
City Council

Motion Without Notice

MM23.34	ACTION			Ward: 14
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1012-1018 Gerrard Street East - Temporary Use By-law - Final Report - by Councillor Paula Fletcher, seconded by Mayor John Tory

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Bill 655 has been submitted on this Item.

Recommendations

Councillor Paula Fletcher, seconded by Mayor John Tory, recommends that:

1. City Council adopt the following recommendations in the report (July 28, 2020) from the Chief Planner and Executive Director, City Planning and that approval for the patio at 1012-1018 Gerrard Street East include the following conditions:

- a. signage will be posted in a prominent location to remind people to be considerate of the surrounding community;
- b. a telephone number will be provided for neighbours to register concerns or complaints directly with restaurant management;
- c. there will be no outdoor music or amplified sound on the patio, and doors and windows to the establishment will not be left open or propped open while there is music or amplified sound in the interior; and
- d. the applicant will submit seating occupancy plans for the patio to Toronto Public Health and Municipal Licensing and Standards.

Report Recommendations

1. City Council enact the zoning by-law amendment substantially in accordance with Attachment 2 to the report (July 28, 2020) from the Chief Planner and Executive Director, City Planning.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the zoning by-law amendment as may be required.

Summary

The City of Toronto has received a request from the owner for a front yard outdoor patio on 1012-1018 Gerrard Street East. The front yard outdoor patio would replace the existing front yard parking spaces on the low-rise commercial plaza, and would support a number businesses along Gerrard Street East between Marjory Avenue and Jones Avenue in addition to those located on the subject site. This report recommends a Temporary Use By-law pursuant to Section 39 of the Planning Act pertaining to the property municipally known as 1012-1018 Gerrard Street East, to permit a front yard patio serving businesses within the stretch identified above.

The proposed area-specific Temporary Use By-law complements the CaféTO program and the Ministerial Order in supporting the ability of the eating establishments within the area to respond to physical distancing requirements associated with the COVID-19 pandemic, by increasing the amount of outdoor space for patrons.

Further, a provincial Regulation under the Emergency Management and Civil Protection Act (EMCPA) amends S. 39 of the Planning Act by removing notice requirements and appeal rights to temporary use by-laws that authorize outdoor patios associated with eating establishments.

The By-law would allow an outdoor patio, with restrictions, to locate on 1012-1018 Gerrard Street East. The Temporary Use By-law is proposed as a site-specific amendment to the former City of Toronto By-law 438-86. The By-law is proposed to expire on November 16, 2020, to coincide with the end of the CaféTO program and the Ministerial Zoning Order.

The next opportunity for approval would be September 30, 2020, which would both delay the opportunity to begin to recover from the impacts of the pandemic closure and result in the loss of two full months of business during the prime warm weather patio season.

Background Information (City Council)

Member Motion MM23.34

(<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-154314.pdf>)

(July 28, 2020) Report from Chief Planner and Executive Director, City Planning
on 1012-1018 Gerrard Street East - Zoning Amendment- Final Report and
Attachment 1 - Location Map

(<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-154315.pdf>)

Attachment 2 - Draft Zoning By-law

(<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-154316.pdf>)