

References to related bylaws, Council policies, and administrative directives

- Code of Conduct for Members of Council
<http://www.brampton.ca/EN/City-Hall/Pages/CouncilCodeofConduct-2016.aspx>
- Municipal Act, 2001
<https://www.ontario.ca/laws/statute/01m25>
- Information Technology Use Policy #: 2.11.0
- Purchasing By-law
- City PCard Policy
- Use of Corporate Resources Protocol

Revision History

Date	Description
2018/12/01	<p>Approved. Replaces the following policies rescinded by resolution XX on XX/XX/XX</p> <ul style="list-style-type: none"> • Policy 13.3.6 Mayor and Councillors' Expense Policy • Policy 13.3.6.1 Remuneration and Expenses Reporting for Elected Officials • Policy 13.3.6.2 Mayor and Councillors' Office Technology, Equipment and Furniture
2021/12/01	Next Scheduled Review

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Appendix A

Standard Technology Package offered to Mayor and Councillors for City Hall/Home Offices

The standard technology package for the Mayor and Councillors' City Hall/Home Offices will include the following:

- Computing devices, including:
 - one (1) laptop computer and one (1) iPad; plus related accessories (including docking station for a laptop and standard monitor)
- One (1) communication device, including:
 - One (1) smartphone; plus standard communication accessories

To be coordinated by Mayor and Councillors with a third party vendor of their choice for their Home Office (e.g., Rogers, Bell, etc.):

- One (1) business telephone line for City business only
- One (1) internet connection for City business only

Licensing for standard corporate productivity software suite is included. Shared printers and copiers will be provided by the City for City Hall offices, based on Corporate policy and procedures.

Notes:

- The Information Technology Division shall maintain a list of eligible standard technology assets (e.g., models), which may be updated from time to time by the Division.
- The budget for the standard technology package offered at the start of each term of Council will be \$5,000 or as allocated or approved in the budget.
- Non-standard technology will be charged to a capital account but funded from and reported as part of the Member of Council's business expense account based on actual expenditures.

Appendix B

Standard Office Equipment and Furniture Asset Offering to Mayor and Councillors

The standard office furniture offerings for City Hall will include the following:

- One desk including keyboard tray where appropriate, for the office space provided:
 - o Each Council office will receive an office “suite” of modular case good furniture pieces in standard upgraded finishes that includes the following items:
 - (1) One wood veneer finished desk with ample work surface suitable to current day requirements for both paperwork and technology requirements as well as quick sit-down discussions for up to 2 guests;
 - (2) One 3-high equivalent storage cabinet in wood veneer finishing matching the suite provided. Includes locks and keys for confidential storage;
 - (3) One mobile pedestal file storage drawers suited to both legal and letter sized file folders as well as storage of miscellaneous items as required;
 - (4) One small round meeting table and guest chairs for up to four (4) people for small adhoc meetings within the office space. The chairs fabric will be of a standard grade;
 - (5) One matching wood veneer credenza with closed, lockable storage; and
 - (6) A standard ergonomic office task chair (typical or executive models) will be provided in a standard grade fabric.

Where guest chairs or task chairs require repair, reupholstering due to typical wear and tear, Interior Design Services can be contacted to make appropriate arrangements.

Notes:

- The City Clerk’s Office and/or Community Services Department, Interior Design Services Section, shall maintain a list of eligible standard office equipment and furniture assets, which may be updated from time to time by City staff.
- A new Member of Council will be entitled to a one-time start-up operating budget of up to \$2,000 (or as allocated or approved in the budget) to cover costs such as minor furnishings, office equipment and décor, start-up supplies, business cards, stationery and similar types of expenditures.

Appendix C

Remuneration & Expenses Reporting

Section 284 of the Municipal Act requires that the Treasurer of every municipality shall submit to the Council of the Municipality, an itemized statement of the remuneration and expenses paid to each Member of Council in respect of their services as a Member of Council, on or before the 31st day of March in each year.

The statement will include all expenses paid to, or on behalf of Members of Council using their operating business expense account, any Corporate operating and capital project accounts.

Responsibility to Report

Departments will report expenses incurred on behalf of a Member of Council to the Treasurer. It is the responsibility of each member of Council to report any expenses incurred by another Member of Council on their behalf to the Treasurer. These expenses must be reported on the Statement of Remuneration and Expenses as having been incurred by the Member of Council.

Regular Members of Council's expenses reporting will include:

Monthly

a) Members of Council own term expense accounts. This will be distributed to the Members of Council to view and sign off.

It is required that monthly reporting statements are signed and returned by the Members of Council within 30 days of receipt from Finance.

Quarterly

a) Details of current year Members of Council's own term expense accounts to be posted to the City's website;

b) Summary of Members of Council's own term of Council expense accounts to date; and

c) Summary of Members of Council expenses (excluding salary and benefits) will be posted to the City's website. This report will not only include expenses paid by the Members of Council's own term expense accounts but also expenses paid by Corporate operating and capital accounts on behalf of the Members of Council.

Annually

a) Annual Statement of Remuneration and Expenses will be prepared by March 31st of each year and posted to the City's website according to Section 284 of the Municipal Act.

