Authority: Item 5, Planning Committee Report: 17-007 (PED16155(a)) CM: April 26, 2017 Ward: 2, 10, 11, 12, 14, 15

**Bill No. 083** 

# CITY OF HAMILTON

# BY-LAW NO. 17-083

# To Amend By-law No. 05-200,

# Respecting a Pilot Project for Entertainment on Outdoor Commercial Patios generally located in the areas of Downtown Hamilton, and for certain lands Zoned Open Space (P4) Zone and Settlement Commercial (S2) Zone in the Rural Area

**WHEREAS**, the City of Hamilton's new comprehensive Zoning By-law, being By-law 05-200, came into force on May 25, 2005;

**WHEREAS**, the Council of the City of Hamilton, in adopting Item 5 of Report 17-007 of the Planning Committee, at its meeting held on April 26, 2017, which recommended that Zoning By-law No. 05-200 be amended as hereinafter provided; and

WHEREAS, this By-law conforms with the Rural and Urban Hamilton Official Plans.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

- That Schedule "A" Zoning Maps of Zoning By-law 05-200 is hereby amended by adding the Temporary Use symbol to maps 11, 18, 27, 28, 37, 38, 42, 54, 58, 66, 70, 73, 78, 79, 81, 85, 92, 105, 113, 131, 143, 151, 156, 157, 159, 174, 177, 189, 195, 196, 190, 201, 207, 219, 910, 911, 951, 952, and 953, attached in Schedule "A, A1-A20" " of this By-law.
- 2. That Schedule "E" Temporary Use of By-law 05-200 is hereby amended by adding the following Subsection:
  - "3. Section 4.20 d) of this By-law shall not apply for a maximum period of two years from the date of passing of the Zoning By-law Amendment, being May 10, 2017 for those lands zoned Downtown Central Business District (D1) Zone, Downtown Prime Retail (D2) Zone, Downtown Prime Retail (D2, 451) Zone, Downtown Mixed Use (D3) Zone, Settlement Commercial (S2) Zone, Open Space (P4) Zone, Open Space (P4, 80) Zone, Open Space (P4, 115) Zone, Open Space (P4, 164) Zone, and described as:

Property Address	Map Number
281 CARLISLE RD	27
523 CARLISLE RD	11, 18
342 8TH CON RD E	27, 28, 37, 38

(Page 2 of 27)

Property Address	Map Number
1039 5TH CON RD W	58, 70
787 OLD HWY 8	79
1079 HWY 8	66, 78
167 HWY 5 W	73, 85
1211 2ND CON RD W	105
1430 2ND CON RD W	113
1386 COOPER ROAD	42, 54
590-592 WESTOVER ROAD	81, 92
71 HWY 52	113
1707 JERSEYVILLE RD W	131, 143
2787 DUNMARK RD	142, 143, 156, 157
1276 SHAVER RD	159, 174
914 BOOK RD W	159, 174
8229 ENGLISH CHURCH RD	177
9639 CHIPPEWA RD	189, 201
185 GOLF CLUB RD	195, 196, 207
4349 HWY 56	219
8453 AIRPORT ROAD	177, 190
104 GEORGE ST	951
115 GEORGE ST	951
109 GEORGE ST	951
107 GEORGE ST	951
17 QUEEN ST S	951
112 GEORGE ST	951
110 GEORGE ST	951
38 HESS ST S	951
105 GEORGE ST	951
116 GEORGE ST	951
102 GEORGE ST	951
108 GEORGE ST	951
34 HESS ST S	951
96 GEORGE ST	952
27 HESS ST S	952
20 HESS ST S	952
18 HESS ST S	952
78 GEORGE ST	952
25 HESS ST S	952
19 HESS ST S	952

(Page 3 of 27)

Property Address	Map Number
33 HESS ST S	952
15 HESS ST S	952
13 HESS ST S	952
11 HESS ST S	952
32 HESS ST S	952
14 HESS ST S	952
74 GEORGE ST	952
24 HESS ST S	952
GEORGE ST	952
68 GEORGE ST	952
72 GEORGE ST	952
76 GEORGE ST	952
100 GEORGE ST	952
30 HESS ST S	952
28 YORK BLVD	910
92 MACNAB ST N	910
1 WILSON ST	910
8 CANNON ST E	911
77 JAMES ST N	952
116 KING ST W	952
21 KING ST W	952
120 KING ST W	952
50 MAIN ST W	952
110 KING ST W	952
80 MAIN ST W	952
2 KING ST W	952
19 KING ST E	952
11 KING ST E	952
13 KING ST E	952
17 KING ST E	952
5 KING ST E	952
6 JAMES ST N	952
10 JAMES ST N	952
14 JAMES ST N	952
16 JAMES ST N	952
64 KING ST E	952
66 KING ST E	952
1 KING ST E	952

(Page 4 of 27)

