

ATTACHMENT 1

THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number OLT ZB 3 - 2024

To Amend Comprehensive Zoning By-law 270-2004, as amended.

The Ontario Land Tribunal, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c.P. 13, hereby orders the coming into force of By-Law Number OLT ZB 3 - 2024 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:
AGRICULTURAL (A)	RESIDENTIAL SINGLE DETACHED F-11.6 – SECTION 3814 (R1F-11.6-3814); OPEN SPACE (OS); and FLOODPLAIN (F).

- (2) By adding thereto the following Sections:
 - "3814 The lands designated R1F-11.6-3814 on Schedule A to this by-law:
 - 3814.1 Shall only be used for the purposes permitted in an R1F-x Zone
 - 3814.2 Shall be subject to the following requirements and restrictions:
 - a) Minimum Lot Width:
 - i. Where the side lot lines are not parallel but converge towards the rear lot line, the lot width shall be the straight line distance between two points, one on each side lot line, measured 13.0 metres back from the front lot line
 - ii. 13.5 metres for lots with flankage on a cul-de-sac;
 - b) Minimum Lot Depth: 18.0 metres where a lot has a width of 15.0 metres or greater
 - c) Minimum Rear Yard Depth: 4.5 metres
 - d) Maximum Building Height: 11.5 metres

By-law Number OLT ZB 3 - 2024

- e) Garage Control: The maximum cumulative garage door width for an attached garage shall be 5.05 metres if the lot width is less than 12.5 metres but greater than or equal to 11.6 metres
- f) Notwithstanding Section 6.6 of the Zoning By-law, a private condominium road is permitted and shall be treated as a street for zoning purposes

3814.3 Shall also be subject to the requirements and restrictions relating to the R1F-x Zone, and all the general provisions of this By-law, which are not in conflict with those set out in in Section 3814 of this Amendment.”

Approved by the Ontario Land Tribunal on April 22, 2024 pursuant to Order No. OLT-23-000363 and amended on February 13, 2025 to authorize assigning special section numbers.

By-law Number OLT ZB 3 - 2024

EXPLANATORY NOTE

THE PURPOSE OF BY-LAW - 24

The purpose of By-Law OLT ZB 3 -2024 is to amend comprehensive Zoning By-law 270-2004, as amended pursuant to an application by Essence Holdings Inc., (Files No. OZS-2022-0021 and 21T-22004B).

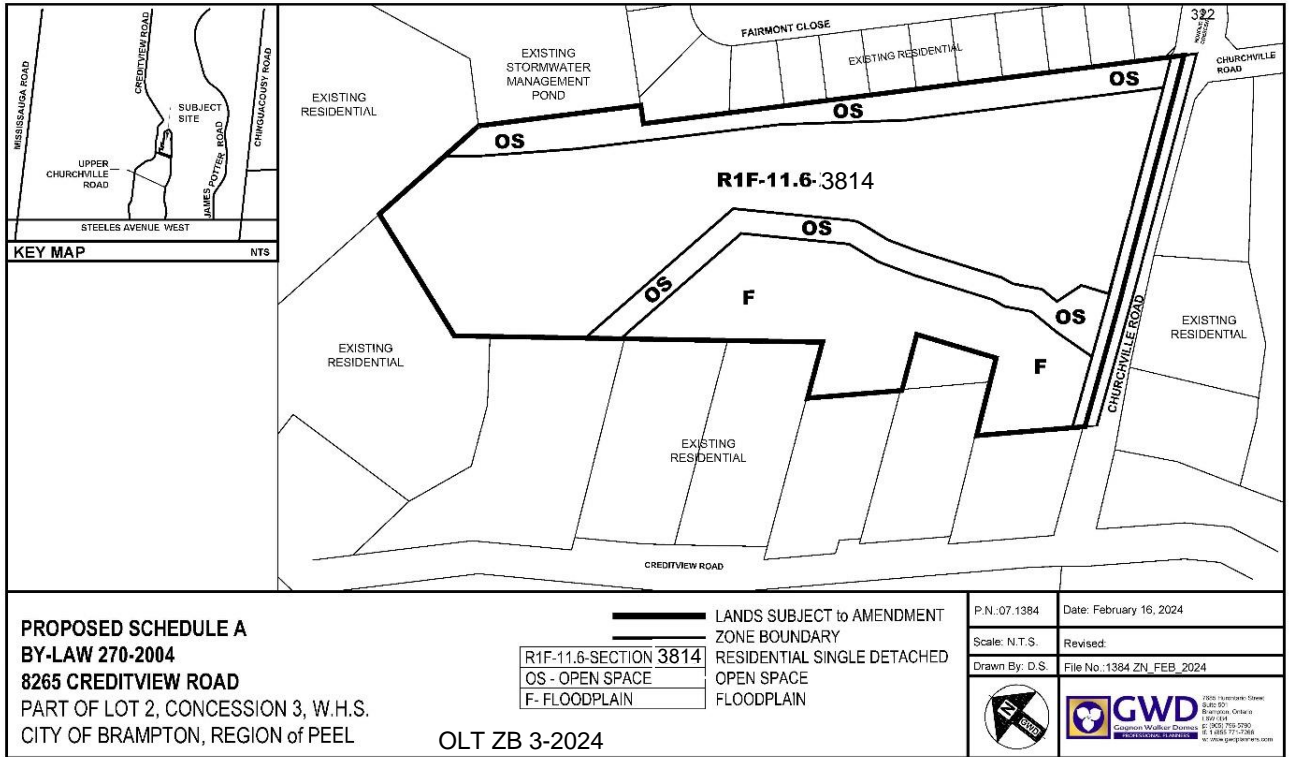
EFFECT OF THE BY-LAW

The effect of By-law -24 is to permit the development of subject lands for single detached residential purposes.

LOCATION OF LANDS AFFECTED

The lands affected by By-law -24 are located on the north side of Churchville Road, north of Steeles Avenue West, south of Queen Street East, east of Creditview Road, known municipally as '0' and 8265 Churchhill Road, referred to as Part of Lot 2, Concession 3, W.H.S. (Chinguacousy), in the City of Brampton.

Any further inquiries or questions should be directed to City of Brampton, Planning and Development Services Department.



Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: April 22, 2024

CASE NO(S):

OLT-23-000363

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.

Appellant: 2794857 Ontario Inc.
Applicant: Gagnon Walker Domes Ltd.
Subject: Application to amend the Zoning By-law –
Refusal or neglect to make a decision
Description: Zoning By-Law and Subdivision
Reference Number: OZS-2022-0021
Property Address: 0 and 8265 Churchville Road (North of
Steeles Avenue West, east of Creditview
Road)
Municipality/UT: Brampton/Peel
OLT Case No.: OLT-23-000363
OLT Lead Case No.: OLT-23-000363
OLT Case Name: Essence Holdings Inc. v. Brampton (City)

PROCEEDING COMMENCED UNDER subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.

Subject: Proposed Plan of Subdivision – Failure of
Approval Authority to make a decision
Reference Number: OZS-2022-0021
Property Address: 0 and 8265 Churchville Road
Municipality/UT: Brampton/Peel
OLT Case No.: OLT-23-000364
OLT Lead Case No.: OLT-23-000363

Heard: April 9, 2024 by Video Hearing

APPEARANCES:**Parties****Counsel/Representative***

Essence Holdings Inc.

J. Alati
G. O'Brien
N. Gunawardana (*in absentia*)

City of Brampton

E. Bashura
S. Ross (*in absentia*)

Jubin Abuwalla

A. Ciccone (*in absentia*)

Sukhwant Baidwan

Self-represented*

MEMORANDUM OF ORAL DECISION DELIVERED BY C.I. MOLINARI ON APRIL 9, 2024 AND ORDER OF THE TRIBUNAL

[Link to Order](#)**INTRODUCTION AND BACKGROUND**

[1] The Tribunal conducted a Settlement Hearing related to appeals filed by Essence Holdings Inc. (“Appellant”) pursuant to s. 34(11) and 51(34) of the *Planning Act* (“Act”), against the failure of the City of Brampton (“City”) to make a decision on Zoning By-law Amendment (“ZBA”) and Draft Plan of Subdivision (“DPS”) applications (“Applications”) within the prescribed timeframe. The Applications apply to the lands known municipally as 0 and 8265 Churchville Road and legally described as Part of Lot 2, Concession 3, W.H.S. (Geographic Township of Chinguacousy), City of Brampton (“Property”).

[2] The Property is located north of Steeles Avenue West and east of Creditview Road, on the north side of Churchville Road. It is irregular in shape with an area of approximately 3.32 hectares (“ha”), frontage of approximately 161 metres (“m”) on Churchville Road, and a depth of approximately 340 m. The south half of the Property is occupied by a vacant single-detached dwelling and accessory buildings. The north half of the Property is mainly composed of a manicured lawn area with a central naturalized grouping of trees.

[3] The east portion of the Property is occupied by a narrow private driveway called Walnut Road providing vehicular and pedestrian access to the property known municipally as 8261 Walnut Road, owned by Mr. Abuwalla. It has a total length of approximately 305 m, is surrounded by walnut trees, and is subject to three easements as follows:

- an access and passage easement in favour of 8261 Walnut Road;
- a municipal services easement in favour of the Region of Peel (“Region”); and
- a hydro services easement in favour of Alectra Utilities.

[4] Surrounding land uses include:

- to the north – natural heritage features and single-detached dwellings;
- to the south – Churchville Road and single-detached dwellings;
- to the east – single-detached dwellings and a railway line; and
- to the west – natural heritage features and single-detached dwellings, Creditview Road, the Credit River and associated valleylands.

[5] The Property is designated ‘Core Areas’, ‘Urban System’, and ‘Built Up Area’ on Schedules A, D and D4, respectively, in the Region Official Plan (“ROP”). It is part of the urbanized lands where the ROP directs a significant portion of new growth to occur.

[6] In the City Official Plan (“COP”), the Property is designated: ‘Communities’ and ‘Open Space’ within the ‘Built Boundary’ on Schedule 1: City Concept; ‘Residential’ and ‘Open Space’ on Schedule A: General Land Use Designation; ‘Upscale Executive Housing Special Policy Area 2’ on Schedule A1: Upscale Executive Housing Special Policy Areas; and ‘Valleyland/Watercourse Corridor’ and ‘Woodland’ on Schedule D: Natural Heritage Features and Areas.

[7] The Credit Valley Secondary Plan (“CVSP”) designates the Property ‘Low Density 1 Residential’, ‘Primary Valleyland’, and ‘Special Policy Area 1’ on Schedule

SP45(A). A Community Block Plan implements the policies of the CVSP for the area within which the Property is located.

[8] The Property is subject to Zoning By-law No. 270-2004, as amended, which zones the Property 'Agricultural (A)'.

THE APPLICATIONS

[9] As applied for, the Applications were to facilitate the development of 30 single-detached lots, a natural heritage system block, a buffer block, a parkette, a residential reserve block, and a new local road.

[10] The Applications were filed with the City on March 24, 2022, and deemed complete as of April 6, 2022. Subsequent to community consultation and in response to feedback received through the review of the original proposal, the Appellant filed a revised submission on April 13, 2023.

[11] The Applications were appealed on April 24, 2023, after which further refinements were made to the proposal. A third submission ("Revised Proposal") was filed on February 23, 2024, which resulted in a full settlement of the issues with the City and Mr. Abuwalla.

[12] The Revised Proposal includes 35 single-detached freehold condominium dwellings with common elements, including a parkette, open space, a road and a servicing block, as well as blocks for the Natural Heritage System ("NHS"), a NHS buffer to be conveyed to the City, and an open space block to be conveyed to the City at a later date.

SETTLEMENT

[13] The Tribunal received correspondence from the Appellant in advance of the Hearing, advising that the Parties had reached a Settlement and requesting that the Tribunal convert the proceedings to a Settlement Hearing. The Parties in attendance confirmed that they consented to the conversion of the proceedings.

[14] The Tribunal was advised that Meetu Mahendra and Manesh Patel had each withdrawn their Party status, and Sukhwant Baidwan had withdrawn his Issues List.

[15] In accordance with Rule 12 of the Tribunal's *Rules of Practice and Procedure*, the Tribunal convened the proceedings as a Settlement Hearing on the terms of the Settlement.

LEGISLATIVE FRAMEWORK

[16] When considering appeals filed pursuant to s. 34(11) and 51(34) of the Act, the Tribunal must have regard to the matters of provincial interest pursuant to s. 2 of the Act, and the criteria for draft plans of subdivision pursuant to s. 51(24) of the Act. Section 3(5) of the Act requires decisions of the Tribunal affecting planning matters to be consistent with the Provincial Policy Statement, 2020 ("PPS"), and in this case, conform with the A Place to Grow: Growth Plan for the Greater Golden Horseshoe ("Growth Plan"). The Tribunal must also be satisfied that the Applications conform with the ROP and the COP.

[17] Further, in consideration of the statutory requirements set out above, the Tribunal must be satisfied that the Applications represent good land use planning and are in the public interest.

