

PH17.12 - Attachment 4

Attachment 4: Draft Temporary Use By-law (95-107 Danforth Avenue and 749 Broadview Avenue)

Authority:

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2020

To temporarily modify zoning restrictions affecting outdoor patios with respect to the lands municipally known in the year 2020 as 95-107 Danforth Avenue and 749 Broadview Avenue and to repeal By-law 669-2020.

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;

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;

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 HEREBY ENACTS as follows:

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 May 25, 2021.
3. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.
4. The words highlighted in italic type in this By-law have the meaning provided in Zoning By-law No. 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 combined with an **Eating Establishment** located within the lands subject to this By-law;
 - b. is not used to provide entertainment such as performances, music and dancing;
and
 - c. must have a fence installed along the portion of the **outdoor patio** parallel to the **rear lot line**.

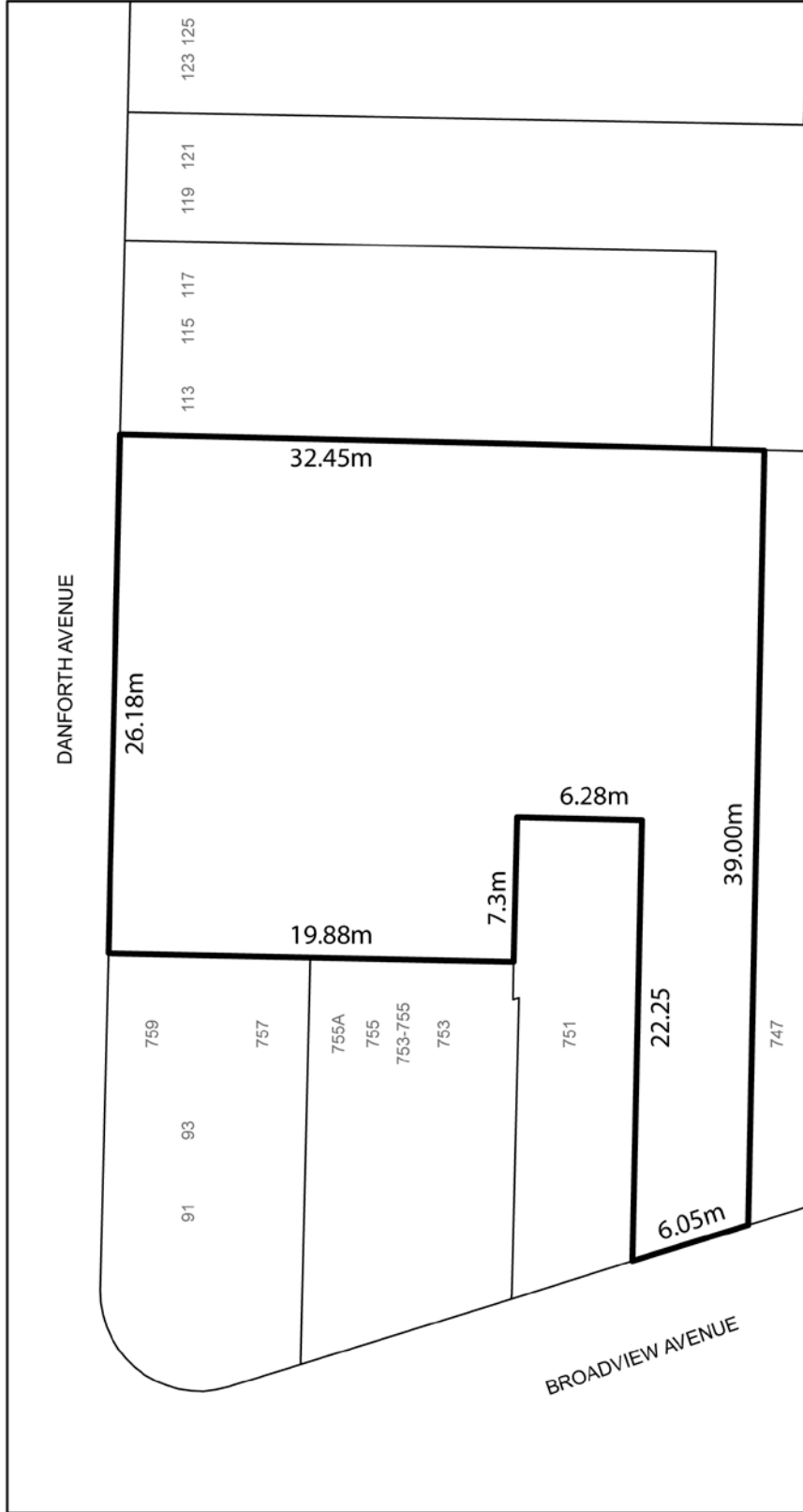
6. Nothing in Former City of Toronto Zoning By-law 438-86, as amended, applies to prevent the use of a *patio* on the lands subject to this By-law provided that any *patio*:
- a. is combined with a *restaurant* located within the lands subject to this By-law;
 - b. is not used to provide entertainment such as performances, music and dancing;
and
 - c. must have a fence installed along the portion of the *patio* parallel to the *rear lot line*.
7. By-law 669-2020 is repealed.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



95-107 Danforth Avenue and 749 Broadview Avenue



File # 20 171551 STE 14 0Z



City of Toronto By-law 569-2013
Not to Scale
07/23/2020