#	Description	Benchmarking						Proposed COB Policy
		Region of Peel	City of Vaughan	City of Mississauga	City of Toronto	City of Hamilton	City of Burlington	
1	Advertising in programs for local/community special events	No specific verbiage for advertising for community events but following generic verbiage included: <i>Members of Council may claim for reimbursement as part of the Regional Council term allowance the following: constituent related expenses, business cards showing the Region of Peel, and home office equipment.</i>	Advertising Eligible Expense(Council Member Budget) <ul style="list-style-type: none">• Advertising is permitted if it is related to the business of the City in all types of media of charitable/non-profit organizations with either an address in Vaughan, holding the event in Vaughan or providing services to Vaughan.• The organization must either provide a registration number (charitable or non-profit) or must have Community Service Organization (CSO) status with the City of Vaughan.• Council Members must provide a copy of one of the following: the organization’s letter / notice / flyer / e-mail to the Council Member or copy of the print ad, as well as (1) proof of payment if seeking reimbursement or (2) supporting documentation if requesting a cheque from the City.• Advertising is also provided under Council Corporate Budget on behalf of all Council Members Narrative: <ul style="list-style-type: none">• The annual maximum allowed is \$2000 per Council Member and \$4000 for the Mayor.• Council Members cannot place any advertising after June 30th in an election year.	General Communication with Constituents The following eligible expenses related to communication and paid through the elected officials’ expense budget include: ☒ Newspaper columns/ notices; or advertisements	Advertising and Promotions Eligible Expense: <ul style="list-style-type: none">• Paid advertising that is related to the business of the City in all types of media, including print, radio, television, outdoor and online.• Advertisements in programs for local special events.• Design and production costs for the advertising. Ineligible Expense: <ul style="list-style-type: none">• Advertising placed by a Councillor which is published after August 1 during an election year. Refer to section 4.7.• Advertising that promotes for-profit organizations, third parties, other levels of government, political parties, or candidates in any election campaigns or promotes consent or rejection of a question which has been submitted to electors. Other information about advertising and promotion: <ul style="list-style-type: none">• For payment of advertising, the Councillor must provide the itemized original invoice from the media organization stating the name of the publication, the date that the print ad appeared or that a television or radio ad aired.• A copy of the print ad must also be provided.	N/A - no specific verbiage included on this topic.	Advertising and Promotions Eligible Expenses: Paid advertising that is related to the business of the city in all types of media. Advertising that supplements city departments’ advertisements that are placed to promote specific programs or specific events. Design and production costs for the advertising. Ineligible Expenses: Advertising that a councillor places after the July 1st cut-off date during an election year. Conditions: City election policies limit Councillors/the Mayor in placing advertising during an election year. Councillors/the Mayor cannot place advertising after the July 1st cut-off date that City Council set. Other information about advertising and promotions: In order to be reimbursed for media that is not placed through Public Relations, the Councillor/Mayor must provide the itemized original invoice from the media organization stating the name of the publication, the date that the print ad appeared or that a television or radio ad aired. A copy of the print ad must also be provided.	Community Involvement General communication with constituents related to advertising in programs for local/community special events: i. The annual maximum allowed is \$1,000 per Member of Council; ii. Advertising must be related to specific community programs or local special events (e.g. Spring clean-up, Town Hall, etc.); and, iii. All other media advertising shall be administered by Corporate Strategic Communications. Narrative: a) Members of Council will not be allowed to advertise in programs for local/community special events during an election year. An election year begins at the start of the nomination period and ends with the end of that current Council term; and b) For reimbursement of eligible advertising expenses, the Member of Council must provide the itemized original invoice from the media organization stating the name of the publication, the date that the print ad appeared or that a television or radio ad aired. A copy of the print ad must also be provided.

THE CORPORATION OF THE CITY OF BRAMPTON 11.1-25
COUNCILLOR'S TERM OF COUNCIL EXPENSE ACCOUNT STATEMENT
DECEMBER 1, 2014 - NOVEMBER 30, 2018
As @ December 31, 2017 (preliminary)

Council Member	Term Budget	Actual Expense - Dec 1 - 31/14	Actual Expense - Jan 1 - Dec 31/15	Actual Expense - Jan 1 - Dec 31/16	Actual Expense - Jan 1 - Dec 31/17	Total Expenses Paid	Remaining Term Budget
Jeff Bowman	\$ 25,200.00	-	806.49	1,381.86	1,220.45	3,408.80	21,791.20
Gurpreet Dhillon	\$ 25,200.00	-	2,425.09	4,586.85	2,964.22	9,976.16	15,223.84
Grant Gibson	\$ 25,200.00	224.61	2,157.84	1,717.20	1,733.98	5,833.63	19,366.37
Pat Fortini	\$ 25,200.00	-	1,268.07	3,006.33	3,451.54	7,725.94	17,474.06
Doug Whillans	\$ 25,200.00	-	790.97	1,231.03	1,880.83	3,902.83	21,297.17
Gael Miles	\$ 25,200.00	417.65	1,839.71	2,413.52	1,470.84	6,141.72	19,058.28
Elaine Moore	\$ 25,200.00	206.44	2,896.83	2,565.87	2,865.11	8,534.25	16,665.75
Michael Palleschi	\$ 25,200.00	-	410.13	736.10	987.06	2,133.29	23,066.71
Martin Medeiros	\$ 25,200.00	76.32	2,811.47	6,189.47	5,212.37	14,289.63	10,910.37
John Sprovieri	\$ 25,200.00	490.38	3,719.37	1,782.91	3,214.25	9,206.91	15,993.09
Total	\$ 252,000.00	\$ 1,415.40	\$ 19,125.97	\$ 25,611.14	\$ 25,000.65	\$ 71,153.16	\$ 180,846.84

Proposed Changes/Amendments – Council Agenda – February 21, 2018

Note: Amended agenda cover sheets are attached (correction to item numbering)

Additional Business and Changes related to the Published Agenda (*no vote required*)

Re: Item 5.1 (Announcement – 2017 United Way Campaign Overview and Cheque Presentation):

- presentation slides attached

The following was received by the City's Clerk's Office after the agenda was printed, and relates to a matter listed on the agenda. In accordance with the Procedure By-law, Council approval is not required to add this item to the agenda.

Re: Item 8.3 and By-law 20-2018 (Heritage Designation – 11223 Torbram Road (Hewson Farm) – Ward 10):

- 6.1. Delegation from Mark Flowers, Davies Howe LLP, on behalf of Digram Developments Countryside Inc.