EVIDENCE

[18] Prior to the commencement of the Hearing, the Tribunal received an Affidavit and Supplementary Affidavit of Marc De Nardis in support of the Revised Proposal. On consent, the Tribunal qualified Mr. De Nardis to provide opinion evidence pertaining to this matter in the area of land use planning.

[19] With respect to the regulatory and policy context, Mr. De Nardis opined that the Applications have regard for the applicable matters of provincial interest pursuant to s. 2 of the Act and the criteria for draft plans of subdivision pursuant to s. 51(24) of the Act, and support the policies in the PPS and the Growth Plan, including policies pertaining to the efficient use of urban land with existing services and planned or existing transit,

policies for meeting a broad range of housing types and densities, and the provision of a complete community. In addition, he opined that the Revised Proposal meets the policies of the ROP, the COP and the CVSP, and does not require amendments to the policy documents.

The *Planning Act*

[20] It was Mr. De Nardis' opinion that the Revised Proposal has regard for the relevant matters of provincial interest in s. 2 of the Act, including those related to the protection of ecological systems, the adequate provision of services, the orderly development of safe and healthy communities, the provision of housing, the appropriate location for growth and development, the promotion of sustainable development, and well-designed built form. His evidence supported and justified this assertion in detail.

[21] Mr. De Nardis also opined that the Revised Proposal has appropriate regard to, and satisfies, the criteria set out in s. 51(24) of the Act as follows:

- the DPS is proposed on lands intended for residential land use and has no adverse impact on matters of provincial interest;
- the DPS follows a comprehensive planning process and is not premature. The Revised Proposal will contribute to the City's housing stock, is in the public interest and conforms with the policies contained within the ROP and the COP;
- the DPS conforms with the policies of the ROP and COP, and is compatible with adjacent Plans of Subdivision;
- the Property has been planned for urban residential land use, is suitable for the development of single-detached dwellings, and the Revised Proposal represents an optimization of underutilized lands;
- the Transportation Impact Study ("TIS") demonstrated that the DPS does not present any concerns with regard to the adequacy of the roadway network. The TIS concluded that the Revised Proposal will introduce only minimal

traffic to the road network, and the intersection movements will operate within capacity;

- the shape and dimensions of the proposed lots are appropriate for the intended residential land use and are comparable in size and shape to others located in the immediate area;
- the DPS does not present any concerns with regard to future buildings or structures. The ZBLA, building permits, and architectural control will ensure that the proposed dwellings are appropriate in the local context;
- as outlined in the Environmental Impact Study, the DPS does not present any concerns with regard to flood control and the conservation of natural resources;
- the DPS does not present any concerns with regard to the adequacy of existing or proposed utilities and municipal services or with regard to school sites, as the projected pupil yield will be minimal and the school boards have no objections to the Revised Proposal;
- the DPS does not present any concerns related to conveyances for public purposes;
- the DPS optimizes the use of urban lands, assisting in mitigating the expansion of settlement areas, which in turn reduces energy use for public transportation and commuters; and
- the DPS will facilitate the development of the Property for the planned residential land use. Future detail design will be subject to architectural control ensuring that the structures are appropriate in the local context.

[22] Mr. De Nardis proffered that, for the reasons provided in paragraph [21], it was his professional planning opinion that the Revised Proposal, and in particular, the DPS and the Draft Plan Conditions (“Conditions”), have sufficient regard for the criteria found in s. 51(24) of the Act.

Provincial Policy Statement, 2020

[23] Mr. De Nardis opined that the Revised Proposal is consistent with the PPS, and in particular, supports policies 1.1.1, 1.1.3.3 to 1.1.3.6, 1.4.3, 1.6.6.1, 1.6.6.2, and sections 1.6.7, 2.1, and 3.1 of the PPS, pertaining to promoting efficient development and land use patterns, accommodating a range of housing types, requiring residential intensification, densities and a mix of land use that efficiently use resources, infrastructure and services, promoting active transportation and transit, protecting significant natural heritage features, and directing development away from areas of natural hazards.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe

[24] Mr. De Nardis further opined that the Revised Proposal conforms with the Growth Plan, including several of the guiding principles in section 1.2.1 and sections 2.2.1, 2.2.2, 2.2.6, and 4.2.2 of the Growth Plan, pertaining to directing growth to settlement areas with existing or planned municipal water and wastewater systems, the achievement of complete communities and the minimum intensification target, encouraging intensification within the delineated built-up area, supporting a diverse range and mix of housing options and densities, and maintaining the diversity and connectivity of the natural heritage system.

Region of Peel Official Plan

[25] Mr. De Nardis noted that the ROP directs urban development and redevelopment to the Urban System and within the Built-Up Areas, and that the Revised Proposal is a compact, transit-supportive form of development that will make efficient use of available services. He added that the Revised Proposal will assist the City in achieving its Built-Up Area development target.

[26] It was Mr. De Nardis' opinion that the Revised Proposal and implementing ZBA and DPS conform with the relevant ROP policies and that an amendment to the ROP is

not required. He noted that the Region supports the Revised Proposal and has provided its conditions for DPS approval.

[27] Mr. De Nardis advised that the Province approved a new ROP (“New ROP”) on November 4, 2022, but that, given the ROP was in force at the time the Applications were submitted and deemed complete, the ROP policies continue to apply. He added that the designations remain unchanged under the New ROP, and, as such, the Revised Proposal meets the intent of the designations and corresponding policies of the New ROP.

City of Brampton Official Plan / Credit Valley Secondary Plan

[28] Mr. De Nardis opined that the Revised Proposal conforms with the COP ‘Residential’ designation and the CVSP ‘Low Density 1 Residential’ designation and that the proposed land use, built form, and density are permitted in both policy documents.

[29] In his Affidavit, Mr. De Nardis noted that the Revised Proposal is located within the Built-up Area of the City and will deliver 35 single-detached dwellings assisting the City in achieving its intensification and housing targets as per policies 3.2.2.1 and 4.2.1.6 of the COP.

[30] With respect to the residential density and housing mix policies in section 4.2.1.2 of the COP, Mr. De Nardis advised that the Property is located within an area of the City that is subject to the ‘New Housing Mix and Density Guidelines’ and that the proposed density of 18.51 units per net residential ha (“units/ha”) is below the maximum prescribed.

[31] Mr. De Nardis added that a key consideration in the COP for infill development in existing Built-Up Areas is compatibility as it relates to the context of the site and the surrounding neighbourhood, and that the overriding design consideration shall be to ensure that a proposal is harmoniously integrated within the surrounding neighbourhood. It was his opinion that the Revised Proposal is not anticipated to cause

any adverse effects on adjacent development and/or lands and that it properly responds to adjacent grading, drainage, access, circulation, privacy and views.

[32] With respect to the CVSP, Mr. De Nardis advised that primarily single-detached units are permitted in areas designated Low Density 1 Residential and the proposed density of 18.51 units/ha is below the maximum prescribed. He proffered that the single-detached dwellings are consistent with the predominant built form typology intended for areas designated Low Density 1 Residential. He furthered that the proposed lot widths of 11.60 m are considered to be sufficient to accommodate the detached residential built form, and that, while smaller than those within its immediate vicinity, the proposal is to include upscale architectural treatments that will complement the existing neighbourhood.

[33] Mr. De Nardis opined that the Revised Proposal conforms with the applicable CVSP development policies as it:

- delivers an upscale executive residential subdivision design, architecture, built form, landscaping, and fencing;
- preserves and protects the Credit River and its environmental components;
- maintains the character of Churchville Road;
- provides for a range of housing options;
- creates a distinct and attractive built form which will reinforce a high standard of quality and a positive visual image;
- is supported by site-specific technical studies, reports, and plans; and
- will satisfy the necessary Cost Sharing Agreement obligations through the Conditions, as appropriate.

[34] In conclusion, it was Mr. De Nardis' opinion that the Revised Proposal and implementing ZBA, DPS and Conditions conform with the relevant COP and CVSP policies and that amendments to the COP and CVSP are not required. He noted that

the City supports the Revised Proposal and has provided its conditions for DPS approval.

Conclusions and Recommendations

[35] Mr. De Nardis proffered his professional planning opinion that the Revised Proposal and corresponding planning instruments have appropriate regard to matters of provincial interest, are consistent with the PPS, conform with the Growth Plan and the relevant policies of the ROP, the COP and the CVSP. He furthered that the ZBA and DPS are appropriate, represent good planning, and are in the public interest.

ANALYSIS AND FINDINGS

[36] The Tribunal accepts the uncontroverted testimony and evidence of Mr. De Nardis.

[37] The Tribunal finds that the Revised Proposal will fit harmoniously with the existing and planned built form context and will enhance the area by intensifying an underutilized site which is well-served with municipal infrastructure.

[38] The Revised Proposal will result in an efficient use of the Property and will support the achievement of the PPS and Growth Plan policy directions promoting intensification within a built-up urban area.

[39] In consideration of the evidence of Mr. De Nardis and the revisions resulting in the Revised Proposal, the Tribunal is satisfied that the ZBA and DPS have sufficient and proper regard for the relevant matters of provincial interest as set out in s. 2 of the Act and the criteria set out in s. 51(24) of the Act. The Tribunal finds that the ZBA and DPS are consistent with the PPS, conform with the policies of the Growth Plan, the ROP, the COP and the CVSP, represent good land use planning and are in the public interest.

[40] The Tribunal, therefore, approves the ZBA and the DPS, subject to the Conditions, as set out in the Order.

ORDER

[41] **THE TRIBUNAL ORDERS** that the appeal is allowed and Zoning By-law No. 270-2004 of the City of Brampton is hereby amended as set out in **Attachment 1** to this Order. The Tribunal authorizes the municipal clerk of the City of Brampton to assign a number to this By-law and insert dates for record-keeping purposes.

[42] **THE TRIBUNAL ORDERS** that the appeal is allowed and the draft plan shown on the plan prepared by Gagnon Walker Domes dated November 30, 2023, comprising Part of Lot 2, Concession 3, W.H.S. (Geographic Township of Chinguacousy) City of Brampton as set out in **Attachment 2** to this Order, is approved, subject to the fulfillment of the conditions as set out in **Attachment 3** to this Order.

[43] **AND THE TRIBUNAL ORDERS** that pursuant to subsection 51(56.1) of the *Planning Act*, the City of Brampton shall have the authority to clear the conditions of draft plan approval and to administer final approval of the plan of subdivision for the purposes of subsection 51(58) of the *Planning Act*. In the event that there are any difficulties implementing any of the conditions of draft plan approval, or if any changes are required to be made to the draft plan, the Tribunal may be spoken to.

“C. I. Molinari”

C. I. MOLINARI
MEMBER

Ontario Land Tribunal

Website: Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

ATTACHMENT 1

THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number OLT ZB _____ - 2024

To Amend Comprehensive Zoning By-law 270-2004, as amended.

The Ontario Land Tribunal, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c.P. 13, hereby orders the coming into force of By-Law Number OLT ZB _____ - 2024 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:
AGRICULTURAL (A)	RESIDENTIAL SINGLE DETACHED F-11.6 – SECTION XXXX (R1F-11.6-XXXX); OPEN SPACE (OS); and FLOODPLAIN (F).

- (2) By adding thereto the following Sections:
 - “XXXX The lands designated R1F-11.6-XXXX on Schedule A to this by-law:
 - XXXX.1 Shall only be used for the purposes permitted in an R1F-x Zone
 - XXXX.2 Shall be subject to the following requirements and restrictions:
 - a) Minimum Lot Width:
 - i. Where the side lot lines are not parallel but converge towards the rear lot line, the lot width shall be the straight line distance between two points, one on each side lot line, measured 13.0 metres back from the front lot line
 - ii. 13.5 metres for lots with flankage on a cul-de-sac;
 - b) Minimum Lot Depth: 18.0 metres where a lot has a width of 15.0 metres or greater
 - c) Minimum Rear Yard Depth: 4.5 metres
 - d) Maximum Building Height: 11.5 metres

By-law Number _____ - 2024

- e) Garage Control: The maximum cumulative garage door width for an attached garage shall be 5.05 metres if the lot width is less than 12.5 metres but greater than or equal to 11.6 metres
- f) Notwithstanding Section 6.6 of the Zoning By-law, a private condominium road is permitted and shall be treated as a street for zoning purposes

XXXX.3 Shall also be subject to the requirements and restrictions relating to the R1F-x Zone, and all the general provisions of this By-law, which are not in conflict with those set out in in Section XXXX of this Amendment.”

By-law Number _____ - 2024

EXPLANATORY NOTE

THE PURPOSE OF BY-LAW - 24

The purpose of By-Law -2024 is to amend comprehensive Zoning By-law 270-2004, as amended pursuant to an application by Essence Holdings Inc., (Files No. OZS-2022-0021 and 21T-22004B).

