



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 34-85

To adopt Amendment Number 51 to the
Official Plan of the City of Brampton
Planning Area.

The Council of The Corporation of the City of Brampton, in accordance with the provisions of the Regional Municipality of Peel Act, and the Planning Act, hereby ENACTS as follows:

1. Amendment Number 51 to the Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this by-law.
2. The Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing for approval of Amendment Number 51 to the Official Plan of the City of Brampton Planning Area.

READ a FIRST, SECOND and THIRD TIME and Passed in Open Council this 11th day of February, 1985.

KENNETH G. WHILLANS

MAYOR

RALPH A. EVERETT

CLERK



AMENDMENT NUMBER 51

to the OFFICIAL PLAN of the
CITY OF BRAMPTON PLANNING AREA

21-0P 0031 051

Amendment No. 51

to the

Official Plan for the

City of Brampton Planning Area

This amendment to the Official Plan for the City of Brampton, which has been adopted by the Council of the Corporation of the City of Brampton, is hereby approved in accordance with Section 21 of the Planning Act, R.S.O. 1983 as Amendment No. 51 to the Official Plan for the Brampton Planning Area.

Date *March 14, 1985.*



L. J. FINCHAM
Director
Plans Administration Branch
Central and Southwest
Ministry of Municipal Affairs and Housing



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KENNETH G. WHILLANS

MAYOR

RALPH A. EVERETT

CLERK

AMENDMENT NUMBER 51 TO THE OFFICIAL PLAN

1. Purpose:

The purpose of this amendment is to amend those provisions of the Official Plan dealing with notification of the public in respect of public meetings at which proposed official plans, zoning by-laws, and community improvement plans, and amendments thereto, are to be considered.

The Planning Act, 1983, and regulations made thereunder, set out procedures for the notification of the public in respect of the aforesaid public meetings. The Act, however, permits municipalities to include alternative procedures for public notification in the Official Plan, which is undertaken by this amendment.

2. Amendment and Policies Relative Thereto:

The Official Plan of the City of Brampton Planning Area is amended:

(a) by deleting section 7.1.3, and by renumbering section 7.1.4 from 7.1.4 to 7.1.3.

(b) by deleting section 7.20, and substituting therefor the following:

"7.20 PUBLIC MEETINGS

7.20.1 (a) Before passing an official plan, secondary plan, community improvement plan or zoning by-law, or amendments thereto, the council shall ensure that adequate information is made available to the public, and for this purpose shall hold at least one public meeting, at which any person in attendance shall be afforded the opportunity to make representations in respect of the proposed official plan, secondary plan, community improvement plan or zoning by-law, or amendment thereto.

(b) The calling and holding of public meetings on planning matters shall be the responsibility of the Planning Committee.

(c) The City may forgo notification of and meetings for the public in connection with official plan and zoning by-law amendments if such amendments will not affect the substance of the document to be amended. Such amendments may include the following:

- (1) deletion of obsolete provisions;
- (2) changes or corrections to format, wording or reference errors, and
- (3) alteration in the number and arrangement of any provisions.

7.20.2 (a) In order to provide ample opportunity for the public to review and discuss the proposed plans or amendments and to prepare their comments, notice of any public meeting required by section 7.20.1 shall be given at least 12 days prior to the date of the meeting.

(b) In addition, the City will make available to the public copies of any proposed amendments at least 7 days prior to the date established for the public meeting.

(c) Notice of the public meeting shall contain the following information:

- (1) the date, time and location of the meeting;
- (2) a key plan showing the location of the subject site, or a description of the subject site;
- (3) a description of the proposal; and
- (4) a statement advising that the recommendation of the Planning Committee on the proposal will be forwarded to council, and that council will not adopt the proposed amendment until at least 30 days after the date that the notice of the public meeting was given.

