PH17.12 - Attachment 5

Attachment 5: Draft Temporary Use By-law (1012–1018 Gerrard Street East)

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 1012-1018 Gerrard Street East and to repeal By-law 668-2020.

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 bylaw 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 shown in cross-hatching on Map 1 attached to this By-law.
- 2. This By-law expires on May 25, 2021
- 3. The words highlighted in italic type in this By-law have the meaning provided in Zoning By-law No. 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 subject site, as outlined in black on Map 1 attached 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, including a prohibition on amplified sound;
 - c. is not used for outdoor cooking;
 - d. is located a minimum of 3 metres from a *lot* line abutting Gerrard Street East and Marjory Avenue; and
 - e. does not include permanent structures such as decking or tents.

5. By-law 668-2020 is repealed.

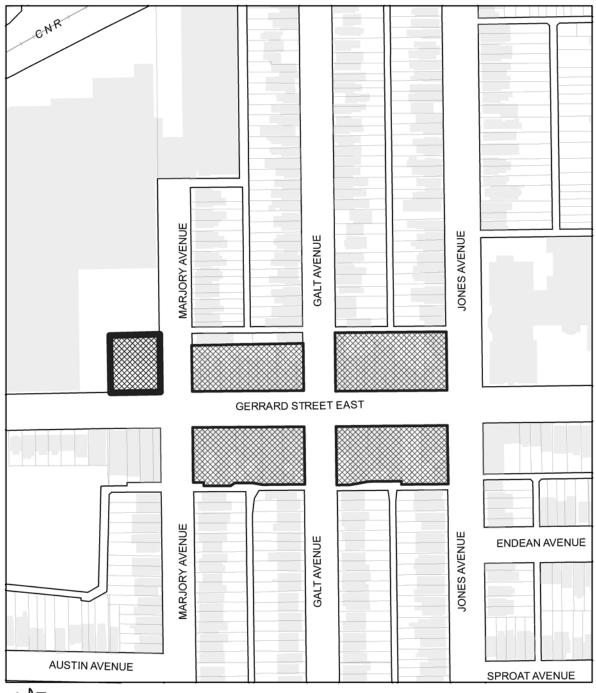
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,

Mayor

ULLI S. WATKISS, City Clerk

(Corporate Seal)



Map 1

1012 - 1018 Gerrard Street East





Lands Subject to Bylaw XX-2020