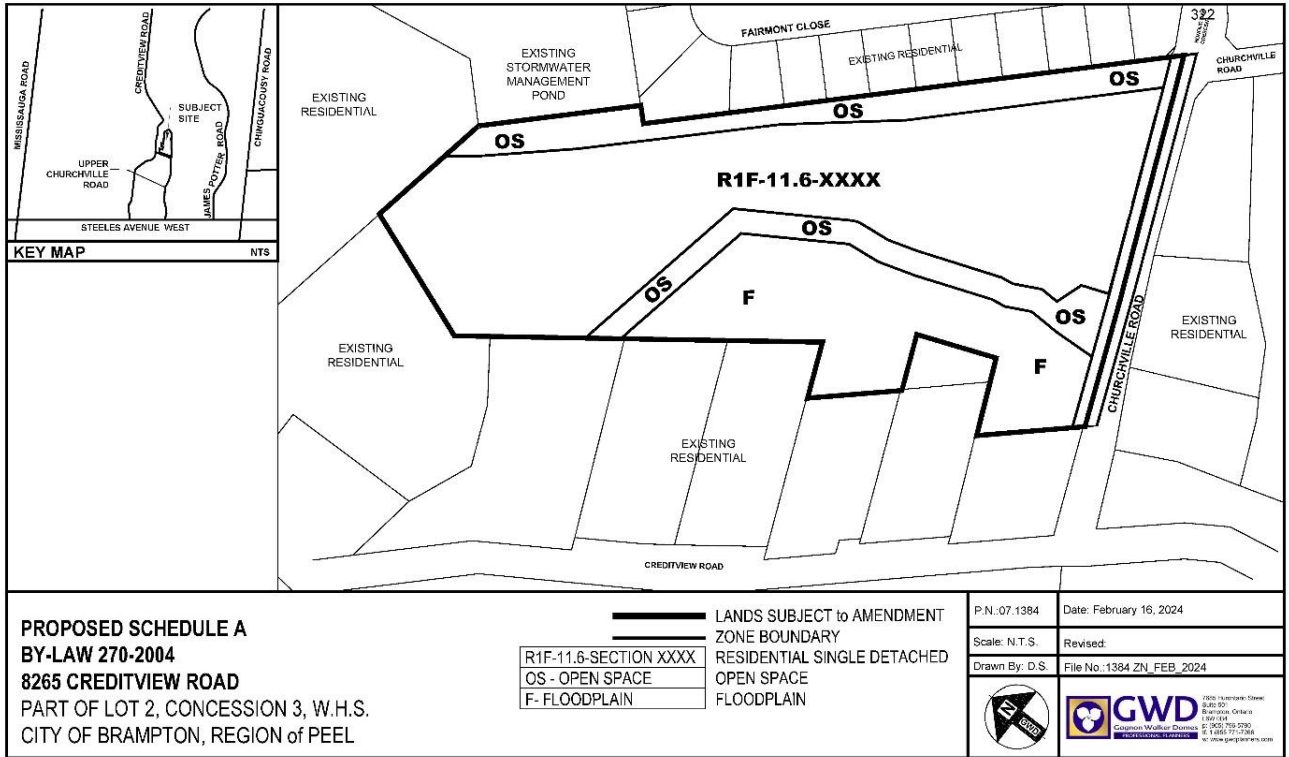
EFFECT OF THE BY-LAW

The effect of By-law -24 is to permit the development of subject lands for single detached residential purposes.

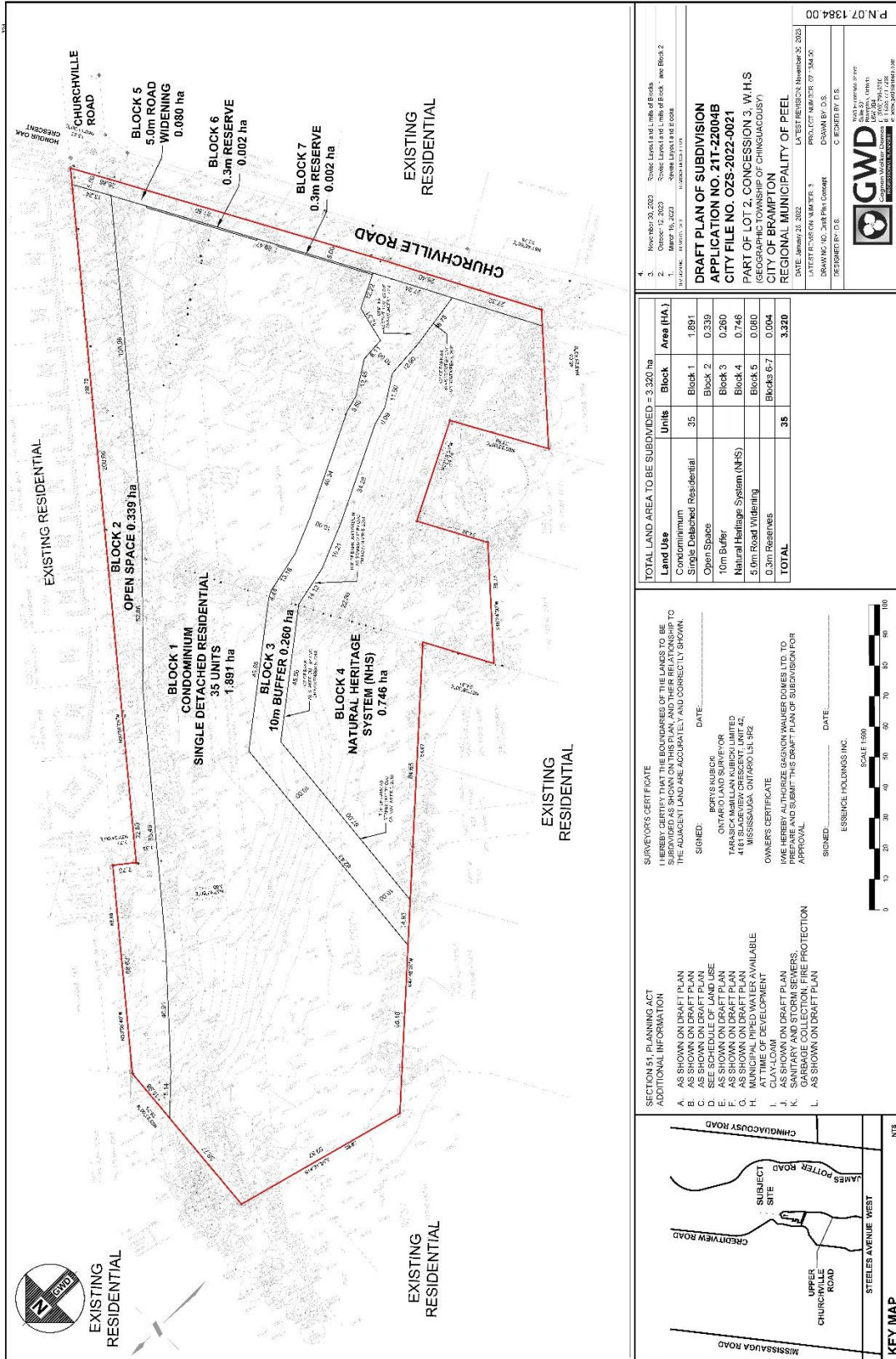
LOCATION OF LANDS AFFECTED

The lands affected by By-law -24 are located on the north side of Churchville Road, north of Steeles Avenue West, south of Queen Street East, east of Creditview Road, known municipally as '0' and 8265 Churchhill Road, referred to as Part of Lot 2, Concession 3, W.H.S. (Chinguacousy), in the City of Brampton.

Any further inquiries or questions should be directed to City of Brampton, Planning and Development Services Department.



ATTACHMENT 2



SECTION 51, PLANNING ACT
ADDITIONAL INFORMATION

- A. AS SHOWN ON DRAFT PLAN
- B. AS SHOWN ON DRAFT PLAN
- C. AS SHOWN ON DRAFT PLAN
- D. SEE SCHEDULE OF LAND USE
- E. AS SHOWN ON DRAFT PLAN
- F. AS SHOWN ON DRAFT PLAN
- G. AS SHOWN ON DRAFT PLAN
- H. MUNICIPAL PIPED WATER AVAILABLE
- I. CLM/COM DEVELOPMENT
- J. AS SHOWN ON DRAFT PLAN
- K. SANITARY AND STORM SEWERS, GARBAGE COLLECTION, FIRE PROTECTION
- L. AS SHOWN ON DRAFT PLAN

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN, AND THEIR RELATIONSHIP TO THE ADJACENT LAND ARE ACCURATELY AND CORRECTLY SHOWN.

SIGNED: _____ DATE: _____
 BORN IN _____
 OF _____
 TARRANT HIGHLAND SUBURB LIMITED
 4181 SLACKVIEW CRESCENT, UNIT 42,
 MISSISSAUGA, ONTARIO L4L 5R2

OWNERS CERTIFICATE
I/WE HEREBY AUTHORIZE GANON WALKER DOWNS LTD. TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION FOR APPROVAL.

SIGNED: _____ DATE: _____
 ESSENCE HOLDINGS INC.

TOTAL LAND AREA TO BE SUBDIVIDED = 3.320 ha

Land Use	Units	Block	Area (ha)
Condominium Single Detached Residential	35	Block 1	1.891
Open Space		Block 2	0.339
10m Buffer		Block 3	0.260
Natural Heritage System (NHS)		Block 4	0.746
5.0m Road Widening		Block 5	0.080
0.3m Reserves		Blocks 6-7	0.004
TOTAL	35		3.320

KEY MAP

The key map shows the project site (SUBJECT SITE) located at the intersection of Churchville Road and Upper Churchville Road. Other nearby roads include Steeles Avenue West, James Potter Road, and Chinguacousy Road.

DRAFT PLAN OF SUBDIVISION
APPLICATION NO. 211-22004B
CITY FILE NO. OZS-2022-0021
 PART OF LOT 2, CONCESSION 3, W.H.S.
 (GEOGRAPHIC TOWNSHIP OF CHINGUACOUSY)
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL

DATE: January 23, 2022. LATEST REVISION: November 22, 2023.
 LATEST PLAN/CON NUMBER: 3. PROJECT NUMBER: 07-5442X
 DRAWING NO. 2111-P1a-Concept. DRAWN BY: D.S.
 DESIGNED BY: D.S.
 © ESKED BY D.S.

GWD
 GANON WALKER DOWNS LTD.
 4181 SLACKVIEW CRESCENT, UNIT 42,
 MISSISSAUGA, ONTARIO L4L 5R2
 TEL: 905.874.1111
 WWW.GANONWALKERDOWNS.COM

P N 07 1384 00

ATTACHMENT 3



OZS-2022-0021/21T-22004B
Date: (Date of Draft Approval)

Page 1 of 15

SCHEDULE "A"
CONDITIONS OF DRAFT APPROVAL

DRAFT APPROVAL DATE: (Day After Last Day for Filing an Appeal if No Appeal has been Filed)

APPLICANT: Gagnon Walker Domes Ltd. – Essence Holdings Inc.

SUBJECT: Draft Plan of Subdivision
Gagnon Walker Domes Ltd. – Essence Holdings Inc.
21T-22004B
0 & 8625 Churchville Road, City of Brampton
OZS-2022-0021
Planner: Nicole Hanson
Ward: 4

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

Approved Plan and Redlines

1. The final plan shall conform to the draft plan prepared by Gagnon Walker Domes Ltd. dated November 30, 2023.

Subdivision Agreement

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

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

- 2.1 Planning matters such as parkland/open space dedications and development, residential reserves, buffer blocks, tree preservation, trails, site development plan, utilities, architectural control, homebuyers' information map, heritage conservation and landscape plan approvals, phasing/staging of development, warning clauses and notices.
- 2.2 Engineering matters such as municipal services, road widening, construction and



reconstruction, transit infrastructure, traffic signals, grading, fencing, well monitoring, septic systems, waste management, pressure testing/chlorination, noise mitigation and warning clauses.

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

Fees

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

Zoning

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

Easement and Land Dedication within the Plan

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

External Easements and Land Dedications

7. Prior to registration, the owner shall gratuitously convey all necessary external easements and lands for access, drainage, servicing, utility purposes and for any other municipal purposes, as may be required, to the appropriate municipality, agency or public authority.



The owner is advised that no servicing works shall be permitted until the detailed engineering drawings are approved and external easements and lands granted.

8. All lands which are to be conveyed to the City shall be free and clear of any and all encumbrances, unless otherwise approved by the City.
9. Where the City has required as a condition of registration that the owner convey lands gratuitously to the City for municipal purposes, and where the lands have been so conveyed to the City, and where prior to assumption of the plan the City determines in its sole and absolute discretion that said lands (or any interest therein) are surplus to its requirements and are no longer required, then the City may reconvey said lands (or any interest therein) to the Owner, gratuitously, provided that the Owner shall be required to pay for any fees, taxes, and/or disbursements related to the reconveyance, including but not limited to registration fees and the cost of preparing and filing a reference plan.

Parkland Dedication

10. Parkland Dedication requirements for the plan shall be in accordance with the Planning Act R.S.O. 1990, c.P.13 as amended (the Planning Act), the City's Parkland Dedication By-law, as amended and Parks Planning Comments and Conditions Memo.

Studies

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

Staging

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

Drawings

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



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Servicing

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



Cost-share Agreement

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

School Boards

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

Dufferin-Peel Catholic District School Board

18. The owner shall agree in the subdivision agreement to erect signs at all major entrances to the proposed development advising of the following:

"Notice: Please be advised that students may be accommodated elsewhere on a temporary basis until suitable permanent pupil places, funded by the Government of Ontario, are available."
19. These signs shall be to the Dufferin-Peel Catholic District School Board's specifications, at locations determined by the Board and erected prior to registration.

