

Review of Zoning Regulations for Outdoor Patios on Private Property

Proposals Briefing



History

- In response to the COVID-19 pandemic, City Council enacted temporary use by-laws to expand zoning permissions for outdoor patios on private property.
- **The city-wide temporary use by-laws will expire on December 31, 2023.**

Objectives of Proposed Changes

- Assist businesses with economic recovery during and after the COVID pandemic
- Increase dining and socialization options
- Activate the public realm
- Manage potential impacts on nearby properties
- Provide City-wide as-of-right permissions

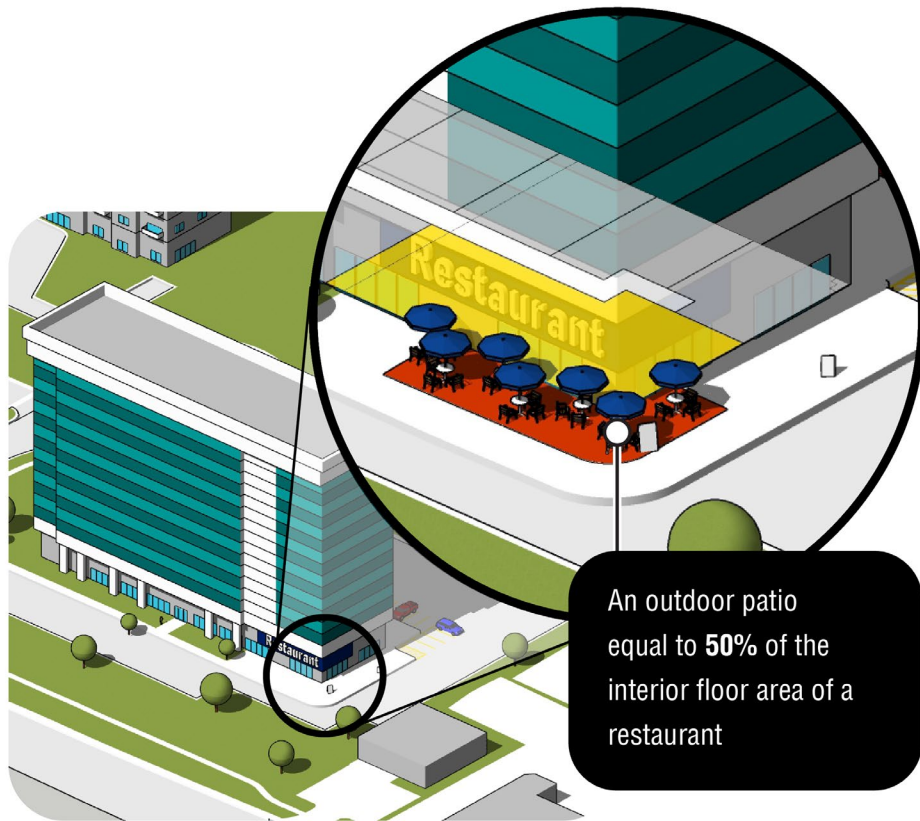
Recommended City-wide Permissions

- Site/Area specific exceptions, prevailing by-laws and prevailing sections, and minor variances will continue to apply



Make the Existing Temporary Covid-19 provisions Permanent

Expanded Area



- Permit maximum size of outdoor patio to be 50 m² or 50% of interior floor area of indoor premises it is combined with, whichever is greater
 - Currently 30m² or 30%, whichever is greater is required

Outdoor Patios in the CL Zone



- Permit outdoor patios in the CL-Commercial Local Zone
 - Normally not permitted

