

Authority:

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-2021**

**To temporarily modify zoning restrictions affecting outdoor patios with respect to the lands municipally known in the year 2021 as 95-107 Danforth Avenue and 749 Broadview Avenue and to repeal By-law 907-2020.**

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 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 April 14, 2022.
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**.

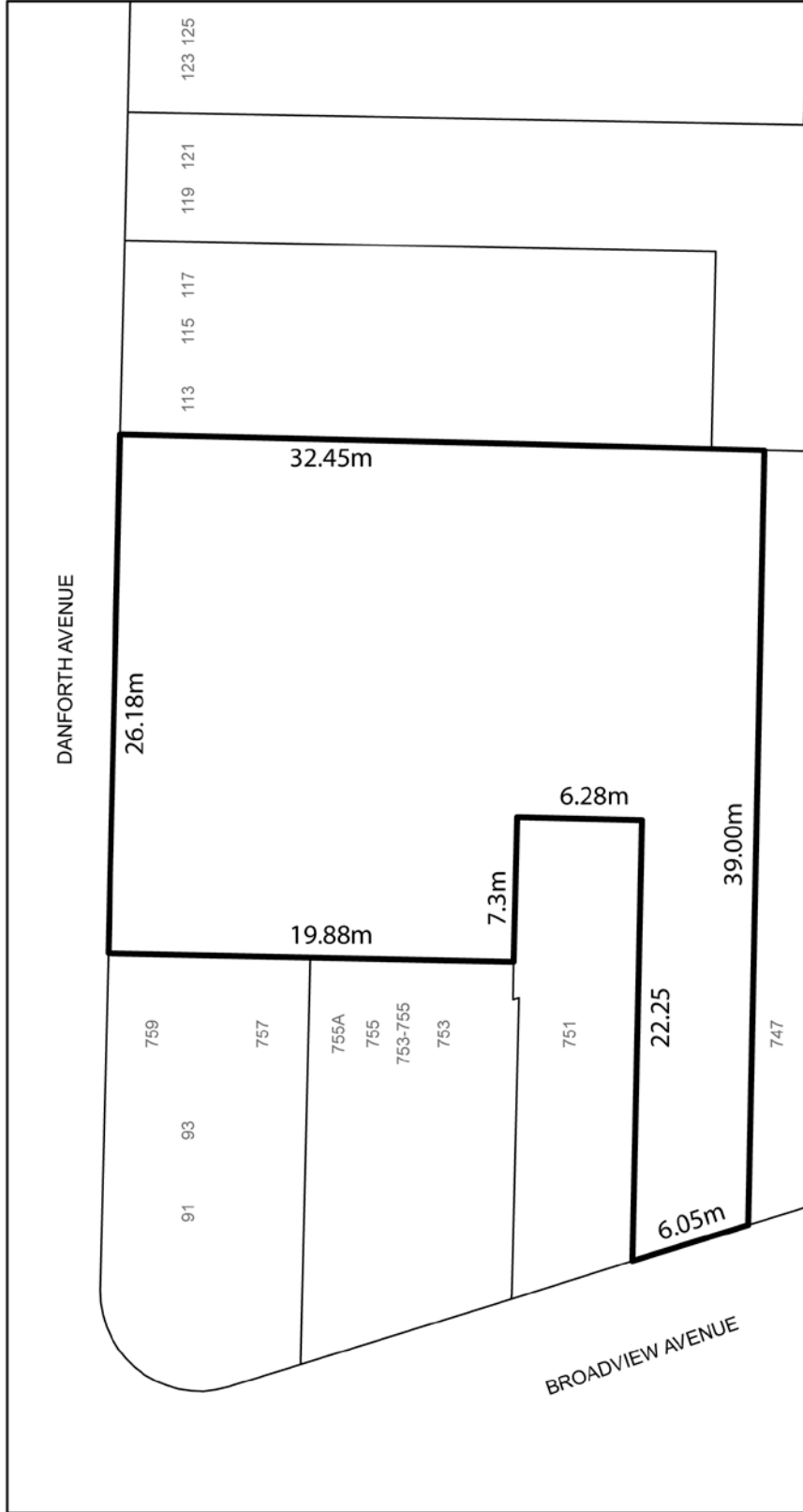
6. Nothing in Former City of Toronto Zoning By-law 438-86, as amended, applies to prevent the use of a *patio* on the lands subject to this By-law provided that any *patio*:
- a. is combined with a *restaurant* located within the lands subject to this By-law;
  - b. is not used to provide entertainment 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 907-2020 is repealed.

Enacted and passed on month ##, 20##.

Name,  
Speaker

Name,  
City Clerk

(Seal of the City)



**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