The following clauses to the satisfaction of the Dufferin-Peel Catholic District School Board:

- i) "Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school."
- ii) "That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board."

Peel District School Board

20. The owner shall undertake the following to the satisfaction of the Peel District School Board:
 - a) to erect and maintain signs to the satisfaction of the Peel District School Board at the entrances to the subdivision which shall advise prospective purchasers that due to



present school facilities, some of the children from the subdivision may have to be accommodated in temporary facilities or bused to schools according to the Board's Transportation Policy.

- b) the following clauses in any agreement of purchase and sale entered into with respect to any units in the plan to the satisfaction of the Peel District School Board for a period of five (5) years from the date of registration of the Plan:

"Whereas despite the best efforts of the Peel District School Board, sufficient accommodation may not be available for all anticipated students in neighbourhood schools, you are hereby notified that some students may be accommodated in temporary facilities or bussed to schools outside of the area, according to the Board's Transportation Policy. You are advised to contact the School Accommodation Department of the Peel District School Board to determine the exact schools."

"The purchaser agrees that for the purposes of transportation to school the residents of the development shall agree that children will meet the school bus on roads presently in existence or at another designated place convenient to the Board."

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

Canada Post

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

22. Consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
23. Confirm to Canada Post that the final secured permanent locations for the Community Mailboxes will not be in conflict with any other utility, including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads.
24. Install concrete pads at each of the Community Mailbox locations as well as any required walkways across the boulevard and any required curb depressions for wheelchair access as per Canada Post's concrete pad specification drawings.
25. Agree to prepare and maintain an area of compacted gravel to Canada Post's specifications to serve as a temporary Community Mailbox location. This location will be in a safe area away from construction activity in order that Community Mailboxes may be installed to service addresses that have occupied prior to the pouring of the permanent mailbox pads. This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy.
26. Communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy.



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27. Prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Community Mailbox site locations, as approved by Canada Post and the City of Brampton.
28. Include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post.
29. Be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer, on which the homeowners do a sign off.

Enbridge Gas Distribution

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

30. Contact Enbridge Gas Distribution's Customer Connections Department by emailing SalesArea20@enbridge.com for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.
31. Agree that if the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the applicant.
32. Agree that any easement(s) that are required to service this development and any future adjacent developments will be provided to Enbridge Gas Distribution at no cost.
33. That the Owner shall ensure to grade all road allowances to as close to final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installation of the gas piping.

Rogers Telecommunications

Prior to registration of the subdivision, the owner shall:

34. At its own cost, grant all necessary easements and maintenance agreements required by those CRTC-licensed telephone companies and broadcasting distribution companies intending to serve the Subdivision (collectively the "Communications Service Providers"). Immediately following registration of the Plan of Subdivision, the owner will cause these documents to be registered on title.
35. With consultation with the applicable utilities and Communications Service Providers, prepare an overall utility distribution plan that shows the locations of all utility



infrastructure for the Subdivision, as well as the timing and phasing of installation.

Bell Canada

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

36. Agree in the subdivision agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the owner/owner shall be responsible for the relocation of such facilities or easements.
37. Shall agree in the agreement, in words satisfactory to Bell Canada, that Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are located to the street line.

Alectra Utilities

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

38. Grant all necessary aerial or underground easements, as may be required. These will be confirmed during the final design of the road and subdivision.
39. Observe all aerial and underground clearances, as may be required.
40. Be responsible for the costs of the relocation of existing plant to accommodate the new road(s).
41. Contact Alectra Utilities (Brampton Hydro) Subdivisions Department for the availability of adjacent plant capable of servicing this site and to discuss the electrical service installation requirements and schedule.
42. The owner/developer or their representative is strongly advised to consult Alectra Utilities' (Brampton Hydro's) Conditions of Service, as they must adhere to all the conditions. This can be found on our web site at www.bramptonhydro.com.

Credit Valley Conservation Authority (CVC)

43. That the Functional Servicing Report (FSR) by Crozier be completed to the satisfaction of the City and CVC. If necessary, the plan shall be redline revised to implement the findings of the amended FSR.
44. That confirmation be received from the hydrogeologist to confirm feasibility of the proposed infiltration facilities. If necessary, the plan shall be redline revised to implement the findings of the amended FSR.
45. That the portions of the Natural Heritage System (NHS) and Buffer on the property



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(Blocks 3 and 4) be gratuitously dedicated to the City of Brampton, as appropriate.

46. Prior to the registration of any phase of the plan and any site grading and servicing in the respective phase, that the following information, relevant to that phase, be prepared to the satisfaction of the CVC and the City of Brampton:
- a) A Stormwater Management Implementation Report in accordance with the final approved FSR.
 - b) Detailed engineering plans for the overall draft plan of subdivision.
 - c) Plans/reports demonstrating the details of any proposed LID measures to be implemented as per the final approved FSR.
 - d) Plans/reports demonstrating the details of any outfall and energy dissipation measures in the NHS, and that permits are obtained from CVC pursuant to Ontario Regulation 160/06, as applicable.
 - e) Appropriate sediment and erosion control measures be implemented as approved by CVC and the City of Brampton.
- That the draft plan be red-line revised to meet the requirements of the above conditions, if necessary.
47. Prior to the registration of the plan and/or any phase of the plan, the following information will be prepared to the satisfaction of CVC and the City of Brampton:
- a) That appropriate restoration and buffer planting plans for the NHS (Blocks 3 and 4) are submitted to the satisfaction of CVC and the City of Brampton.
 - b) Plans/reports demonstrating the details of the proposed development within the regulated area, including the fulfilling of all requirements for the issuance of a permit pursuant to Ontario Regulation 160/06.
 - c) That the Subdivision Agreement between the Owner and the Municipality contain provisions, wherein the Owner agrees to carry out the works noted in Conditions 1 to 5.
 - d) That a Warning Clause be included in the Agreements of Purchase and Sale advising the future landowners of Block 1 that the adjacent public land (i.e., NHS and Buffer) will remain as a low maintenance environment.

Hydro/Telecommunications

48. Prior to the release of the plan for registration, the owner must submit in writing, evidence to the Commissioner, Planning, Building and Growth Management that satisfactory

The Corporation of The City of Brampton
2 Wellington Street West, Brampton, ON L6Y 4R2





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arrangements have been made with the telecommunications and hydro providers for the installation of their plants in the common trench, within the prescribed location in the road allowances.

Region of Peel

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

Development Charges

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

Water Metre Fees

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



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Land Dedications

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

Traffic/Development Engineering Conditions

53. The Developer acknowledges and agrees that landscaping, signs, fences, gateway features, and any other encroachments shall not be permitted within the Region's easements and right-of-way.
54. Servicing of the subdivision will require:
 - a. Existing water services and sanitary sewer connections on Churchville Road, if not being used, must be properly disconnected and the road restored to the original condition or better. Exact location of the services to be verified and shown on the engineering drawings.
 - b. Applicant acknowledges that the existing 250mm/375mm sanitary sewer main and 200mm watermain are located within the subject development, in an existing servicing easement. The applicant must ensure that these existing services are incorporated in the detailed engineering design for the subject site.
 - c. Existing water and sanitary servicing to 8261 Walnut Road must remain undisturbed, unless otherwise permitted by the property owner.

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

Drawings – Servicing and "As Constructed"

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



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

General Conditions

57. Prior to registration of the subdivision, the Developer shall execute a Subdivision Agreement with the local municipality and Region for the construction of municipal sanitary sewer, water, and regional roads associated with the lands. The Developer shall construct and design these services in accordance with the latest Region standards and requirements.

58. Prior to servicing, the Developer shall submit a satisfactory engineering submission to the Region to review and approval.

59. The Developer is advised that prior to issuance of building permits for all lots and blocks, satisfactory arrangements must be made with the Region with regard to water and sanitary service applications and payments of the required connection charges.

60. Prior to registration of the plan of subdivision, the Developer shall pay the Region's costs for updating its electronic "As Constructed" information for the infrastructure installed by the Developer. The cost shall be based on a "per kilometre" basis for combined watermains and sanitary sewers installed pursuant to the Region's latest User Fees By-law.

61. The Developer agrees that the Region shall hold back a portion of the Letter of Credit to cover the costs of services completed by the Region on a time and material basis pursuant to the current Region's User Fee By-Law. A clause shall be included in the Subdivision Agreement in respect of same.

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

63. A clause shall be included in the Subdivision Agreement as follows:

- a. In respect of servicing existing properties within the zone of influence in the event that existing private services (wells) deteriorate due to the servicing of the proposed plan of subdivision;
- b. Until the issuance of Final Acceptance a portion of the Letter of Credit shall be held back to serve as protection for the private wells in the zone of influence of the plan of subdivision. This amount shall be based on the anticipated cost of replacing water supplies within the zone of influence as shown in the schedules of the agreement. The minimum amount shall be \$20,000.00. If the private well systems in the zone of influence deteriorate due to the servicing of the plan of subdivision the Developer shall provide temporary water supply to the residents upon notice by the Region and the Developer shall continue supplying the water to the effected residents until the issue is resolved to the satisfaction of involved parties. If the quantity of water in the existing wells is not restored to its original condition within a month after first identification of the problem, the Developer shall engage



the services of a recognized hydrogeologist to evaluate the wells and recommend solutions including deepening the wells or providing a permanent water service connection from the watermain to the dwelling unit.

c. The Developer shall inspect, evaluate and monitor all wells within the zone of influence prior to, during and after the construction has been completed. Progress Reports should be submitted to the Region as follows:

- Base line well condition and monitoring report shall be submitted to the Region prior to the pre-servicing or registration of the plan (whichever occurs first) and shall include as a minimum requirement the following tests:
- Bacteriological Analysis - Total coliform and E-coli counts
- Chemical Analysis - Nitrate Test
- Water level measurement below existing grade

c. In the event that the test results are not within the Ontario Drinking Water Standards, the Developer shall notify in writing the Homeowner, the Region of Peel's Health Department (Manager - Environmental Health) and Public Works Department (Development Supervisor) within 24 Hours of the test results. d. Well monitoring shall continue during construction and an interim report shall be submitted to the Region for records. Well monitoring shall continue for one year after the completion of construction and a summary report shall be submitted to the Region prior to Final Acceptance.

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

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

65. The Developer agrees that prior to the Region granting clearance of the draft plan conditions of subdivision approval, the following shall require to be forwarded to the Region's Legal Services Division:

- a. A copy of the final signed M-Plan
- b. A copy of the final draft R-Plan(s); and
- c. All easement and conveyance documents required pursuant to the Subdivision Agreement and registration of the plan

Administrative — Clearance of Conditions

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



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NOTE 1:

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

NOTE 2:

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

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

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

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

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

Alectra Utilities
175 Sandalwood Parkway West
Brampton, Ontario
L7A 1E8

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

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



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

Credit Valley Conservation Authority
1255 Old Derry Rd, Mississauga,
ON L5N 6R4

NOTE 3:

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

NOTE 4:

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



Planning & Development Services
Development Services

COMMENTS AND CONDITIONS MEMO

Date: February 21st, 2024

File: OZS-2022-0021 - 21T-22004B

From: Nicole Hanson, Principal Planner/Supervisor

Subject: Requirements for Plan of Subdivision
Application to Amend the Zoning By-Law and for a Draft Plan of Subdivision
Gagnon Walker Domes Ltd. – Essence Holdings Inc.
(To permit a residential subdivision of 35 single detached dwellings)
 'O' and 8265 Churchville Road
 Part of Lot 2, Concession 3, W.H.S.
 North of Steeles Avenue West, east of Creditview Road
 Ward: 4

In response to the circulation of the above-noted application, the following represents a summation of comments and conditions from the **Development Services Division** with respect to matters dealing with Zoning, community information maps, warnings, notices, growth management, other general requirements to be included in the subdivision agreement, among others.

A. PRIOR TO DRAFT PLAN APPROVAL

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

Sales Office Homebuyers Information Map

1. Prior to draft plan approval, the owner shall prepare a Homebuyers Information Map of the subdivision to be posted in a prominent location in each sales office where homes in the subdivision are being sold. The map shall contain the following information and clauses as applicable:
 - a) The proposed land uses within the subdivision based on the latest draft plan.
 - b) Where applicable, a statement indicating that church and school sites may be used for residential uses if they are not acquired for their original purpose within the time period specified in the subdivision agreement.
 - c) The immediately surrounding existing and proposed land uses.
 - d) Those lots or blocks that have existing and potential noise environmental problems based on the noise feasibility study. Include all relevant warning clauses on the map.
 - e) The approximate locations of noise attenuation walls and berms;
 - f) The approximate locations and types of other fencing within the subdivision
 - g) Where parks and open space, storm water management facilities and walkways are located.