Industrial Zone Permissions



- Permit an outdoor patio to occupy entire front yard
 - Normally maximum of 20%

Parking Lot Patios

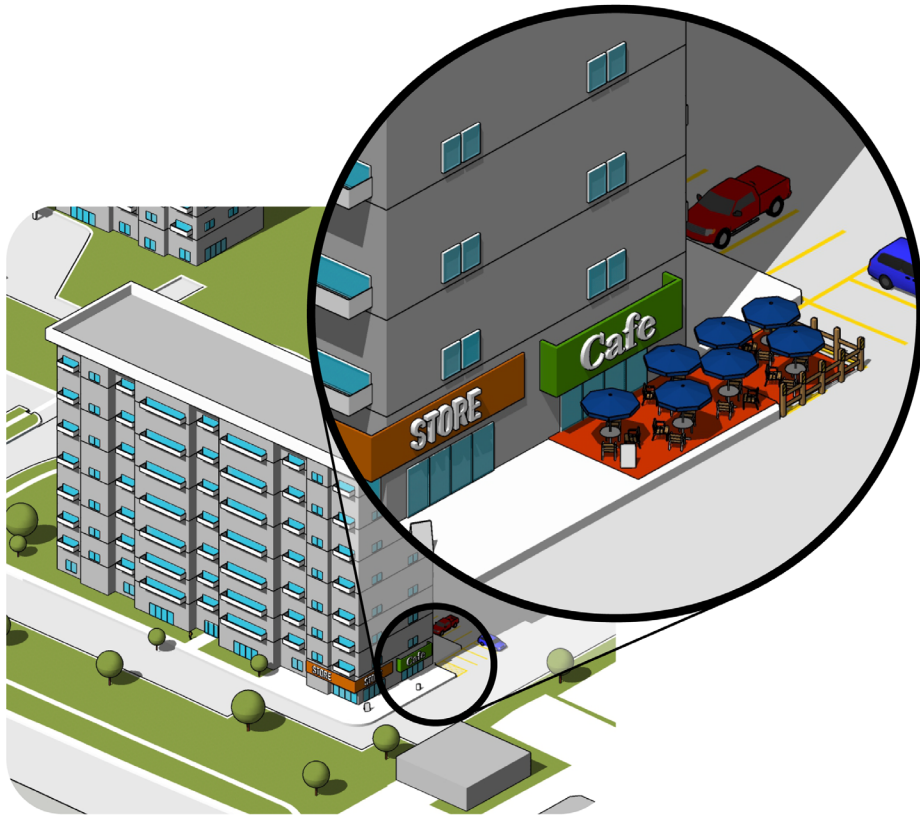


- Permit outdoor patios to occupy a parking space and the abutting drive aisle
 - Does not apply to residential or accessible parking spots
 - Normally this would result in a zoning deficiency related to not providing enough parking, or the drive aisle not being wide enough



New Permissions Beyond Temporary Covid-19 Permissions

RAC Zone Patios



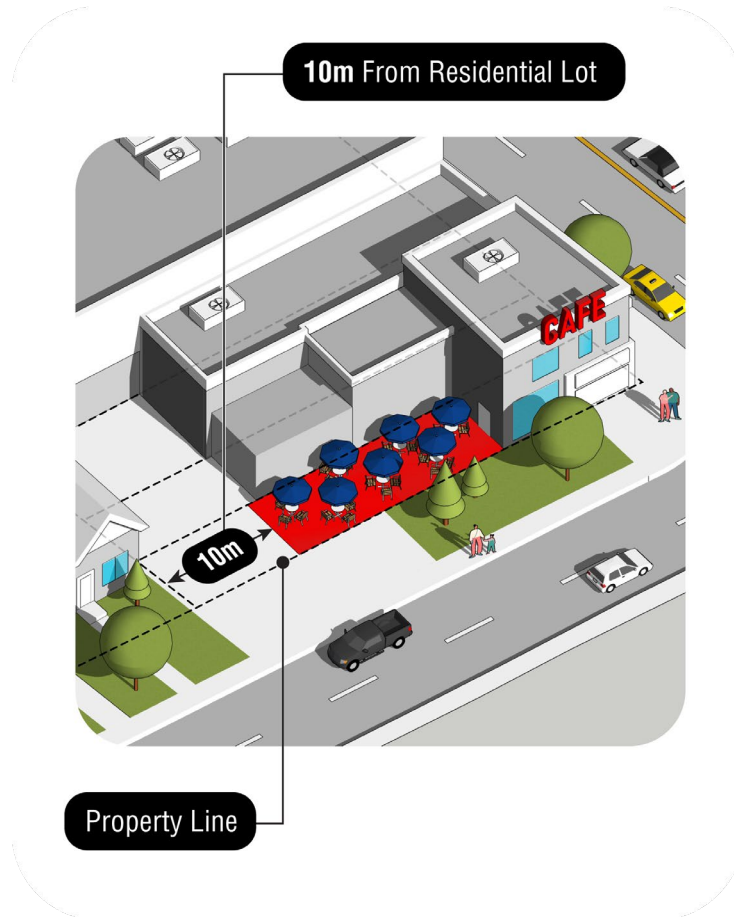
- Permit outdoor patios in the RAC-Residential Apartment Commercial Zone
 - Not permitted in existing regulations
 - Only 50% of visitor parking spaces in RAC zone
 - Must maintain 1.5 m pedestrian walkway