The following items, listed on the agenda for distribution prior to the meeting, are attached:

10.2. Minutes – Member Services Committee – February 12, 2018

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

- **Presentation re:**
 - **Region of Peel** (includes staff comments to identified Regional Council Reports)

Re: Closed Session Matters:

The following item, listed on the Closed Session agenda for distribution at the meeting, has been distributed to Members of Council and senior staff in a separate package:

21.1. Minutes – Closed Session – City Council – February 7, 2018

Re: Item 21.3 – an additional reason for Closed Session has been identified, the revised listing for this item is as follows:

- 21.3. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and the security of the property of the municipality or local board – potential litigation matter



2017 United Way Campaign

Presentation to City Council
February 21, 2018

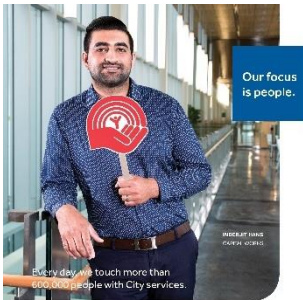
2017 Campaign Core Team

Joe Pitushka – *CLT Sponsor*
Jayne Holmes – *United Way Cabinet Member*
Craig Kummer – *Chair*
Roxanne Van Damme – *Vice Chair*
Tatiana Takeda – *Events Specialist*
Natalie Haines – *Communications Advisor*
Cindy Hammond – *Member*
Ivana Tomas – *Member*
Elsetia Rhudd – *Member*
Marcelle Kwok – *Member*
Councillor Gael Miles – *Council Sponsor*

Our Union Partners

CUPE 831
CUPE 1776
BPFFA 1068
ATU 1573

Campaign Highlights



Participation

- Up 15% to 23% overall
- @work Online Pledge Form



Staff Engagement

- Living on the Edge/Day of Caring
- Union outreach



Awareness

- OurBrampton enhancements/blogging
- Ambassador United Way training

Campaign Theme: "Our focus is people"



Campaign Success Stories



**23% participation
in pledge drive**



sold out

AUCTION

120% of goal raised



**81 employees
participated**



**+120%
pledge per person**

Day of Caring

**24 employees
participated**



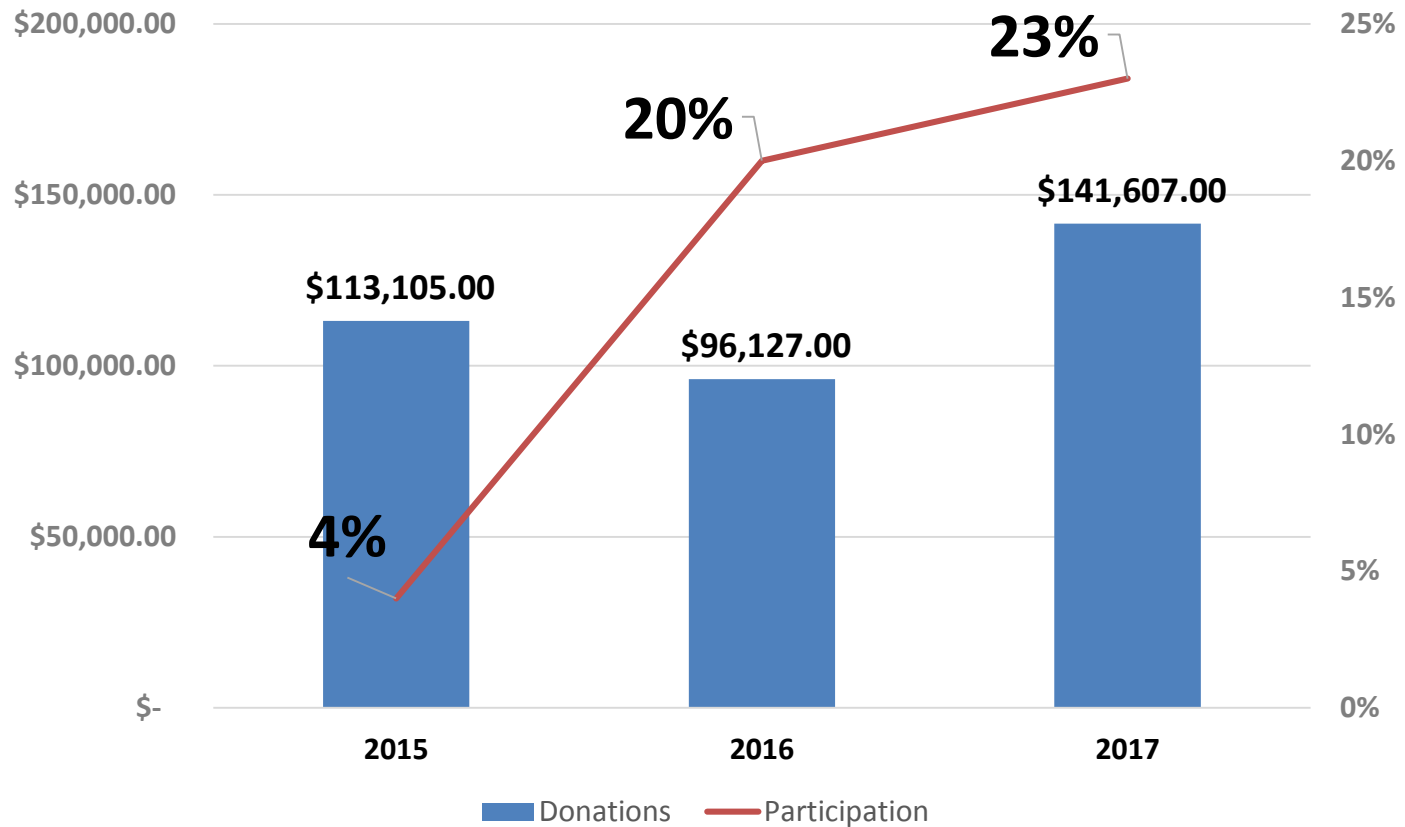
1st year in program



Helping To Alleviate Hunger in Peel Region

+3000 lbs donated

Campaign Momentum



Together
we are
possibility.

