

Authority: By-law No. 22-217
CM: August 12, 2022 Ward: City Wide

**CITY OF HAMILTON
BY-LAW NO. 25-027-PED**

**To Amend Zoning By-law No. 05-200 with Respect to a
Temporary Use By-law for Outdoor Commercial Patios**

WHEREAS By-law No. 20-181 amended the outdoor commercial patio regulations in Zoning By-law No. 05-200 to provide temporary relief from the locational requirements and to permit entertainment on outdoor commercial patios for certain commercial zones within the City of Hamilton;

AND WHEREAS By-law No. 20-215 amended By-law No. 20-181 to provide additional temporary relief from the locational requirements for outdoor commercial patios in certain commercial zones and to extend the period of time the by-law was in effect;

AND WHEREAS By-law No. 21-143 amended By-law No. 20-181, as amended By-law No. 20-215, to extend the period of time the by-law was in effect;

AND WHEREAS By-law No. 22-073 reinstated the temporary locational permissions for outdoor commercial patios to support local businesses by increasing operational flexibility;

AND WHEREAS the temporary use permissions expire on March 31, 2025;

AND WHEREAS to enable additional monitoring, it is appropriate to extend the temporary locational permissions for outdoor commercial patios so that staff can comprehensively evaluate the merits of making the temporary use by-law permissions permanent;

AND WHEREAS Subsection 39(3) of the *Planning Act* provides that Council may by by-law grant further periods of time that the temporary use is in effect for a period not more than three years;

AND WHEREAS By-law No. 22-217 provides that the Director of Planning and Chief Planner, or their designate, be delegated the authority to extend an existing temporary use by-law that forms part of any zone within City of Hamilton Zoning By-law No. 05-200;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan;

NOW THEREFORE the Director of Planning and Chief Planner of the City of Hamilton amends Zoning By-law No. 05-200 as follows:

To Amend Zoning By-law No. 05-200 with Respect to a Temporary
Use By-law for Outdoor Commercial Patios

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1. That Schedule "E" – Temporary Use Provisions, Provision 6, be amended by deleting "for the period running to March 31, 2025" and replacing with "for the period running to February 28, 2027".
2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passage of this By-law in accordance with the *Planning Act*.
3. That this Bylaw comes into force in accordance Sections 34 and 39 of the *Planning Act*.

PASSED this 20th day of February, 2025.



A. Fabac
Acting Director of Planning and Chief Planner