- h) The types and locations of parks, valley lands and other open space (i.e. passive or active) and a general description of their proposed facilities and anticipated level of maintenance (to be confirmed in each case with the Environment and Development Engineering Division).
- i) Potential locations of all Canada Post community mailboxes on corner lots (except corner lots at the intersection of an arterial road).
- j) The locations of all Brampton Transit routes through the subdivision.
- k) The following standard notes, using capital letters where noted:
- l) Some residential lots will contain a reduced rear yard setbacks due to the configuration of the subdivision. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca.

i. **“NOTICE AND ADVICE TO PURCHASERS:**

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

PLEASE NOTE:

PUBLIC NOTIFICATION IN ACCORDANCE WITH THE PLANNING ACT”

- ii. “There may be catch basins or utilities easements located on some lots in this subdivision. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca.”
- iii. “Some lots and development blocks will be affected by noise from adjacent roads, the railway, industries or aircraft and warning clauses will apply to purchasers. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca.”
- iv. “The map shows that some of the lots affected by noise will be fitted with noise barriers and some of the homes will be provided with central air conditioning to allow bedroom windows to be closed if necessary due to the noise. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca.”
- v. “The final location of walkways may change without notice. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca.”

- vi. "Door to door mail delivery will not be provided in this subdivision and Community mailboxes will be directly beside some lots. If you have any questions, please call 1-800-267-1177."
- vii. "Some streets will have sidewalks on both sides while others will have them on only one side or not at all. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."
- viii. "The completion of some dwellings in this subdivision may be delayed until after the completion of exterior finishes on the adjacent buildings. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."
- ix. "There may be Brampton Transit bus routes on some streets within this subdivision with stops beside some homes. The City reserves the right to introduce transit services and facilities such as bus stops, shelters, pads, benches and other associated amenities on any City right-of-way as determined by Brampton Transit to provide effective service coverage. If you have any questions, please call (905) 874-2750 or email transit@brampton.ca."
- x. "Boulevard trees will be planted according to City requirements approximately 12 to 18 metres apart and a tree will not necessarily be located in front of every home."
- xi. "The offer of purchase and sale may contain itemized charges for features covered in the City's subdivision agreement. These features may include street trees, driveway paving, sodding, fencing, noise barriers, or gateway features, etc., on the public right-of-way. They may also be described in general terms, such as "community aesthetics enhancements". Despite paying this charge, the purchaser may be left without a tree on the lot in question. The City does not encourage this type of extra billing and has no control over vendors charging for street trees. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."
- xii. "The City will not reimburse purchasers, nor assist in any recovery of moneys paid, under any circumstance."
- xiii. "Although the developer is required to provide trees at regular intervals on the public boulevards within this subdivision, local site conditions may not allow for a tree to be planted in front of some homes."
- xiv. "The design of features on public lands may change. Features shown in the Community Design Guidelines may be constructed as shown or altered, in the City's discretion, without notification to purchasers. Builders' sales brochures may depict these features differently from what is shown on the Community Design Guidelines or the as-built drawings. The City has no control over builders' sales brochures."

- xv. "The City of Brampton's Zoning By-law regulates the width of driveways. Please do not have your driveway widened before inquiring about the permitted driveway width for your lot."
- xvi. "FOR FURTHER INFORMATION, ON PROPOSED AND EXISTING LAND USE, PLEASE CALL (905) 874-2050 or EMAIL PLANNING.DEVELOPMENT@BRAMPTON.CA."
- xvii. "FOR DETAILED BERMING AND GRADING INFORMATION, PLEASE CALL THE SUBDIVIDER'S ENGINEERING CONSULTANT."
- xviii. "FOR DETAILED INFORMATION PERTAINING TO STREETScape, PARKS OR OPEN SPACE, PLEASE CALL THE SUBDIVIDER'S LANDSCAPE ARCHITECTURAL CONSULTANT."

Growth Management/Staging and Sequencing

- 1. N/A

Digital Submissions of Plans

- 2. Prior to draft plan approval, a digital submission of the current draft plan to be draft-approved, shall be provided to the City, in accordance with the Planning and Development Services Department's digital submission requirements.
 - Further conditions to those set out in Section B below may be provided as a result of the resolution of matters identified in this Section A of the memo

B. DRAFT PLAN APPROVAL REQUIREMENTS/CONDITIONS

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

Homebuyers Information Map

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

Land Notices: Statements and Clauses

- 2. The owner shall include the following warnings in bold type in all offers of purchase and sale for all lots and blocks within the plan:

- a) A statement indicating that blocks 1-35 will be developed with single detached dwellings. For further information, please contact the City of Brampton, Planning, Building and Economic Development at (905) 874-2050.
- b) A statement to the satisfaction of the Development Engineering Division of the Public Works Department indicating that Block 3 (10 metre Buffer) and Block 4 (Natural Heritage System) shall be developed for Natural Heritage features and buffer purposes and are planned to contain Natural Heritage Features and associated Buffering and Compensation
- c) A statement indicating that a portion of Block 1 "Condo Parkette" will be developed as a commemorative condo parkette containing a plaque and commemorative features.

 "Purchasers are advised that residents close to Block 1 may be disturbed by noise and night lighting from the parkette. For more information, please call the Development Engineering Division of the Public Works Department, at (905) 874-2050 or email planning.development@brampton.ca."
- d) A statement to the satisfaction of Brampton Transit that the City reserves the right to introduce transit services and facilities such as bus stops, shelters, pads, benches and other associated amenities on any City right-of-way as determined by Brampton Transit to provide effective service coverage.
- e) A statement which advises the prospective purchasers that mail delivery will be from a designated Community Mailbox.
- f) A statement indicating that some of the units may have a noise attenuation fence and/or berm located inside the lot line within the side and/or rear yard.

 A statement indicating that the City of Brampton's Zoning By-law regulates the width of driveways and that owners not widen their driveway before inquiring about the permitted driveway width for the lot.
- g) A statement that there may be catch basins or utilities easements located on some lots in this subdivision. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca.
- h) The types of locations of parks, valley lands and other open space (i.e. passive or active and a general description of their proposed facilities and anticipated level of maintenance (to be confirmed in each case with the Environment and Development Engineering Division).
- i) A statement that some lots and development blocks will be affected by noise from adjacent roads, and warning clauses will apply to purchasers. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca.
- j) The following statements:

- i. "The offer of purchase and sale may contain itemized charges for features covered in the City's subdivision agreement. These features may include street trees, driveway paving, sodding, fencing, noise barriers, or gateway features, etc., on the public right-of-way. They may also be described in general terms, such as "community aesthetics enhancements". Despite paying this charge, the purchaser may be left without a tree on the lot in question. The City does not encourage this type of extra billing and has no control over vendors charging for street trees. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."
- ii. "The City will not reimburse purchasers, nor assist in any recovery of moneys paid, under any circumstance."
- iii. "Although the developer is required to provide trees at regular intervals on the public boulevards within this subdivision, local site conditions may not allow for a tree to be planted in front of some homes."
- iv. "The design of features on public lands may change. Features shown in the Community Design Guidelines may be constructed as shown or altered, in the City's discretion, without notification to purchasers. Builders' sales brochures may depict these features differently from what is shown on the Community Design Guidelines or the as-built drawings. The City has no control over builders' sales brochures."
- v. "There are a number of subdivision homes being constructed in the area. Purchasers are advised that residents may be disturbed by noise, traffic and dust due to construction in the area."
- vi. Gates are not permitted in fences when lots abut a NHS/buffer/valleyland block.
- vii. The City of Brampton's Zoning By-law regulates the width of driveways. Please do not have your driveway widened before inquiring about the permitted driveway width for your lot.
- viii. There are a number of subdivision homes being constructed in the area. Purchasers are advised that residents may be disturbed by noise, traffic and dust due to construction in the area.
- ix. v. This community is subject to Architectural Control. Models available for sale have to be pre-approved by the Control Architect and certain models may not be available for some of the lots. Check with your builder the particular situation for the model and lot you intend to purchase.
- x. The final mix of houses, elevations, lot widths and housing types will be confirmed upon registration of the subdivision plan. Therefore, the purchasers should check with their builder to determine the final houses for construction in the immediate vicinity of the home that is being purchased.

- xi. Some of the lots affected by noise will be fitted with noise barriers and some of the homes will be provided with central air conditioning to allow bedroom windows to be closed if necessary due to the noise. If you have any questions, please call City of Brampton, Public Works and Engineering Department (905) 874-2050.
 - xii. Completion of some dwellings in this subdivision may be delayed until after the completion of exterior finishes on the adjacent buildings. If you have any questions, please call City of Brampton, Planning Building and Economic Development Department (905) 874-2050.
 - xiii. Mail delivery will be from a designated Community Mailbox. The builder shall notify the purchaser of the exact Community Mailbox locations prior to the closing of any sales and advise any affected homeowners of any established easements granted to Canada Post.
 - xiv.
- k) The following clauses to the satisfaction of the Dufferin-Peel Catholic District School Board, until the permanent school for the area has been completed:
- i. "Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school."
 - ii. "That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board."
- l) The following clause to the satisfaction of the Peel District School Board for a period of five (5) years from the date of registration of the plan:
- a) "Whereas, despite the efforts of the Peel District School Board, sufficient accommodation may not be available for all anticipated students in the neighbourhood schools, you are hereby notified that some students may be accommodated in temporary facilities or bused to schools outside of the area, according to the Board's Transportation Policy #39. You are advised to contact the School Accommodation department of the Peel District School Board to determine the exact schools."
 - b) "The purchaser agrees that for the purposes of transportation to school the residents of the development shall agree that the children will meet the school bus on roads presently in existence or at another designated place convenient to the Peel District School Board. Bus stop locations will be assessed and selected by the Student Transportation of Peel Region's Bus Stop Assessment procedure and process (STOPR012)."

- ii) The owner shall notify purchasers of the exact Community Mailbox locations prior to the closing of any sales.

Hoarding of Natural Features:

3. The Owner shall erect and maintain in good condition, hoarding along the outer limits of the Natural Heritage System (NHS) buffer (NHS Buffer Block 3), and/or along the drip line of any vegetation identified for preservation in the approved Tree Evaluation Report, to the satisfaction of the City.

Notification Signage – Public Lands:

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

Cost Sharing

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

Telecommunications

6. The owner shall permit all telecommunications service providers that are a “Canadian carrier” as defined in subsection 2(1) of the Telecommunications Act or a “distribution undertaking” as defined in subsection 2(1) of the Broadcasting Act and have entered into a Municipal Access Agreement with the City (“Telecommunication Providers”) to locate their plant in a common utility trench within any future public highway within the Plan. A list of Telecommunication Providers can be obtained from the City. Within 10 business days of the delivery of the pre-servicing letter, the owner shall notify all Telecommunication Providers of the Plan and request that the Telecommunication Providers contact the owner directly within 10 business days if they intend to locate their plant within any future public highway within the Plan. The owner shall make satisfactory arrangements (financial and otherwise) with the City, Telecommunications Providers and other utilities for the installation of each of their facilities in a common utility trench within the future public highway prior to commencing any work with respect to any future public highway as

shown on the draft approved plan of subdivision, and the owner shall provide evidence of same satisfactory to the City. Until such installation is completed, the owner shall not undertake any works that will limit the ability of any Telecommunications Provider to install its plant in a timely and efficient manner. The owner shall install, at its own expense, 100mm diameter ducts at all road crossings for the use of Telecommunications Providers. The exact location and detailed specifications for these ducts shall be shown on the approved drawings. The owner acknowledges and agrees that the City may refuse to accept or assume any or all streets within the plan until the provisions of this section have been complied with.

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

Growth Management/Staging and Sequencing

- c) N/A

C. POST REGISTRATION:

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

Nil

D. GENERAL COMMENTS

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

- N/A

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

Nicole Hanson

The Corporation of The City of Brampton
2 Wellington Street West, Brampton, ON L6Y 4R2



Nicole Hanson, RPP, MCIP
Principal Planner/Supervisor
Planning, Building & Economic Development
905-874-2439 x 42439
Nicole.hanson@brampton.ca



Public Works & Engineering
Development Engineering

COMMENTS AND CONDITIONS MEMO

Transportation Development Engineering

Date: February 16, 2024
 File: **OZS-2022-0021 and 21T-22004B**
 To: Nicole Hanson
 From: Scott McIntyre (Transportation Development Engineering)
 Subject: Requirements for Plan of Subdivision 21T-22004B
 Description -
Applicant Name Essence Holding
Developer Name GWD
 Location – Walnut Road

Circulation Date: April 20, 2023
 Plan: Draft Plan of Subdivision P.N.07. 1384.00
 Plan Dated: Mar 16, 2023
 Comment Revision #: **#4**

A. PRIOR TO DRAFT PLAN APPROVAL

1. The following studies shall obtain approval status, where applicable:
 - a. Traffic Impact Study (TIS-Nextrans, Feb 13, 2024). **Cleared Feb 13, 2024 SM**
2. The applicant will submit fully dimensioned functional design drawings for any permanent or temporary cul-de-sacs, roundabouts, intersections and road connections proposed within the subdivision, to ensure they meet all current city standards. Cul-de-Sacs are to adhere to City standard drawing #214. **Not applicable (Now a Condo Road)**
3. The city's subdivision design manual (2008) stipulates a minimum 3.5m width for single vehicle driveways. Driveways less than 3.5m width and garages less than 3.5m width are not sufficient to adhere with the city's minimum two parking spaces per unit minimum requirement. As a result, our office requires driveways and garages to not measure less than 3.5 metres width for single vehicle driveways. **Cleared as per April 13, 2023 Response Table Comment #3 SM**
4. Driveways are to measure a minimum 6.0 metre length between the property line and the garage, and/or between the garage and the private sidewalk, or travel portion of the private right-of-way. **Cleared, to be addressed through site plan application.**
5. A separate drawing is to be submitted depicting sidewalks, intersection daylighting dimensions, intersection curb radii, road elbows and driveway locations. Daylighting, curb radii, road elbows and driveway locations will be required to meet the current City standards or meet other satisfactory arrangements as determined by PW&E. **Not applicable (Now a Condo Road)**

6. A separate drawing is to be submitted depicting on-street parking supply. Developer must supply 50% ratio (50% of on-street parking to the number of units). **Not applicable (Now a Condo Road)**
 - Further conditions to those set out in Section B below may be provided as a result of the resolution of matters identified in this Section A of the memo.