7.20.3 Notice of the public meeting to the public shall be given by the clerk, using one or more of the following methods:

- (a) publication in a newspaper that is, in the clerk's opinion, of sufficiently general circulation in the area to which the proposed amendment would apply to give the public reasonable notice of the meeting;

(b) (1) prepaid first class mail or personal service, to every owner of land:

(A) in the area to which the proposal applies; and

(B) within 120 metres of the area to which the proposal applies;

as shown on the last revised assessment roll of the municipality, at the address shown on the roll (but where the clerk has received written notice of a change of ownership of land, notice shall be given only to the new owner at the address set out in the written notice), and

(2) by posting a sign on the lands to which the proposed amendment applies, clearly visible and legible from a public highway or other place to which the public has access, that indicates the general nature of the proposal and the telephone number of the department, or, where posting of the property is impractical, at a nearby location chosen by the clerk;

(c) prepaid first class mail or personal service to every person assessed in respect of land;

(1) in the area to which the proposal applies; and

(2) within 120 metres of the area to which the proposal applies;

as shown on the last revised assessment roll of the municipality, at the address shown on the roll (but where the clerk has received written notice of a change of ownership or occupancy of land, notice shall be given only to the new owner or occupant, as the case may be, at the address set out in the written notice); or

7.20.4 Notice of a public meeting shall also be given by the clerk, by prepaid first class mail or personal service, to every person or agency that has given the clerk a

specific proposal, if such request shows the person's or agency's address.

7.20.5 The clerk shall require the applicant or proponent of a proposed amendment to post a sign on the lands to which the proposed amendment applies, clearly visible and legible from a public highway or other place to which the public has access, that indicates the general nature of the proposal and the telephone number of the department, or, where the posting of the property is impractical, at a nearby location chosen by the clerk.

7.20.6 Where a change is made in a proposal after the holding of a public meeting, council shall determine whether or not the extent of the change requires that further notice be given in respect of the proposal and that a further public meeting be held.



BACKGROUND MATERIAL TO

AMENDMENT NUMBER 51

Attached is a copy of a report of the Director, Planning Policy
and Research dated January 14th, 1985.

011

INTER-OFFICE MEMORANDUM

Office of the Commissioner of Planning & Development

January 14, 1985

TO: The Chairman and Members of Planning Committee

FROM: J. A. Marshall
Director of Planning Policy and Research

RE: Official Plan Policies dealing
with Public Meeting Notice
Our File Number O.P. 28

BACKGROUND:

The Planning Act, 1983 sets out procedures that require a Council to hold a public meeting before decisions are made on matters involving Official Plans and Zoning By-laws. The new legislation provides for this public meeting to be held after at least 30 days notice has been given in the manner and to persons set out in the regulations.

The Act, however, gives municipalities the choice of using their own procedures for public notice instead of those of the Act and the regulations made thereunder. The alternative procedures, however, must be established in the municipality's Official Plan.

Council passed Amendment No. 28 to the New Official Plan that set out an alternative notice period of 12 days, rather than the 30 days set out in the Act. This was passed prior to the regulations being approved by the Minister in respect of the requirement of public meetings and related notice.

COMMENTS:

Since the approval of Amendment No. 28 in December, 1983, regulations have been approved by the Minister, and the Ministry staff have recently provided detailed comments on the amendment. The attached revised

amendment has been drafted to satisfy the requirements of the Ministry.

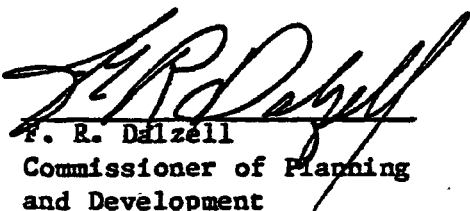
The revised amendment sets out in much more detail the policies of the municipality in respect of the form, content and timing of public notices, and to whom notices would be sent. This wording reflects the provisions of the Minister's regulations for the most part.

