

The Corporation of the City of Richmond Hill

By-Law 144-21

A By-Law to Extend Temporary Use By-law 91-20 as extended by By-law 146-20

Whereas the Province of Ontario has issued Ontario Regulation 345/20 (PATIOS) as an 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 R.S.O. 1990, c. P.13 and paragraphs 4 and 5 of subsection 6 (9) of Regulation 545/06 under the Planning Act;

And Whereas the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020, S.O. 2020, c. 17 provides for the continuance of Ontario Regulation 345/20 (PATIOS);

And Whereas By-law 91-20 is a Temporary Use By-law to provide temporary relief for Outdoor Patios for commercial properties in the City of Richmond Hill until such time as By-law 91-20 (“Temporary Use By-law 91-20”) expires;

And Whereas Temporary Use By-law 91-20 as extended by By-law 146-20 is scheduled to expire on January 1, 2022;

And Whereas subsection 39 (3) of the Planning Act provides that Council may by by-law grant further periods of not more than three years each during which the temporary use is authorized;

And Whereas Council at its meeting of December 8, 2021, directed that this By-law be brought forward to Council for its consideration;

And Whereas the lands affected by this extending temporary use by-law are situated in the City of Richmond Hill as identified in Schedule A to Temporary Use By-law 91-20;

Now Therefore The Council Of The Corporation Of The City Of Richmond Hill Enacts As Follows:

1. That the period of time that Temporary Use By-law 91-20, as extended by By-law 146-20, is in force and effect shall be hereby extended to January 1, 2023, at which time it shall expire, in accordance with the provisions of Section 39 of the Planning Act, RSO, 1990, c P.13 as amended.
2. This extending temporary use by-law shall expire on January 1, 2023, in accordance with the provisions of Section 39 of the Planning Act, RSO, 1990, c P.13, as amended.
3. That upon the expiration of Temporary Use By-law 91-20, as extended by By-law 146-20 and as further extended by By-law 144-21, the temporary use permission effected through Temporary Use By-law 91-20, as extended by By-law 146-20 and further extended by By-law 144-21, shall be of no further force or effect.

Passed this 8 day of December, 2021.

Joe DiPaola
Acting Mayor

Stephen M.A. Huycke
City Clerk

The Corporation of the City of Richmond Hill

Explanatory Note to By-law 144-21

By-law 144-21 affects the Subject Lands shown on Schedule "A" to Temporary Use By-law 91-20.

The purpose and effect of this extending temporary use Zoning By-law 144-21 is to further extend By-law 91-20 as extended by By-law 146-20, which established temporary uses with appropriate development standards with respect to the establishment and expansion of outdoor patios throughout the City in response to the 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, 2023.