Thank
you.



We're so excited!

Our 2017 campaign raised **\$141,607.99** and
together we donated more than **3,000 lbs** of food.

Together, we are possibility. Thank you for your generosity.




BRAMPTON
 Flower City

6.1-1 Chief Administrative Office

City Clerk

Delegation Request

For Office Use Only:

Meeting Name:

Meeting Date:

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

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

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

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

Meeting Date Requested: February 21, 2018 Agenda Item (if applicable): Item 8.3 and By-law 20.2

Name of Individual(s): Mark Flowers, Davies Howe LLP

Position/Title: Lawyer

Organization/Person being represented: Digram Developments Countryside Inc.

 Full Address for Contact: Davies Howe LLP
 425 Adelaide Street West, 10th Floor
 Toronto, ON M5V 3C1

Telephone:

Email:

markf@davieshowe.com

Subject Matter to be Discussed:	Designation under Part IV, Section 29 of the Ontario Heritage Act and applications to amend Zoning By-law and obtain approval for a Draft Plan of Subdivision - 11223 Torbram Road (Hewson Farm) - Ward 10
Action Requested:	Withdraw Notice of intention to designate, or defer consideration of staff recommendation;

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

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

☐ Other:

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

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

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

Submit by Email

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

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

February 20, 2018

By E-Mail

Brampton City Council
The Corporation of the City of Brampton
Brampton City Hall
2 Wellington Street West
Brampton, Ontario
L6Y 4R2

Attention: City Clerk

Dear Council:

Re: Proposed Designation under Part IV, Section 29 of the *Ontario Heritage Act* and applications to amend the Zoning By-law and obtain approval for a Draft Plan of Subdivision – 11223 Torbram Road (Hewson Farm) – Ward 10 City Council Meeting on February 21, 2018 – Agenda Items 8.3 and 20.2

Background

We are counsel to Digram Developments Countryside Inc. (“Digram”), the owner of lands municipally known as 11223 Torbram Road in the City of Brampton (the “Lands”).

We understand that at its meeting on February 21, 2018, Council will be asked to consider a report from the City’s Planning and Development Services staff dated February 9, 2018, as Agenda Item 8.3. (the “Staff Report”). The Staff Report recommends, among other things, that: (i) a heritage designation by-law for the Lands be adopted, and (ii) that Planning staff be directed to not bring forward a recommendation report regarding Digram’s planning applications “until such time as they have been amended in accordance with the [proposed heritage designation] by-law ... and all the requirements of the *Planning Act*, as amended, have been satisfied”.

For the reasons set out below, we urge Council to reject the staff recommendations and, instead, to: (i) withdraw the Notice of Intention to Designate, and (ii) to direct staff to continue processing Digram’s planning applications and, in that regard, to work with Digram and its consultants to identify an appropriate “conservation and commemoration strategy”.

The Staff Report is Not Consistent with the Council Resolution of February 7, 2018

First, we were quite surprised to learn that the Staff Report was being presented directly to City Council, when the report was first made available to the public in the evening on Friday, February 16, 2018. We were surprised, in part, because just two days earlier we had received the attached letter from the City Clerk's Office, confirming a Council resolution from February 7, 2018, which requested that staff "report to Planning and Development Committee, through the Brampton Heritage Board, on the status and plan for heritage designation of the property at 11223 Torbram Road (Hewson Farm)".

The Council resolution of February 7, 2018, directing staff to "report to Planning and Development Committee, through the Brampton Heritage Board", is consistent with our recollection of the discussion that occurred when I appeared before the Planning and Development Committee and spoke to this matter on January 29, 2018.

Oddly, the Staff Report does not explain why the Council resolution of February 7, 2018 is not being followed in terms of the reporting process.

Further, in our view, the Staff Report mischaracterizes the direction given to staff. On page 3 of the Staff Report, it states that "the Planning and Development Committee requested that staff report back and proceed with the designation of the property". [emphasis added]

On the contrary, it was our understanding that the direction given to staff was to bring a report back to Planning and Development Committee for consideration, but that no direction had been given to "proceed with the designation of the property", which is consistent with the resolution identified in the letter we received from the City Clerk's Office dated February 9, 2018.

The Proposed Heritage Designation By-law is Fundamentally Flawed

Second, as we stated in our submission to the Planning and Development Committee on January 29, 2018, it remains our position that the "Statement of the Reason for the Designation" and the "Description of the Heritage Attributes", as proposed by staff, are fundamentally flawed for a number of reasons.

To begin, these portions of the proposed designation by-law, as well as the "Description of Property", ignore the reality that the former farmhouse on the Lands was completely destroyed by fire in December 2017. Further, it is unclear what the reference to the "vestiges of the Hewson farmhouse" is intended to refer to, given that we understand that no portion of the former farmhouse remains on the Lands.

In addition, the proposed "Description of the Heritage Attributes" inappropriately includes vague and undefined references to "significant landscape elements and important vistas". Moreover, the proposed list of "detailed heritage attributes" is

explicitly stated to be non-exhaustive, by reference to the phrase "... include, but are not limited to". With respect, this is an entirely improper approach to defining heritage attributes for the purpose of a designation by-law under Part IV, section 29 of the *Ontario Heritage Act* ("OHA").

Given that section 33 of the OHA prohibits an owner of property that is designated under section 29 from altering the property, or permitting the alteration of the property, "if the alteration is likely to affect the property's heritage attributes, as set out in the description of the property's heritage attributes", it goes without saying that an owner of property that is designated under section 29 of the OHA needs to be able to clearly identify what the "heritage attributes" are in order to determine, with some level of certainty, whether a proposed alteration is "likely to affect the property's heritage attributes".

