

**Date:** 2023-03-09

**Subject:** **Municipal Works and Development Charges Credit Agreement for the construction of Denison Avenue from Park Street to Mill Street, Ward 1, Ward 1**

**Contact:** Frank Mazzotta, Manager of Development Engineering,  
Environment and Development Engineering Division,  
Planning, Building and Growth Management Department  
905-874-3447

**Report Number:** Planning, Bld & Growth Mgt-2023-259

**Recommendations:**

1. That the report titled **Municipal Works and Development Charges Credit Agreement for the construction of Denison Avenue from Park Street to Mill Street, Ward 1**, to the Council meeting of April 5, 2023 be received, and;
2. That Council authorize the Mayor and the City Clerk to execute a 'Servicing Agreement for Municipal Works Only' (Servicing Agreement) on terms satisfactory to the City and in a form satisfactory to the City Solicitor, between the Corporation of the City of Brampton, the Regional Municipality of Peel and Redwalk Brampton Inc. (the Developer), for the construction of Denison Avenue from Park Street to Mill Street, and;
3. That Council authorize the Mayor and Clerk to enter into a Development Charges Credit Agreement via Schedule L of the Servicing Agreement between the Corporation of the City of Brampton and Redwalk Brampton Inc., for the single source delivery of development charge funded road infrastructure and for reimbursement of development charges, to the Developer, of the actual reasonable cost of the construction of Denison Avenue, by the Developer, from Park Street to Mill Street, up to a maximum of \$750,000 in accordance with the 2019 Updated Development Charges Background Study.

**Overview:**

- The City completed an Environmental Assessment in 2020 for the extension of Denison Avenue from Park Street to Mill Street with construction to be included as part of a future capital project.
- Redwalk Brampton Inc. entered into a Site Plan Agreement with the City in 2019 to develop their site at 45 Railroad Street (SP09-010.000).
- In order to facilitate the development of 45 Railroad Street, the Developer intends to construct Denison Avenue from Park Street to Mill Street, and in accordance with the approved Environmental Assessment.
- Regional infrastructure consisting of a local water main will be part of the construction.
- An agreement is required between the City, the Region of Peel, and the Developer to allow this construction to proceed and for reimbursement, to the Developer, of development charges for this construction up to a maximum of \$750,000.
- The lands for the construction of Denison Avenue are outside the limits of Site Plan SP09-010.000.
- Existing delegated authority provides for the Mayor and City Clerk to execute subdivision and site plan agreements to facilitate construction of infrastructure and municipal servicing. However, no such delegated authority exists for construction of City infrastructure outside of a subdivision or site plan application.
- As a result, Council authorization is required to allow the Mayor and the City Clerk to execute the appropriate agreement for construction of this municipal infrastructure.

**Background:**

The City initiated an Environmental Assessment (EA) Study in November 2018 for the extension of Denison Avenue from Park Street to Mill Street in accordance with the Environmental Assessment Act. The EA was subsequently completed in July 2020 with construction to be included as part of a future capital project.

Redwalk Brampton Inc. (the Developer) entered into a Site Plan Agreement (SP09-010.001) with the City of Brampton, on December 11, 2019, for the development of their site located at 45 Railroad Street for residential use. The site is located within the Downtown Brampton Secondary Plan Area, Ward 1, and is adjacent to Denison Avenue (ref. Figure 1).

Redwalk Brampton Inc. intends to construct Denison Avenue from Park Street to Mill Street to facilitate the development of their site. The proposed works are outside but adjacent to the residential development site located at 45 Railroad Street.

**Figure 1 – Proposed Denison Avenue from Park Street to Mill Street**



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 the typical and recommended approach that a 'Servicing Agreement for Municipal Works Only' (Servicing Agreement) be used to facilitate the timely delivery of municipal services.

Accordingly, a Servicing Agreement is required between the City of Brampton, the Region of Peel and the Developer to allow this construction to proceed. The inclusion of development charge credits within the Servicing Agreement is in-line with Council direction as per 2006 Council endorsed "Corporate Guideline Regarding Arrangements to Allow Developers to Provide Single Source Delivery of Development Charge Funded Road Infrastructure."

**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 grant authorization to the Mayor and the City Clerk to execute the Servicing Agreement for the construction of Denison Avenue.

As these works are eligible for development charge credits via the 2019 Development Charges Background Study, the Developer will be submitting a claim for reimbursement of development charges for the actual reasonable cost of construction of Denison Avenue from Park Street to Mill Street, up to a maximum of \$750,000.

**Corporate Implications:**Financial Implications:

Subject to Council approval of the recommendation #3 and execution of the Servicing Agreement, which will include a Development Charges Credit Agreement (Schedule L), the Developer will become eligible for reimbursement of development charges for the actual cost of construction of Denison Avenue from Park Street to Mill Street to a maximum upset limit of \$750,000. Sufficient funding exists in the following project to proceed with this initiative:

Project	Approved Budget
233540-001 – Denison Avenue Extension	\$750,000

**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 Denison Avenue and the development of the adjacent lands. These development activities support smart growth and building of complete communities.

**Conclusion:**

Redwalk Brampton Inc. intends to construct Denison Avenue from Park Street to Mill Street to facilitate development of their site at 45 Railroad Street which is adjacent to Denison Avenue. These infrastructure works are not part of the Site Plan application for development of 45 Railroad Street and require a 'Servicing Agreement for Municipal Works Only' to be entered into with the City, the Region of Peel and Redwalk Brampton Inc. to allow for construction of the works. Existing delegated authority does not provide for the Mayor and City Clerk to enter into servicing agreements for municipal servicing that is not part of a subdivision or site plan application. As such, this report seeks Council Authorization for the Mayor and City Clerk to enter into the required 'Servicing Agreement for Municipal Services Only' to support timely delivery of municipal infrastructure.

Authored by:

---

Frank Mazzotta, P. Eng.,  
Manager, Development Engineering,  
Environment and Development  
Engineering Division,  
Planning, Building & Growth  
Management Department

Reviewed by:

---

Michael Heralall, P. Eng.,  
Director, Environment and  
Development Engineering Division,  
Planning, Building & Growth  
Management Department

Approved by:

---

Steve Ganesh, MCIP, RPP,  
Commissioner, Planning Building &  
Growth Management Department

Approved by:

---

Marlon Kallideen,  
Chief Administrative Officer