



By-law 2020-XXXX

A By-law to amend By-law 28-97, 71-96, and 2004-196, as amended

The Council of The Corporation of the City of Markham hereby enacts as follows:

1. That By-law **28-97, 71-96, and 2004-196**, as amended, is hereby further amended as follows:

“1.1 Notwithstanding Section 4.14.1 of By-law 2004-196, Section 1.2 of By-law 71-96, and Table B of By-law 28-97, the provisions in this By-law shall apply to all lands within the City of Markham. All other provisions of By-law 2004-196, and 28-97, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

1.1 Special Zone Standards

Outdoor patios accessory to an existing permitted restaurants or breweries may be located within a parking area, parking space, or drive aisle provided:

- a) There shall be no restriction on the maximum area of an *outdoor patio*
- b) Notwithstanding a) above, an *outdoor patio* located within a *parking area* shall not occupy no more than the greater of:
 - i) 4 *parking spaces*, or
 - ii) 33% of the provided *parking spaces* for the use
- c) An *outdoor patio* area associated with a *restaurant* or *brewery* shall be exempt from requirements for provision of *parking spaces*
- d) The *outdoor patio* does not occupy any required fire route
- e) The *outdoor patio* does not occupy *accessible parking spaces*
- f) An *outdoor patio* shall not be used to provide entertainment such as performances, music and dancing
- g) An *outdoor patio* may be located in a yard abutting a residential zone when located in an existing *parking area*
- h) An *outdoor patio* shall be setback a minimum of 11.8 metres from a residential zone

2. This By-law shall expire on December 31st, 2020, in accordance with the provisions of Section 39 of the Planning Act RSO 1990, c P.13 as amended.

Read a first, second, and third time and passed on June 11, 2020.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2020 - XXX _____

A By-law to amend By-law's 28-97, 71-96, and 2004-196, as amended

City of Markham

Lands Affected

This by-law amendment applies to all the lands within the geographic boundaries governed by By-law's 28-97, 71-96, and 2004-196, as amended.

Purpose and Effect

The purpose and effect of the By-law amendment is to add additional special zone standards for outdoor patios within the geographic boundaries governed by By-law's 28-97, 71-96, and 2004-196, as amended. These additional standards will remove several municipal barriers to allow restaurants, breweries, and bars, along with other businesses, to expand outdoor patio operations while respecting social distancing during the current COVID-19 emergency.