

MOTION WITHOUT NOTICE

Reimbursement for works associated with a new street connection of Olympic Garden Drive to Yonge Street

Moved by: **Councillor Lily Cheng**

Seconded by: **Councillor Dianne Saxe**

Summary:

As part of a plan of subdivision application for the lands at 5799 Yonge Street, a new public road (Olympic Garden Drive) was approved through the lands connecting Cummer Avenue to the north, and Yonge Street in the southwest part of the site, at the intersection of Yonge Street and Narges Drive. The design, construction, and applicable restoration of the road was secured through the executed subdivision agreement.

To facilitate the construction of the Olympic Garden Drive, a portion of the adjacent lands municipally known as 5795 Yonge Street was acquired by the City, as authorized by City Council. Development charge credits were previously authorized in respect of the land acquisition costs associated with the expropriation.

The acquisition of lands required for the road connection also necessitates the relocation and reconstruction of certain existing access, service and utility infrastructure serving 5795 Yonge Street. These works are required to accommodate the construction of Olympic Garden Drive and restore access and servicing impacted by the road project.

In the normal delivery of a City road project, such relocation and reconstruction works would generally form part of the road construction costs required to deliver the infrastructure project. The subdivision agreement (as per **Attachment 1**) includes provisions related to potential development charge credits for certain road, water and sewer infrastructure works associated with the development. The works that are the subject of this motion relate exclusively to the road project and associated impacts arriving from the acquisition of land required for Olympic Garden Drive. No water or sewer development charge credits are being requested or provided.

This motion seeks Council authority to provide development charge credits for eligible road-related costs directly attributable to the relocation or reconstruction of services, utilities, access and related works required as a result of the acquisition of lands necessary to complete Olympic Garden Drive. All other costs associated with the development and construction of Olympic Garden Drive, including the signalization of the intersection and other works required to service the development, remain the responsibility of the developer.

Reason for Urgency:

This Motion is urgent as the July 29 to 31, 2026 meeting represents the final opportunity for City Council to provide the necessary authority to facilitate the timely completion of Olympic Garden Drive and its connection to Cummer Ave before the commencement of the Council recess and election period.

Absent Council's authorization at this time, the project may experience significant delays, resulting in the continued closure of the roadway connection, deferred public benefits, and potential impacts to traffic in the community. Advancing this Motion will provide certainty to all parties, enable staff to proceed with the reimbursement framework contemplated through the Subdivision Agreement, and support the timely delivery of a public asset that has already been approved by Council and secured through the development approvals process.

Recommendations:

That:

1. City Council approve a development charge credit against the Roads component of development charges for the eligible road-related costs associated with the relocation or reconstruction of services, utilities, access and related works required to facilitate construction of Olympic Garden Drive and arising from the acquisition of land required for the road connection, with eligible expenses to be determined to the satisfaction of the Director, Engineering Review, Development Review, and to the satisfaction of the General Manager of Transportation Services. The development charge credit shall be in an amount that is the lesser of the cost to the Owner of eligible works noted above, as approved by the Director, Engineering Review, Development Review and to the satisfaction of the General Manager of Transportation Services, and the Roads component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time, net of any credits previously provided for the land expropriation.
2. City Council authorize the Executive Director, Development Review, in consultation with the General Manager, Transportation Services and the City Solicitor, to negotiate and execute any agreements, amendments to existing agreements, and ancillary

documents required to implement the development charge credits authorized by this motion, including provisions respecting the determination of eligible costs, documentation requirements, timing and manner in which development charges credits may be provided, and any other terms and conditions deemed appropriate by the Executive Director, Development Review and the City Solicitor, including provisions of development charges credits in phases tied to project milestones, including but not limited to the completion of design, construction works and the connection of the new street to Cummer Avenue.

Attachment 1 – Standard Subdivision Agreement Executed

Date: July 29-31, 2026