46 KING ST E 952   54 KING ST E 952   1 KING ST W 952   7 KING ST E 952   58 KING ST E 952   53 KING ST E 952   54 JAMES ST N 952   54 JAMES ST N 952   62 KING ST E 952   44 JAMES ST N 952   28 JAMES ST N 952   28 JAMES ST N 952   24 HUGHSON ST N 952   24 HUGHSON ST N 952   23 KING ST E 952   23 KING WILLIAM ST 952   23 KING WILLIAM ST 952   33 MAIN ST E 952   33 MAIN ST E 952   33 KING ST E </th
1 KING ST W 952   7 KING ST E 952   58 KING ST E 952   53 KING ST E 952   54 JAMES ST N 952   8 JAMES ST N 952   62 KING ST E 952   8 JAMES ST N 952   44 JAMES ST N 952   28 REBECCA ST 952   27 KING WILLIAM ST 952   23 KING WILLIAM ST 952   33 KING WILLIAM ST 952   33 MAIN ST E 952   33 KING ST E 952   33 KING WILLIAM ST 952
7 KING ST E 952   58 KING ST E 952   53 KING ST E 952   54 JAMES ST N 952   8 JAMES ST N 952   62 KING ST E 952   44 JAMES ST N 952   28 JAMES ST N 952   28 JAMES ST N 952   24 HUGHSON ST N 952   23 KING ST E 952   24 HUGHSON ST N 952   23 KING WILLIAM ST 952   23 KING WILLIAM ST 952   33 KING WILLIAM ST 952   33 MAIN ST E 952   33 KING ST E 952   33 KING ST E 952   33 KING WILLIAM ST 952   33 KING ST E 952   33 KING WILLIAM ST 952
58 KING ST E 952   53 KING ST E 952   54 JAMES ST N 952   8 JAMES ST N 952   62 KING ST E 952   62 KING ST E 952   44 JAMES ST N 952   28 JAMES ST N 952   28 JAMES ST N 952   28 JAMES ST N 952   24 HUGHSON ST N 952   23 KING ST E 952   23 REBECCA ST 952   23 KING WILLIAM ST 952   33 MAIN ST E 952   33 MAIN ST E 952   33 KING WILLIAM ST 952   33 KING WILLIAM ST 952   33 KING WILLIAM ST 952
53 KING ST E 952   54 JAMES ST N 952   8 JAMES ST N 952   62 KING ST E 952   62 KING ST E 952   44 JAMES ST N 952   28 JAMES ST N 952   28 JAMES ST N 952   24 HUGHSON ST N 952   43 KING ST E 952   28 REBECCA ST 952   27 KING WILLIAM ST 952   23 KING WILLIAM ST 952   33 KING WILLIAM ST 952   33 KING ST E 952   33 KING WILLIAM ST 952   33 KING WILLIAM ST 952
54 JAMES ST N 952   8 JAMES ST N 952   62 KING ST E 952   KING WILLIAM ST 952   44 JAMES ST N 952   28 JAMES ST N 952   28 JAMES ST N 952   44 HUGHSON ST N 952   43 KING ST E 952   28 REBECCA ST 952   27 KING WILLIAM ST 952   23 KING WILLIAM ST 952   33 MAIN ST E 952   33 MAIN ST E 952   33 KING WILLIAM ST 952   33 KING WILLIAM ST 952
8 JAMES ST N 952   62 KING ST E 952   KING WILLIAM ST 952   44 JAMES ST N 952   28 JAMES ST N 952   44 HUGHSON ST N 952   43 KING ST E 952   28 REBECCA ST 952   27 KING WILLIAM ST 952   31 KING WILLIAM ST 952   33 MAIN ST E 952   33 MAIN ST E 952   33 KING WILLIAM ST 952   33 KING WILLIAM ST 952
62 KING ST E 952   KING WILLIAM ST 952   44 JAMES ST N 952   28 JAMES ST N 952   24 HUGHSON ST N 952   43 KING ST E 952   28 REBECCA ST 952   27 KING WILLIAM ST 952   23 KING WILLIAM ST 952   37 KING WILLIAM ST 952   33 MAIN ST E 952   35 KING ST E 952   33 KING WILLIAM ST 952   33 KING WILLIAM ST 952
KING WILLIAM ST95244 JAMES ST N95228 JAMES ST N95244 HUGHSON ST N95243 KING ST E95228 REBECCA ST95227 KING WILLIAM ST95231 KING WILLIAM ST95223 KING WILLIAM ST95237 KING WILLIAM ST95233 MAIN ST E95235 KING ST E95233 KING WILLIAM ST952
44 JAMES ST N 952   28 JAMES ST N 952   44 HUGHSON ST N 952   43 KING ST E 952   28 REBECCA ST 952   27 KING WILLIAM ST 952   31 KING WILLIAM ST 952   23 KING WILLIAM ST 952   37 KING WILLIAM ST 952   33 MAIN ST E 952   35 KING ST E 952   33 KING WILLIAM ST 952
28 JAMES ST N 952   44 HUGHSON ST N 952   43 KING ST E 952   28 REBECCA ST 952   27 KING WILLIAM ST 952   31 KING WILLIAM ST 952   23 KING WILLIAM ST 952   37 KING WILLIAM ST 952   33 MAIN ST E 952   35 KING ST E 952   33 KING WILLIAM ST 952
44 HUGHSON ST N 952   43 KING ST E 952   28 REBECCA ST 952   27 KING WILLIAM ST 952   31 KING WILLIAM ST 952   23 KING WILLIAM ST 952   37 KING WILLIAM ST 952   37 KING WILLIAM ST 952   33 MAIN ST E 952   35 KING ST E 952   33 KING WILLIAM ST 952
43 KING ST E 952   28 REBECCA ST 952   27 KING WILLIAM ST 952   31 KING WILLIAM ST 952   23 KING WILLIAM ST 952   37 KING WILLIAM ST 952   33 MAIN ST E 952   35 KING ST E 952   33 KING WILLIAM ST 952
28 REBECCA ST95227 KING WILLIAM ST95231 KING WILLIAM ST95223 KING WILLIAM ST95237 KING WILLIAM ST95233 MAIN ST E95235 KING ST E95233 KING WILLIAM ST952
27 KING WILLIAM ST95231 KING WILLIAM ST95223 KING WILLIAM ST95237 KING WILLIAM ST95233 MAIN ST E95235 KING ST E95233 KING WILLIAM ST952
31 KING WILLIAM ST95223 KING WILLIAM ST95237 KING WILLIAM ST95233 MAIN ST E95235 KING ST E95233 KING WILLIAM ST952
23 KING WILLIAM ST95237 KING WILLIAM ST95233 MAIN ST E95235 KING ST E95233 KING WILLIAM ST952
37 KING WILLIAM ST 952   33 MAIN ST E 952   35 KING ST E 952   33 KING WILLIAM ST 952
33 MAIN ST E 952   35 KING ST E 952   33 KING WILLIAM ST 952
35 KING ST E   952     33 KING WILLIAM ST   952
33 KING WILLIAM ST 952
105 KING ST E 953
117 KING ST E 953
61 KING ST E 953
65 KING ST E 953
67 KING ST E 953
73 KING ST E 953
77 KING ST E 953
119 KING ST E 953
125 KING ST E 953
103 KING ST E 953
101 KING ST E 953
89 KING ST E 953
85 KING ST E 953
79 KING ST E 953
81 KING ST E 953
95 KING ST E 953