The amendment provides for a 12-day notice period for proposed Official Plans or Zoning By-laws and amendments thereto. It also indicates that the draft documents will be available to the public at least 7 days prior to the public meeting; and that Council will not adopt a proposed plan or by-law sooner than 30 days from the date of the notice of the public meeting. These latter two provisions ensure that adequate information is provided to the public, and that the decision-making process by Council will allow sufficient time for public input.

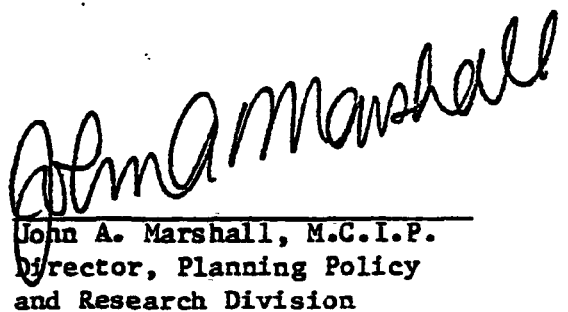
RECOMMENDATION:

1. That Amendment No. 28 to the Official Plan be repealed;
2. That the attached proposed Official Plan be approved, and
3. That no further public meeting be held in respect of the proposed additions to the public meeting procedures.

CONCUR:


F. R. Dalzell
Commissioner of Planning
and Development

JAM/jp/15


John A. Marshall, M.C.I.P.
Director, Planning Policy
and Research Division

AMENDMENT NUMBER 51 TO THE OFFICIAL PLAN

1. Purpose:

The purpose of this amendment is to amend those provisions of the Official Plan dealing with notification of the public in respect of public meetings at which proposed official plans, zoning by-laws, and community improvement plans, and amendments thereto, are to be considered.

The Planning Act, 1983, and regulations made thereunder, set out procedures for the notification of the public in respect of the aforesaid public meetings. The Act, however, permits municipalities to include alternative procedures for public notification in the Official Plan, which is undertaken by this amendment.

2. Amendment and Policies Relative Thereto:

The Official Plan of the City of Brampton Planning Area is amended:

(a) by deleting section 7.1.3, and by renumbering section 7.1.4 from 7.1.4 to 7.1.3.

(b) by deleting section 7.20, and substituting therefor the following:

"7.20 PUBLIC MEETINGS

7.20.1 (a) Before passing an official plan, secondary plan, community improvement plan or zoning by-law, or amendments thereto, the council shall ensure that adequate information is made available to the public, and for this purpose shall hold at least one public meeting, at which any person in attendance shall be afforded the opportunity to make representations in respect of the proposed official plan, secondary plan, community improvement plan or zoning by-law, or amendment thereto.

(b) The calling and holding of public meetings on planning matters shall be the responsibility of the Planning Committee.

(c) The City may forgo notification of and meetings for the public in connection with official plan and zoning by-law amendments if such amendments will not affect the substance of the document to be amended. Such amendments may include the following:

- (1) deletion of obsolete provisions;
- (2) changes or corrections to format, wording or reference errors, and
- (3) alteration in the number and arrangement of any provisions.

7.20.2 (a) In order to provide ample opportunity for the public to review and discuss the proposed plans or amendments and to prepare their comments, notice of any public meeting required by section 7.20.1 shall be given at least 12 days prior to the date of the meeting.

(b) In addition, the City will make available to the public copies of any proposed amendments at least 7 days prior to the date established for the public meeting.

(c) Notice of the public meeting shall contain the following information:

- (1) the date, time and location of the meeting;
- (2) a key plan showing the location of the subject site, or a description of the subject site;
- (3) a description of the proposal; and
- (4) a statement advising that the recommendation of the Planning Committee on the proposal will be forwarded to council, and that council will not adopt the proposed amendment until at least 30 days after the date that the notice of the public meeting was given.

