

City Council

Motion without Notice

MM29.24	ACTION			Ward: All
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Re-opening and Amending Item 2024.CC18.10 295 Jarvis Street - Zoning By-law Amendment and Official Plan Amendment Applications - Request for Direction Report - by Councillor Chris Moise, seconded by Councillor Amber Morley

** This Motion has been deemed urgent by the Chair.*
** This Motion is not subject to a vote to waive referral.*
** This Motion is subject to a re-opening of Item 2024.CC18.10. A two-thirds vote is required to re-open that Item. If re-opened, the previous Council decision remains in force unless Council decides otherwise.*

Recommendations

Councillor Chris Moise, seconded by Councillor Amber Morley, recommends that:

1. City Council amend its previous decision on Item 2024.CC18.10 by adding the following Part to the instructions to staff:

1. City Council authorize the Chief Building Official to enter into a Limiting Distance Agreement, or similar legal instrument, with the City and the owners of the properties at 311 Jarvis Street and 319 Jarvis Street, to be registered on title to the properties, to achieve appropriate tower separation by preventing the erection of tall buildings on the portions of the sites along the north/south shared property line (as set out in Schedule C to Confidential Appendix “A”) and to facilitate appropriate block planning for the area, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

Summary

This motion is being requested by the City Solicitor to provide additional instructions for a limiting distance agreement in relation to the application for 295 Jarvis Street.

In 2024, City Council [accepted a settlement for 295 Jarvis Street](#) that included limiting distances, as seen in [Confidential Appendix A, Schedule C](#). As staff were executing the settlement, they realized they didn’t have the requisite authority for entering into some of the agreements that were contemplated.

This motion would provide staff with that authority, and allow the issuance of a final order for both the Official Plan and Zoning Bylaw amendments, and to negotiate the terms of the Limiting Distance Agreement with the applicant. This motion is urgent because this matter cannot proceed without that authority.

REQUIRES RE-OPENING:

City Council Item 2024.CC18.10 (May 22 and 23, 2024, City Council meeting)

Background Information (City Council)

Member Motion MM29.24