Respecting a Pilot Project for Entertainment on Outdoor Commercial Patios generally located in the areas of Downtown Hamilton, and for certain lands Zoned Open Space (P4) Zone and Settlement Commercial (S2) Zone in the Rural Area

(Page 5 of 27)

Property Address	Map Number
121 KING ST E	953
112 KING ST E	953
64 MAIN ST E	953
96 MAIN ST E	953
19 JOHN ST N	953
17 JOHN ST N	953
29 JOHN ST N	953
27 JOHN ST N	953
21 JOHN ST N	953
71 MAIN ST E	953
27 JOHN ST S	953
21 JOHN ST S	953
60 KING WILLIAM ST	953
47 KING WILLIAM ST	953
18 JOHN ST N	953
28 JOHN ST N	953
22 JOHN ST N	953
15 JOHN ST N	953
31 JOHN ST S	953
31 JOHN ST N	953
33 JOHN ST N	953
23 JOHN ST N	953
30 JOHN ST N	953
78 KING WILLIAM ST	953
80 KING WILLIAM ST	953
14 JOHN ST N	953
87 MAIN ST E	953
80 KING WILLIAM ST	953

3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law in accordance with the *Planning Act.* 

Respecting a Pilot Project for Entertainment on Outdoor Commercial Patios generally located in the areas of Downtown Hamilton, and for certain lands Zoned Open Space (P4) Zone and Settlement Commercial (S2) Zone in the Rural Area

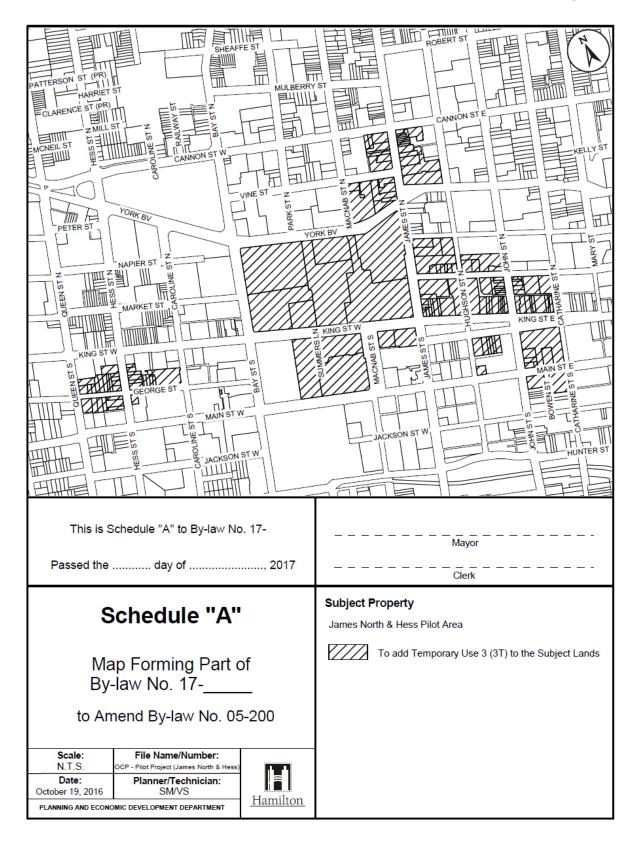
(Page 6 of 27)

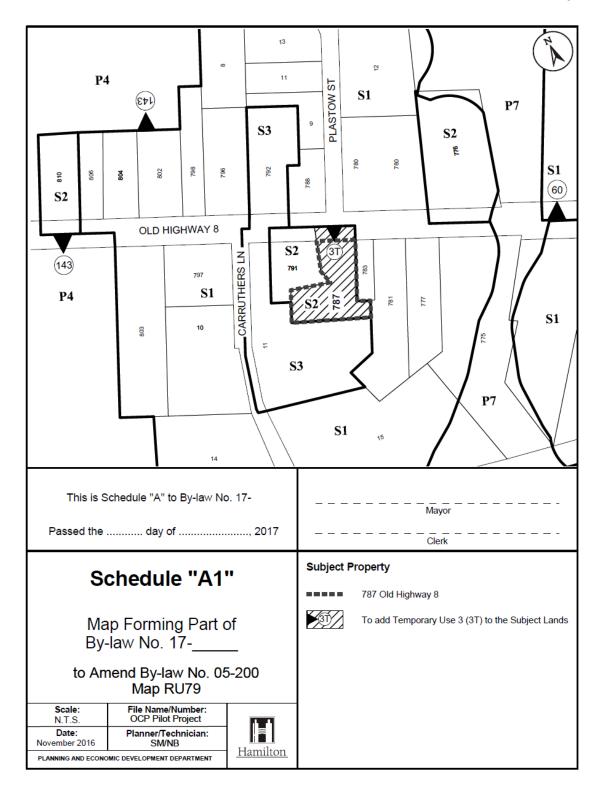
4. That this By-law comes into force in accordance with Section 34 and 39 of the *Planning Act.* 