Permit Entertainment on Outdoor Patios



- Entertainment on outdoor patios, to a maximum of 10 percent of the patio area, only on the first storey in:
 - Mixed use zones (CR and CRE)
 - Some industrial zones (EL, E and EO)
 - Major streets only
 - Some open space zones (OR, OG and OM)
- Do not permit entertainment on outdoor patios in :
 - Residential zones (Neighbourhoods and Apartment Neighbourhoods)
 - Commercial Local (CL) Zone (Neighbourhoods designation)
 - Above the first storey (rooftop patios)
- **Current regulations prohibit entertainment on outdoor patios on private property city-wide**

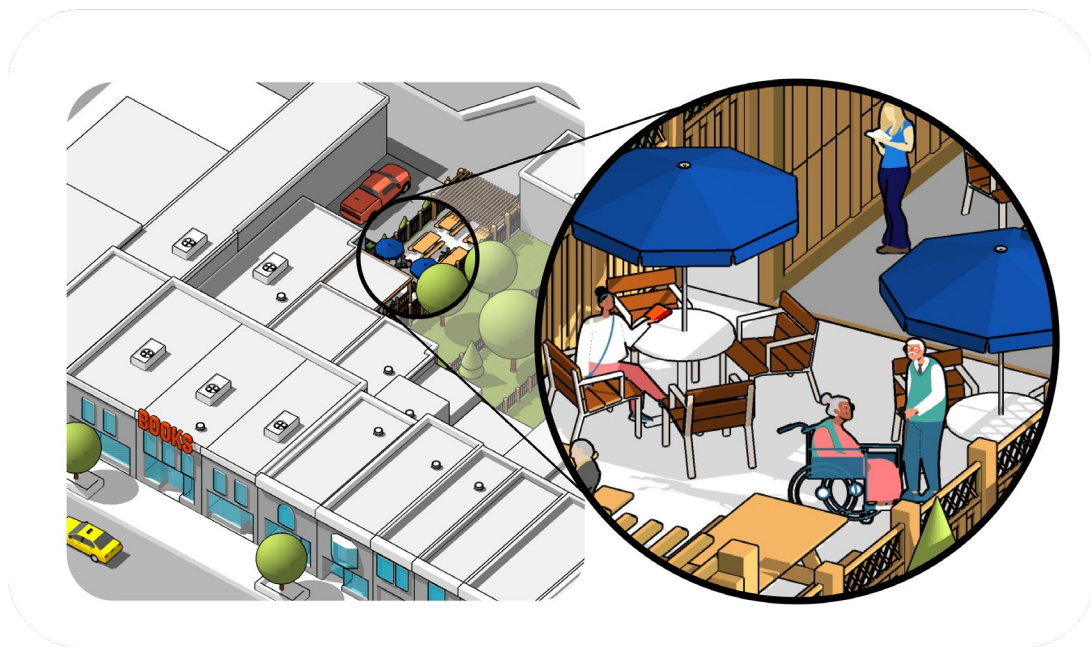
Distance from Residential Zone



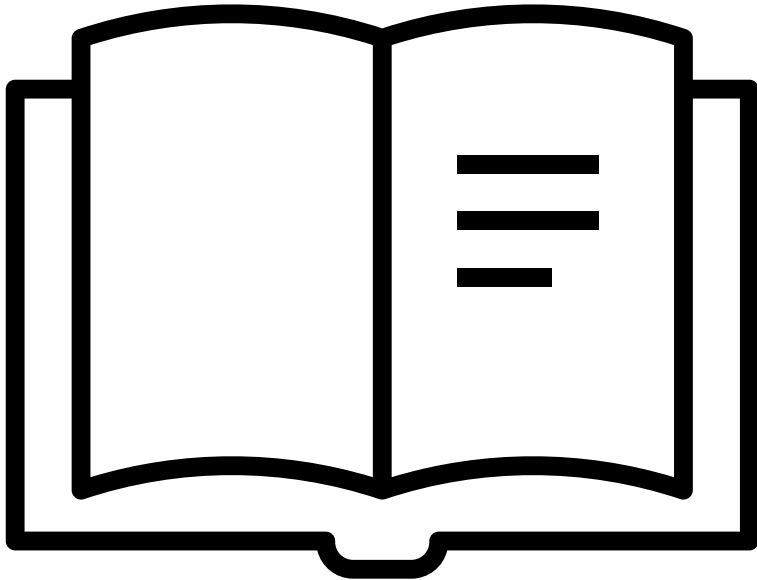
- Reduce the required distance between an outdoor patio and a lot in residential zone from 30 metres down to 10 metres, but only in certain zones and development standard sets
 - one example being CR SS1 and SS2. This zone is typically found along commercial main streets and the downtown area
