

Authority: Planning and Housing Committee Item PH7.2,  
adopted as amended, by City of Toronto Council on  
November 8 and 9, 2023  
City Council voted in favour of this by-law on  
November 9, 2023  
Written approval of this by-law was given by Mayoral  
Decision 23-2023 dated November 9, 2023

## CITY OF TORONTO

### BY-LAW 1150-2023

**To temporarily modify zoning restrictions affecting outdoor patios with respect to the lands municipally known in the year 2023 as 229 Richmond Street West and to repeal By-law 234-2022.**

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 Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act, as amended; and

Whereas pursuant to Section 39 of the Planning Act, as amended, 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;

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, 2025.
3. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, as amended, 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** or **recreation use** on the lands subject to this by-law provided that any **outdoor patio** or **recreation use**:
  - (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) entertainment such as performances, music and dancing does not exceed 10 percent of the **outdoor patio** area;

- (C) is located a minimum of 3.0 metres from a **lot line** abutting Richmond Street West or Nelson Street.
6. Nothing in City of Toronto Zoning By-law 438-86, as amended, applies to prevent the use of a *patio* or *place of amusement* on the lands subject to this by-law provided that any *patio* or *place of amusement*:
- (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) entertainment such as performances, music and dancing does not exceed 10 percent of the *patio* area;
- (C) is located a minimum of 3.0 metres from a *lot* line abutting Richmond Street West or Nelson Street.
7. By-law 234-2022 is repealed.

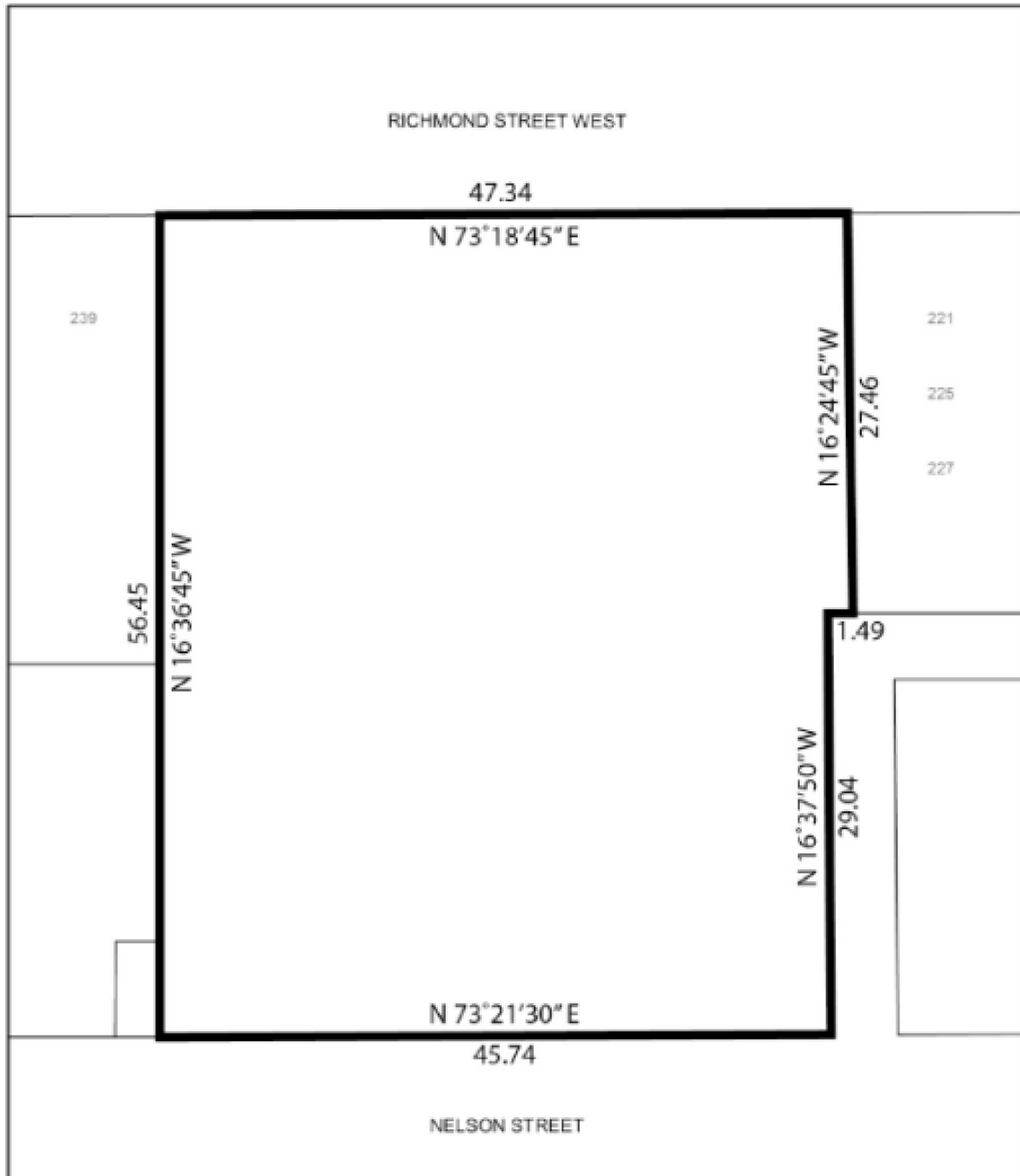
Enacted and passed on November 9, 2023.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

Diagram 1



 **TORONTO**  
Diagram 1

229 Richmond Street West

File # 20 170504 STE 10 0Z