

Authority: Planning and Housing Committee Item PH31.8,  
as adopted by City of Toronto Council on March 9, 2022

## CITY OF TORONTO

### BY-LAW 244-2022

**To temporarily modify zoning restrictions affecting outdoor patios with respect to the lands municipally known in the year 2022 as 401 Logan Avenue and to repeal By-law 686-2021.**

Whereas Council of the City of Toronto has the authority to 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:

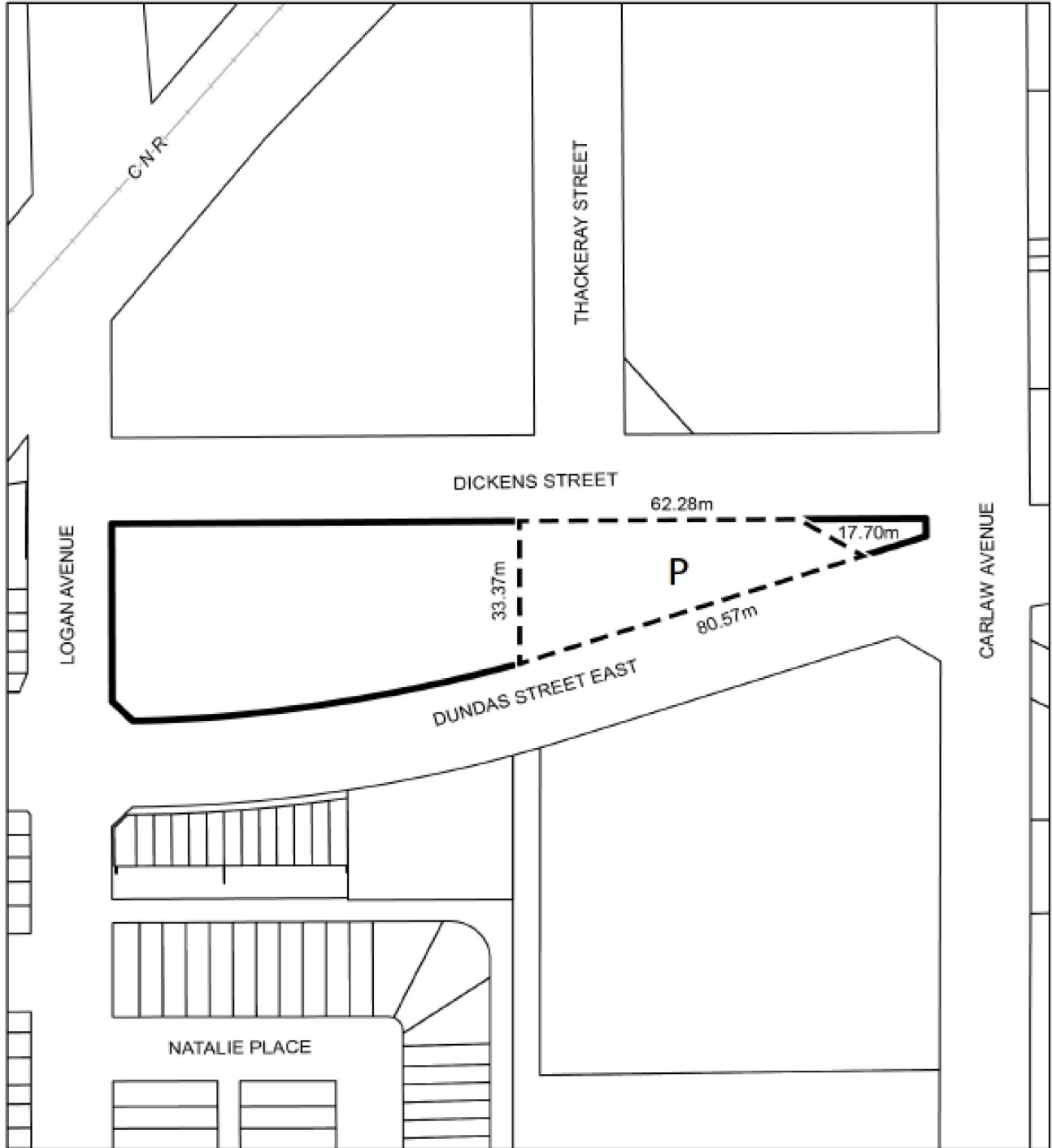
1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. This By-law expires on December 31, 2023.
3. The words highlighted in italic type in this By-law have the meaning provided in Zoning By-law 438-86, Section 2(1).
4. Nothing in former City of 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*:
  - (i) is located on the area of Diagram 1 marked as "P";
  - (ii) is no larger than 380 square metres;
  - (iii) is *accessory* to a *concert hall, place of assembly* or *restaurant* located on the lands municipally known in the year 2022 as 345 Carlaw Avenue and 1180-1190 Dundas Street East;
  - (iv) is not used for outdoor cooking; and
  - (v) may have *accessory* structures such as tents for the exclusive use of weather protection.
5. By-law 686-2021 is repealed.

Enacted and passed on April 7, 2022.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)



 **TORONTO**  
Diagram 1

401 Logan Avenue

 Location of Application