

Date: 2022-01-04

Subject: **‘Servicing Agreement for Municipal Works Only’ to allow for the construction of Street B from Bovaird Drive to Lagerfeld Drive, File No: B17-021, Mount Pleasant Secondary Plan Area, Block Plan 51-1, Ward 6**

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Report Number: Public Works & Engineering-2021-1223

Recommendations:

1. That the report titled **‘Servicing Agreement for Municipal Works Only’ to allow for the construction of Street B from Bovaird Drive to Lagerfeld Drive, File No: B17-021, Mount Pleasant Secondary Plan Area, Block Plan 51-1, Ward 6** to the Committee of Council meeting of February 2, 2022 be received, and
2. That a by-law be enacted to authorize the Mayor and the City Clerk to execute a ‘Servicing Agreement for Municipal Works Only’ on terms satisfactory to the City and in a form to be approved by the City Solicitor, between the Corporation of the City of Brampton, the Regional Municipality of Peel and Bovaird West Holdings Inc., for the construction of Street B from Bovaird Drive to Lagerfeld Drive.

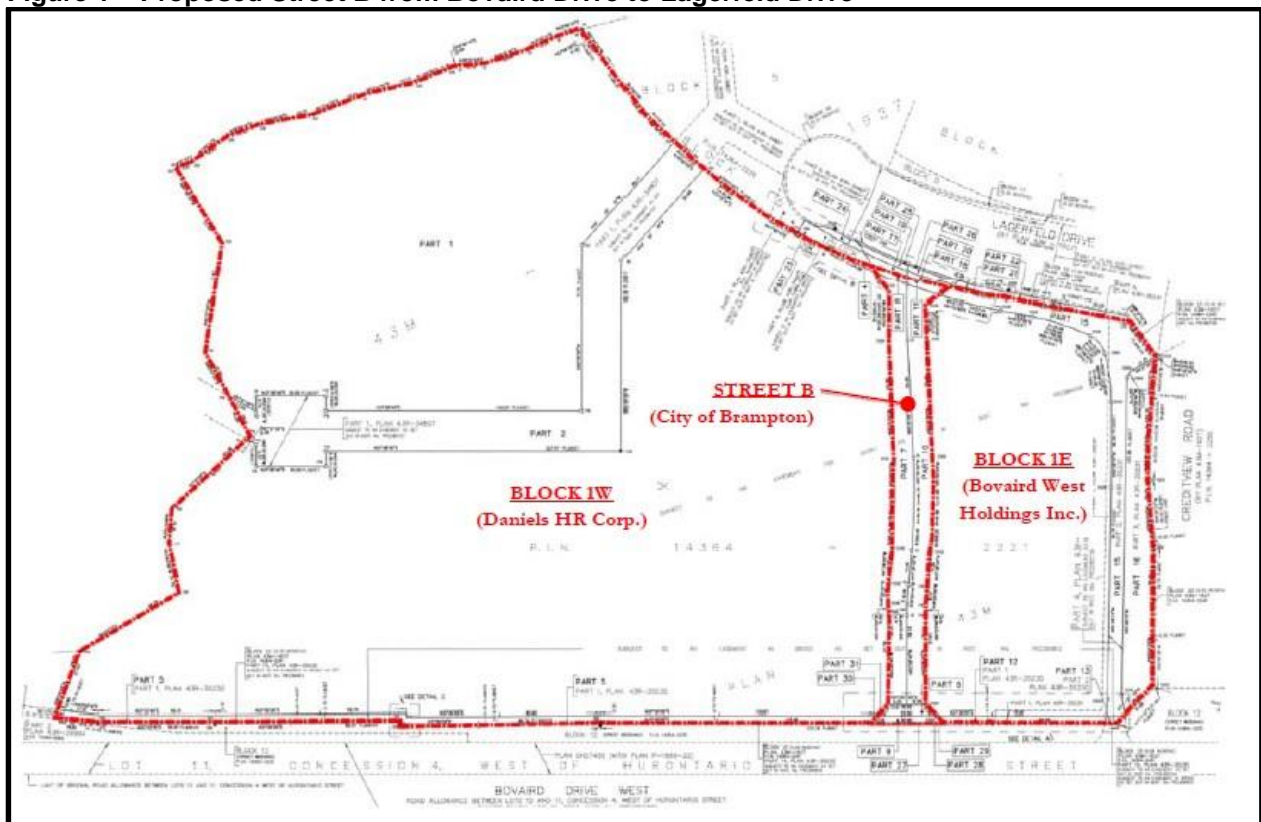
Overview:

