



# The Corporation of the Town of Milton

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Report To: Council

From: Jill Hogan, Commissioner, Development Services  
Glen Cowan, Chief Financial Officer / Treasurer

Date: March 4, 2024

Report No: DS-012-24

Subject: Reimbursement to OPG Derry Green Lands Inc. for the Municipal Class Environmental Assessment and Design of Louis St. Laurent Avenue (James Snow Parkway to Fifth Line)

Recommendation: **THAT Council approve a new 2024 capital project C340038 - Louis St Laurent Avenue (James Snow Pkwy to Fifth Line) in the amount of \$472,902.77, to be funded from Development Charges.**

## EXECUTIVE SUMMARY

The Town and OPG Derry Green Lands Inc. (OPGDL) entered into a funding and reimbursement agreement in 2019 (ref: Council report ENG-035-19) to facilitate the advancement of the Municipal Class Environmental Assessment (MCEA) and detailed design of Louis St. Laurent Avenue (from James Snow Parkway to Fifth Line). This was requested by OPGDL at the time to facilitate their timeframe for development. The work has now been completed, and OPGDL has requested reimbursement in 2024, as the reimbursement will help to facilitate funding of Phase 2 of the OPGDL development. The reimbursement had been presented in the year 2025 within the Town's 10-year Capital Forecast, and the purpose of this report is to seek Council approval to advance the reimbursement to 2024.

## REPORT

### Background

In 2019, OPGDL and the Town entered into a funding and reimbursement agreement (the agreement), to allow OPGDL to complete the MCEA and detailed design for Louis St. Laurent Avenue, from James Snow Parkway to Fifth Line, in a timeline that was suited to their overall development timeline. As outlined in report ENG-035-19, the advancement was requested as the Town had forecast the project for design in 2021 and construction in 2023, and this did not align with OPGDL timing for development.

Subsequent to the execution of the agreement, OPGDL completed the MCEA in 2020, the detailed design in 2021, and then proceeded to tender and construction (which is addressed

## Background

in a separate funding and reimbursement agreement, as contemplated in Council report DS-025-21).

As part of the agreement with OPGDL, the Town has the ability to shift out the reimbursement in the capital forecast. At the time of execution of the agreements, the full reimbursement of the MCEA, detailed design and construction was identified for 2023, but as part of the 2023 budget preparation, the reimbursement was shifted to 2025 in the Capital forecast based on the timing of the construction work. In 2023, a draft reimbursement request was submitted by OPGDL; with a final submission made in early 2024. This submission requests reimbursement of the MCEA and detailed design be advanced to 2024 (from 2025), as the work has been completed, and the reimbursement funds will assist OPGDL in funding phase 2 of their development.

## Discussion

In order to proceed with the advancement of funds from year 2025 in the Capital forecast, to facilitate reimbursement to OPGDL for the MCEA and detailed design work, Council approval is required.

Staff have confirmed that the work contemplated in the agreement has been completed and in line with the terms of reference included in the agreement. The Municipal Class EA and preliminary design were provided to Council for information and endorsement in 2020 (ref: DS-019-20), and detailed design was completed in 2021. The estimated study cost in the agreement is \$413,642.53, and the actual study costs is \$464,723.23, excluding HST. The amount of reimbursement is equal to the actual study costs plus applicable HST.

While the reimbursement is currently identified in the Town's capital forecast for 2025, OPGDL has submitted a request to have the reimbursement paid in 2024, and have submitted a package to the Town in support of this request. Staff understand that the request is made to help facilitate funding of OPGDL's phase 2 of their development, and recognize that OPGDL originally anticipated and requested reimbursement for 2023, and are in support of advancing the reimbursement for the MCEA and design only to 2024. The remaining reimbursement (related to construction) is currently forecasted for 2025, and will be further evaluated during the 2025 budget preparation.

Staff are therefore seeking Council approval to advance the reimbursement for the MCEA and design work only to 2024 which requires the establishment of a new capital project.



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## Financial Impact

The reimbursement of the MCEA and design was already included in the Town's 10-year capital forecast. The establishment of a new capital project in 2024 in the amount of \$472,902.77, including non-recoverable HST, is required to facilitate reimbursement of the MCEA and design. This project will be funded from Development Charges and represents an advancement of expenditures from the forecast. The 10-year Capital Forecast will be reduced accordingly through 2025 budget development.

Respectfully submitted,

Jill Hogan  
Commissioner, Development Services

Glen Cowan  
Chief Financial Officer / Treasurer

For questions, please contact: Diana Jiona

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## Attachments

None

Approved by CAO  
Andrew M. Siltala  
Chief Administrative Officer

## Recognition of Traditional Lands

The Town of Milton resides on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation. We also recognize the traditional territory of the Huron-Wendat and Haudenosaunee people. The Town of Milton shares this land and the responsibility for the water, food and resources. We stand as allies with the First Nations as stewards of these lands.