



MEMORANDUM

To: Mayor and Members of Council

From: Frank Clarizio, Director of Engineering, Development Services

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Date: April 21, 2026

Re: **Request for Delegated Authority to Enter into a Construction Agreement for North Boulevard with Condor Properties Ltd. or its designate (“Condor”)**

RECOMMENDATION:

- 1) THAT the memorandum entitled, “Request for Delegated Authority to Enter into a Construction Agreement for North Boulevard with Condor Properties Ltd. or its designate (“Condor”)”, be received;
- 2) THAT the Mayor and Clerk be authorized to execute a Construction Agreement between Condor and the City for the construction of North Boulevard on terms satisfactory to the Director of Engineering and the City Solicitor, or their respective delegates;
- 3) THAT Council waive the requirement in the Development Charge Credit and Reimbursement Policy for Council approval of development charge credits in advance of construction of North Boulevard commencing;
- 4) AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to provide the background into the North Boulevard project (the “Project”) and to obtain delegated authority to enter into a Construction Agreement with Condor for the construction of North Boulevard.

BACKGROUND:

Construction Project and Area Context:

The Subject Lands (“North Boulevard”) are located within the Bridge Transit-Oriented Community / Langstaff Gateway Secondary Plan Area, east of Yonge Street and south of Highway 407. North Boulevard will replace a portion of the existing Langstaff Road East right-of-way between Cedar Avenue and just east of Yonge Street. North Boulevard will generally run parallel to the existing Langstaff Road East right-of-way and replaces the existing at-grade crossing of the CN tracks with a grade-separated structure over the existing CN tracks and future Yonge North Subway Extension (YNSE) tracks, as shown in Attachment A.

Works As Described in the Construction Agreement:

The Construction Agreement Works for the Project consist of the North Boulevard right-of-way and all its associated utility infrastructure, the grade-separated crossing over the existing CN tracks and future YNSE tracks, the retaining wall structure on both approaches to the crossing, and the Cedar Avenue/Langstaff/North Boulevard intersection. North Boulevard will run from future Creek Street (just east of Yonge Street) up to and including the Cedar Avenue intersection. The extent of the Project is shown within the bold dashed boundary line in Attachment A.

Project History:

The Project area is located within the Langstaff Gateway Secondary Plan area, which is intended to be a major Urban Growth Centre in the City of Markham. However, significant changes were introduced by the Province of Ontario in 2022:

- A revised alignment to the YNSE shifted from Yonge Street to an at-grade section adjacent to the existing CN Rail right-of-way. The previously planned Longbridge Station was replaced by a new Bridge Station, including a regional bus terminal, located in the north-centre part of the area; and
- The Province enacted an Enhanced Minister’s Zoning Order via O. Reg 345/22 for the TOC, based on an agreement with Condor, who owns most of the lands south of the 407 between Yonge Street and the CN right-of-way, that introduced significant new density to the area around Bridge Station and included a new road network.

North Boulevard will be an east-west major collector road through the future Bridge Transit-Oriented Community (TOC) that will provide access to the future Bridge Station on the YNSE. Although the construction of the road is not part of the YNSE, the future Bridge Station is planned to be located on North Boulevard, with the main entrance into the station situated on the elevated portion of the North Boulevard overpass. Therefore, the construction of North Boulevard is being extensively coordinated with the planned construction of Bridge Station. There is no current planning application associated with this construction of the Bridge Station, which could be constructed concurrently with the construction of the Project.

Previous Council Approvals:

In May 2023, Council approved Red Line Revisions to Condor’s Draft Plan of Subdivision for Phase 1A of the Bridge TOC, which is located west of the subject lands as shown in Attachment B.

In June 2023, Council approved a motion authorizing staff to permit the closure of Langstaff Road East within the approximate boundaries of the Project site in order to facilitate the subway construction. Pre-construction and enabling works are currently under way.

As YNSE construction is anticipated to begin imminently, and as the North Boulevard is required to facilitate construction of YNSE Bridge Station, staff have been actively engaging with Metrolinx, Infrastructure Ontario (IO) and Condor for the coordination of all aspects of the Project, such as design, staging and construction. Staff will be working with Condor on a Construction Agreement that would allow the Project to be constructed by Condor concurrent with the delivery of the YNSE's Bridge Station.

DISCUSSION

Condor is developing and finalizing the design and construction cost estimates for the Project and staff will review these in accordance with City standards, specifications and requirements. The negotiated terms and conditions for construction agreement between the parties will be subject to approval of the Director of Engineering and the City Solicitor. Authority for the execution of the construction agreement is being sought at this time in order as construction is anticipated to commence imminently. Terms and provisions of a future Development Charges Credit Agreement between per the following section will be the subject of a separate report to Council.

The City's Development Charge Credit and Reimbursement Policy requires that Council approve development charge credits, if available, prior to the commencement of construction of municipal infrastructure. In this case, it is in the City's interests to have construction commence this year, however, the amount of any development charge credits is not yet determined. Accordingly, staff request Council approval to waive the requirement in the policy for the development charge credit to be approved prior to commencement of construction. It is acknowledged that the risk of proceeding without a determination of the credits available is borne by Condor.

