

Authority: By-law No. 22-217

CM: August 12, 2022 Ward: City Wide

**CITY OF HAMILTON
BY-LAW NO. 25-028-PED**

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

WHEREAS By-law No. 20-214 amended the temporary tent regulations in Zoning By-law No. 05-200 to allow temporary tents for restaurants and certain institutional uses in certain commercial and institutional zones within the City of Hamilton to be erected for longer periods of time to accommodate physical distancing requirements as a result of COVID;

AND WHEREAS By-law No. 21-143 amended By-law No. 20-214 to allow temporary tents to be erected for longer periods of time for an expanded range of uses in certain commercial zones, uses permitted in the Community Park (P2) Zone, the City Wide (P3) Zone, and certain commercial uses and accessory commercial uses permitted in certain industrial zones, to facilitate the Province's Roadmap to Reopen, and further, extended the period of time the by-law was in effect;

AND WHEREAS By-law No. 22-074 reinstated the temporary tent regulations that permit temporary tents for certain uses and in certain zones to be erected for longer periods of time to improve operational flexibility for businesses and institutional uses;

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

AND WHEREAS to enable additional monitoring, it is appropriate to extend the temporary tent regulations 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:

1. That Schedule "E" – Temporary Use Provisions, Provision 8, 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 By-law comes into force in accordance with Sections 34 and 39 of the *Planning Act*.

PASSED this 20th day of February, 2025.



A. Fabac
Acting Director of Planning and Chief Planner