

Authority:  
Ward: 2  
Bill No.

## CITY OF HAMILTON

### BY-LAW NO. 19-

To Amend Zoning By-law 05-200 Respecting a Pilot Project for Entertainment on Outdoor Commercial Patios located along James Street North between Murray Street and Cannon Street, and certain lands generally located at James Street South, August Street, Hughson Street, John Street South, and Haymarket Street

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

AND WHEREAS this By-law adds a Temporary Use in Zoning By-law No. 05-200 to allow for entertainment on outdoor commercial patios in By-law 05-200 on certain lands located along James Street North between Cannon Street and Murray Street, and lands generally bounded by James Street South, Haymarket Street, John Street South, Augusta Street, and Hughson Street; and,

AND WHEREAS this By-law conforms with the Urban Hamilton Official Plan.

NOW THEREFORE the Council of the City of Hamilton amends Zoning By-law No. 05-200 as follows:

1. That Schedule "A" – Zoning Maps is amended by adding the Temporary Use symbol to Maps 868, 869, 910, 911, 952, 994 attached as Schedules "A" and "A1" of this By-law.
2. That Schedule "E" – Temporary Use By-law is amended by adding the following new Subsection to the existing Temporary Use (T5) Zone:
  - "5. "Section 4.20 d) of this By-law shall not apply for a period running until May 1, 2022 for those lands zoned Downtown Central Business District (D1) Zone, Downtown Prime Retail (D2) Zone, and Mixed Use Medium Density (C5) Zone and as further described as:".

Property Address	Map Number
13 Augusta Street	994
14 Augusta Street	994
16 Augusta Street	994
17 Augusta Street	994
18 Augusta Street	994
19 Augusta Street	994

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Property Address	Map Number
20 Augusta Street	994
21 Augusta Street	994
23 Augusta Street	994
25 Augusta Street	994
29 Augusta Street	994
45 Augusta Street	994
49 Augusta Street	994
51 Augusta Street	994
53 Augusta Street	994
57 Augusta Street	994
1 Duke Street	994
18, 22 Haymarket Street	994
111 Hughson Street, 2 Haymarket Street	994
112 Hughson Street	994
115 Hughson Street	994
117 Hughson Street	994
120, 122 Hughson Street	994
155, 157 James Street North	910
161 James Street North	910
163, 165 James Street North	910
166 James Street North, 15 Cannon Street West	910, 911
167 James Street North	910
169 James Street North	910
170, 172, 174 James Street North	910, 911
173 James Street North	910
175 James Street North	910
176, 178, 180 James Street North	910, 911
181, 183, 185, 187, 191 James Street North	910
193, 195, 197 James Street North	910, 911
199 James Street North	910, 911
201 James Street North	910, 911
203, 205 James Street North	910, 911
207, 209 James Street North	910, 911
213 James Street North	910, 911
219 James Street North	910, 911
224 James Street North	911
225, 227 James Street North	910, 911
226 James Street North	911
229 James Street North	910, 911
230, 232 James Street North	911

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Property Address	Map Number
231 James Street North	910, 911
233 James Street North	910, 911
235 James Street North	910, 911
236 James Street North	911
237 James Street North	910, 911
238 James Street North	911
241 James Street North	911
243 James Street North	911
244 James Street North	911
245 James Street North	911
246 James Street North	911
249, 253 James Street North	911
255, 257, 259 265 James Street North, 3 Colbourne Street	911
274, 276 James Street North	911
275 James Street North	911
278 James Street North	911
280 James Street North	911
282 James Street North	911
284, 286 James Street North	911
288 James Street North	911
290 James Street North	911
292 James Street North	911
294 James Street North	911
295 James Street North	911
298, 300 James Street North	911
299 James Street North	911
301 James Street North	911
302 James Street North, 4, 6 Barton Street East	911
10 Barton Street East	911
18 Barton Street East	911
306 James Street North	911
308 James Street North	911
309 James Street North	911
310 James Street North	911
314 James Street North	911
316 James Street North	911
318, 320 James Street North	911
322, 324 James Street North	911
325 James Street North	869, 911

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Property Address	Map Number
326 James Street North	911
328 James Street North	911
329, 331, 333 James Street North	869
330 James Street North	911
332 James Street North	869, 911
334 James Street North	869, 911
337 James Street North	911
340 James Street North	869, 911
342 James Street North	869
344 James Street North	869
345 James Street North	869
346 James Street North	869
360 James Street North	869
142 James Street South	994
144 James Street South	994
146 James Street South	994
148 James Street South	994
149 James Street South	994
150 James Street South	994
151 James Street South	994
152 James Street South	994
153 James Street South	994
154 James Street South	994
155 James Street South	994
156 James Street South	994
158 James Street South	994
160 James Street South	994
163 James Street South	994
164, 166 James Street South, 2 Duke Street	994
165 James Street South	994
180 James Street South	994
183 James Street South, 2, 4 Young Street	994
133 John Street South	994
135, 137, 139 John Street South	994
145 John Street South	994
151 John Street South	994
155, 157, 159, 163, 167, 169, 171 John Street South, 69, 75, 77 Augusta Street	994
160 John Street South	994
166 John Street South	994

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Property Address	Map Number
170 John Street South	994
172 John Street South	994
173 John Street South, 70 August Street	994
174, 176 John Street South, 64 Augusta Street	994
175 John Street South	994
177 John Street South	994
178 John Street South	994
179 John Street South	994
194, 198 John Street South	994

2. 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*.
3. That this By-law comes into force in accordance with Section 39 of the *Planning Act*.

PASSED this XXX of May, 2019.

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Fred Eisenberger  
Mayor

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Janet Pilon  
Acting City Clerk

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This is Schedule "A" to By-law No. 19-  Passed the ..... day of ....., 2019	_____ Mayor  _____ Clerk
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<h2 style="margin: 0;">Schedule "A"</h2>  <h3 style="margin: 0;">Map Forming Part of By-law No. 19-_____</h3>  to Amend By-law No. 05-200 Maps 952 & 994	<b>Subject Property</b> Augusta Pilot Area  To add Temporary Use No. (T5) to the subject lands
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Scale: N.T.S.	File Name/Number: OCP - Pilot Project (Augusta)	
Date: March 13, 2019	Planner/Technician: TL/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

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This is Schedule "A1" to By-law No. 19-  Passed the ..... day of ....., 2019		_____ Mayor  _____ Clerk
<h2 style="margin: 0;">Schedule "A1"</h2>  <h3 style="margin: 0;">Map Forming Part of By-law No. 19-_____</h3>  <h3 style="margin: 0;">to Amend By-law No. 05-200 Maps 868, 869, 910 &amp; 911</h3>		<b>Subject Property</b> James North Pilot Area  To add Temporary Use No. (T5) to the subject lands
<b>Scale:</b> N.T.S.	<b>File Name/Number:</b> OCP - Pilot Project (James North)	
<b>Date:</b> March 13, 2019	<b>Planner/Technician:</b> TL/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

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*For Office Use Only, this doesn't appear in the by-law - Clerk's will use this information in the Authority Section of the by-law*

Is this by-law derived from the approval of a Committee Report? Yes

Committee: PC

Report No.: PED16155(b) Date: 04/30/2019

Ward(s) or City Wide: Ward: 2

(MM/DD/YYYY)

Prepared by: Joanne Hickey Evans

Phone No: X1282

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