

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 095-2020

A By-law to amend By-law 123-2013, the City of Vaughan’s Site Plan Control By-law, to exempt temporary outdoor patios accessory to Eating Establishments and Banquet Halls from Site Plan Control.

WHEREAS Subsection 41(2) of the *Planning Act* authorizes Council to enact a By-law to establish a Site Plan Control Area;

AND WHEREAS the whole of the City of Vaughan has been designated a Site Plan Control Area pursuant to Subsection 41(2) of the *Planning Act*;

AND WHEREAS it is deemed appropriate to adopt by by-law site development guidelines and rules for processing Site Development Applications;

AND WHEREAS the World Health Organization has declared a worldwide pandemic regarding the Novel Coronavirus 19 (“COVID-19 pandemic”);

AND WHEREAS on March 17, 2020 a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9 (“EMCPA”) related to COVID-19;

AND WHEREAS section 4 of the EMCPA provides that the head of council of a municipality may declare that an emergency exists in the municipality or in any part thereof and may take such action and make such orders as he or she considers necessary and are not contrary to law to implement the emergency plan of the municipality and to protect property and the health, safety and welfare of the inhabitants of the emergency area;

AND WHEREAS on March 17, 2020 the Corporation of the City of Vaughan declared an emergency pursuant to section 4 of the EMCPA;

AND WHEREAS the Province of Ontario has issued Orders under the EMCPA to prohibit and regulate certain activities in the interest of public health, safety and wellbeing during the COVID-19 declared emergency;

AND WHEREAS the Province continues, through a phased approach, to permit specified businesses to resume operations under certain conditions and requirements;

AND WHEREAS the list of such businesses includes “Eating Establishments”, “Eating Establishment, Convenience”, “Eating Establishment, Convenience with Drive-Through”, “Eating Establishment, Take-Out” and “Banquet Halls” which are defined terms in the City’s Zoning By-law 1-88;

AND WHEREAS The Corporation of the City of Vaughan considers it desirable to provide specific regulatory relief to “Eating Establishments”, “Eating Establishment, Convenience”, “Eating Establishment, Convenience with Drive-Through”, “Eating Establishment, Take-Out” and “Banquet Halls” to respond to the ongoing economic challenges posed by the COVID-19 emergency measures;

AND WHEREAS it is appropriate to adopt by by-law classes of development that may be undertaken without the approval of plans and drawings otherwise required under Subsections 41(4) or (5) of the *Planning Act*;

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

1. That City of Vaughan By-law Number 123-2013, is hereby amended as follows:
 - a) That the following be added to Section 5 as a class of development that may be undertaken without the approval of plans and drawings as otherwise required under Subsections 41(4) and 41(5) of the *Planning Act*:

“b) for a temporary period, Temporary Outdoor Patios and the expansion of Outdoor Patios, both accessory to existing Eating Establishments and Banquet Halls.
 - b) This temporary exemption will not exceed 14 days beyond the date that the City terminates its declaration of emergency, declared to exist in all or part of the City, made under section 4 of the *Emergency Management and Civil Protection Act*, or November 2, 2020, whichever comes first;

Enacted by City of Vaughan Council this 29th day of June, 2020.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Authorized by Item No. 1 of Report No. 30
of the Committee of the Whole
Adopted by Vaughan City Council on
June 29, 2020.

SUMMARY TO BY-LAW 095-2020

The purpose of this By-law is to exempt temporary Outdoor Patios from the requirement for Site Plan Control during the Emergency Order.