

Authority: Executive Committee Item EX17.7, as adopted  
by City of Toronto Council on October 27 and 28, 2020

## CITY OF TORONTO

### Bill 885

### BY-LAW -2020

**To amend City of Toronto Municipal Code Chapter 742, Sidewalk Cafés, Parklets and Marketing Displays, to permit curbside cafés and frontage cafés under the Café TO program from November 16, 2020 until no later than April 14, 2021.**

Whereas under sections 7 and 8 of the City of Toronto Act, 2006, the City may pass by-laws in respect of the health, safety and well-being of persons and the economic, social and environmental well-being of the City; and

Whereas COVID-19 is present within the City of Toronto, and COVID-19 is a disease that is readily communicable from person to person, carries a risk of serious complications such as pneumonia or kidney failure, and may result in death; and

Whereas the spread of COVID-19 has been declared a pandemic by the World Health Organization; and

Whereas physical distancing measures have been recommended to prevent the spread of COVID-19; and

Whereas allowing sidewalk cafés and public parklets in more locations may allow for businesses to operate in accordance with provincial and municipal health orders and recommendations; and

Whereas Council previously authorized the General Manager, Transportation Services, to establish a program to allow for the review, approval and installation of sidewalk cafés, curb lane/parklet cafés or public parklets with areas denoted for physical distancing purposes from no earlier than July 1, 2020 to no later than November 15, 2020, inclusive, without applicants having to comply with all requirements of City of Toronto Municipal Code Chapter 742, Sidewalk Cafés, Parklets and Marketing Displays; and

Whereas Council wishes to extend the program to allow for the review, approval and installation of curbside cafés and frontage cafés from November 16, 2020 to April 14, 2021, inclusive, in accordance with the program set out in §742-2.1D of City of Toronto Municipal Code Chapter 742, Sidewalk Cafés, Parklets and Marketing Displays;

The Council of the City of Toronto enacts:

1. Chapter 742, Sidewalk Cafés, Parklets and Marketing Displays, of the City of Toronto Municipal Code is amended by:
  - (a) adding the phrases "/21" and " or a curbside café or frontage café approved by the General Manager and installed from no earlier than November 16, 2020 to no later than April 15, 2021, inclusive, in accordance with a program established under Subsection § 742-2.1D(1)" to the definition for "2020 CAFÉ" in § 742-

1.1A so it reads as follows:

2020/21 CAFÉ – a sidewalk café or public parklet approved by the General Manager and installed from no earlier than July 1, 2020 to no later than November 15, 2020, inclusive, in accordance with a program established under Subsection § 742-2.1D(1) or a curbside café or frontage café approved by the General Manager and installed from no earlier than November 16, 2020 to no later than April 15, 2021, inclusive, in accordance with a program established under Subsection § 742-2.1D(1);

- (b) replacing the phrase "2020 café" with "2020/21 café" wherever it appears in § 742-2.1D;
- (c) deleting the phrase "sidewalk cafés or public parklets with areas denoted for physical distancing purposes from no earlier than July 1, 2020 to no later than November 15, 2020, inclusive," and replacing it with "2020/21 cafés," in § 742-2.1D(1);
- (d) deleting the phrase "for 2020" from § 742-2.1D(1)(c) so it reads as follows:
  - (c) establishing appropriate indemnification and insurance requirements to protect the City provided that any insurance requirement requested for 2020/21 cafés require at least \$1 million in general liability coverage; and
- (e) deleting the phrase "November 15, 2020" and replacing it with "April 15, 2021" in § 742-2.1D(2).

2. This by-law shall come into force on the day it is passed.

Enacted and passed on October , 2020.

Frances Nunziata,  
Speaker

John D. Elvidge,  
Interim City Clerk

(Seal of the City)