

City Council**Motion without Notice**

MM24.31	ACTION			Ward: 8
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Authorization for exemptions from delegated authority limits to provide nominal easement to homeowners of 603 Caledonia Road - by Councillor Mike Colle, seconded by Councillor Frances Nunziata

** This Motion has been deemed urgent by the Chair.
* This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Recommendations

Councillor Mike Colle, seconded by Councillor Frances Nunziata, recommends that:

1. City Council authorize an exemption for the Executive Director, Corporate Real Estate Management and their designate, from compliance with General Condition (E) of Appendix B of Toronto Municipal Code Chapter 213, Real Property, with respect to the potential disposal of a permanent easement over part of a City property to the owner of 603 Caledonia Road for driveway use for nominal consideration, contingent on the permanent easement area being declared surplus, and subject to the transaction being authorized by delegated authority.
2. City Council approve the reimbursement of the owner of 603 Caledonia Road’s legal fees to a maximum of \$6,000.00 inclusive of HST.

Summary

603 Caledonia Road is a privately-owned residential home in Ward 8 with a shared garage behind the home. The garage straddles the property line with City-owned 601 Caledonia Road. The shared garage must be demolished and removed from both properties for the City to make use of 601 Caledonia Road.

The owners of 603 Caledonia Road will allow the City to demolish the shared garage, on condition that the part of it on 603 Caledonia Road is replaced. The owners of 603 Caledonia Road must have legal access over City-owned Part 3 on the attached draft reference plan [attached as appendix A] before the necessary building permits can be granted.

The proposed permanent driveway easement over Part 3 will provide the legal access and allow the City to proceed with demolishing the existing garage and the home at 601 Caledonia Road, facilitating the redevelopment of the City property.

Staff do not have delegated authority to transact at less than market value, and council authority is required for this proposed nominal transaction. As legal agreements and a real estate transaction will be involved, reimbursement of legal fees ensures the property owners at 603

Caledonia Road are not negatively impacted by this City-led initiative. Staff do not have delegated authority to pay for legal fees, and council authority is required.

The reason for urgency is so to facilitate a critical priority project for the City.

Background Information (City Council)

Member Motion MM24.31

(<https://www.toronto.ca/legdocs/mmis/2024/mm/bgrd/backgroundfile-251626.pdf>)

Appendix A - Reference Plan

(<https://www.toronto.ca/legdocs/mmis/2024/mm/bgrd/backgroundfile-251627.pdf>)

Confidential Attachment 1