

WELCOME TO THE CITY OF HAMILTON

# PLANNING COMMITTEE

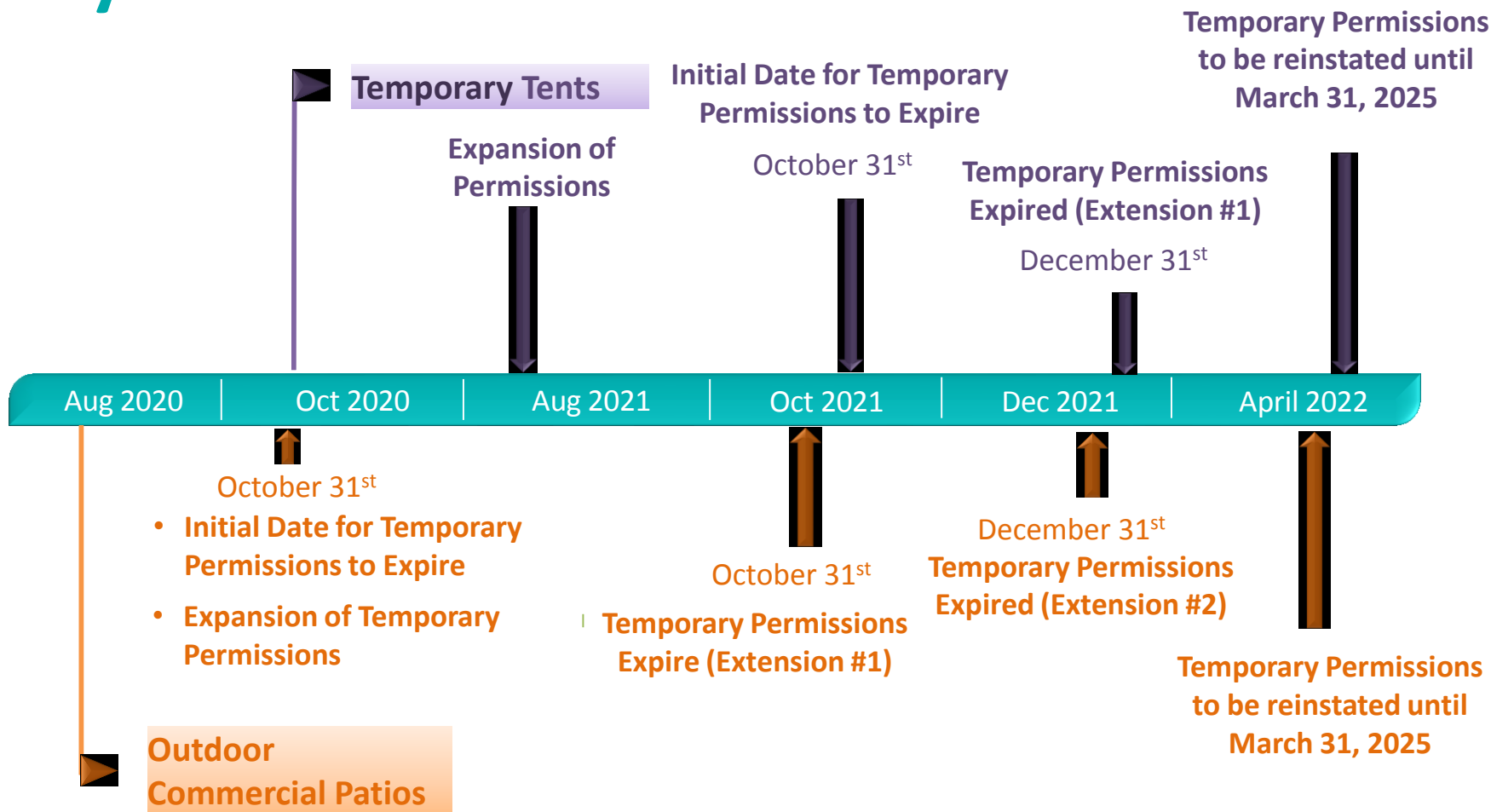
April 5, 2022

# PED20135(c)

Temporary Use By-law to Zoning By-law No. 05-200 – Outdoor Commercial Patios and Temporary Tents

Presented by: Alana Fulford

# Key Dates



# Background

## August 2020

- City Council passed a Temporary Use By-law to permit:
  - Outdoor commercial patios, under certain conditions, in a side/rear yard that abuts a residential zone for certain commercial zones.
  - Initially in effect until December 31, 2020.