B. DRAFT PLAN APPROVAL REQUIREMENTS/CONDITIONS

1. Where Region of Peel waste & recycling bins are not permitted to be stored outside, residences are to accommodate these waste & recycling bins. If these bins are to be accommodated within garages, the applicant is to provide garage design drawings confirming the functionality of garages while accommodating these waste & recycle bins. Recommended garage width is 3.3m (for single garages) to accommodate vehicles with waste & recycling bins.
2. Prior to future site plan approval the applicant shall gratuitously convey to the City of Brampton an approximate 5.0 metre road allowance widening along the entire Churchville Road frontage, towards the ultimate right of way designation of 20.0 metres or 10.0 metres from the centreline of the right-of-way and free & clear of any encumbrances.
3. The applicant is required to provide a drawing depicting Canada Post community mailbox locations and identifying their catchment areas. This drawing is required with the first engineering submission.

C. GENERAL COMMENTS

1. Parking supply is to be as per the City zoning requirements.
2. Utility clearance of 1.5 metres from residential driveways is required.

Regards,



Scott McIntyre

Transportation Engineering | Engineering Division | Public Works & Engineering Dept | City of
Brampton

T: 905.874.2540 | F: 905-874-2599 | 2 Wellington Street West | ON L6S 6E5



COMMENTS AND CONDITIONS MEMO

Date: February 8, 2024
 File: **OZS-2022-0021**
 To: Nicole Hanson
 From: Hanu Dilip
 Subject: Requirements for Draft Plan of Subdivision Approval
 Location: 0 and 8265 Churchville Road
 (North of Steeles Avenue West, east of Creditview Road)

In response to the circulation of the above noted application, the following represents a summation of comments and conditions from the Urban Design Section with respect to matters dealing with urban design:

A. PRIOR TO DRAFT PLAN APPROVAL

- NIL

B. CONDITIONS OF DRAFT PLAN APPROVAL

In accordance with the "Architectural Control Guidelines for Ground Related Residential Development", Chapter 7 of the "Development Design Guidelines", and to adhere to and implement the Architectural Control Protocol Summary (Appendix 2 - Architectural Control Report), as per By-Law 177-2008, the owner shall agree to the following:

1. Select an approved Control Architect from the short list of architectural firms established by the City;
2. The approval of Urban Design Brief, ideally prepared by the selected Control Architect, to the satisfaction of the City;
3. That, the Control Architect shall organize an information meeting with builders, designers, key stakeholders, and City staff to identify the City's expectations, key issues, the Architectural Control Compliance process, and milestones. Written confirmation of the participants' attendance and their understanding of the entire process will be provided to the City. The Control Architect will confirm these meetings and which builders will be affected. Where the Control Architect is satisfied that a meeting is not needed a letter of "Information Meeting and Applicant's Understanding of ACG protocol" will be required;
4. That, the Control Architect shall provide a Clearance Letter to the City, certifying their preliminary review and approval of models;
5. To pay all associated fees to the City as per By-law 110-2010;

6. After Registration, the owner agrees that the Control Architect provides to the City, during construction, Quarterly Site visits and bi-annual Site Monitoring Reports;
7. Upon completion of the subdivision, the owner agrees that the Control Architect provides to the City Final Completion Letter.

C. GENERAL COMMENTS

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

- NIL

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

Hanu Dilip

Hanu Dilip

Urban Designer | Development Services & Design
City of Brampton
E-Mail: hanu.sadanandandilip@brampton.ca



Planning, Building and Growth Management
Environment and Development Engineering

COMMENTS AND CONDITIONS MEMO

Private and confidential

Date: September 19, 2023
 Revised: February 21, 2024
File: (OZS-2022-0021 and 21T- 22004B)
 To: Nicole Hanson
 From: Olti Mertiri
 Subject: **Requirements for Plan of Subdivision 21T-22004B**
 Owner Name: Essence Holding Inc.
 Location: 0 & 8265 Churchville Road
 Circulation Date: August 2023
 Plan: Draft Plan of Subdivision
 Plan Dated: January 25, 2022, Revised March 16, 2023

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

A. PRIOR TO THE TRIBUNAL FINAL DECISION

The following shall be addressed prior to the tribunal rendering its final decision:

- ~~1. The Functional Servicing Report (FSR) shall be approved in support of servicing for this development. – Cleared~~

B. DRAFT PLAN APPROVAL REQUIREMENTS

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

1. Environmental Engineering

1.1. Acoustic

The Owner agrees that the following noise control requirements shall be processed, approved and implemented through the site plan approval process for Block 1 within this plan of subdivision:

- (i) Prior to registration of the Plan and prior to the Developer entering into any Purchase and Sale Agreements, the Developer shall submit a final Noise Impact Study (the "Noise Impact Study") to the satisfaction of the City and Region. The Noise Impact Study shall address methods of dealing with acoustical aspects evolving from all noise sources. The Noise Impact Study should also detail the type of noise attenuation to be implemented for all noise sources. A copy of the Noise Impact Study shall be provided to the City's Chief Building Official;
- (ii) the noise control measures and noise warnings recommended by the Noise Impact Study shall be implemented to the satisfaction of the City and the Region;
- (iii) prior to the issuance of any building permits, the Owner shall provide the City's Chief Building Official with a certificate certifying that the builder's plans for each dwelling unit to be constructed on the plan shows all of the noise attenuation works required by the approved noise report and the approved plans;
- (iv) the Owner shall prepare a Noise Attenuation Statement, a copy of which shall be provided to the City's Chief Building Official; and
- (v) prior to the issuance of any building permits, the Owner shall provide to the City's Chief Building Official a certificate indicating the builder's plans for each dwelling unit to be constructed on the plan shows all of the noise attenuation works required by the Noise Impact Study and the approved plans.

1.2. Environmental

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

1.3. Stormwater Management

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

2. Road Reconstruction/Cash Contributions

2.1. N/A

3. Financial Impact

- 3.1. Development charges will be made payable to the City in accordance with the Development Charges By-law in effect at the time of payment.
- 3.2. No credits are anticipated with respect to the Transportation Component of the City Per Unit Levy to be assessed to this development.

4. Sidewalks

- 4.1. N/A

5. Land Dedications and Easements

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

6. 0.3 Metre Reserves/Reserve Block(s)

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

7. Warning Clauses

- 7.1. Warning clauses are to be included in the Agreements of Purchases and Sale and registered on the title of all affected lots and blocks noting:
 - 7.1.1. Any noise control features required to meet the noise level objectives of the City, to the satisfaction of the City, with respect to all noise sources,
 - 7.1.2. Any walkways or retaining walls that may evolve on the plan,
 - 7.1.3. The possibility of future transit routes within the internal collector/local road network to serve the residents of this community, including possible establishment of transit stops and platforms,

8. Soil

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

C. GENERAL COMMENTS

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

1. Subdivision Agreement

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

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

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

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

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

3. Storm Drainage

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

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

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

4. Sanitary and Water Service

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

5. Soil Conditions

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

6. Streetlighting

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

7. Signs

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

8. Utilities

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

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

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

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

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

9. Removal of Existing Buildings

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

10. City Road Maintenance/Construction Access

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

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

11. Road Design

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

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

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

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

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

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

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

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

13. Acoustical

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

14. Community Postal Boxes

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

15. Preservicing

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

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

Regards,



Olti Mertiri, P.Eng.
Supervisor, Development Approvals
Engineering Division
Planning, Building and Growth Management
Tel. (905) 874-5 273 Fax (905) 874-3369
olti.mertiri@brampton.ca

Cc: Accela
Frank Mazzotta (Manager, Development Engineering)



Planning, Building and Growth Management
Environment and Development Engineering

Date: February 27, 2024
To: Nicole Hanson, Development Planner
From: Mohsin Talpur, Water Resources Engineer
Donna Sanders, Engineering Technologist
Subject: Functional Servicing and Stormwater Management Report
Gagnon Walker Domes Professional Planners - Essence Holdings Inc.
8265 Churchville Road
File: OZS-2022-0021 / 21T-22004B

Submission for Zoning Bylaw Amendment and Draft Plan Approval:

- R3_Functional Servicing & Stormwater Report for Essence Holdings Inc., prepared by C.F. Crozier & Associates Inc. dated **REVISED February 2024**, and received February 15, 2024
- R3_Servicing, Grading, Drainage, ESC Plans
- R3_Comment Response Table
- R3_Engineering Channel Assessment Memo
- R3_Sustainability Score & Summary

Comments:

Further to our clearance dated February 16, 2024 pertaining to the FSR, we are providing an updated memo reflecting the recently uploaded files that were renamed and now follow the City's naming convention. The files have been reviewed and are consistent with the previously cleared versions, therefore, our previous clearance remains, while noting the following:

1. The outfall location from the cul-de-sac shall be finalized at detailed design stage;
2. OGS are credited for only 50% TSS removal, therefore, a clearly defined treatment train shall be provided at detailed design stage;
3. Pertaining to the Channel Assessment Memo, some limitations and uncertainties were noted, such as using only two cross-sections from existing topography within the site and neglecting external flows from adjacent lands. Therefore, a more thorough analysis to demonstrate adequate capacity within the channel and downstream culvert is recommended at detailed design stage.

cc. Maggie Liu
Olli Mertiri
Eugenia Bashura



Public Works & Engineering

Date: January 8, 2024
To: Nicole Hanson, Development Services
From: Kristina Dokoska, Environmental Planning
File: OZS-2022-0021
Subject: '0' and 8265 Churchville Road
Application to amend the Zoning By-law, and proposed Draft Plan of Subdivision

Environmental Planning received the following documents associated with the aforementioned application:

- Revised Environmental Impact Study, prepared by Dillon Consulting and dated April 2023;
- Draft Plan of Subdivision, prepared by GWD and dated March 16, 2023;

Our comments are offered below. Please advise the applicant to address these comments, and provide a revised submission accompanied by a letter indicating how and where the City's comments have been addressed.

Section 9.1: Stormwater Management Plan and Low Impact Design

1. As previously noted, please update this section to discuss feature-based water balance requirements and how it will be achieved.

Section 9.3: Table and Tree Removal

2. As previously noted, please update this section to be renamed Tableland Tree Removal
3. As previously noted, the applicant is encouraged to undertake restoration planting and tableland tree compensation on NHS Block 4 identified on the Draft Plan of Subdivision. Please note that trees and other restoration planting being planted within environmental buffers identified in the EIS, as well as streets/boulevards will not be accepted as compensation trees because they are already required as part of City standards. Please update the EIS to include discussion on restoration planting and tableland tree compensation within NHS Block 4.

Section 9.5: Development Buffers/Setbacks

4. As previously noted, please update this section to provide recommended species which will be used to inform detailed design.

The Corporation of the City of Brampton

2 Wellington Street West, Brampton, ON L6Y 4R2 T: 905.874.2000 TTY: 905.874.2130

Should you have any questions, please do not hesitate to contact the undersigned.

Kristina Dokoska
Environmental Planner
905-874-2081
Kristina.dokoska@brampton.ca

Pam Cooper
Manager, Environmental Planning
905-874-2265
Pam.cooper@brampton.ca



Planning, Building and Growth Management
Building Division
8850 McLaughlin Road, Unit 1
Brampton, ON L6Y 5T1

COMMENTS AND CONDITIONS MEMO

Date: February 8, 2024
File: **OZS-2022-0021 and 21T-22004B**
To: Nicole Hanson
From: Anthony Magnone
Subject: Requirements for
Essence Holdings Inc.
8265 Churchville Road

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

A. PRIOR TO DRAFT PLAN APPROVAL

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

Not Applicable

B. DRAFT PLAN APPROVAL REQUIREMENTS/CONDITIONS

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

Not Applicable

C. GENERAL COMMENTS

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

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

Building Removal

Prior to registration **or site plan approval**, the applicant shall remove any existing buildings on the site.