We also note that among the list of "detailed heritage attributes" is a vague reference to "Large willow tree". Aside from the lack of clarity regarding the identification of the specific tree that staff is referencing, it is also unclear how a "large willow tree" contributes to the cultural heritage value or interest of the Lands. In that regard, we have reviewed the original staff report that recommended the issuance of the Notice of Intention to Designate, dated February 18, 2016, together with the "Heritage Report" that was appended to that staff report, and we note that there is no discussion of a "large willow tree" in any of that original analysis. Similarly, there is no discussion of the "large willow tree" in the Staff Report, which simply recommends that it be identified as one of the "detailed heritage attributes" in the proposed designation by-law.

It is also unclear what staff means by the reference in the Staff Report to Digram's planning applications being "amended in accordance with the [proposed designation] by-law". To the extent that the proposed designation by-law itself is flawed, this recommendation is equally flawed. However, even beyond that, it is not clear how staff intends the zoning by-law amendment and draft plan of subdivision applications that were submitted by Digram to be amended in accordance with the proposed heritage designation by-law.

Conclusion

As noted in the Staff Report, once the period during which an objection to a notice of intention to designate a property has expired, "Council is required to pass a by-law designating the property or withdraw its notice of intention to designate the property". In this instance, the period for an objection to the Notice of Intention to Designate the Lands expired on June 4, 2016.

As we noted in our submission to Planning and Development Committee on January 29, 2018, it is unclear why the City has waited more than 18 months to take any action. In any event, now that staff is recommending that Council take some action, we request that Council withdraw the Notice of Intention to Designate for the reasons set out above.

If, however, Council is not prepared to withdraw the Notice of Intention to Designate, we alternatively request that Council defer its consideration of the staff recommendations in the Staff Report.

In either instance, we would request that Council direct staff to continue processing Digram's planning applications and to work with Digram and its consultants to identify an appropriate "conservation and commemoration strategy", and to then report back to Planning and Development Committee once that exercise has occurred.

We thank you in advance for your consideration of this submission. We will be in attendance at the Council meeting on February 21, 2018 in order to speak to this matter and to address any questions that members of Council may have.

Yours truly,
DAVIES HOWE LLP



for Mark R. Flowers
Professional Corporation

encl.

copy: Matthew Rea, Legal Counsel, City of Brampton
John Zingaro, Deputy City Solicitor, City of Brampton
Client
Mark Yarranton, KLM Planning Partners Inc.

February 9, 2018

Mr. Mark Flowers
Davies Howe LLP
The 10th Floor
425 Adelaide Street West
Toronto, Ontario M5V 3C1

COPY

Re: Digram Development Countryside Inc.

The following recommendation of the Planning and Development Committee Meeting of January 29, 2018 was approved by Council on February 7, 2018:

- PDC003-2018 1. That the Delegation by Mr. Mark Flowers, Davies Howe LLP, to the Planning and Development Committee meeting of January 29, 2018, re: **Digram Development Countryside Inc.**, be received; and,
2. That the **Minutes – Brampton Heritage Board – January 16, 2018**, to the Planning and Development Committee meeting of January 29, 2018, Recommendations HB001-2018 to HB008-2018, be approved as printed and circulated.
- PDC004-2018 That staff be requested to report to Planning and Development Committee, through the Brampton Heritage Board, on the status and plan for heritage designation of the property at 11223 Torbram Road (Hewson Farm).

Yours truly,

Tammi Jackson
Legislative Coordinator
City Clerk's Office
Tel: 905-874-3829 Fax: 905-874-2119
e-mail: tammi.jackson@brampton.ca

(PDC- 5.2, 8.1)

cc: C. Jasinski, Heritage Planner, Planning and Development Services
P. Doucet, Heritage Planner, Planning and Development Services
T. Costa, Assistant Heritage Planner, Planning and Development Services
T. Brenton, Legislative Coordinator, City Clerk

Monday, February 12, 2018

Members Present:

Regional Councillor G. Gibson – Wards 1 and 5 **(Chair)**
 Regional Councillor E. Moore – Wards 1 and 5
 Regional Councillor M. Palleschi – Wards 2 and 6
 City Councillor P. Fortini – Wards 7 and 8 (arrived at 9:31 a.m. –personal)

Members Absent:

Regional Councillor G. Miles – Wards 7 and 8 (illness)

Other Members Present:

City Councillor Bowman – Wards 3 and 4
 City Councillor Dhillon – Wards 9 and 10

Staff Present:

H. Schlange, Chief Administrative Officer
 A. Meneses, Commissioner of Community Services
 D. Squires, City Solicitor and Acting Commissioner of Corporate Services
 D. Sutton, Treasurer, Corporate Services
 Z. Majid, Senior Manager, Accounting Services and Deputy Treasurer, Corporate Services
 K. Kulson, Chief Information Officer, Corporate Services
 P. Fay, City Clerk
 C. Gravlev, Deputy City Clerk
 T. Olsen, Council Liaison Coordinator, City Clerk's Office
 T. Brenton, Legislative Coordinator, City Clerk's Office

10.2-2
Minutes
Member Services Committee

The meeting was called to order at 9:30 a.m. and adjourned at 11:36 a.m.

1. Approval of Agenda

The following motion was considered.

MS001-2018 That the agenda for the Member Services Committee Meeting of February 12, 2018 be approved as printed and circulated.

Carried

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

3. Consent – nil

4. Announcements – nil

5. Delegations – nil

6. Staff Presentations – nil

7. Reports – nil

8. Other/New Business

8.1. Discussion re: Council Chamber Renovations and Alternate Meeting Space.

Correspondence Item 11.1 was brought forward and dealt with at this time.

Peter Fay, City Clerk, provided a presentation entitled “Alternative Meeting Space for City Council and Committees – May 2018-January 2019”.