**PASSED** this 10<sup>th</sup> day of May, 2017.

F. Eisenberger Mayor R. Caterini City Clerk

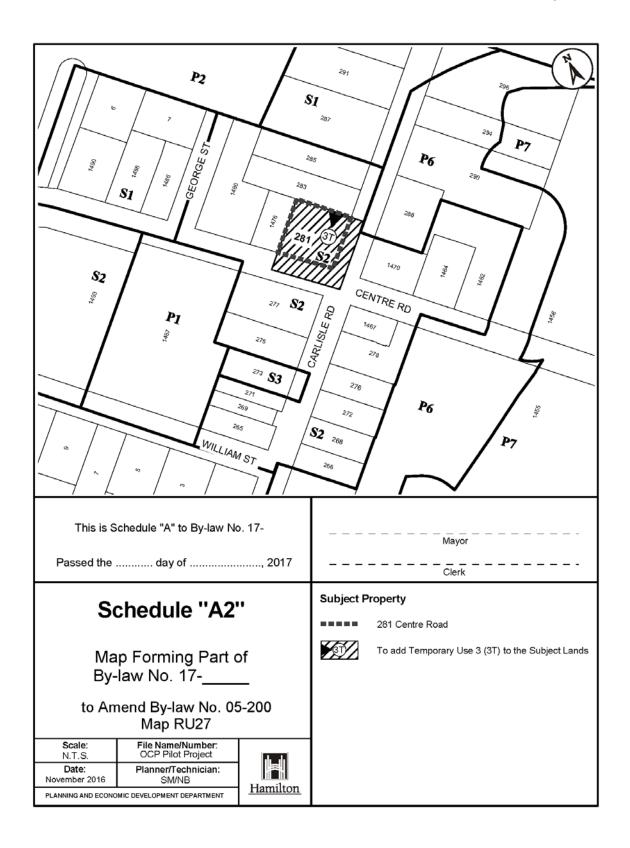
(Page 7 of 27)



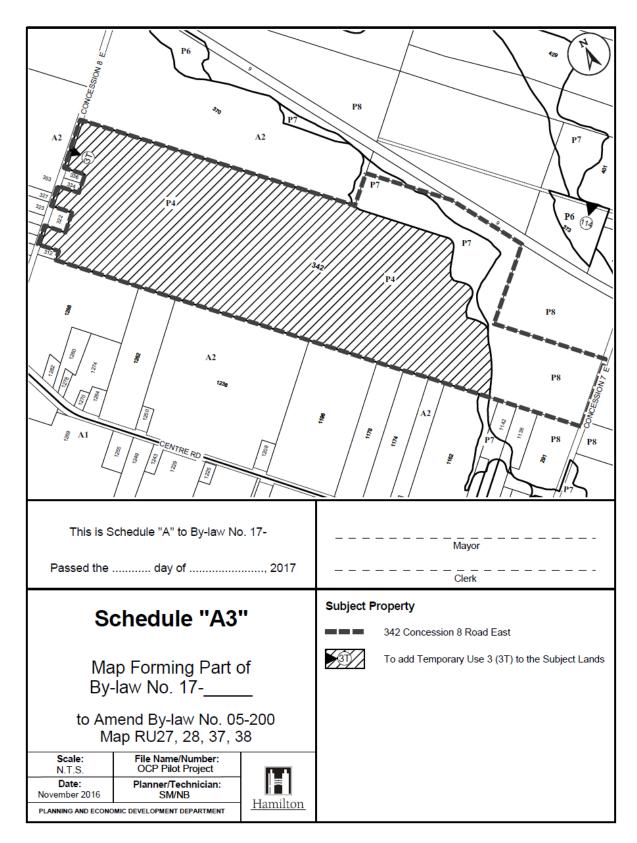


Respecting a Pilot Project for Entertainment on Outdoor Commercial Patios generally located in the areas of Downtown Hamilton, and for certain lands Zoned Open Space (P4) Zone and Settlement Commercial (S2) Zone in the Rural Area

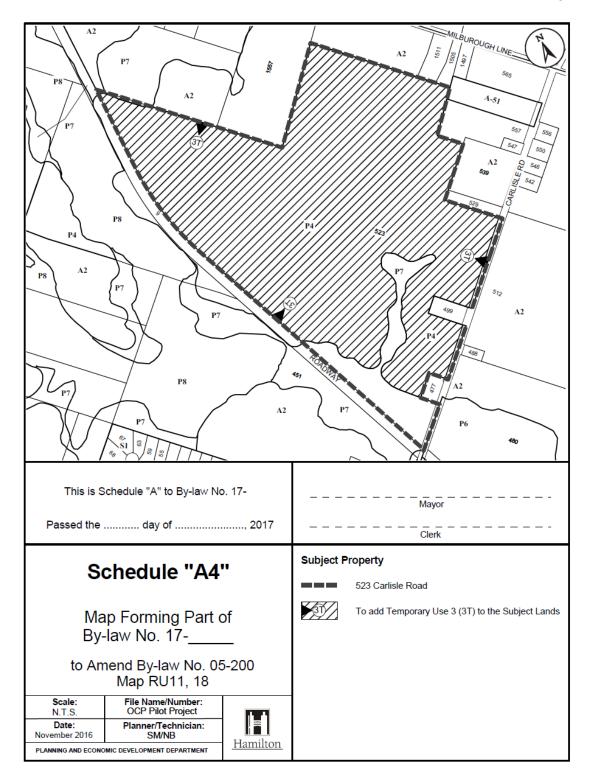
(Page 9 of 27)



