

## CITY OF TORONTO

### BY-LAW 908-2020

#### **To temporarily modify zoning restrictions affecting outdoor patios with respect to the lands municipally known in the year 2019 as 229 Richmond Street West and to repeal By-law 667-2020.**

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas pursuant to Section 39 of the Planning Act, the Council of a Municipality may, in a by-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law; and

Whereas Ontario Regulation 345/20 under the Emergency Management and Civil Protection Act exempts a by-law authorizing the temporary use of land for a restaurant or bar patio under Section 39 of the Planning Act from subsections 34(12) to (14.3), (14.5) to (15) and (19) of that Act and paragraphs 4 and 5 of subsections 6 (9) of Ontario Regulation 545/06 under that Act;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. This By-law expires on the latter of (a) or (b), subject to (c):
  - (a) May 25, 2021;
  - (b) the date upon which Ontario Regulation 358/20 is revoked; or
  - (c) except that if the date upon which Ontario Regulation 358/20 is revoked exceeds 3 years from the day this By-law is passed, this By-law shall expire on the day 3 years after this By-law is passed.
3. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
4. The words highlighted in italic type in this By-law have the meaning provided in Zoning By-law 438-86, Section 2(1).
5. Nothing in City of Toronto Zoning By-law 569-2013, as amended, applies to prevent the use of an **outdoor patio** on the lands subject to this By-law provided that any **outdoor patio**:

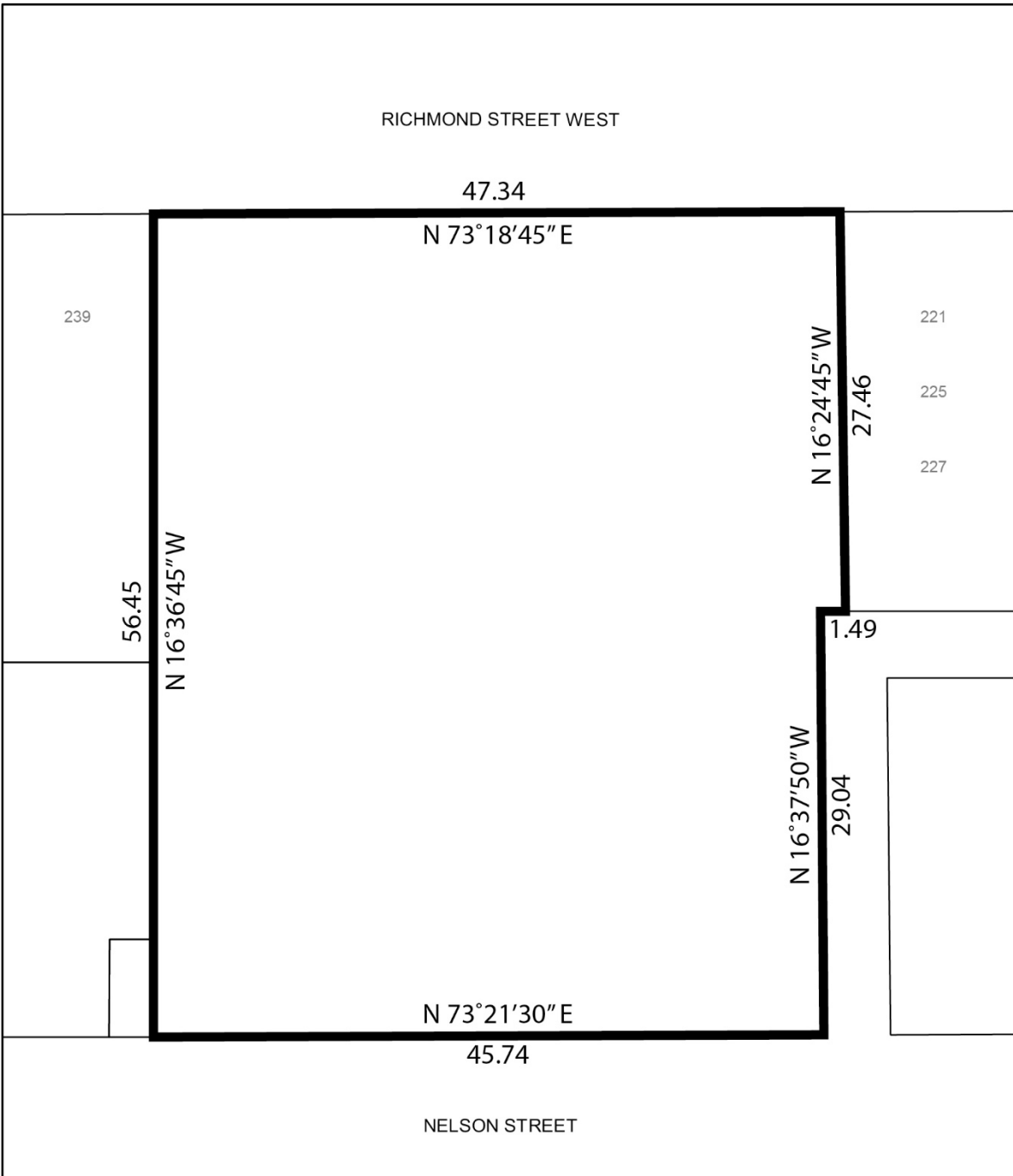
- (a) is associated with a non-residential use located on a **lot** within the area bounded by Richmond Street West to the north, Duncan Street to the east, Nelson Street to the south, and John Street to the west;
  - (b) is not used to provide entertainment such as live music and dancing; and
  - (c) is located a minimum of 3 metres from a **lot line** abutting Richmond Street West or Nelson Street.
6. Nothing in former City of Toronto Zoning By-law 438-86, as amended, applies to prevent the use of a *patio* on the lands subject to this By-law provided that any *patio*:
- (a) is associated with a non-residential use located on a *lot* within the area bounded by Richmond Street West to the north, Duncan Street to the east, Nelson Street to the south, and John Street to the west;
  - (b) is not used to provide entertainment such as live music and dancing; and
  - (c) is located a minimum of 3 metres from a *lot* line abutting Richmond Street West or Nelson Street.
7. By-law 667-2020 is repealed.

Enacted and passed on October 30, 2020.

Frances Nunziata,  
Speaker

John D. Elvidge,  
Interim City Clerk

(Seal of the City)



 **TORONTO**  
Diagram 1

**229 Richmond Street West**

File # 20 170504 STE 10 0Z