Exposed Basements

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

Fire Break Lots

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

Foundations

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

Noise Abatement

Prior to registration, site plan approval, and prior to the applicant entering into any purchase and sale agreements, the applicant shall engage the services of a qualified acoustical consultant to complete a noise study recommending noise control measures satisfactory to the City (and Region of Peel when requested by the Region). A copy of this report shall be provided to the City's Chief Building Official.

The noise control measures and noise warnings recommended by the acoustical report shall be implemented to the satisfaction of the City of Brampton. (and Region of Peel as required)

Prior to registration and site plan approval the applicant shall prepare a Noise Attenuation Statement, a copy of which shall be provided to the City's Chief Building Official.

Prior to the issuance of any building permits, the applicant shall provide the City's Chief Building Official with a certificate certifying that the builder's plans for

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

Municipal Addressing

Prior to registration and/or site plan approval, the applicant shall provide confirmation that the digital submission requirements and GIS requirements for the submission of the proposed final M-plan (CAD file) are complete and uploaded in the City's GIS system. Refer to the attached link for clarification:

https://www.brampton.ca/EN/Business/planning-development/Documents/e-Forms/DevServ/ZB_OP_Amendment_Application_Package.pdf

In support of having building permits issued in an expedited manner, please provide the anticipated Production Builder names and allotments believed to be submitting building permit applications to construct residential dwellings within this subdivision development.

The Builder information can be emailed directly to documentservicesbldg@brampton.ca titled "**Production Builder Information for Proposed Residential Plans of Subdivision; 21T-_____B**", referencing the 21T plan number.

Condominium Development Area (Block 1, condo single family dwellings)

Building Comments

- The applicant/owner to provide a copy of the final version of the geotechnical report, signed and sealed by the QP, at time of permit application.
- The applicant owner must obtain a demolition permit to remove any existing buildings on the site.
- All mandatory inspections for any issued permits must be passed and the permit be closed.
- Any other building code comments will be addressed during the site plan approval application.

Plumbing Comments

- Any plumbing comments will be addressed during the site plan approval application.

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



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



Community Services
Parks Maintenance & Forestry

COMMENTS & CONDITIONS MEMO

Date: January 31, 2024

File: OZS-2022-0021 & 21T-22004B

To: N. Hansen, Development Services

From: C. Heike, Parks Planning Group

Subject: **REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT Zoning By-Law Amendment Application & Proposed Draft Plan of Subdivision**
(To permit a residential plan of subdivision consisting of single detached condominium dwellings, a natural heritage system block, a buffer block, and an open space block.)

UPDATED Conditions from the Planning & Delivery Section

Consultant: **GAGNON WALKER DOMES LTD.**

Owner: **ESSENCE HOLDINGS INC.**

Location: '0' and 8265 Churchville Road
Circulation Date: January 19, 2024
Ward: 4

In response to the Accela circulation of the 2nd Revision (R2) of the above noted Zoning By-Law Amendment & Proposed Draft Plan of Subdivision dated January 19, 2024, the following represents an UPDATED summation of conditions from the **Planning and Delivery Section** and general comments from the **Parks Planning Group**. The **Open Space Group** may also provide their own general comments through the Accela workflow.

This updated memo replaces our memo dated May 4, 2023.

A. PRIOR TO DRAFT PLAN APPROVAL

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

Identification of Lands to be dedicated to the City for Parks, Open Space:

1. The limits of development shall be finalized to the satisfaction of the Credit Valley Conservation and the City.

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2. A minimum 10 m buffer block shall be established to facilitate protection and preservation of the Natural Heritage System (NHS) (valleyland). The final width of the buffer shall be established by the approved Environmental Implementation Report/Environmental Impact Study, to the satisfaction of the Credit Valley Conservation and the City.

B. DRAFT PLAN APPROVAL REQUIREMENTS / CONDITIONS

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

a) Prior to Commencement of Construction:

Hoarding of Natural Features:

3. The Owner shall erect and maintain in good condition, hoarding along the outer limits of the Natural Heritage System (NHS) buffer (NHS Buffer Block 3), and/or along the drip line of any vegetation identified for preservation in the approved Tree Evaluation Report, to the satisfaction of the City.

Notification Signage – Public Lands:

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

b) Prior to Registration:

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

Fencing:

5. The Owner shall make satisfactory arrangements with the City to provide fencing, at their cost, in accordance with the City Fencing Policy and the approved Urban Design Brief (as applicable), for incorporation into the landscape drawings' submission, to the satisfaction of the City.

Maintenance Fees:

6. The Owner shall agree to contribute a maintenance fee for any landscape item deemed necessary by the Owner, but which exceeds the City standard. This may

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include, but not be limited to special entry feature structures and centre medians, irrigation systems, acoustical walls and architectural landscape elements located on public property.

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

Parkland Dedication:

8. Any submitted appraisals or amendments thereto shall be in accordance with City standards and shall be to the satisfaction of the City's Realty Services Section.
9. Parkland Dedication requirements for the plan shall be in accordance with the Planning Act, R.S.O. 1990, c.P.13 as amended (the Planning Act) and the City's Parkland Dedication By-law, as amended.

Note: In the case of an under dedication, , The Owner shall be required to compensate the City prior to registration in accordance with the Planning Act (as amended) and the City's current policies, in the form of a Cash In Lieu of Parkland Payment.

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

Note: The plan is located within the Credit Valley Secondary Plan Area and is subject to Council resolution CW070-2005 which requires CIL for residential development to be collected at a rate of \$350,000/ac.

Plan Requirements for all Public Lands:

10. Prior to plan registration, the Owner shall provide detailed working drawings for all identified open space blocks, NHS, NHS buffer blocks, streetscape planting, and fencing to the satisfaction of the applicable approving departments and in accordance with the latest City standards. Fencing shall be included along holdout properties where they abut the plan, subject to the approval of the existing property owners. The Owner shall comply with both the facility fit/concept plan approved prior to draft plan approval and/or the recommendations of the approved Design Brief.

Streetscape Plans:

11. Prior to plan registration, the Owner shall make satisfactory arrangements with the City, through the Subdivision Agreement and the landscape drawings' submission, to provide street trees along immediately the abutting street, including the implementation of boulevard and buffer planting, and entry features. The Owner shall

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comply with the recommendations of the approved Urban Design Brief (as amended and as applicable).

Summary Requirements:

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

Tableland Tree Compensation:

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

Tableland Vegetation:

14. The Tree Evaluation Report, shall be finalized and approved in accordance with the City's Tableland Tree Assessment Guidelines, to the satisfaction of the City.

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

Warning Clauses – NHS, etc.

15. Prior to registration, the Owner shall ensure that the builder(s) include a warning clause in all Offers of Purchase and Sale for all Lots or Blocks abutting blocks designated for open space and Natural Heritage System (NHS) lands (including associated buffers) that state:

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

Warning Clauses – Street Trees

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

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

c) **Post Registration:**

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

Conveyance of Public Lands:

17. All identified open space and Natural Heritage System (NHS) lands (including associated buffers) shall be gratuitously conveyed to the City in a form and condition satisfactory to the City.

Development of all Public Lands:

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

Streetscape Implementation:

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

Reimbursement for Creditable Work:

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

Note: The Owner shall be entitled to compensation for select works in accordance with the approved drawings and cost estimates and in accordance with the most recently approved Development Charge Background Study document. Where applicable, arrangements for development charge credits/compensation select works will be concluded upon in conjunction with the development of the block. The identified

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works shall be completed within twenty-four (24) months of the first building permit being issued for any lot or block in the plan of subdivision, unless an extension has been granted in writing by the City or unless a more rapid delivery of the open space block is required to service existing residents.

As-Built Drawings:

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

d.) Prior to Assumption:

Hazard Removal:

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

C. GENERAL COMMENTS

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

Parks and Open Space Naming:

23. Names for all identified NHS and open space blocks shall be incorporated into the Recommendation Report, for Council's approval. In this regard, the following blocks have been identified and the following names are recommended:
- a) Open Space Block '2' shall be identified as an extension of the existing "Snuretown Pond South" immediately to the east; and,
 - b) NHS Buffer Block '3' and NHS Valley Block '4' shall identified as an extension of the existing "Snuretown Valley South" immediately to the north.

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

Other General Comments:

24. NIL

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

Christopher Heike B.Sc., M.Pl., MCIP, RPP
Park Planner, Parks Planning Group
Planning & Delivery Section
Parks Maintenance & Forestry Division
Community Services Department
christopher.heike@brampton.ca

cc. (via email only):
M. Wiskel, J. K. Bajwa, M. Colangelo, K. Dokoska
(Note: A digital copy has also been uploaded to Accela.)



Public Works

10 Peel Centre Dr.
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tel: 905-791-7800

peelregion.ca

February 7, 2024

Nicole Natalie Hanson, H.BA, MES(Pl), RPP, MCIP
Principal Planner / Supervisor
Planning, Building and Growth Management
Corporation of the City of Brampton
2 Wellington Street West
Brampton ON, L6Y 4R2
Nicole.Hanson@brampton.ca

**Re: Region of Peel Comments and Conditions – WITHOUT PREJUDICE
Draft Plan of Subdivision and Zoning By-law Amendment
0 & 8265 Churchville Road
Essence Holdings Inc.
City File: OZS-2022-0021
Region Files: 21T-22004B and RZ-22-021B
Ontario Land Tribunal File OLT-23-000363**

Dear Ms. Hanson,

The Region has reviewed the Revised Concept Plan received on January 18, 2024 subsequent to a meeting between the applicant/appellant and City staff. Materials are submitted in support of the Draft Plan of Subdivision and Zoning By-law Amendment applications cited above on which comments and conditions were provided on February 1, 2023. Our updated comments and conditions are found below.

Development Services

As per the Conditions of Draft Approval for Draft Plan of Subdivision 21T-22004B, the developer is required to fulfill all conditions to the satisfaction of the Region. Release for Registration will not be provided by the Region until all Regional requirements have been met.

General Comments

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

Sanitary Sewer Facilities

- Municipal sanitary sewer facilities consist of a 375mm sewer on Churchville Road and a 250mm/375mm sanitary sewer on Walnut Road.
- A revised Functional Servicing Report (FSR) showing proposed sanitary sewer servicing plans for the development and provision for the neighbouring lands, if any, will be required for review and approval by the Region prior to the engineering submission.
- External easements and construction may be required.

Water Facilities

- The lands are located within Water Pressure Zone 4.
- Existing infrastructure consists of a 200mm watermain on Churchville Road and a 200mm watermain on Walnut Road.



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- A revised Functional Servicing Report (FSR) showing proposed watermain servicing plans for the development and provision for the neighbouring lands, if any, will be required for review and approval by the Region prior to the engineering submission.
- External easements and construction may be required.

Regional Roads

- Regional roads are not adversely affected.

Development Charges

- The Developer acknowledges that the lands are subject to the Region's Development Charges By-law in effect from time to time. The applicable development charges shall be paid in the manner and at the times provided by this By-law.

Capital Budget

- There is no negative impact on the Regional Capital Budget as this development does not create a need for sanitary sewer, watermain, or road improvements in the Five-year Capital Budget and Forecast.

Waste Management

- For collection of garbage and recyclable materials from private lanes, apartments, and/or condominiums, the Region requires that the owner complete an Acknowledgement and Release for Private Property Waste Collection Services prior to commencement of collection. Please see Appendix 10 and 11 of the Region of Peel Waste Collection Design Standards Manual for the two forms which must be completed prior to commencement of waste collection.
- For more information, please consult the Waste Collection Design Standards Manual available at: <https://www.peelregion.ca/pw/standards/design/waste-collection-design-manual-2016.pdf>

Affordable Housing

- Table 4 of the recently adopted [Peel 2051 Regional Official Plan](#) identifies Peel-wide new housing unit targets on rental, density, and affordability. These targets are based on need as determined through the [Peel Housing and Homelessness Plan](#) and the [Regional Housing Strategy](#).
- The applicant is encouraged to review opportunities to incorporate additional residential units (ARUs) or second units in a certain number of detached homes, or having the option of ARU rough ins, larger basement windows and providing separate entrances as part of pre-construction sales. This would help the applicant demonstrate a stronger contribution towards the density and rental targets.
- The applicant should explore providing units at prices that are affordable to low or moderate income households and are consistent with the definition of 'affordable housing' outlined in the [Glossary section](#) of the [Peel 2051 Regional Official Plan](#) and the [Provincial Policy Statement](#).
- It is anticipated that units identified to address moderate income needs will be predominantly provided by the private sector. Information is needed on pricing and affordability period (i.e., 25 years or more). Partnerships between the applicant, the Region of Peel, the City of Brampton, and/or the non-profit sector could be explored to provide units that are affordable to low-income households.
- As part of the applicant's contribution to the Peel-wide new housing unit target for affordability, the applicant may consider a contribution of land or units to the Region and/or a non-profit housing provider to be used for affordable housing. Regional staff would be interested in working with applicant to establish terms of such a contribution involving the Region of Peel and/or connecting the applicant with a non-profit housing



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provider. Lands as a contribution shall be fully serviced and gratuitously conveyed, free and clear of encumbrances, to the Region of Peel. Said conveyances shall occur at the time of registration of the plan of subdivision in which the lands are located.