7.20.3 Notice of the public meeting to the public shall be given by the clerk, using one or more of the following methods:

- (a) publication in a newspaper that is, in the clerk's opinion, of sufficiently general circulation in the area to which the proposed amendment would apply to give the public reasonable notice of the meeting;

(b) (1) prepaid first class mail or personal service, to every owner of land:

(A) in the area to which the proposal applies; and

(B) within 120 metres of the area to which the proposal applies;

as shown on the last revised assessment roll of the municipality, at the address shown on the roll (but where the clerk has received written notice of a change of ownership of land, notice shall be given only to the new owner at the address set out in the written notice), and

(2) by posting a sign on the lands to which the proposed amendment applies, clearly visible and legible from a public highway or other place to which the public has access, that indicates the general nature of the proposal and the telephone number of the department, or, where posting of the property is impractical, at a nearby location chosen by the clerk;

(c) prepaid first class mail or personal service to every person assessed in respect of land;

(1) in the area to which the proposal applies; and

(2) within 120 metres of the area to which the proposal applies;

as shown on the last revised assessment roll of the municipality, at the address shown on the roll (but where the clerk has received written notice of a change of ownership or occupancy of land, notice shall be given only to the new owner or occupant, as the case may be, at the address set out in the written notice); or

7.20.4 Notice of a public meeting shall also be given by the clerk, by prepaid first class mail or personal service, to every person or agency that has given the clerk a

specific proposal, if such request shows the person's or agency's address.

7.20.5 The clerk shall require the applicant or proponent of a proposed amendment to post a sign on the lands to which the proposed amendment applies, clearly visible and legible from a public highway or other place to which the public has access, that indicates the general nature of the proposal and the telephone number of the department, or, where the posting of the property is impractical, at a nearby location chosen by the clerk.

7.20.6 Where a change is made in a proposal after the holding of a public meeting, council shall determine whether or not the extent of the change requires that further notice be given in respect of the proposal and that a further public meeting be held.

APPROVED
AS TO FORM
LAW DEPT.
BPA/TCN
DATE 8/11/10

THE CORPORATION OF THE CITY OF BRAMPTON

ITEM NO: D11 SUBJECT: Official Plan Policies dealing with
Public Meeting Notice

FILE NO: O.P.

MOVED BY: *B. Frank Russell* DATE: JANUARY 21ST, 1985

"THAT the Report dated 1985 01 14 re Official Plan Policies dealing with Public Meeting Notice, be received and;

1. That Amendment No. 28 to the Official Plan be repealed;
2. That the attached proposed Official Plan be approved, and
3. That no further public meeting be held in respect of the proposed additions to the public meeting procedures."


CHAIRMAN



Ontario

Ministry of
Municipal Affairs
and Housing

585-6057

777 Bay Street
14th Floor
Toronto, Ontario
M5G 2E5

December 21, 1984

Mr. F.R. Dalzell
Commissioner of Planning
City of Brampton
150 Central Park Drive
Brampton, Ontario
L6T 2T9

OP #28.

*Let's get
back
to work
John*

Re: Proposed Official Plan Amendment No. 28
Alternative Notice Provisions
Our File No. 21 OP 0031 028

Dear Mr. Dalzell:

We have recently been advised of a letter which you forwarded to our Assistant Deputy Minister, wherein your concerns respecting the delay in processing Amendment No. 28 was expressed. While we can appreciate your concerns, there are several matters which we would like to bring to your attention at this time.

Amendment No. 28 was prepared and received prior to the preparation of Provincial guidelines relating to alternative notice. In addition, since the adoption of the amendment, numerous discussions with our legal branch and the authors of the Act have clarified as to what an alternative notice amendment should contain. Our concerns with such amendments have subsequently been addressed in our guideline and were not known at that time of the preparation of the amendment.

We discussed our specific concerns with Amendment 28 on several occasions with John Marshall of your office and we understood that the necessary modifications would be prepared and submitted for our review. As you know, however, John has been and still is, extremely busy with the board hearing on the official plan now underway. For this reason, we have taken the liberty of preparing several modifications to the amendment. For easy reference, these suggested modifications are contained in the attached report.