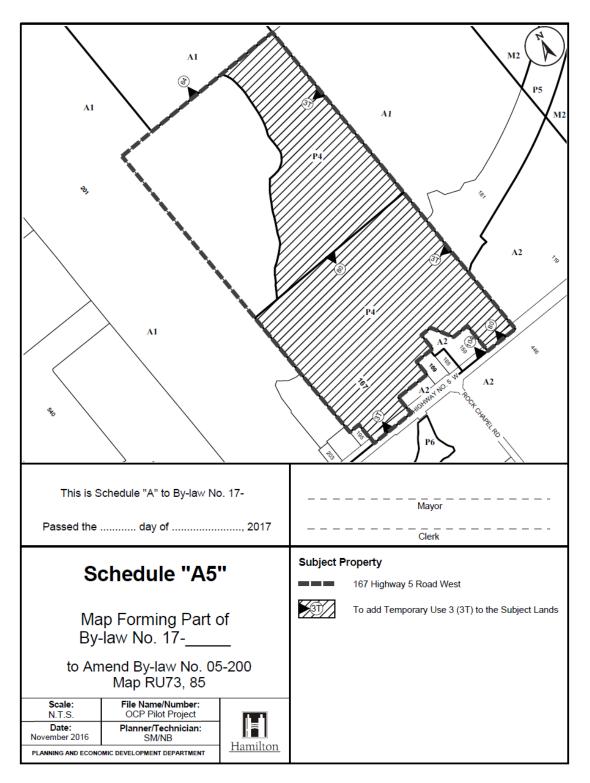




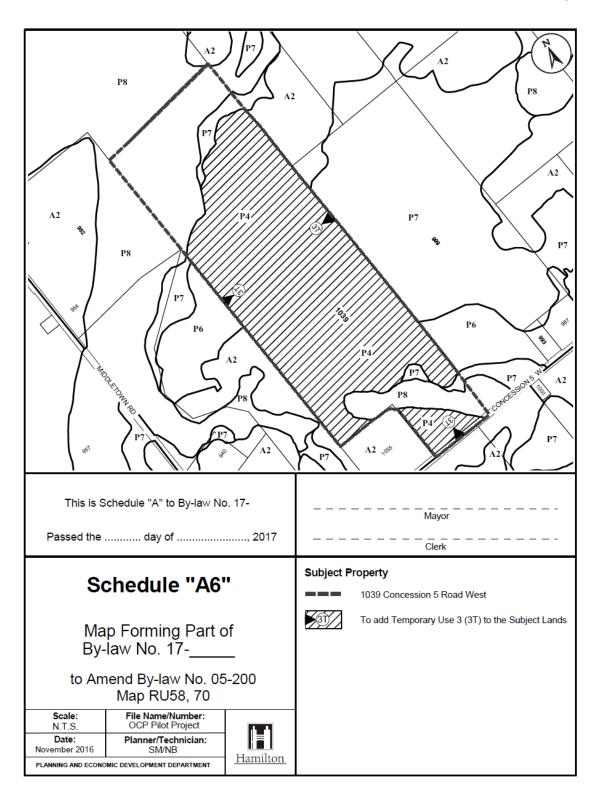




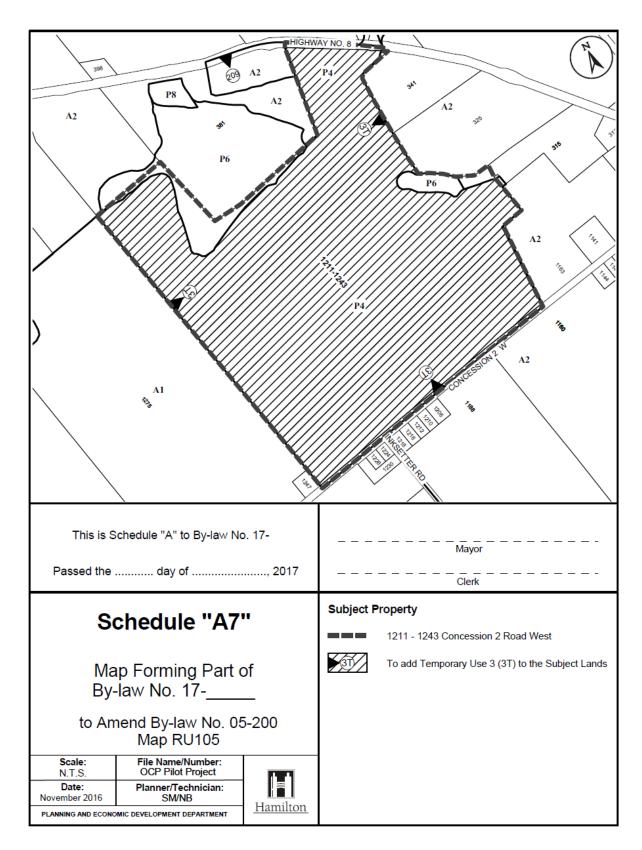




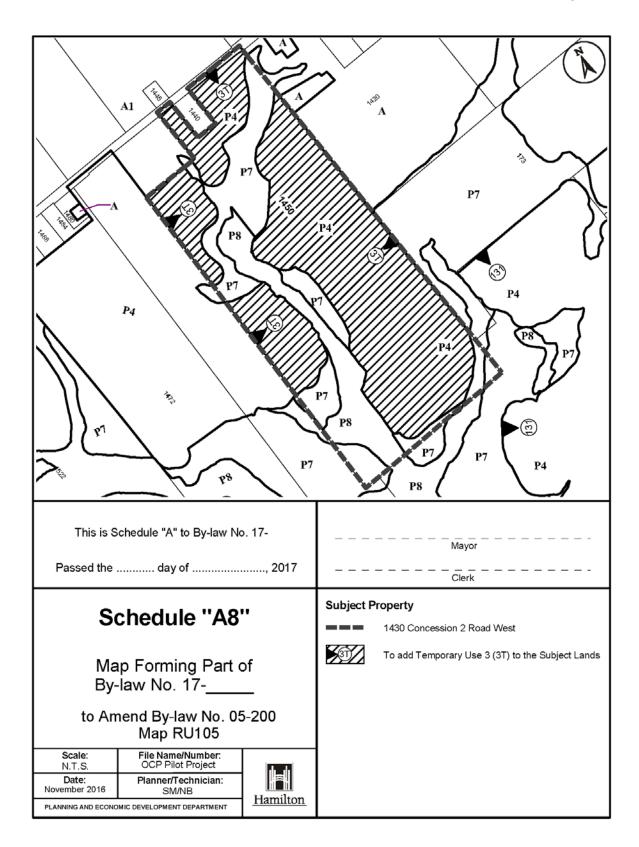
```
(Page 13 of 27)
```



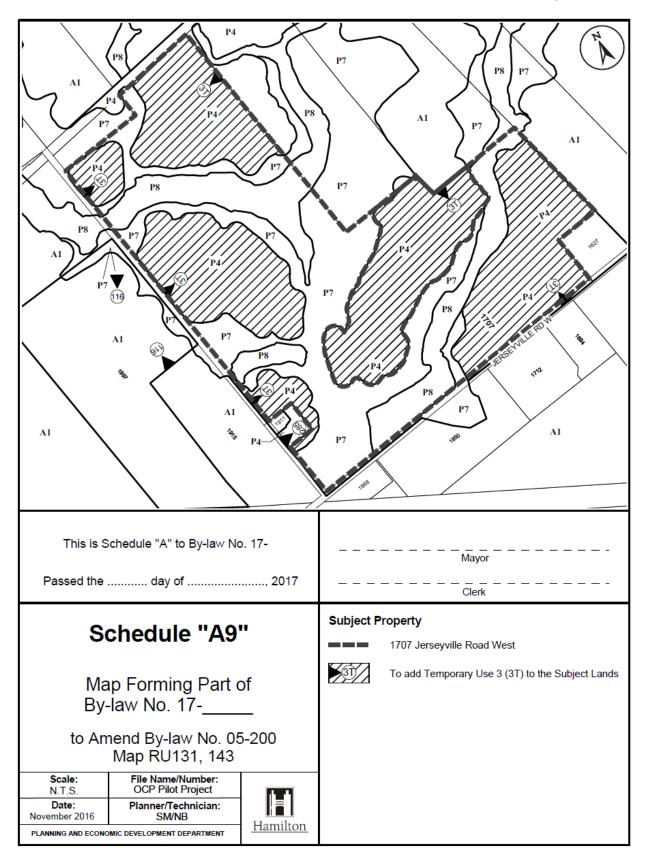




