

Authority: Item 5, Planning Committee
Report: 17-007 (PED16155(a))
(City Wide)
CM: April 26, 2017

Bill No. 084

CITY OF HAMILTON

BY-LAW NO. 17-084

To Amend Zoning By-law No. 3581-86 Respecting a Pilot Project for Entertainment on Outdoor Commercial Patios Generally Located in Downtown Dundas

WHEREAS, the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 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 Town of Dundas" and is the successor to the former Regional Municipality, namely, "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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

WHEREAS, Zoning By-law No. 3581-86 (Dundas) was enacted on the 22nd day of May 1986, and approved by the Ontario Municipal Board on the 10th day of May, 1988;

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 No. 3581-86, be amended as hereinafter provided; and

WHEREAS, this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Dundas) in accordance with the provisions of the *Planning Act*.

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

1. That Schedule "A" appended to and forming part of By-law No. 3581-86 (Dundas), as amended, is hereby further amended by adding S-130, on the lands the extent and boundaries of which are more particularly shown on Schedule "A" annexed hereto and forming part of this By-law.
2. That Section 32 - "EXCEPTIONS" of Zoning By-law No. 3581-86 (Dundas), as amended, is hereby further amended by adding the following Sub-section:

CAC/S-130

R4/S-130 Section 6.26 d), shall not apply for a maximum period of two years from the date of passing of the Zoning By-law Amendment, being

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May 10, 2017 under Section 39 of the *Planning Act* relating to temporary use provisions.

3. That By-law No. 3581-86 (Dundas) is amended by adding the By-law to Section 32 as Schedule S-130.
4. That Schedule "A" of the Zoning Schedule Key Map is amended by adding the site specific S-130 to the lands referred to in Section 1 of this By-law.
5. That the Clerk is hereby authorized and directed to proceed with the giving of 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