# Background

## October 2020

- City Council passed two Temporary Use By-laws.
  1. Outdoor Commercial Patios
    - Extended the permissions of the previous by-law to October 31, 2021.
    - Added a new regulation to allow temporary outdoor commercial patios to be located within required parking spaces.

# Background

## October 2020

### 2. Temporary Tents

- Permitted temporary tents for restaurants and institutional uses (places of worship, hospitals, and educational establishments), for six consecutive months to accommodate physical distancing.
- Applied to certain Downtown Zones, all but one of the Commercial and Mixed Use Zones, all but one of the Transit Oriented Corridor Zones, and all Institutional Zones.
- Initially in effect until October 31, 2021

# Background

## October 2020

- City Council passed a Temporary Use By-law to:
  - Extend the temporary permissions for outdoor commercial patios and temporary tents to December 31, 2021.
  - Expand the temporary tent permissions to:
    - Additional commercial uses in certain Commercial Zones;
    - Uses permitted in the Community Park (P2) Zone and City Wide (P3) Zone; and,
    - Personal services, restaurants, and retail, and accessory commercial uses to a permitted use in certain Industrial Zones.

# Present – 2022

- The temporary permissions for outdoor commercial patios and temporary tents have expired (December, 2021).
- February 2022:
  - Council approved the Temporary Outdoor Patio Program – permanent program permits temporary outdoor patios on public and private property.
- April 2022:
  - PED16155(c): staff are reporting back to Council on the results of the pilot project to temporarily permit commercial entertainment/recreation on outdoor commercial patios.
  - Report recommends the pilot project be implemented on a permanent basis by removing the prohibition of commercial entertainment and recreation on outdoor commercial patios in the City's Zoning By-laws.

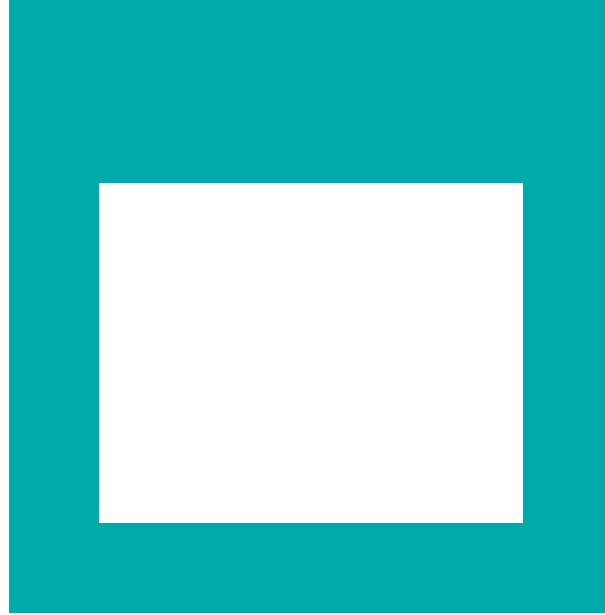


# Report Recommendations

- Reinstatement of temporary permissions for outdoor commercial patios and temporary tents for a three year period (ending March 31, 2025)
- Draft Temporary Use By-law #1: to grant relief from and provide for additional locational permissions for Outdoor Commercial Patios in certain commercial zones.
- Draft Temporary Use By-law #2: to provide improved operational flexibility for local businesses and institutional operations (specifically places of worship, hospitals, and educational establishments), by permitting the erection of temporary tents for six consecutive months in certain zones, subject to conditions.

# Report Recommendations

- Over the next three years, staff will monitor and evaluate:
  - Whether the temporary locational permissions for outdoor commercial patios are appropriate given the removal of zoning by-law regulations prohibiting commercial entertainment/recreation on patios.
  - Whether consideration should be given to establishing the temporary permissions for temporary tents on a more permanent basis.



THANK YOU

THE CITY OF HAMILTON PLANNING COMMITTEE