

**Date:** 2020-12-17

**Subject:** **Request for Budget Amendment: Developer Reimbursement for the Development of LIV Communities Landmart Phase 2 Park Block 118 (Ward 6)**

**Contact:** Ed Fagan  
Acting Director, Parks Maintenance & Forestry  
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**Report Number:** Community Services-2021-048

**Recommendations:**

1. That the report titled **Request for Budget Amendment: Developer Reimbursement for the Development of LIV Communities Landmart Phase 2 Park Block 118 (Ward 6)**, to the Committee of Council Meeting of January 20, 2021, be received; and
2. That a budget amendment be approved for Project #215860 – Park Blocks in the amount of \$1,250,508 with full funding to be transferred from Reserve #134 – DC: Recreation.

**Overview:**

- **Park Block 118 has been constructed and completed by the developer, LIV Communities, as part of their Landmart Phase 2 development in accordance to the approved drawings.**
- **In accordance with ‘Schedule D’ of the approved Subdivision Agreement, the developer is entitled to reimbursement from the City of Brampton for the agreed upon cost of developing Park Block 118.**
- **The developer has satisfied the City’s requirements and staff are prepared to issue payment for the construction of Park Block 118.**
- **This report recommends that Council authorize a budget amendment of \$1,250,508.00 to reimburse LIV Communities.**

## **Background:**

When a new subdivision contains a park, the park is typically constructed by the developer. Construction drawings are prepared by the developer's landscape consultant and approved by the City's Open Space Development Section (Community Services Department). The developer is entitled to compensation for the cost of the park development through Development Charges collected. This is detailed in 'Schedule D' of the Subdivision Agreement for the plan. Funding for the reimbursement comes from Reserve #134 - DC: Recreation. Funding for the reimbursement must be approved by Council before payment for the completed works can be processed.

## **Current Situation:**

Through the Subdivision Agreement, the developer, LIV Communities, was required to design and construct the Park Block 118 in their development.

The developer has completed the park to staff's satisfaction, met the conditions of the respective subdivision agreement and have invoiced for the work. This report is intended to obtain approval for the cost in the capital budget and allow the City to complete its obligation to reimburse the developer.

The details of the requested reimbursement are:

<b>Development Name:</b>	<b>LIV Communities Developments Landmart Phase 2</b>
<b>Registered Plan No.:</b>	<b>43M-2024</b>
<b>Park Block:</b>	<b>Park Block 118</b>
<b>Ward:</b>	<b>6</b>
<b>Reimbursement Amount:</b> <b>(13 % H.S.T. included)</b>	<b>\$ 1,388,633.56</b>

## **Corporate Implications:**

### Financial Implications:

The City has received the developer reimbursement invoice from LIV Communities as per 'Schedule D' of the Subdivision Agreement. Therefore, a budget amendment will be required to increase Capital Project 215860-002 in the amount of \$1,250,508.00 as shown below, with full funding to be transferred from Reserve #134 – DC: Recreation.

Project # 215860-002

LIV Communities Landmart Phase 2, Park Block 118 (Registered Plan 43M-2024)

Budget Amendment: \$1,250,508

\*Includes non-recoverable HST of 1.76%

**Term of Council Priorities:**

This report supports the following Term of Council Priorities:

- Brampton is a Green City – Implement a Green Framework
- Brampton is a Healthy & Safe City – Continue to design and build new activity hubs to provide accessible spaces and play elements for residents of all ages and abilities

**Conclusion:**

As part of the subdivision agreement, the developer, LIV Communities has completed the park works in their development to the satisfaction of the City. Therefore, staff recommends that the 2020 Capital Budget be amended to allow the City to meet its obligation to pay the amount owed to the developer.

Authored by:

Reviewed by:

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Approved by:

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Derek Boyce, M.A.  
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David Barrick  
Chief Administrative Officer

**Attachments:**

Appendix A – Location Map and Site Photo

Appendix B – Schedule ‘D’