

Authority: Item 5, Planning Committee
Report: 17-007 (PED16155(a))
CM: April 26, 2017
Ward: 2, 7, 8

Bill No. 082

CITY OF HAMILTON

BY-LAW NO. 17-082

To Amend Zoning By-law No. 6593

Respecting a Pilot Project for Entertainment on Outdoor Commercial Patios generally located in the areas of Downtown Hamilton, Augusta Street, Hess Village, James Street North, Waterfront, and Upper James

WHEREAS, the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule C did incorporate, as of January 1st 2001, the municipality “City of Hamilton”;

WHEREAS, the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as the “The Corporation of the City of Hamilton” and is the successor of the former Regional Municipality, named, “the Regional Municipality of Hamilton-Wentworth”;

WHEREAS, the *City of Hamilton Act, 1999* provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

WHEREAS, Zoning By-law No. 6593 (Hamilton) was enacted on the 25th day of July 1950, which was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951 (File No. P.F.C. 3821);

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 the 26th day of April 2017, which recommended that Zoning By-law 6593 (Hamilton), be amended as hereinafter provided; and

WHEREAS, this By-law is in conformity with the City of Hamilton and Urban Hamilton Official Plan.

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

1. That Sheet Numbers E1, E3, E4, E5, E9c, E9c, W2, W3, W4, W9c, and W9d of the District maps, appended to and forming part of Zoning By-law 6593 (Hamilton) is amended and further amended by adding Site Specific S-1741 to the:
 - (a) “G/S-1069” (Neighbourhood Shopping Centre Etc.) District, Modified
 - (b) “G/S-1069a” (Neighbourhood Shopping Centre Etc.) District, Modified
 - (c) “G/S-1342b” (Neighbourhood Shopping Centre Etc.) District, Modified
 - (d) “G-1/S-1051” (Designed Shopping Centre Etc.) District, Modified
 - (e) “G-1/S1230” (Designed Shopping Centre Etc.) District, Modified
 - (f) “H” District (Community Shopping and Commercial Etc.) District

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- (g) "H/S-1310" (Community Shopping and Commercial Etc.) District, Modified
- (h) "H/S-1310a" (Community Shopping and Commercial Etc.) District, Modified
- (i) "H/S-1425" (Community Shopping and Commercial Etc.) District, Modified
- (j) "H/S-1425b" (Community Shopping and Commercial Etc.) District, Modified
- (k) "H/S-685" (Community Shopping and Commercial Etc.) District, Modified
- (l) "H/S-718" (Community Shopping and Commercial Etc.) District, Modified
- (m) "H/S-1647" (Community Shopping and Commercial Etc.) District, Modified
- (n) "H/S-258" (Community Shopping and Commercial Etc.) District, Modified
- (o) "H/S-1458" (Community Shopping and Commercial Etc.) District, Modified
- (p) "HH" (Restricted Community Shopping and Commercial Etc.) District
- (q) "HH/S-161" (Restricted Community Shopping and Commercial Etc.) District, Modified
- (r) "HH/S-1091" (Restricted Community Shopping and Commercial Etc.) District, Modified
- (s) "HH/S-1099" (Restricted Community Shopping and Commercial Etc.) District, Modified
- (t) "HH/S-1119" (Restricted Community Shopping and Commercial Etc.) District, Modified
- (u) "HH/S-1179" (Restricted Community Shopping and Commercial Etc.) District, Modified
- (v) "HH/S-1439" (Restricted Community Shopping and Commercial Etc.) District, Modified
- (w) "HH/S-1465" (Restricted Community Shopping and Commercial Etc.) District, Modified
- (x) "HH/S-814a" (Restricted Community Shopping and Commercial Etc.) District, Modified
- (y) "HH/S-967" (Restricted Community Shopping and Commercial Etc.) District, Modified
- (z) "HH-H/S-1100" (Restricted Community Shopping and Commercial Etc.) District, Modified
- (aa) "I" (Central Business District, Etc.) District
- (bb) "E-1/S-373" (Multiple Dwelling, Lodges, Clubs, Etc.) District, Modified
- (cc) "E-3/S292" (High Density Multiple Dwellings) District, Modified
- (dd) "E-3/S501" (High Density Multiple Dwellings) District, Modified
- (ee) "F-1/S-838a" (Waterfront Recreational) District, Modified
- (ff) "F-2" (Open Space Harbour) District
- (gg) "F-2A" (Harbour) District
- (hh) "F-4/S838a" (Waterfront Services) District, Modified
- (ii) "K/S-1482" (Heavy Industrial) District

On the lands extent and boundaries of which are shown on a plan hereto annexed as Schedule "A1", "A2", "A3", "A4".