In response to questions from Committee, Al Meneses, Commissioner of Community Services, and Mr. Fay provided information on the following:

- proposed changes to and estimated renovation costs for the existing Council Chambers
- options to accommodate additional Council Members in the Chambers if required in the future
- potential costs for use of the Region of Peel Council Chambers

10.2-3

Minutes

Member Services Committee

Committee consideration of this matter included:

- suggested changes to the layout for the alternate meeting space
- renovations to the existing Chambers, including the need for enhanced technology, an area for taking photographs of award presentations, etc., enhanced security, incorporating community art, addressing any accessibility requirements of Council Members

Later in the meeting, discussion took place with respect to options for seating arrangements for Council Members in the new Chambers effective for the next Term of Council. A suggestion was put forward by Committee that a similar option (maintain current Ward pairings) be utilized for this purpose, recognizing that one Ward pairing will have to be split on either side of the Mayor seat.

Mr. Fay agreed to report back on this matter at the May 7, 2018 Committee meeting.

The following motions were considered.

- MS002-2018
1. That the presentation by Peter Fay, City Clerk, entitled: **“Alternative Meeting Space for City Council and Committees – May 2018-January 2019”**, to the Member Services Committee Meeting of February 12, 2018, be received; and,
 2. That staff report back to the Member Services Committee with options for the selection of seating for Members of Council in Council Chambers for the 2018-2022 Term of Council.

Carried

- MS003-2018
- That the correspondence from Helena West, Legislative Specialist, Region of Peel, dated January 19, 2018, to the Member Services Committee Meeting of February 12, 2018, re: **City of Brampton Use of Region of Peel Council Chambers for Council or Committee Meetings during Renovations to Brampton Council Chambers – Peel Council Resolution 2018-23**, be received.

Carried

- 8.2. Discussion re: **Policy Options for Addressing Council Accommodations for the Next Term of Council (2018-2022)**.

10.2-4

Minutes

Member Services Committee

Peter Fay, City Clerk, provided a presentation entitled “Councillor Suite Allocation for 2018-2022 Term of Council”, which included the following three options for the selection of Councillor suites:

- Option 1 – Random Selection
- Option 2 – Maintain Current Ward Pairing Allocations
- Option 3 – Group Growth Wards (2, 6, 9 and 10) Together

Committee consideration of this matter included:

- preference for Option 2 – Maintain Current Ward Pairing Allocations
- potential for alterations to Office 9 to provide for a meeting area, consistent with all other Councillor suites

The following motion was considered.

- MS004-2018
1. That the presentation by Peter Fay, City Clerk, entitled: **Councillor Suite Allocation for 2018-2022 Next Term of Council**, to the Member Services Committee Meeting of February 12, 2018, be received;
 2. That **Option 2 – Maintain Current Ward Pairing Allocations**, as follows, be approved for Council accommodations for the 2018-2022 Term of Council; and,

Suite	Office	Assignment
East Suites (Six Offices)	Office 1	Regional Councillor, Wards 2 and 6
East Suites (Six Offices)	Office 2	City Councillor, Wards 2 and 6
East Suites (Six Offices)	Office 3	City Councillor, Wards 9 and 10
East Suites (Six Offices)	Office 4	Regional Councillor, Wards 9 and 10
East Suites (Six Offices)	Office 5	Regional Councillor, Wards 1 and 5
East Suites (Six Offices)	Office 6	City Councillor, Wards 1 and 5
West Suites (Four Offices)	Office 7	Regional Councillor, Wards 7 and 8
West Suites (Four Offices)	Office 8	Regional Councillor, Wards 3 and 4
West Suites (Four Offices)	Office 9	City Councillor, Wards 7 and 8
West Suites (Four Offices)	Office 10	City Councillor, Wards 3 and 4

3. That staff be requested to report back to the Member Services Committee about the potential for alterations to Office 9 to accommodate a meeting area, consistent with other Councillor suites.

Carried

- 8.3. Discussion re: **Mayor and Councillors' Expense Policy – Housekeeping and Other Changes.**

10.2-5

Minutes

Member Services Committee

Zeeshan Majid, Senior Manager, Accounting Services and Deputy Treasurer, Corporate Services, provided a presentation entitled “Mayor and Councillors’ Expense Policy – Key Proposed Changes”, along with an overview of the proposed new Policy.

In response to questions from Committee, staff provided information on the following:

- communications templates in development for use by Councillors’ Assistants for events such as Town Hall meetings, Community Clean-ups
- standard and non-standard technology assets for the Mayor and Members of Council

Committee consideration of this matter included, requests for the following:

- confirmation as to whether or not the purchase of tickets to events is a taxable benefit to Members of Council
- benchmarking information related to the allowable expense (\$1,000 annually per Member of Council) for general communication with constituents, particularly as it relates to the Mayor’s communication expenses
- clarification under Section 6.3 (Community Involvement) that membership, support and sponsorship are to be for *City of Brampton* based community organizations
- Term of Council expense statements for Members of Council
- recycling of old technology after it has been refreshed

The following motion was considered.

- MS005-2018
1. That the presentation by Zeeshan Majid, Senior Manager, Accounting Services, and Deputy Treasurer, Corporate Services, entitled: **“Mayor and Councillors’ Expense Policy – Key Proposed Changes”**, to the Member Services Committee Meeting of February 12, 2018, be received; and,
 2. That, prior to approval of the new Policy, staff provide the information requested at the Committee Meeting.

Carried

8.4. **Quarterly Reporting – Q4 2017 and Q1 2018 – Lieu Time Accumulation for the Council Office.**

Teresa Olsen, Council Liaison Coordinator, City Clerk’s Office, provided an overview of the subject Lieu Time Quarterly Reports.

10.2-6

Minutes

Member Services Committee

Peter Fay, City Clerk, responded to a question from Committee with respect to the aggregate format for the quarterly reporting.

The following motion was considered.

