

The Corporation of the City of Richmond Hill

By-law 91-20

A By-law to Amend By-laws 1275, 150-80, 1703, 2325-68, 2523, 39-71, 66-71, 3-74, 109-81, 181-81, 273-82, 108-85, 232-85, 88-86, 107-86, 184-87, 190-87, 76-91, 38-95, 255-96, 278-96, 312-96, 313-96, 235-97, and 42-02, 85-02, 91-13, 54-15, 55-15, all as amended, of The Corporation of the City of Richmond Hill

Whereas the Province of Ontario has issued Ontario Regulation 345/20: ORDER UNDER SUBSECTION 7.0.2 (4) OF THE ACT – PATIOS which provides that this temporary use by-law is exempt from subsections 34 (12) to (14.3), (14.5) to (15) and (19) of the Planning Act and paragraphs 4 and 5 of subsection 6 (9) of Ontario Regulation 545/06 under the Planning Act;

And Whereas the lands affected by this amending by-law are situated in the City of Richmond Hill and identified as the “Subject Lands” in Schedule “A” to this amending By-law;

Now therefore the Council of The Corporation of the City of Richmond Hill enacts as follows:

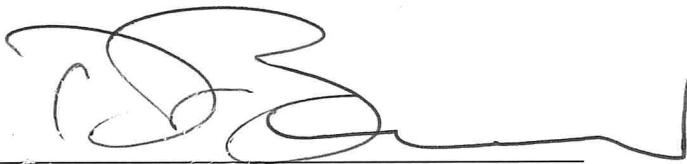
1. This by-law 91-20 shall apply to the lands identified as the “Subject Lands” within Schedule “A” of this amending by-law (altogether, the “Subject Lands”);
2. With respect to the Subject Lands, notwithstanding any provision of Zoning By-laws 1275, 150-80, 1703, 2325-68, 2523, 39-71, 66-71, 3-74, 109-81, 181-81, 273-82, 108-85, 232-85, 88-86, 107-86, 184-87, 190-87, 76-91, 38-95, 255-96, 278-96, 312-96, 313-96, 235-97, and 42-02, 85-02, 128-04, 91-13, 54-15, 55-15, all as amended (the “Zoning By-laws”), the following provisions shall apply:
 - a. The Definitions within the Zoning By-laws, all as amended, are hereby further amended by adding the following definition of “Outdoor Patio” as follows:

“Outdoor Patio” means an outdoor patron area that is accessory to a permitted commercial use and used in conjunction with any establishment where meals or refreshments are served to the public for consumption on the “Premises”;
 - b. The Definitions within the Zoning By-laws, all as amended, are hereby further amended by adding the following definition of “Premises” as follows:

“Premises” means the area of “Building(s)” or part thereof, occupied or used by a business or enterprise. In a multiple tenancy “Building” occupied by more than one (1) business, each business area shall be considered a separate “Premises”;
 - c. For greater clarity, the defined terms “Outdoor Patio” and “Premises” provided in subsections 2.a and 2.b of this amending by-law shall replace the existing definitions for the defined terms, or any similar term whether or not such similar term is defined, within the Zoning By-laws;
 - d. That the Zoning By-laws, all as amended, are hereby further amended by adding the following provisions:

- i. An "Outdoor Patio" shall not constitute more than one hundred (100%) percent of the Gross floor Area (G.F.A.) of the "Premises";
 - ii. No additional parking spaces are required for an "Outdoor Patio";
 - iii. "Outdoor Patios" are permitted to locate within a parking area. A maximum of 30% of the existing parking spaces within a parking area may be used for the purposes of "Outdoor Patios";
 - iv. An "Outdoor Patio" shall be set back a minimum of 15 metres (49.2 feet) from any abutting Lot that contains a single detached dwelling, semi-detached dwelling or townhouse dwelling;
 - v. Notwithstanding Subsection 2.d.iv of this amending by-law, for existing buildings with setbacks less than 15 metres (49.2 feet) from an abutting Lot which contains a single detached dwelling, semi-detached dwelling or townhouse dwelling, the "Outdoor Patio" may extend into the required minimum setback provided that it does not extend beyond the exterior wall of the building closest to the lot line which abuts the Lot containing a single detached dwelling, semi-detached dwelling or townhouse dwelling; and,
 - vi. For Lots that have frontage on Yonge Street, no side yard or rear yard setback is required from an "Outdoor Patio" to an abutting Lot that has frontage on Yonge Street.
- e. This By-law shall expire on January 1, 2021, in accordance with the provisions of Section 39 of the *Planning Act*, RSO, 1990, c P.13 as amended.
3. All other provisions of the Zoning By-laws, all as amended, not inconsistent with the provisions set out in this By-law 91-20 shall continue to apply to the "Subject Lands." Where a conflict or inconsistency exists, the provisions set out in this By-law 91-20 shall prevail.
4. The imperial measurements found in this by-law in brackets are provided for information purposes only and are intended to be an approximate conversion of the metric measurements. The metric or SI measurements shall be deemed to be the standards established by this by-law and wherever there is a variance between the metric or SI measurements and the imperial measurements, the metric or SI measurement shall apply.
5. Schedule "A" attached to this By-law 91-20 is declared to form a part of this by-law.

