

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 1012-1018 Gerrard Street East and to repeal By-law 909-2020.

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 shown in cross-hatching on Map 1 attached to this By-law.
2. This By-law expires on April 14, 2022.
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. may have temporary structures such as tents for the exclusive use of weather

protection.

5. By-law 909-2020 is repealed.

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

Name,

Speaker

(Seal of the City)



Name,

City Clerk



 **TORONTO**
Map 1

1012 - 1018 Gerrard Street East

-  Subject Site
-  Lands Subject to Bylaw XX-2020