

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 094-2020**

**A By-law to authorize the temporary use of land, buildings or structures within the City of Vaughan to accommodate outdoor distancing measures with respect to the COVID-19 Pandemic.**

**WHEREAS** authority is given to Council by Section 34 and Section 39 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, ("Planning Act") to authorize the temporary use of land, buildings or structures which otherwise is prohibited; and;

**WHEREAS** Council of the City of Vaughan has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act; and

**NOW THEREFORE** the Council of The Corporation of the City of Vaughan hereby ENACTS AS FOLLOWS:

1. To enact a temporary use by-law to permit a Temporary Outdoor Patio as follows:
  - a) Notwithstanding the provisions of By-law 1-88, as amended, a Temporary Outdoor Patio shall be defined as, "TEMPORARY OUTDOOR PATIO - Means a designated temporary outdoor area accessory to an eating establishment, restaurant or banquet hall where food or drink are offered for sale or served; or where food and drink are brought from within the eating establishment, restaurant or banquet hall to the temporary outdoor area for consumption."
  - b) "Notwithstanding the provisions of By-law 1-88, as amended, relating to Outdoor Patios, a Temporary Outdoor Patio or the temporary expansion of an existing Outdoor Patio accessory to a "Banquet Hall", an "Eating Establishment", "Eating Establishment, Convenience", "Eating Establishment, Convenience with Drive-Through", or "Eating Establishment, Take-Out" shall be permitted in accordance with the following provisions only:
    - i. A Temporary Outdoor Patio accessory to an "Eating Establishment", "Eating Establishment, Convenience", "Eating Establishment,

Convenience with Drive-Through”, or “Eating Establishment, Take-Out” shall not exceed one hundred percent (100%) of the gross floor area of the associated eating establishment;

- ii. A Temporary Outdoor Patio accessory to a “Banquet Hall” shall not exceed Fifty percent (50%) of the gross floor area of the associated Banquet Hall;
  - iii. A Temporary Outdoor Patio may be permitted to occupy required landscaped areas provided that it does not disturb any existing vegetation;
  - iv. All combined Temporary Outdoor Patios may be permitted to occupy parking spaces to a maximum of 20% of the total parking provided on the lot;
  - v. A Temporary Outdoor Patio shall not be permitted to occupy an accessible parking space;
  - vi. Additional parking shall not be required for a Temporary Outdoor Patio;
  - vii. A Temporary Outdoor Patio shall not impede pedestrian or vehicular access to the site;
  - viii. A Temporary Outdoor Patio shall not be permitted in any yard located between the building containing the main eating establishment and any Residential Zone;
  - ix. The use of musical instruments, or other mechanical or electrical music equipment, and dancing, theatrical performances or audiovisual presentations, music concerts and shows, shall not be permitted in areas designated for outdoor patio use;”
- c) All Temporary Outdoor Patios shall comply with the City of Vaughan’s Temporary Outdoor Patio Licensing By-law.”;
- d) The provisions of this By-law shall apply to the lands within the boundaries of the Corporation of the City of Vaughan as shown on the attached Schedule '1' for a period not to exceed 14 days beyond the lifting of the emergency declared to exist in all or part of the City under section 4 of the

Emergency Management and Civil Protection Act, or November 2, 2020,  
whichever comes first;

- e) This By-law comes into effect on the day of passing.

Enacted by City of Vaughan Council this 29<sup>th</sup> day of June, 2020.

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Hon. Maurizio Bevilacqua, Mayor

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Todd Coles, City Clerk

### **SUMMARY TO BY-LAW 094-2020**

This Amendment applies to all of the lands within the corporate boundaries of the City of Vaughan.

The purpose of this by-law is to allow businesses an opportunity to use outdoor spaces adjacent to their business units for the purposes of implementing social and physical distancing measures necessary for the continued operation of the business.