- Staff is currently processing an engineering submission for the construction of a local road (Street B) from Bovaird Drive to Lagerfeld Drive.
- An agreement is required between the City, the Region of Peel and the Developer to allow this construction to proceed.
- The report requests Council authorization to allow the Mayor and the City Clerk to execute a 'Servicing Agreement for Municipal Works Only' between the Corporation of the City of Brampton, the Regional Municipality of Peel and Bovaird West Holdings Inc.

Background:

Bovaird West Holdings Inc. intends to construct Street B from Bovaird Drive to Lagerfeld Drive to facilitate future development of the adjacent lands illustrated in Figure 1. The lands are located within the Mount Pleasant Secondary Plan Area, Block 51-1 and the proposed works are associated with Consent Application B17-021 which was granted provisional consent on May 8, 2018.

Figure 1 – Proposed Street B from Bovaird Drive to Lagerfeld Drive



As a condition of the consent application, Bovaird West Holdings Inc. entered into a Consent Agreement with the City of Brampton, dated February 20, 2019, committing to the design and construction of Street B from Bovaird Drive to Lagerfeld Drive.

Accordingly, a 'Servicing Agreement for Municipal Works Only' is now required between the City of Brampton, the Region of Peel and the developer to allow this construction to proceed.

The need for construction of municipal services, by a developer, on lands that are not part of a subdivision or site plan application occurs from time-to-time. In these cases it is recommended that a 'Servicing Agreement for Municipal Works Only' be used, where appropriate, to facilitate the construction of municipal services such as these.

Current Situation:

A delegation by-law authorizing the Mayor and the City Clerk to execute Subdivision and Site Plan Agreements currently exists. However, no such delegation has been provided for the construction of City infrastructure outside of a Subdivision or Site Plan application.

It is recommended that Council pass a by-law that grants authorization to the Mayor and the City Clerk to execute the 'Servicing Agreement for Municipal Works Only' for the construction of Street B (which is located outside of a Subdivision or Site Plan).

The subject site is currently vacant and the developer is preparing to develop the lands commensurate with municipal approvals. Accordingly, the developer, Bovaird West Holdings Inc., has gratuitously conveyed the lands required for Street B to the City of Brampton and intends to construct Street B, from Bovaird Drive to Lagerfeld Drive, upon execution of the Servicing Agreement and upon receiving all regulatory approvals.

A 'Servicing Agreement for Municipal Works Only' between the Corporation of the City of Brampton, The Regional Municipality of Peel and Bovaird West holdings Inc. has been prepared to allow the construction of this proposed road to proceed and it is recommended that the City proceed with the signing of the Servicing Agreement once all the necessary requirements have been satisfied to the satisfaction of the City's Commissioner of Public Works and Engineering.

Corporate Implications:

Financial Implications:

There are no financial implications resulting from the recommendations of this report.

Term of Council Priorities:

The recommendations of this report achieves the Strategic Plan of Brampton as a Well-Run City by providing efficient processing and approvals to facilitate the construction of Street B and the development of the adjacent lands supporting smart growth and building complete communities.

Conclusion:

A delegation by-law authorizing the Mayor and the City Clerk to execute Subdivision and Site Plan Agreements currently exists. However, no such delegation has been provided for the construction of City infrastructure outside of a Subdivision or Site Plan application. As such, it is recommended that Council pass a by-law that grants authorization to the Mayor and the City Clerk to execute the 'Servicing Agreement for Municipal Works Only' for the construction of Street B from Bovaird Drive to Lagerfeld Drive.

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