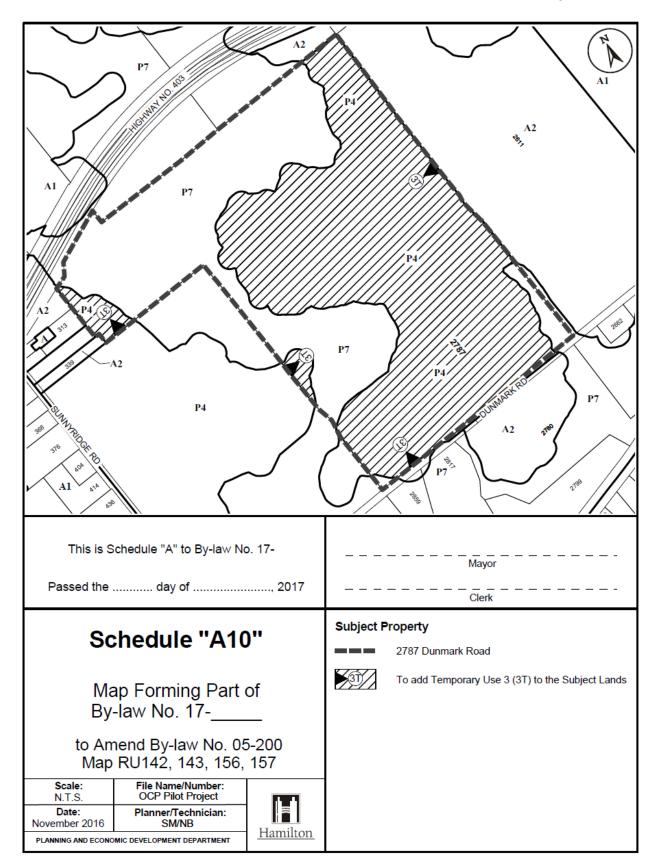
```
(Page 15 of 27)
```



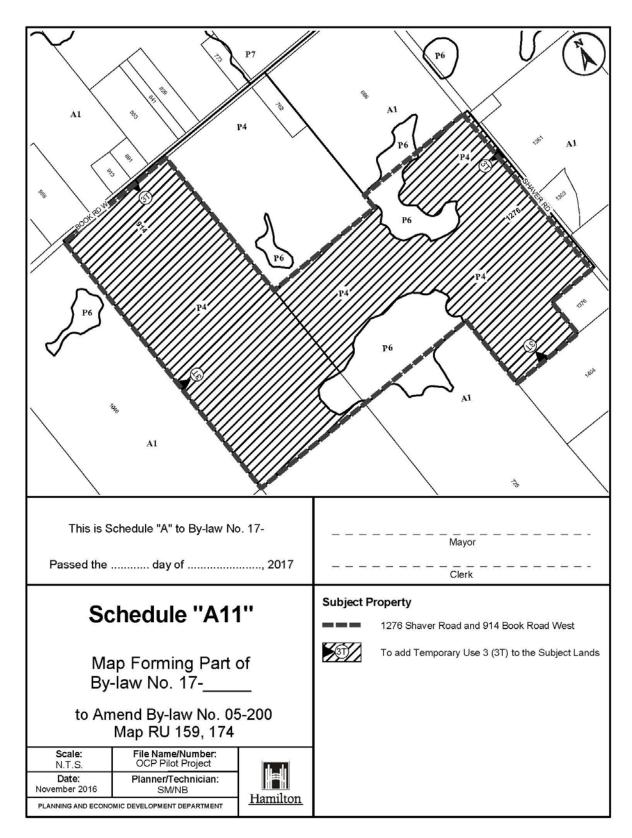






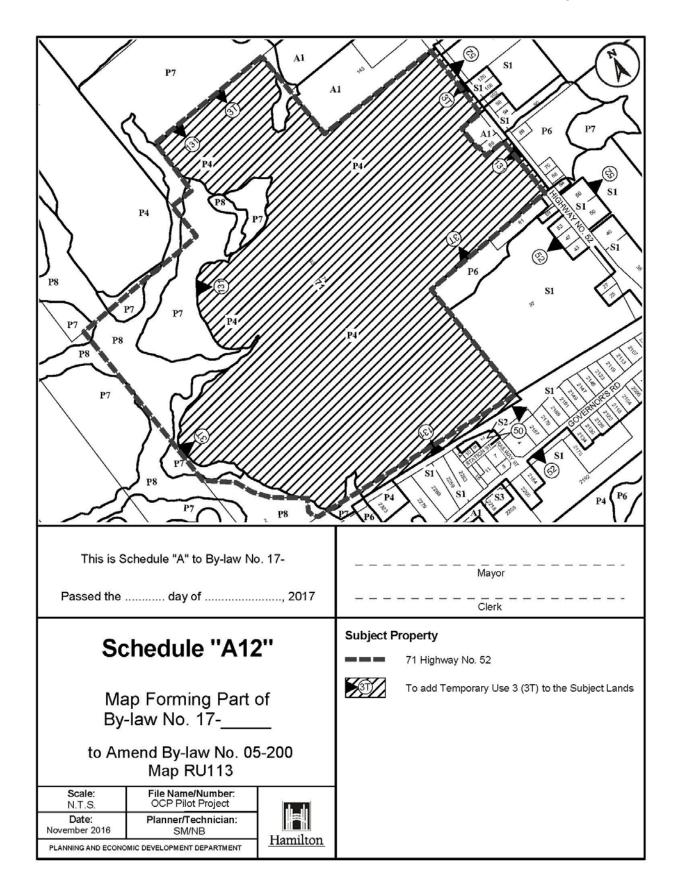




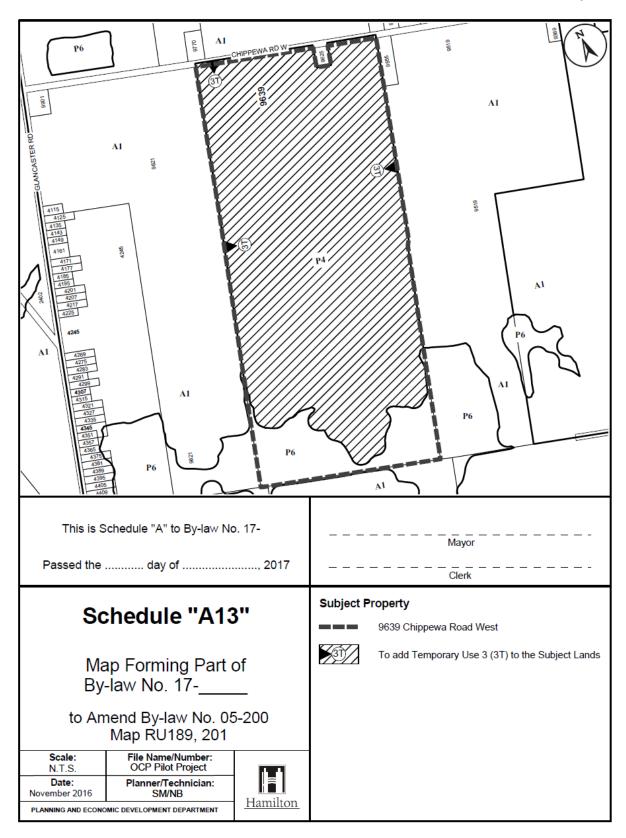


Respecting a Pilot Project for Entertainment