

Date: 2021-03-09

Subject: **Request for Budget Amendment: Developer Reimbursement for the Development of Ouray Developments Inc. Neighbourhood Park and Valley Recreational Trail with Pedestrian Bridge (Ward 8)**

Contact: Ed Fagan, Acting Director, Parks Maintenance & Forestry
(905) 874 - 2913

Report Number: Community Services-2021-396

Recommendations:

1. That the report titled: **Request for Budget Amendment: Developer Reimbursement for the Development of Ouray Developments Inc. Neighbourhood Park and Valley Recreational Trail with Pedestrian Bridge (Ward 8)**, to the Committee of Council Meeting of April 14, 2021, be received; and
2. That a budget amendment be approved for Project #215860 – Park Blocks in the amount of \$746,789 with full funding to be transferred from Reserve #134 – DC: Recreation.

Overview:

- **Ouray Developments Inc. has constructed and completed the following park and recreational trail projects in accordance to the approved drawings and subdivision agreement:**
 - 1) **Ouray North Development Park Block 17 (Ward 8)**
 - 2) **Ouray North Development Recreational Trail and Pedestrian Bridge (Ward 8)**
- **In accordance with ‘Schedule D’ of the approved subdivision agreement, the developer, Ouray Developments Inc., is entitled to reimbursement from the City of Brampton for the agreed upon cost of developing the park and trail.**

- **The developer has satisfied the City's requirements and staff is prepared to issue payments for the construction of the two projects.**
- **This report recommends that Council authorize a budget amendment of \$746,789 to reimburse Ouray Developments Inc.**

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, Ouray Developments Inc. was required to design and construct the park and recreational trail in their development.

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

The details of the requested reimbursement are:

Development Name:	Ouray Developments Inc.
Registered Plan No.:	43M-2021
Park Block:	Park Block 17
Ward:	8
Reimbursement Amount: (13 % H.S.T. included)	\$ 345,969.08

Development Name:	Ouray Developments Inc.
Registered Plan No.:	43M-2021
Park Block:	Recreational Trail and Pedestrian Bridge
Ward:	8
Reimbursement Amount: (13 % H.S.T. included)	\$ 483,306.49

Corporate Implications:

Financial Implications:

The City has received Ouray Developments Inc.'s reimbursement invoices as per 'Schedule D' of the Subdivision Agreement plus approved change orders for additional required work. Therefore, a budget amendment will be required to increase Capital Project 215860 in the amount of \$746,789 as shown below, with full funding to be transferred from Reserve #134 – DC: Recreation.

Project # 215860-006

Ouray Developments Inc., Park Block 17 (Registered Plan 43M-2021)

Budget Amendment: \$311,556

Project # 215860-007

Ouray Developments Inc., Valley Recreational Trail and Pedestrian Bridge
(Registered Plan 43M-2021)

Budget Amendment: \$435,233

Total Budget Amendment: \$746,789

*Includes non-recoverable HST of 1.76%

Other Implications:

None.

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 and Safe City – Continue to design and build new activity hubs to provide accessible spaces and play elements to residents of all ages and abilities

Conclusion:

As part of the subdivision agreement, Ouray Developments Inc. has completed the park works in their development to the satisfaction of the City. Therefore, staff recommends that the 2021 Capital Budget be amended to allow the City to meet its obligation to pay the amounts owed to the developer.

Authored by:

Reviewed by:

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Manager, Open Space Development

Ed Fagan
Acting Director, Parks Maintenance & Forestry

Approved by:

Submitted by:

Marion Nader
Commissioner, Community Services

David Barrick
Chief Administrative Officer

Attachments:

Appendix A – Location Map and Site Photos, Ouray Developments Inc. Park Block 17
Appendix B – Excerpt of Schedule 'D', Ouray Developments Inc. (North)