Passed this 8th day of July, 2020.



Dave Barrow
Mayor



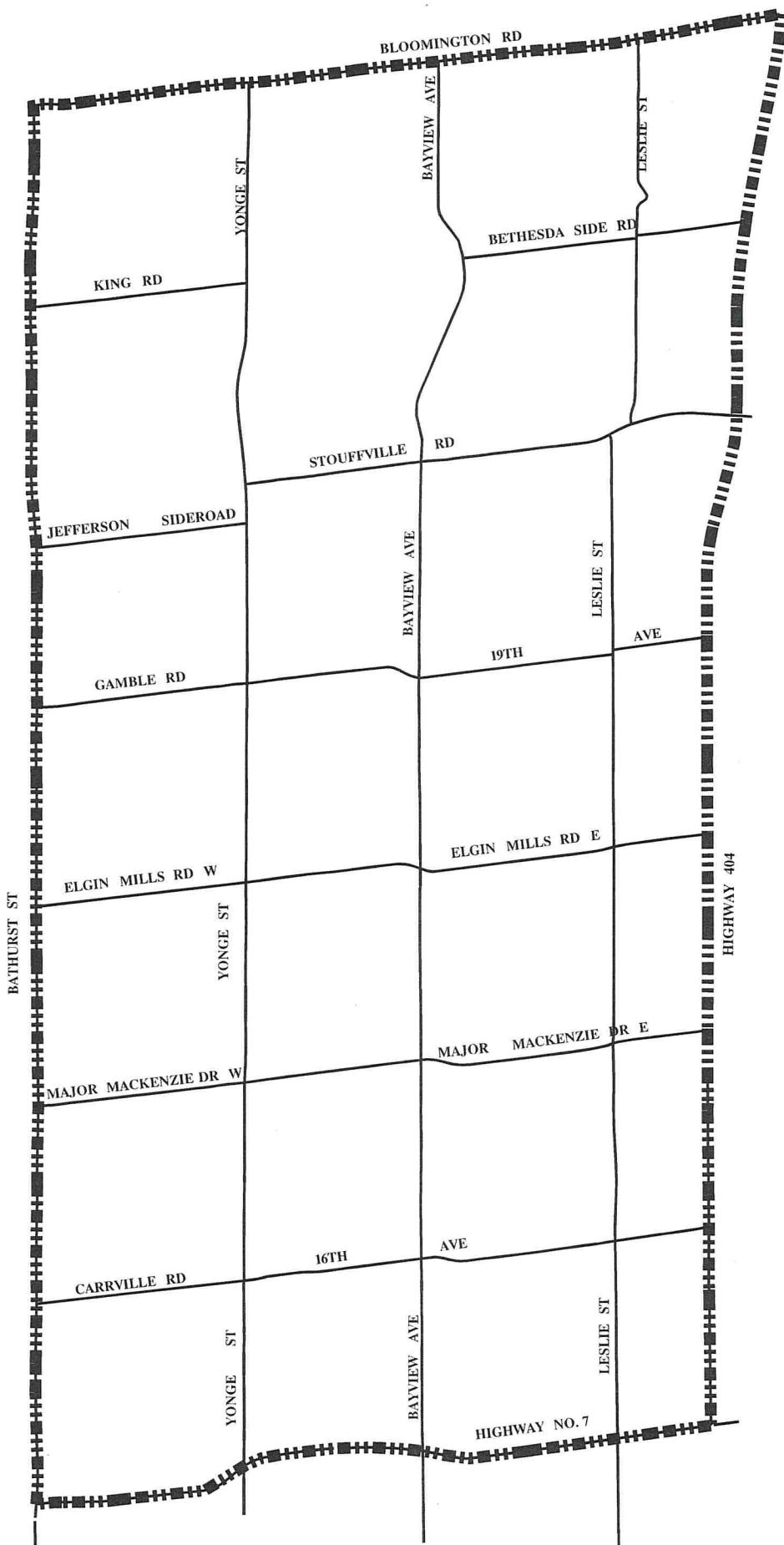
Stephen M.A. Huycke
City Clerk

The Corporation of The City Of Richmond Hill

Explanatory Note to By-Law 91-20

By-law 91-20 affects the Subject Lands shown on Schedule "A".

The purpose and effect of this amending Zoning By-law 91-20 is to establish temporary uses with appropriate development standards with respect to the establishment and expansion of outdoor patios throughout the City in response to the recent direction from the Province of Ontario to support the resumption of business during the COVID-19 Emergency. This By-law will remain in effect until January 1, 2021.



SCHEDULE "A"

TO BY-LAW 91-20

This is Schedule "A" to By-Law 91-20 passed by the Council of The Corporation of the City of Richmond Hill on the 8th Day of July, 2020.



SUBJECT LANDS

Dave Barrow
Mayor

Stephen M.A. Huycke
City Clerk