Public Health

- Through ROPA 27, the Region has implemented the Healthy Development Framework (HDF), a collection of Regional and local, context-specific tools that assess the health promoting potential of development applications. All tools in the HDF incorporate evidence-based health standards to assess the interconnected Core Elements of healthy design: density, service proximity, land use mix, street connectivity, streetscape characteristics and efficient parking.
- A key policy of ROPA 27 is to inform decision-makers, in this case Brampton Council, of the health promoting potential of planning applications. As such, City Staff is working collaboratively with the Region to ensure health is considered as part of the review of development applications, and where warranted is communicated to local Council.
- It does not appear that a revised Sustainability Assessment has been submitted. Based on the original submission reaching a bronze threshold with a score of 32 points, there are further opportunities to enhance the score. Please include or label pedestrian scaled lighting and sidewalks on both side of the road which are a minimum of 1.5m wide.

Conditions of Draft Approval

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

Development Charges

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

Water Meter Fees

3. In respect of the water meter fees:
 - a. Prior to registration of the plan of subdivision, the Developer shall pay to the Region the appropriate water meter fees, in accordance with the Region's Fees By-law, as amended from time to time for residential building lots (singles, semi-detached, townhomes or apartment blocks) to the satisfaction of the Region in accordance with the engineering drawings and final draft M-plan for the Lands; and



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

Land Dedications

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

Traffic/Development Engineering Conditions

5. The Developer acknowledges and agrees that landscaping, signs, fences, gateway features, and any other encroachments shall not be permitted within the Region's easements and right-of-way.
6. Servicing of the subdivision will require:
 - a. Existing water services and sanitary sewer connections on Churchville Road, if not being used, must be properly disconnected and the road restored to the original condition or better. Exact location of the services to be verified and shown on the engineering drawings.
 - b. Applicant acknowledges that the existing 250mm/375mm sanitary sewer main and 200mm watermain are located within the subject development, in an existing servicing easement. The applicant must ensure that these existing services are incorporated in the detailed engineering design for the subject site.
 - c. Existing water and sanitary servicing to 8261 Walnut Road must remain undisturbed, unless otherwise permitted by the property owner.

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

Drawings – Servicing and “As Constructed”

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

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

General Conditions

9. Prior to registration of the subdivision, the Developer shall execute a Subdivision Agreement with the local municipality and Region for the construction of municipal sanitary sewer, water, and regional roads associated with the lands. The Developer shall construct and design these services in accordance with the latest Region standards and requirements.



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10. Prior to servicing, the Developer shall submit a satisfactory engineering submission to the Region to review and approval.
11. The Developer is advised that prior to issuance of building permits for all lots and blocks, satisfactory arrangements must be made with the Region with regard to water and sanitary service applications and payments of the required connection charges.
12. Prior to registration of the plan of subdivision, the Developer shall pay the Region's costs for updating its electronic "As Constructed" information for the infrastructure installed by the Developer. The cost shall be based on a "per kilometre" basis for combined watermains and sanitary sewers installed pursuant to the Region's latest User Fees By-law.
13. The Developer agrees that the Region shall hold back a portion of the Letter of Credit to cover the costs of services completed by the Region on a time and material basis pursuant to the current Region's User Fee By-Law. A clause shall be included in the Subdivision Agreement in respect of same.
14. The Developer will maintain adequate chlorine residuals in the watermains within the plan from the time the watermains are connected to the municipal system until such time as the Region issues Final Acceptance. To maintain adequate chlorine residuals, the Developer shall either install automatic flushing devices or retain Regional staff to carry out manual flushing. Regional staff shall conduct the monitoring and testing for chlorine residuals. All costs associated with the monitoring and flushing shall be the responsibility of the Developer pursuant to the current Region's User Fee By-Law. A clause shall be included in the Subdivision Agreement in respect of same.
15. A clause shall be included in the Subdivision Agreement as follows:
 - a. In respect of servicing existing properties within the zone of influence in the event that existing private services (wells) deteriorate due to the servicing of the proposed plan of subdivision;
 - b. Until the issuance of Final Acceptance a portion of the Letter of Credit shall be held back to serve as protection for the private wells in the zone of influence of the plan of subdivision. This amount shall be based on the anticipated cost of replacing water supplies within the zone of influence as shown in the schedules of the agreement. The minimum amount shall be \$20,000.00. If the private well systems in the zone of influence deteriorate due to the servicing of the plan of subdivision the Developer shall provide temporary water supply to the residents upon notice by the Region and the Developer shall continue supplying the water to the effected residents until the issue is resolved to the satisfaction of involved parties. If the quantity of water in the existing wells is not restored to its original condition within a month after first identification of the problem, the Developer shall engage the services of a recognized hydrogeologist to evaluate the wells and recommend solutions including deepening the wells or providing a permanent water service connection from the watermain to the dwelling unit.
 - c. The Developer shall inspect, evaluate and monitor all wells within the zone of influence prior to, during and after the construction has been completed. Progress Reports should be submitted to the Region as follows:
 - Base line well condition and monitoring report shall be submitted to the Region prior to the pre-servicing or registration of the plan (whichever occurs first) and shall include as a minimum requirement the following tests:
 - Bacteriological Analysis - Total coliform and E-coli counts
 - Chemical Analysis - Nitrate Test
 - Water level measurement below existing grade
 - c. In the event that the test results are not within the Ontario Drinking Water Standards, the Developer shall notify in writing the Homeowner, the Region of Peel's Health Department



Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

(Manager - Environmental Health) and Public Works Department (Development Supervisor) within 24 Hours of the test results.

- d. Well monitoring shall continue during construction and an interim report shall be submitted to the Region for records. Well monitoring shall continue for one year after the completion of construction and a summary report shall be submitted to the Region prior to Final Acceptance.

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

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

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

If you have any questions or concerns, please contact me at dana.jenkins@peelregion.ca or 905-791-7800 ext 4027 at your earliest convenience. Thank you, Nicole Natalie.

Regards,

Dana Jenkins

Dana Jenkins
Development Services
Department of Public Works

cc: John Hardcastle, Manager, Development Services, Region of Peel
Alex Sepe, Manager, Development Services, City of Brampton
Marc DeNardis, Gagnon Walker Domes
Rachel Godley, Legal Counsel, Region of Peel
Eugenia Bashura, Lawyer, City of Brampton



February 13, 2024

VIA EMAIL

City of Brampton
Planning & Building Dept.
2 Wellington Street West
Brampton, Ontario L6Y 4R2

Attention: Nicole Natalie Hanson

**RE: City File No. OZS-2022-0021
CVC File No. 21T-22004B
Essence Holdings Inc.
0 and 8265 Churchville Road
Part of Lot 2, Concession 3 WHS
City of Brampton**

Credit Valley Conservation (CVC) staff have received and reviewed the above noted Draft Plan of Subdivision application and Zoning By-Law Amendment made by made by Gagnon Walker Domes on behalf of Essence Holdings Inc., and provide the following comments.

Regulated Area

Based on information available in our office, a portion of the property is regulated by CVC due to the slope valley associated with the Credit River and its tributaries. There are also wetlands on and in proximity (Provincially Significant Churchville-Norval Wetland Complex) to this property. As such, the property is subject to CVC's Regulation of Development Interference with Wetlands, and Alterations to Shorelines and Watercourses (Ontario Regulation No. 160/06). A permit will be required from CVC prior to any development proposed within the regulated area.

General Comments

CVC staff have reviewed the proposed development and associated draft reports, including the Small Scale Hydrogeological Assessment and Comment Response (A&A Environmental Consultants Inc., July 18, 2023), Functional Servicing and Stormwater Management Report (Crozier, revised April 2023), and Revised Environmental Impact Study (Dillon Consulting, revised April 2023). CVC Staff provided comments under separate cover (dated September 7, 2023) from our review. Since our review of the last submission materials, there have been modifications to the Draft Plan of Subdivision (GWD, last revised November 30, 2023) and Development Concept Plan (GWD, January 11, 2024). While CVC staff are still satisfied with the limits of development related to CVC regulated features, we followed up with comments on January 5, 2024 related to updates to the Functional Servicing Report to confirm feasibility of the proposed stormwater management strategy. We expect that these will be appropriately satisfied through the next resubmission. The next submission should include a response identifying how our previous comments have been addressed.

CONDITIONS OF DRAFT APPROVAL

At this time, the City has requested conditions of draft approval recognizing that the outstanding studies are forthcoming to address our remaining comments for the feasibility stage. Depending on the results of these studies, the plan may need to be redline revised to incorporate the findings, in accordance with applicable policies. Taking into consideration the above, the following are CVC staff's recommended conditions of draft approval:

1. That the Functional Servicing Report (FSR) by Crozier be completed to the satisfaction of the City and CVC. If necessary, the plan shall be redline revised to implement the findings of the amended FSR.
2. That confirmation be received from the hydrogeologist to confirm feasibility of the proposed infiltration facilities. If necessary, the plan shall be redline revised to implement the findings of the amended FSR.
3. That the portions of the Natural Heritage System (NHS) and Buffer on the property (Blocks 3 and 4) be gratuitously dedicated to the City of Brampton, as appropriate.
4. Prior to the registration of any phase of the plan and any site grading and servicing in the respective phase, that the following information, relevant to that phase, be prepared to the satisfaction of the CVC and the City of Brampton:
 - a) A Stormwater Management Implementation Report in accordance with the final approved FSR.
 - b) Detailed engineering plans for the overall draft plan of subdivision.
 - c) Plans/reports demonstrating the details of any proposed LID measures to be implemented as per the final approved FSR.
 - d) Plans/reports demonstrating the details of any outfall and energy dissipation measures in the NHS, and that permits are obtained from CVC pursuant to Ontario Regulation 160/06, as applicable.
 - e) Appropriate sediment and erosion control measures be implemented as approved by CVC and the City of Brampton.

That the draft plan be red-line revised to meet the requirements of the above conditions, if necessary.

5. Prior to the registration of the plan and/or any phase of the plan, the following information will be prepared to the satisfaction of CVC and the City of Brampton:
 - a) That appropriate restoration and buffer planting plans for the NHS (Blocks 3 and 4) are submitted to the satisfaction of CVC and the City of Brampton.

- b) Plans/reports demonstrating the details of the proposed development within the regulated area, including the fulfilling of all requirements for the issuance of a permit pursuant to Ontario Regulation 160/06.
- c) That the Subdivision Agreement between the Owner and the Municipality contain provisions, wherein the Owner agrees to carry out the works noted in Conditions 1 to 5.
- d) That a Warning Clause be included in the Agreements of Purchase and Sale advising the future landowners of Block 1 that the adjacent public land (i.e., NHS and Buffer) will remain as a low maintenance environment.

We trust this is satisfactory, however if you need further assistance, please do not hesitate to contact the undersigned at trisha.hughes@cvc.ca or 905-670-1615 ext. 325.

Sincerely,



Trisha Hughes

Acting Senior Planner

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: February 13, 2025

CASE NO(S): OLT-23-000363

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.

Appellant:	2794857 Ontario Inc.
Applicant:	Gagnon Walker Domes Ltd.
Subject:	Application to amend the Zoning By-law – Refusal or neglect to make a decision Zoning By-Law and Subdivision
Description:	Zoning By-Law and Subdivision
Reference Number:	OZS-2022-0021
Property Address:	0 and 8265 Churchville Road (North of Steeles Avenue West, east of Creditview Road)
Municipality/UT:	Brampton/Peel
OLT Case No.:	OLT-23-000363
OLT Lead Case No.:	OLT-23-000363
OLT Case Name:	Essence Holdings Inc. v. Brampton (City)

PROCEEDING COMMENCED UNDER subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.

Subject:	Proposed Plan of Subdivision – Failure of Approval Authority to make a decision
Reference Number:	OZS-2022-0021
Property Address:	0 and 8265 Churchville Road
Municipality/UT:	Brampton/Peel
OLT Case No.:	OLT-23-000364
OLT Lead Case No.:	OLT-23-000363

Heard: April 9, 2024 by Video Hearing

APPEARANCES:**Parties****Counsel/Representative***

Essence Holdings Inc.

J. Alati
G. O'Brien
N. Gunawardana (*in absentia*)

City of Brampton

E. Bashura
S. Ross (*in absentia*)

Jubin Abuwalla

A. Ciccone (*in absentia*)

Sukhwant Baidwan

Self-represented*

AMENDING DECISION DELIVERED BY C.I. MOLINARI AND ORDER OF THE TRIBUNAL

[1] In accordance with Rule 24.4 of the Tribunal's *Rules of Practice and Procedure*, whereby the Tribunal may at any time and without prior notice to the Parties correct a technical or typographical error made in a decision or order, the Decision and Order issued on April 22, 2024, is hereby amended.

[2] By amending the second sentence in **Paragraph [41]** so that it reads as:

The Tribunal authorizes the municipal clerk of the City of Brampton to assign a number to this By-law, insert dates for record-keeping purposes, and assign special section numbers.

[3] In all other respects, the Tribunal's Decision and Order remains the same.

"C. I. Molinari"

C. I. MOLINARI
MEMBER

Ontario Land Tribunal

Website: www.olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal ("Tribunal"). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.