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2. Section 18(11) (d) and (g) shall not apply for a maximum period of two years from the date of passing of the Zoning By-law Amendment, being DATE under Section 39 of the *Planning Act* relating to temporary use provisions.
3. That Sheet Numbers E1, E3, E4, E5, E9c, E9c, W2, W3, W4, W9c, and W9d of the District Maps is amended by adding S-1741 to the lands referred to in Section 1 of this By-law.
4. That the Clerk is hereby authorized and directed to proceed with the giving notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 10th day of May, 2017.

F. Eisenberger
Mayor

R. Caterini
City Clerk

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This is Schedule "A" to By-law No. 17-

Passed the day of, 2017

Mayor

Clerk

Schedule "A1"

Map Forming Part of
By-law No. 17-_____

to Amend By-law No. 6593

Subject Property

James North Pilot Area



To add Site Specific S-1741 to the lands zoned: Community Shopping and Commercial etc. "H", "H/S-1310", "H/S-1310a", "H/S-1425", "H/S"-1425b", "H/S-685", and "H/S-718" Districts.

Scale:
N.T.S.

File Name/Number:
OCP - Pilot Project (James North)

Date:
October 19, 2016

Planner/Technician:
SM/VS



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

To Amend Zoning By-law No. 6593

Respecting Pilot Project for Entertainment on Outdoor Commercial Patios generally located in the areas of Downtown Hamilton, Augusta Street, Hess Village, James Street North, Waterfront, Upper James



<p>This is Schedule "A" to By-law No. 17-</p> <p>Passed the day of 2017</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<h2 style="margin: 0;">Schedule "A2"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 17-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 6593</p>	<p>Subject Property</p> <p>Augusta Pilot Area</p> <div style="margin-top: 10px;"> To add Site Specific S-1741 to the lands zoned: Community Shopping and Commercial etc. "H", "H/S-1647" and "H/S-258" Districts; Central Business District etc. "I" District; Multiple Dwellings, Lodges, Clubs, etc. "E-1/S-373" District; and High Density Multiple Dwellings "E-3/S-292" and "E-3/S-501" Districts. </div>
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<p>Scale: N.T.S.</p>	<p>File Name/Number: OCP - Pilot Project (Augusta)</p>	<p style="margin: 0;">Hamilton</p>
<p>Date: January 26, 2017</p>	<p>Planner/Technician: SM/V/S</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

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<p>This is Schedule "A" to By-law No. 17-</p> <p>Passed the day of, 2017</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<p style="text-align: center;">Schedule "A3"</p> <p style="text-align: center;">Map Forming Part of By-law No. 17-_____</p> <p style="text-align: center;">to Amend By-law No. 6593</p>	<p>Subject Property</p> <p>Bayfront Pilot Area</p> <p> To add Site Specific S-1741 to the lands zoned: Waterfront Recreational "F-1/S-838a" District; Open Space Harbour "F-2" District; Harbour "F-2A" District; Waterfront Services "F-4/S-838a" District; and Heavy Industrial "K/S-1482" District.</p>
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<p>Scale: N.T.S.</p>	<p>File Name/Number: OCP - Pilot Project (Bayfront)</p>	<p>Hamilton</p>
<p>Date: October 19, 2016</p>	<p>Planner/Technician: SMVS</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

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This is Schedule "A" to By-law No. 17- Passed the day of, 2017	_____ Mayor _____ Clerk
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<h2 style="margin: 0;">Schedule "A4"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 17- _____ to Amend By-law No. 6593</p>		<p>Subject Property Upper James Pilot Area</p> <p> To add Site Specific S-1741 to the lands zoned: Neighbourhood Shopping Centre etc. "G/S-1069", "G/S-1069a", and "G/S-1342b" Districts; Designated Shopping Centre etc. "G-1/S-1051" and "G-1/S-1230" Districts; Community Shopping and Commercial etc. "H/S-1458a" District; and Restricted Community Shopping and Commercial "HH", "HH/S-1061", "HH/S-1091", "HH/S-1099", "HH/S-1119", "HH/S-1179", "HH/S-1439", "HH/S-1465", "HH/S-1465a", "HH/S-814a", "HH/S-967", "HH/H-S-1100" Districts.</p>
Scale: N.T.S.	File Name/Number: OCP - Pilot Project (Upper James)	
Date: October 19, 2016	Planner/Technician: SMVS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		