MS006-2018 That the Quarterly Reports for Q4 2017 and Q1 2018, to the Member Services Committee Meeting of February 12, 2018, re: **Lieu Time Accumulation for the Council Office**, be received.

Carried

9. **Deferred/Referred Matters – nil**

10. **Notices of Motion – nil**

11. **Correspondence**

11.1. Correspondence from Helena West, Legislative Specialist, Region of Peel, dated January 19, 2018, re: **City of Brampton Use of Region of Peel Council Chambers for Council or Committee Meetings during Renovations to Brampton Council Chambers – Peel Council Resolution 2018-23.**

Dealt with under Item 8.1 – Recommendation MS003-2018

12. **Councillors' Question Period – nil**

13. **Public Question Period – nil**

14. **Closed Session – nil**

15. **Adjournment**

The following motion was considered.

10.2-7
Minutes
Member Services Committee

MS007-2018

That the Member Services Committee do now adjourn to meet again on Monday May 7, 2018 at 9:30 a.m. or at the call of the Chair.

Carried

Regional Councillor G. Gibson, Chair

18.1-1



Government Relations Matters

City Council
February 21, 2018

Region of Peel | Regional Council (Feb. 22/18)



Regional Council

9:30 am

<http://www.peelregion.ca/council/agendas/2018/2018-02-22-rc-agenda.pdf>*

*This update includes information on the following Regional Agenda Items:

- 8.1** Peel Region's External Client Satisfaction Survey
- 8.3** Serving the Diverse Needs of Peel Residents
- 8.4** Region of Peel's Role in the Delivery of 211 Service
- 10.1** Highway 427 Expansion Project –Update
- 10.2** Sustainable Transportation
- 10.3** Comments on Draft Regulations to Implement Inclusionary Zoning in the Promoting Affordable Housing Act, 2016
- 10.4** Comments on Draft Regulations to Implement Certain Provisions of the Building Better and Conserving Watersheds Act, 2017
- 10.5** Proposed Land Needs Assessment Methodology for the Greater Golden Horseshoe
- 10.6** Engineering Services for Watermain and Sanitary Sewer Construction and Streetscaping in Downtown Brampton

Region of Peel | Regional Council (Feb. 22/18)



8.1 Peel Region's External Client Satisfaction Survey 2017 Results

<http://www.peelregion.ca/council/agendas/2018/2018-02-22-rc-agenda.pdf#page=53>

Overview

- Provides an overview of the 2017 Region of Peel's Client Satisfaction index; overall score of 7.7/10.
- Peel Region's 2017 External Client Satisfaction Survey results provide comprehensive information on drivers of satisfaction and differences based on service access channels (e.g. online, in person or over the telephone).

City of Brampton (Comments from Service Innovation & Corporate Performance)

- Undertaking a citizen satisfaction survey is an initiative under Council's Strategic Plan. The most recent survey was completed in July 2017 and the results are available publicly on the City's website):
<http://www.brampton.ca/EN/Documents/City%20of%20Brampton%20-%202017%20C-Sat%20Survey%20FINAL%20Report%20-%20Sept%202019.pdf>
- City staff will work with the Region to better understand their survey approach and assess how Brampton's approach might be improved in the future through information sharing and/or collaboration.

Recommendation

Receive Report

Region of Peel | Regional Council (Feb. 22/18)



8.3 Serving the Diverse Needs of Peel Residents

<http://www.peelregion.ca/council/agendas/2018/2018-02-22-rc-agenda.pdf#page=80>

Overview

- According to the 2016 census data, the main non-official languages in Peel include: Punjabi, Urdu, Mandarin, Polish and Spanish.
- The Region continually strives to provide effective and accessible services to meet the diverse needs of its residents.
- Initiatives include improvements to external communications efforts (i.e. website & social media); community engagement and outreach efforts, including to diverse communities to increase understanding, access and engagement with government.

City of Brampton (Comments from Strategic Communications / Service Innovation & Corporate Performance)

- A multi-year ethnic media communications was developed and approved by City Council in 2016. The program is now into its 3rd year with translation of all media materials translated into the top three languages spoken according to mother tongue data published by Statistics Canada (Punjabi, Urdu, Gujarati) plus English and French as Canada's official languages.
- Google Translate was implemented as a tool on the City's website in 2017 (IT as lead).
- Telephone translation service offered in over 100 languages through Service Brampton (Service Brampton as lead).
- Through the Inclusion and Equity Committee of Council's leadership, City staff has benchmarked best practices, inventoried and conducted a SWOT analysis of existing City programs, initiatives and services, including those mentioned above. In consultation with 3rd party experts, a strategy and multi-year roadmap will be developed to guide the City in creating programs and services that meet current and future workforce needs, and ultimately of our community.

Recommendation

Receive Report

Region of Peel | Regional Council (Feb. 22/18)



8.4 Region of Peel's Role in the Delivery of 211 Service

<http://www.peelregion.ca/council/agendas/2018/2018-02-22-rc-agenda.pdf#page=80>

Overview

- With Regional Council's approval in 2016, call handling and data management for the Region of Peel's 211 service (for community, social, health and government program information and referrals) was transitioned with funding to Ontario 211.
- In 2017, Peel's further review of the 211 service identified a growing trend toward users accessing services online.
- Planned Human Services-related program improvements are anticipated to reduce call volumes and a further trending away from 211.

City of Brampton (Comments from Strategic Communications)

- The City provides 311 service (simplified access to non-emergency municipal government) to residents in coordination with the Region of Peel. Since its introduction in 2009, the 311 service has expanded beyond the telephone, and is now available via email and online through the City's website.
- Both municipalities continue to focus on resolving 311 inquiries at first point of contact across existing channels (phone, email, web/online, mobile app), and exploring other digital opportunities, such as online agent chat or other social media, and meet regularly to seize opportunities to partner more effectively.