- In a more suburban context in commercial zones (like mall sites or plazas) the distance requirement will remain the same at 30 metres.

Add Retail Store Combined Use

- Retail store added as a permitted use combination
 - Not a permitted use combination in existing regulations

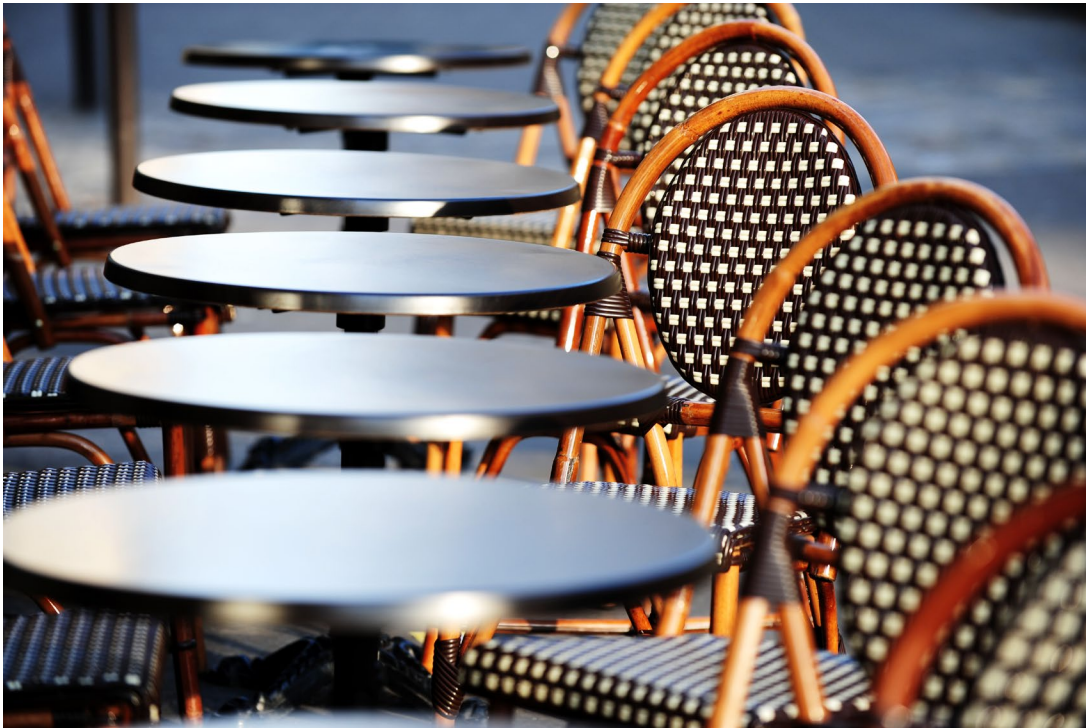


Technical Amendments as Required



- Permit an outdoor patio on same lot **or** abutting lot as indoor use it is combined with
 - Must be on same lot today
- Patio must be “combined with” a use instead of “associated with”
- Open Space Zones language to align with structure of the other zones (read more clearly)

Site-specific Patios



- Approximately 15 site-specific temporary outdoor patios were enabled through temp zoning by-laws during the Covid-19 pandemic
- Most outdoor patios will not require zoning relief after enactment of the changes to the city-wide zoning by-law, and some will

Question Period

Zoning Regulations for Outdoor Patios on Private Property

