

Municipal Licensing and Standards
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July 15, 2020

Mayor Tory and City Councillors
Toronto City Hall
2nd Floor, 100 Queen Street West
Toronto, Ontario M5H 2N2

Re: Update on Private Patios and CafeTO

Dear Mayor Tory and Councillors:

As requested by City Council, the Province issued a Minister's Zoning Order (MZO) on July 8, 2020 providing restaurant and bar operators with the opportunity to expand or add new outdoor café space on private property.

Operators who wish to have a café on private property are encouraged to visit the 'Patios on Private Property' page of the CafeTO [website](#) to learn more about the MZO. We also encourage all restaurant and bar operators to contact their BIAs for design support.

Highlights of the MZO are:

- Applies to eating establishments only (bars and restaurants)
- Ability to expand to 50 Sq. m or 50% of the internal floor area– whichever is greater
- Café must be on the same lot as the restaurant it is associated with
- Applies only to ground floor expansions (no rooftops)
- Café cannot be in a residential area
- Café must be 30m away from nearest residential area (rear and flankage expansions may be ruled out as a result)
- Permits a reduction in parking requirements (excepting AODA spots)

Once an operator has ensured they meet the MZO conditions, they DO NOT need to register their café. Operators are also reminded to review the TPH [guidelines](#) on Food Premises reopenings. Operators should not:

- Build or expand permanent structures like decks, walls, stairs, etc.
- Install new fueled fire appliances, i.e. propane heaters, BBQs
- Amplify sound of any type
- Construct or install awnings or tent-like structures
- Block access to fire connections or adjacent businesses

If the operator wishes to extend their existing liquor licence, the City has provided a blanket municipal non-objection letter to the AGCO and no further action is required. However, where an operator is not compliant with the MZO, City bylaws or policies, or Orders issued under the Emergency Management and Civil Protection Act –the Executive Director of MLS will advise the AGCO that this blanket approval has been rescinded. Complaints about private patios should be directed to 311 for investigation.

On behalf of the CafeTO team, thank you for your ongoing support as we undertake this significant work.

Sincerely,



Carleton Grant
Executive Director
Municipal Licensing & Standards

Cc: Barbara Gray, General Manager, Transportation Services
Mike Williams, General Manager, Economic Development & Culture
Gregg Lintern, Chief Planner and Executive Director, City Planning