



MOTION WITHOUT NOTICE

Authorization to Deem the Untravelled Portion of Montesson Street as a ROW for purposes of a Construction Staging Agreement

Moved by: Councillor Morley

Seconded by: Councillor Bravo

SUMMARY:

The Developer, RIMAP & MAIN DEVELOPMENTS INC. is the owner of lands municipally known as 5238 Dundas St W. It proposes to construct a 41-story mixed-use rental building on its land (the "Project"). The City is the registered owner of lands that abut the Developer's (the "City Lands"), a portion of which was a right of way previously known as "Montesson Street" and was closed through By-law 68-2026.

The Developer wishes to use a portion of the City Lands of approximately 360 square metres, more specifically shown in blue (the "Licensed Area"), in the sketch attached as Appendix "A" for the purposes of facilitating construction staging. The Developer requests that the appraisal approach be revised to assume the Licensed Area as a right of way for the purpose of calculating the fee for such licence agreements.

The City Lands are planned as a future park but are not currently in use, and the construction staging in the Licensed Area should not interfere with the park's timeline for delivery. If the Developer does not stage on the City Lands, their alternative would be to occupy a portion of Dundas St W. Facilitating an agreement for staging on the City Lands will mitigate the impact of the Project on Dundas St W and aligns with the City's goals related to congestion management.

Reason for Urgency:

This matter is urgent because the developer is ready to proceed with the Project, with construction crews on standby since May 1, 2026, waiting for this matter to be resolved. If this matter is not resolved by City Council, it is possible they will proceed with the more straightforward process of occupying a portion of Dundas St W, which would impact traffic flow on a Major Arterial.

