

## **Servicing Agreement – BDM Enterprises Ltd. – Brighton Neighbourhood**

### **ISSUE**

This report is to obtain City Council approval to enter into a Servicing Agreement to assign responsibility for the construction and payment of various servicing items for residential property in the Brighton neighbourhood.

### **RECOMMENDATION**

1. That the Servicing Agreement with BDM Enterprises Ltd. within the Brighton neighbourhood covering a portion of the North ½ Section 30 - Township 36 - Range 4 – W. of the 3<sup>rd</sup> Meridian be approved; and
2. That His Worship, the Mayor, and the City Clerk be authorized to execute the Servicing Agreement under the corporate seal.

### **BACKGROUND**

The Brighton neighbourhood area was previously approved by City Council. When a developer within the area requests to extend City of Saskatoon (City) services, the City necessitates that a servicing agreement be entered into.

### **DISCUSSION/ANALYSIS**

Administration is recommending that the Servicing Agreement with BDM Enterprises Ltd. (Appendix 1) be entered into to cover the development of 94 residential lots situated within the North ½ Section 30 - Township 36 - Range 4 – W. of the 3<sup>rd</sup> Meridian bordering an area south of College Drive and west of Westfield Road.

The recommendations in this report support the Strategic Goal of Sustainable Growth as the development area is within the Brighton neighbourhood which was previously approved and supports the development of residential property.

A communication plan was prepared and presented to City Council previously for the entire area. If the start of construction impacts the adjacent owners or initiates renewed public interest, additional communication may be considered to address unanticipated or emerging needs. A CPTED plan is not required for this construction as per Administration Policy A09-034.

The Agreement is subject to the following, which includes both standard and non-standard clauses which are necessary due to the unique nature of the development and have been agreed upon by the developer:

- A. Standard Items:
  1. That the prepaid service rates be such rates as City Council has in general force and effect for the 2021 season;

2. The developer will provide a letter of credit;
3. The developer will construct all direct services; and
4. The City will construct all offsite services.

**B. Non-Standard Items:**

1. The Developer is responsible for a portion of the cost of all upgrades beyond the City's standard along 8<sup>th</sup> Street and McOrmond Drive adjacent to the development.
2. Traffic Control Devices beyond the City standard will be funded by the proportional share of the developer lands.
3. The Developer has agreed to fund their share and the City has agreed to design and construct an overpass with pedestrian facilities when required at the CPR tracks including the initial installation of crossing arms.
4. The City has constructed an interchange at McOrmond Drive and College Drive and the Developer will partially fund the construction.
5. The Developer will pay into a fund for the eventual construction of a north pedestrian connection between Brighton, College Park, and Arbor Creek.
6. Partially fund in the future an additional access point to College Drive.
7. To cost share the relocation in proportion to the amount of land owned within the neighbourhood of a 138 kv powerline.
8. To cost share an additional water main connection at Moncton Place.

**FINANCIAL IMPLICATIONS**

The funding for any construction that is the responsibility of the City is self-supporting and approved in the Prepaid Capital Budget within Capital Project #1419-05 - Land Development Brighton – 2015-B1-Private.

**NEXT STEPS**

The project is expected to be completed during the 2021 construction year.

**APPENDICES**

1. Servicing Agreement – The City of Saskatoon and BDM Enterprises Ltd.

**Report Approval**

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Reviewed by: Matt Jurkiewicz, Director of Construction and Design

Approved by: Terry Schmidt, General Manager, Transportation and Construction