



October 20, 2020

via EMAIL

City of Brampton  
Office of the Chief Administrative Officer  
2 Wellington Street West, 6th Floor  
Brampton, ON L6Y 4R2

Attention: Mr. David Barrick  
Chief Administrative Officer (CAO)

**RE: VANDYK-UPTOWNS LIMITED (“VANDYK”)  
10300 (10302) Heart Lake Road – City of Brampton  
Part of Lot 12, Concession 2 East of Hurontario Street, City of Brampton,  
Regional Municipality of Peel  
Request for Deferral of Development Charges**

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Dear Mr. Barrick:

VANDYK-Uptowns Limited is the registered owner of the lands known municipally as 10300 (10302) Heart Lake Road, in the City of Brampton (the ‘subject lands’), legally described as Part of Lot 12, Concession 2, East of Hurontario Street, City of Brampton, located on the west side of Heart Lake Road and north of Bovaird Drive East.

Originally purchased in 2014, VANDYK concluded the LPAT/OMB appeals initiated by the previous owners, which originally envisioned the development of mid-rise (6-storey) apartment dwellings totaling 500 units. VANDYK’s revised proposal was approved by the LPAT/OMB reducing the density to 380 units, with a more compatible built form comprised of stacked townhouses. The final Order was issued by the LPAT/OMB in March 2019.

Following the clearance of initial LPAT/OMB conditions in 2017, VANDYK commenced its sales program for the project. That same year, more than 90% of the units were sold. Closing dates for new homeowners were scheduled to begin in 2019, however delays associated with the ongoing review of the Site Plan Application (2017), Environmental Remediation Plans, and now the parameters surrounding COVID-19 have pushed them into 2023.

Our Environmental and Geotechnical Investigations determined that relatively deep deposits of peat are present within the soil towards the easternmost portion of the lands. As peat is not a suitable and stable surface for development, these peat deposits must be removed from the lands and replaced by an engineered fill material. As a result of this conclusion and the increased costs for structural engineering, building plans had to be revised to relocate the proposed underground parking into a 3-level structure, and reduce the amount of engineered fill required. However, significant costs to complete the site remediation works remain.

VANDYK is now preparing to mobilize to begin these excavation works, as shoring and excavation permits are ready to be issued by the City of Brampton’s Building Department. It is anticipated that this excavation program and shoring wall construction will take place over an 8-10 month period at a cost of over \$20 Million. These works are required in order to file a Record of Site Condition (RSC), providing closure on the environmental remediation program and for allowing the development of residential uses on the lands.

As part of the formal building permit review process, we have been advised by City staff that Development Charges would be payable at the issuance of a building permit for the underground parking structure, which may otherwise be classified as a foundation permit. The amount of

UNITED STATES  
625 S. Orange Ave, Sarasota, FL  
941.954.4449

CANADA  
1944 Fowler Dr, Mississauga, ON  
905.823.4606



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Development Charges payable has been calculated at \$25 Million, inclusive of the provision for Cash-in-lieu of Parkland Dedication.

The Conditions of our Construction Loan and Financing agreement requires that the Record of Site Condition (RSC) be issued prior to the advancement of any funds. This arrangement would align with the construction of the residential units above grade, which requires the filing of the RSC, to be completed before a building permit can be issued.

Therefore, we are respectfully requesting the assistance of the City of Brampton in considering an opportunity to investigate a deferral of payment of the applicable Development Charges to a more appropriate time when construction is able to commence with the issuance of building permits 'above-grade' for the residential units. This is typical of our experience in neighbouring municipalities, such as the City of Toronto.

We understand that this request may be out of the norm with typical City business practices, however please consider the following benefits to the City of Brampton and its residents:

- The City of Brampton would receive an increased amount of funds through the Payment of Development Charges at a later date, as they are indexed semi-annually;
- Your cooperation would allow for the completion of 342 new homes in a timely and cost-effective manner, as prospective homeowners anxiously await to occupy the purchased units; and,
- An increase to the residential tax base once the project is completed.

Please note that this proposal is not a request to waive the payment of any required fees or charges. VANDYK is fully aware and has adequately budgeted these amounts in the project proforma accordingly. Our request to the City of Brampton is to simply ease the burden of the up-front costs, and to defer the required payments until the time funds become accessible.

We would appreciate the opportunity to meet either virtually or in person to discuss this request with you in more detail. Thank you in advance for your time and consideration.

Yours very truly,  
**VANDYK – Uptowns Limited**

Justin Mamone, BES, MCIP, RPP  
Director, Asset Management

cc: Sherman Chan, VANDYK  
Gary Collins, City of Brampton  
Monique Napier, City of Brampton  
Cllr. Doug Whillans, Ward 2 – City of Brampton  
Cllr. Michael Palleschi, Ward 2 – City of Brampton