

SUMMARY AND RECOMMENDATION

1. Zoning and Development By-law Amendments to Support the Patio Program for Businesses on Private Property

Summary: To amend the Zoning and Development By-law to make temporary regulations permanent for patios for businesses on private property.

Applicant: General Manager of Planning, Urban Design and Sustainability

Referral: This relates to the report entitled “Zoning and Development By-law Amendments to Support the Patio Program for Businesses on Private Property”, dated October 20, 2022, (“Report”), referred to Public Hearing at the Council Meeting of January 17, 2023.

Recommended Approval: By the General Manager of Planning, Urban Design and Sustainability:

- A. THAT Council approves, in principle, the application to allow patios for businesses on private property that are currently restricted by the Zoning and Development By-law;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment amendments to the Zoning and Development By-law generally in accordance with Appendix A, as presented in the Report;

- B. THAT Recommendation A be adopted on the following conditions:

- (i) THAT passage of the above resolutions creates no legal rights for any person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (i) THAT any approval that may be granted following the public hearing shall not obligate the City to enact any rezoning by-laws; and
- (ii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

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