OTHER FUTURE AGREEMENTS FOR NORTH BOULEVARD

Tri-Party Operations and Maintenance Agreement – Metrolinx, City of Markham, CN Rail

A Tri-Party Agreement on the ownership, operation, and maintenance of the North Boulevard overpass structure, will be required and details about that agreement will be brought to Council at a future date.

Development Charge Credit Agreement – Condor and City of Markham

Development Charge Credits for the relevant construction costs as identified in Markham's Development Charge Background Study will be determined and authority for a separate Development Charge Credit Agreement will be brought to Council at a future date.

FINANCIAL CONSIDERATIONS

Financial considerations will be determined in a separate Cost-Sharing Agreement as discussed in the preceding section.

OPERATIONS AND MAINTENANCE COST FOR MUNICIPAL INFRASTRUCTURE

Operations and Maintenance costs will be finalized upon the completion of the design, when all assets will be identified, and the impacts of these assets will be assessed.

BUSINESS UNITS CONSULTED AND AFFECTED

In the development of this Memo, the following Business Units were consulted: Legal, Finance, and Engineering.

ALIGNMENT WITH STRATEGIC GOALS

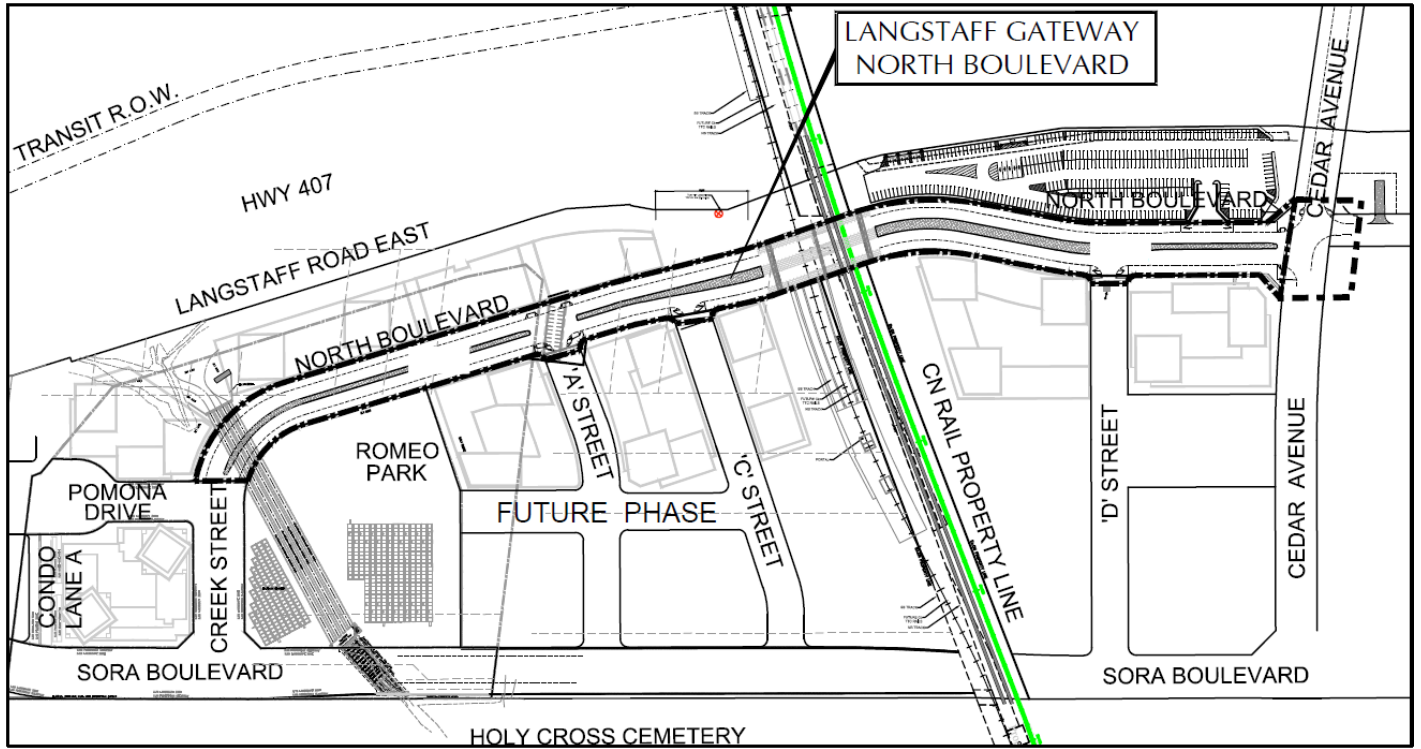
The Construction of the Project is in alignment with several of the City of Markham's Strategic Goals. The construction of the Project will service a Transit-Oriented Community, bringing ease of access to the subway station complete with cycling and e-mobility lanes promotes our Strategic Goal of an Engaged, Diverse, Thriving and Vibrant City as well as a Safe, Sustainable and Complete Community. Lastly, in our development of the final design and cost estimate, this project will support Strategic Goal 4 of Stewardship of Money and Resources.

Frank Clarizio
Director of Engineering

Trinela Cane
Commissioner of Development Services

ATTACHMENTS

Attachment A: Location Plan – North Boulevard



Attachment B: Draft Plan of Subdivision

