

City Council**Motion without Notice**

MM11.29	ACTION			Ward: 12
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Amending Item TE34.11- 40 Raglan Avenue - Zoning By-law Amendment and Rental Housing Demolition Applications - Final Report - by Councillor Josh Matlow, seconded by Councillor Alejandra Bravo

** 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 Josh Matlow, seconded by Councillor Alejandra Bravo, recommends that:

1. City Council amend its previous decision on Item [2022.TE34.11](#) by deleting Part 5.b.vii :

Part to be deleted:

vii. the owner has, registered on title, a Limiting Distance Agreement, or similar legal instrument, over 54 Raglan Avenue, including the City as a party, that ensures that the tower portion of the proposed residential building at 40 Raglan Avenue can achieve an appropriate tower setback and separation distance to the north, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;

Summary

In this instance, a Limiting Distance Agreement as prescribed by Part 5 b. vii in Item [2022.TE34.11](#), previously adopted by City Council, is not feasible. This is because limiting distance area is measured as the distance from an exposed building face to a property line or between two buildings on the same property. 54 Raglan Avenue is neither adjacent to nor the same property as the development lands. Therefore, it is appropriate to remove Part 5 b. vii because a Limiting Distance Agreement is not feasible in this instance.

This Motion is urgent as the Limiting Distance Agreement has stalled development on this site.

Background Information (City Council)

Member Motion MM11.29