on Outdoor Commercial Patios generally located in the areas of Downtown Hamilton, and for certain lands Zoned Open Space (P4) Zone and Settlement Commercial (S2) Zone in the Rural Area

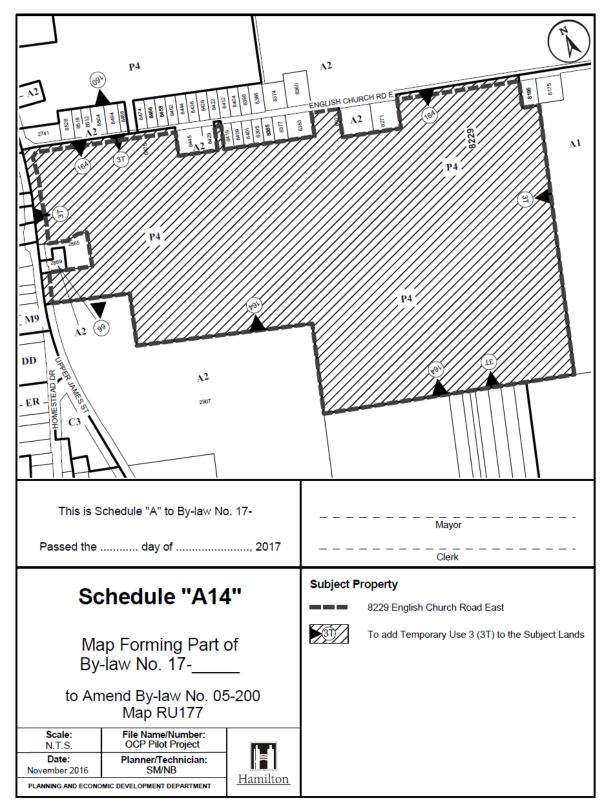
(Page 19 of 27)