Please, would you ask your staff to review these suggested changes and consult with us. Your staff can contact Karen Wianecki at 585-6059 if there are any questions regarding the above.

Yours truly,
Z. Weing
Z. Weing

City of Brampton
Official Plan Amendment No. 38
Suggested Modifications

- As you know, the provisions contained in the Planning Act specify the minimum notice requirements which must be met (ie. 30 days).
- Alternative notice provisions must be, in total, equivalent to the specifications of the legislation; that is, when one aspect of public involvement procedures are reduced, other aspects have to be increased to compensate for the reduction. This ensure that the natural justice process is not compromised. There are two methods of doing this. For some documents, you might wish to use pre-notice participation procedures (ie: open houses, sign posting, etc.). This would involve the public prior to the actual notice being placed. In other cases, public participation procedures following the formal public meeting(s) by Planning Committee could be described so that the total notice period constitutes at least 30 days.
- Alternative notice provisions must address:
 1. The Public Meeting;
 2. The Period of Notice (Advance);
 3. The Means or Manner of Notice, and
 4. Persons to be Notified.
- Although Brampton's alternative notice provisions do contain all of the necessary elements, most of these elements are hidden in the appendix and should be specified in the text of the document.
- In addition, these provisions should clearly specify the manner and persons to be notified and not simply quote the regulation number.
- To compensate for these concerns, we are recommending that the following, or other similar statement, be included in the text.
 1. That the following be added at the end of Section 7.20.1:

Calling and holding Public Meetings on Planning matters shall be the responsibility of the Planning Committee. Council may forego public notification and public meeting(s), in connection with official plan and zoning by-law changes if such changes will not affect the substance of the document, and may include the following:

 - a) deletion of obsolete provisions;
 - b) changes or corrections to format, wording or reference errors;
 - c) alteration in the number and arrangement of any provisionsAll changes, however, shall be adopted by Council.

2. That Section 7.202 be deleted in its entirety, to be replaced with the following:

7.20.2 In order to provide ample opportunity for the public to review and discuss the proposed plans or amendments and to prepare their comments, at least 12 days advance notice of the public meeting mentioned in 7.20.1 above, shall be given.

In addition, the city will make available in draft form, official plan or zoning by-law amendments (of a site-specific nature) at least 7 days prior to the date established for the public meeting(s).

Notice of the public meeting shall contain the following information:

- (a) the date, time and location of the meeting;
- (b) a key plan showing the location of the subject site, where applicable;
- (c) a description of the proposal; and
- (d) a statement advising that the recommendation of the Planning Committee on the proposal will be forwarded to Council for its decision, and that in all instances Council will allow at least 30 days from the date of the Notice of the Public Meeting before making its decision (either from the date of notice or pre-notice as applicable).

3. That the following shall be added as Section 7.20.3:

Notice of the Public Meeting shall be given by the Clerk, as follows:

- 1) publication in a local newspaper having general circulation; and/or
- 2) site posting in conjunction with the prepaid first class mail or personal service to every owner of land as shown on the last revised assessment roll at the address shown or amended as a result of notification of a change received in writing by the Clerk:
 - a) within the area to which the proposal applies; and
 - b) within 120 metres of the area to which the proposal applies.

3. Prepaid first class mail or personal service to every person assessed in respect of land:
 - a) within the area to which the proposal applies;
and
 - b) within 120 metres of the area to which the proposal applies,

as shown on the last revised assessment roll of the municipality at the address shown on the roll or as amended as a result of notification of a change received in writing by the clerk.

4. Pre-paid first class mail or personal services to every person or agency that has given the clerk of the municipality a written request for such notice in respect to the proposal. This written request shall show the person's or agency's address.

As you might know, if the Planning Committee is not constituted under Section 106 of the Municipal Act and does not report to Council under the provisions of Section 106, then Amendment No. 28 would have to specify the method of reporting. If this is in fact the case, you might describe the process under Section 106 but less cumbersome. For instance, you might select to have only submissions received in writing forwarded to Council.