Recommendation

Approve recommendation

Region of Peel | Regional Council (Feb. 22/18)



10.1 Highway 427 Expansion Project – Update (See also Item 6.1 Presentation)

<http://www.peelregion.ca/council/agendas/2018/2018-02-22-rc-agenda.pdf#page=103>

Overview

- LINK427 is a design and construction project to extend the Hwy to Major Mackenzie Drive (EA was completed in 2010).
- Construction is expected to begin in early 2018 and is expected to be completed by 2021.

City of Brampton (Comments from Transportation Planning)

- City staff agrees with the Region's key points of relieving demand on Highway 50 and on Queen Street in east Brampton and supporting the movement of goods.
- The Highway 427 Extension will support development (industrial and housing) by providing improved access to the 400-series highway network. This project will bring Hwy 427 up to Major Mackenzie Drive, which continues into Brampton as the new Arterial A2.
- Impact of not having GTA West connection may result in some additional traffic going to/from north Brampton-Caledon-points west on Arterial A2 and Mayfield Rd (however, it is still early to fully understand the impact)

Recommendation

Receive Report

Region of Peel | Regional Council (Feb. 22/18)



10.2 Sustainable Transportation Strategy & Five-Year Implementation Plans

<http://www.peelregion.ca/council/agendas/2018/2018-02-22-rc-agenda.pdf#page=103>

Overview

- The Region's Sustainable Transportation Strategy was developed in collaboration with a number of partners and stakeholders.
- The Region recognizes that the resources, knowledge and services of municipal partners are critical to achieving the mode share target.

City of Brampton (Comments from Transportation Planning)

- City staff took part in 4 working group meetings and a business case workshop and supports the objectives of this strategy and action plan to increase the proportion of trips made by sustainable modes such as walking, cycling, transit, carpooling, and teleworking, in order to meet expected growth and increased transportation demand in Peel by 2041.
- With the completion of the Region's STS and the City working to complete its first Active Transportation Master Plan, there is an opportunity to identify synergies between the two studies, with the intent of aligning study recommendations and optimizing resources.
- The City is also active in various other initiatives including Smart Commute Brampton-Caledon (recognized in 2017 as a "Platinum" Smart Commute Workplace).

Recommendation

Receive Report

Region of Peel | Regional Council (Feb. 22/18)



10.3 Comments on Draft Regulations to Implement Inclusionary Zoning in the Promoting Affordable Housing Act, 2016

<http://www.peelregion.ca/council/agendas/2018/2018-02-22-rc-agenda.pdf#page=144>

Overview

- Provides the Region's response to *Bill 204, Promoting Affordable Housing Act, 2016* which includes proposed changes to the *Planning Act*.
- One amendment includes enabling municipalities to adopt official plan policies related to inclusionary zoning.

City of Brampton (Comments from Policy Planning)

- Peel consulted with Brampton staff on the report and its recommendations are generally consistent with the City's comment letter submitted to the Province on the draft regulations for inclusionary zoning (IZ).
- Enabling policies will have to be added to City's Official Plan to permit IZ. However, both Brampton and Peel have identified a number of issues with IZ which may limit its usefulness.
- Section 37 may turn out to be a better option for Brampton to acquire funds from developments for affordable housing.

Recommendation

Approve recommendations

Region of Peel | Regional Council (Feb. 22/18)



10.4 Comments on Draft Regulations to Implement Certain Provisions of the *Building Better Communities and Conserving Watersheds Act, 2017*

<http://www.peelregion.ca/council/agendas/2018/2018-02-22-rc-agenda.pdf#page=155>

Overview

- Includes the Region's response to Draft Regulations to implement certain provision of the *Building Better Communities and Conserving Watersheds Act, 2017*.
- Provides a summary of *Bill 139* which changes the role and function of the Ontario Municipal Board and identifies how Peel's planning program could be effected by the new rules.

City of Brampton (Comments from Policy Planning)

- The report comments on the draft regulations which are currently in the public commenting period. Nothing in the Region's report conflicts with the comments raised by City staff in reviewing the draft regulations.

Recommendation

Approve recommendations

Region of Peel | Regional Council (Feb. 22/18)



10.5 Proposed Land Needs Assessment Methodology for the Greater Golden Horseshoe

<http://www.peelregion.ca/council/agendas/2018/2018-02-22-rc-agenda.pdf#page=169>

Overview

- Presents the Region's comments on the draft discussion paper on the Proposed Land Needs Assessment Methodology for the Greater Golden Horseshoe to meet the provincial commenting period.

City of Brampton (Comments from Policy Planning)

- Staff reviewed the Province's proposed methodology for land needs assessment and determined there was not a need for Brampton to submit comments to the Ministry of Municipal Affairs regarding this – the document is aimed at, and the work to be done must be undertaken by, upper-tier municipalities like the Region of Peel.

Recommendation

Approve recommendations

Region of Peel | Regional Council (Feb. 22/18)



10.6 Engineering Services for Watermain and Sanitary Sewer Construction and Streetscaping in Downtown Brampton

<http://www.peelregion.ca/council/agendas/2018/2018-02-22-rc-agenda.pdf#page=180>

Overview

- Outlines the Region of Peel and City of Brampton's work regarding construction and streetscaping in Downtown Brampton.
- Consultant's PO will need to be increased to include Brampton's share of the public engagement, geotechnical work and contract administration.
- While the budget numbers within the report have been calculated in accordance with past practice on joint Region/Brampton projects, the final costs will be subject to the finalization of the design and an agreement requiring approval from Legal Services.

City of Brampton (Comments from Policy Planning)

- Further to the City of Brampton's Committee report on January 17th, both the Region and the City have agreed to delay the tendering of the project to ensure that both the underground infrastructure and streetscaping works are part of one integrated tender that will be managed by the Region.
- Staff from both the Region and the City have been working closely to coordinate the detail design for the infrastructure work and the related streetscaping in order to tender in time for the June 30 date requested by City Council.

Recommendation

Approve recommendations