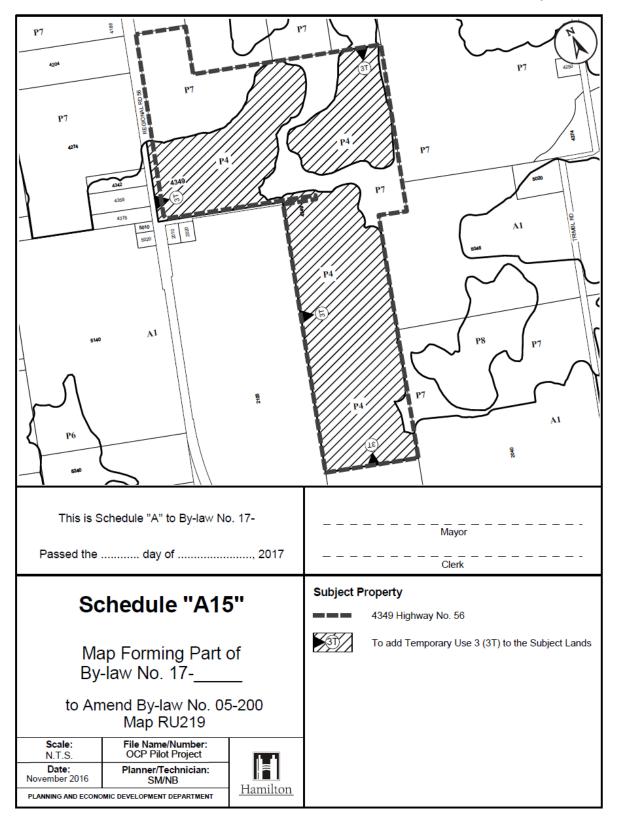






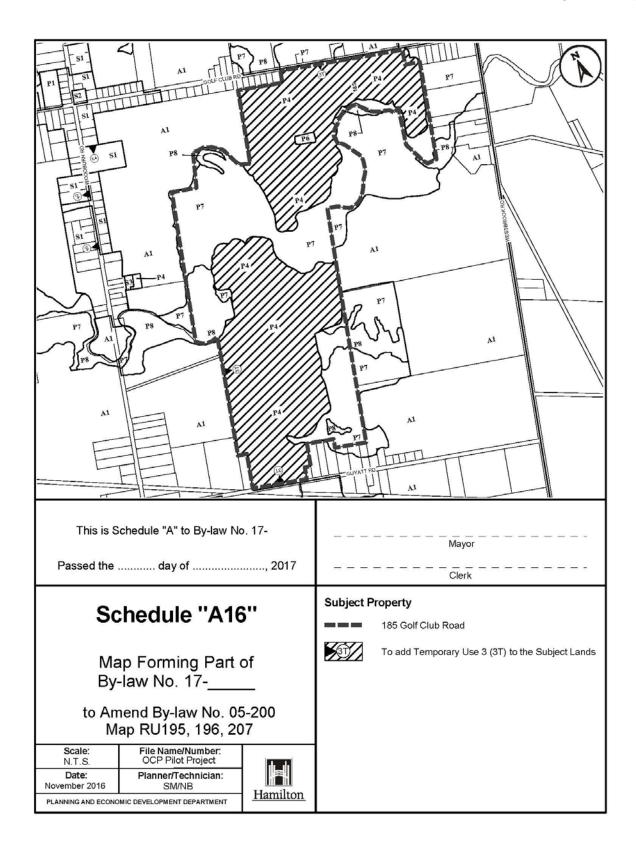




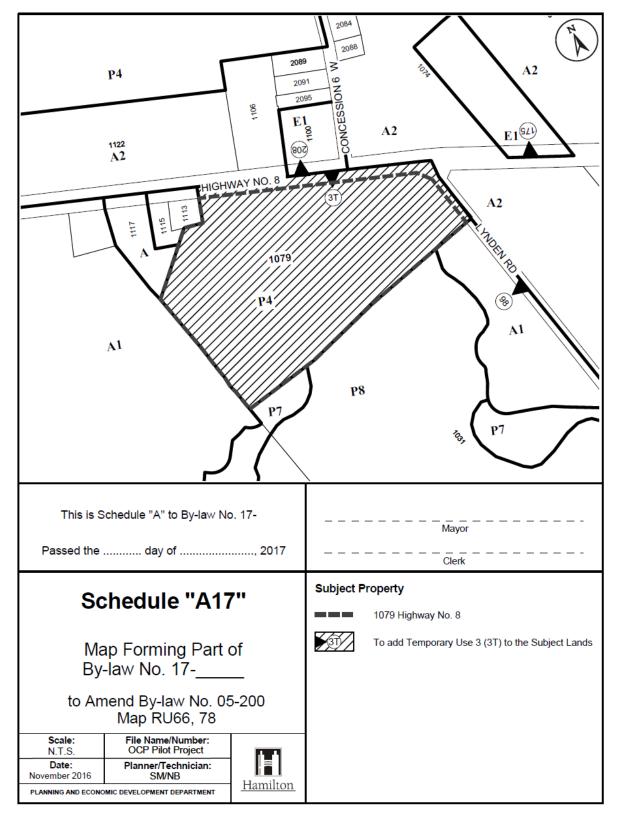


Respecting a Pilot Project for Entertainment on Outdoor Commercial Patios generally located in the areas of Downtown Hamilton, and for certain lands Zoned Open Space (P4) Zone and Settlement Commercial (S2) Zone in the Rural Area

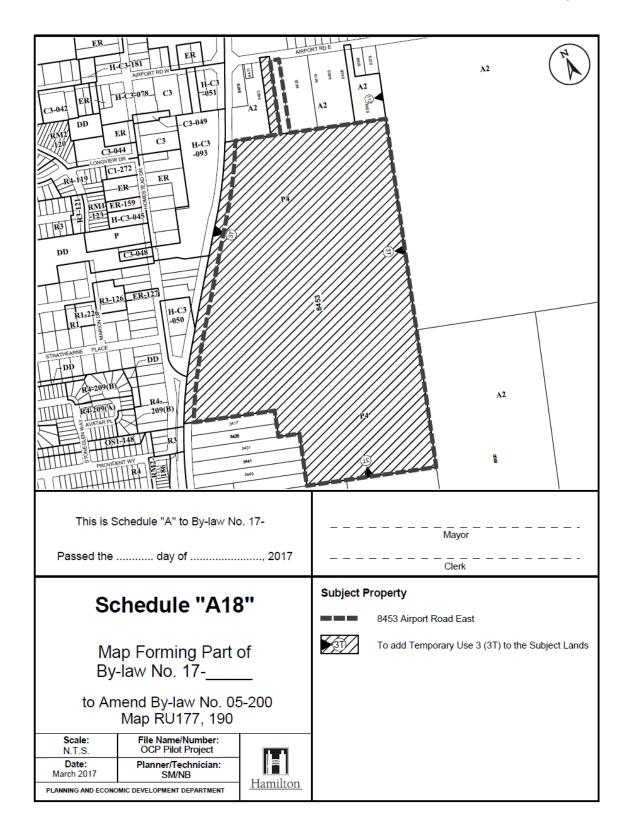
(Page 23 of 27)







(Page 25 of 27)



```
(Page 26 of 27)
```

