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**REPORT TITLE:**      **Encroachment Agreement - 6133 Erin Mills Parkway – City of Mississauga, Ward 11 – Owner: SPHQ Holdings Inc.**

**FROM:**                Gary Kent, CPA, CGA, ICD.D, Chief Financial Officer and Commissioner of Corporate Services

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## **RECOMMENDATION**

**That the application fee and annual encroachment fee as prescribed in By-law 43-2002, as amended, be waived for the encroachments by SPHQ Holdings Inc. on the Regional Municipality of Peel's easements at the property located at 6133 Erin Mills Parkway, City of Mississauga, Ward 11.**

## **REPORT HIGHLIGHTS**

- Regional Council approval is required to waive the application fee and the annual encroachment fee as prescribed under By-law 43-3002, as amended for SPHQ Holdings Inc.
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## **DISCUSSION**

### **1. Background**

SPHQ Holdings Inc. (the "Owner") is the owner of the property located at 6133 Erin Mills Parkway in the City of Mississauga.

In 2013, The Regional Municipality of Peel (the "Region") was undertaking a Project (Project #08-2205) to construct a 2400mm sanitary trunk sewer from a connection point on the existing Credit Valley Trunk Sewer located west of Mississauga Road and south of Lincoln Green Close, to go west along Lincoln Green Way to Erin Mills Parkway, north to Argentinia Road, east to Creditview Road and terminating north of Highway 401, in the City of Mississauga. As part of Project #08-2205, the Owner agreed to gratuitously convey a permanent sewer easement and a permanent access easement to the Region, both at a nominal sum.

As part of a recent Site Plan Application, SP-21-075M, the Owner is requesting that a concrete patio be constructed over the Region's permanent sewer easement and a temporary fence be constructed over the Region's access easement (the "Encroachments").

The Owner is seeking Council approval to waive the required fees for an encroachment located within a Regional Easement under By-law 43-2002, as amended, as follows:

1. Annual fee of \$300.00, plus HST;

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2. Application fee of \$350.00, plus HST

The Owner is responsible for all maintenance costs and liability associated with the Encroachments. The Encroachment Agreement may be terminated by either party upon sixty (60) days written notice.

Public Works has no objections to the Encroachments within the Region's easement lands.

**APPENDICES**

Appendix I – Location Sketch

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*Authored By: Lori-Ann Thomsen, Manager, Real Property and Facility Acquisitions, Real Estate*

*G. Kent.*

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