

Date: 2023-05-26

Subject: **Budget Amendment and Developer Reimbursement for the Development of Empire Communities Phase 2 (Mount Pleasant) Ltd. Pedestrian Trail – Ward 6**

Contact: Ed Fagan, Director, Parks Maintenance & Forestry

Report Number: Community Services-2023-483

Recommendations:

1. That the report from Werner Kuemmling, Manager, Parks Planning and Development, dated May 26, 2023, to the Committee of Council Meeting of June 21, 2023, re: **Budget Amendment and Developer Reimbursement for the Development of Empire Communities Phase 2 (Mount Pleasant) Ltd. Pedestrian Trail – Ward 6** , be received; and
2. That a budget amendment be approved for Project #235860 – Park Blocks in the amount of \$79,419 with full funding to be transferred from Reserve #134 – DC: Recreation.

Overview:

- **The developer, Empire Communities Phase 2 (Mount Pleasant) Ltd., has constructed and completed an Asphalt Pedestrian Trail in the Natural Heritage System in their respective subdivision 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 the respective pedestrian trail.**
- **The developer has satisfied the City’s requirements and staff is prepared to issue payment for the construction of the trail.**

- **This report recommends that Council authorize a budget amendment of \$79,419 to reimburse Empire Communities Phase 2 (Mount Pleasant) Ltd. for the construction of the trail.**

Background:

When a new subdivision contains a pedestrian trail, the trail 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 trail development through Development Charges collected, specifically through Reserve #134 – DC: Recreation. This is detailed in 'Schedule D' of the Subdivision Agreement. Funding for the reimbursements must be approved by Council before payment for the completed work can be processed.

Current Situation:

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

Blocks 179 to 183, Empire Communities Phase 2 (Mount Pleasant) Ltd.:

Pedestrian Trail Cost as per Subdivision Agreement: \$ 88,190.85

(13 % H.S.T. included)

Corporate Implications:

Financial Implications:

The City has received the developer's reimbursement invoice as per 'Schedule D' of the Subdivision Agreement. Therefore, a budget amendment will be required to increase Capital Project 235860 in the amount of \$79,419 as shown below, with full funding to be transferred from Reserve #134 – DC: Recreation.

Project # 235860-002

Developer: Empire Communities Phase 2 (Mount Pleasant) Ltd.

Blocks 179 to 183 (Registered Plan 43M-1991)

Total Budget Amendment: \$79,419

*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 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 respective subdivision agreements, the developers have completed the construction of a pedestrian trail in their developments to the satisfaction of the City. Therefore, staff recommends that the 2023 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:

Submitted by:

Bill Boyes
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Attachments:

- Appendix A – Location Map and Site Photo, Empire Communities Phase 2 (Mount Pleasant) Ltd., Blocks 179 to 183
- Appendix B – Schedule 'D', Excerpt of the Subdivision Agreement, Empire Communities Phase 2 (Mount Pleasant) Ltd.