



Subject: Upper's Lane Extension (Barker Pkwy to Thorold Townline Rd.) Project Update

Report to: Thorold City Council

Recommendations

1. That the project update report **BE RECEIVED**; and
2. That Council **DIRECT** Staff to continue negotiations with the benefitting parties to confirm the cost sharing principles in the Memorandum of Understanding.

Key Facts

- Council has authorized staff and its solicitor to engage with developers and stakeholders to prepare a signed Memorandum of Understanding (MOU), which sets out the terms for the sharing of costs related to the extension of future municipal services and roadway on the Unopened Road Allowance of Upper's Lane between Barker Parkway and Thorold Townline Road.
- Public Works and Community Services staff have met with each stakeholder who has confirmed their interest in participating in the process.
- Staff were advised that the original proposal from Rolling Meadows Land Development Corporation has been withdrawn and that a new proposal to accommodate the development of a school site was being considered.
- The new proposal provides some relief with respect to the timing of construction of the Upper's Lane extension project.
- The need still exists to resolve the cost sharing components of the project so that this project can be advanced (by any party, including the City) for the benefit of the Rolling Meadows Community.

Budgetary Status

Funding for this project will be subject to the terms of the final Cost Sharing Agreement. All of the City of Thorold's expenses including staff time and legal fees will be paid for by the benefitting parties and/or Development Charges (where applicable).

Analysis

At its meeting on September 10, 2024, Council passed a motion directing staff to prepare the necessary agreements with Rolling Meadows Land Corporation to permit the easterly extension of Upper's Lane for the purpose of accommodating the construction of a new public school within the Rolling Meadows Neighbourhood. The road was to be designed and constructed in accordance with the City's standards. A subsequent report from staff was to be provided respecting the further extension of the road out to Thorold Townline Road.

At a Special Meeting of Thorold Council, held on October 8, 2024, staff and external legal Counsel were directed to engage with all stakeholders and report back to City Council on October 22, 2024, with options pertaining to the servicing and construction of the roadway.

At its meeting on October 22, 2024, Council received a verbal update from external Counsel outlining the efforts to draft a MOU which sets out the framework for the scope of the project and the process by which the allocation of costs would be determined.

Subsequent discussions with each of the stakeholders have resulted in the latest version of the draft MOU (see Appendix 1).

As Council is aware, Rolling Meadows Development Corporation has subsequently withdrawn its original proposal presented to Council on September 10, 2024, and is pursuing a new arrangement with the school board that will no longer require the extension of Upper's Lane to be completed by July of 2025. Notwithstanding this change of events, the issue of cost sharing (methodology and process) will still need to be resolved involving Rolling Meadows Land Development Corporation, Parkbridge Lifestyle Communities Inc., Rudanco Hospitality Corporation and Walker Community Development Corporation.

The MOU includes flexibility to allow any party, individually or jointly, to initiate the timing of the construction, including the City of Thorold, should it determine a need to do so. The MOU also confirms the scope of the work, the sizing of the infrastructure, and the process by which the construction costs for the project will be allocated. The MOU establishes the framework to advance the project collaboratively, creating a level playing field for all stakeholders.

It is noted that the execution of this MOU will not occur if there is any pending litigation involving the City of Thorold.

Impact on the Environment, Climate Change

There are no known environmental or climate change related impacts to this Report.

Alternatives Reviewed

Staff have considered the alternative to withdraw from discussions with the stakeholders and leave the matter of cost sharing and timing of construction to the discretion of benefitting parties. This approach simply delays the inevitable need to resolve how the costs sharing will be allocated to each party.

Another approach involves re-opening the Development Charges By-law discussion to establish a new Area-specific Development Charge for the benefitting lands. This will require a modification to the City's Local Service Policy.

Relationship to Strategic Plan

The recommendation is consistent with Council's Strategic Plan Goals:

- Vibrant and Prosperous Community
 - Livable Community
 - Economic Prosperity
 - Community Wellbeing
- Sustainability
 - Sustainable Infrastructure
 - Financial Sustainability
 - Environmental Sustainability

Other Pertinent Reports

- CWCD 408-2024
- CLK-C 16-2024

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Appendices

Appendix 1 Draft Memorandum of Understanding (December 2024)