



WELCOME TO THE CITY OF HAMILTON

# PLANNING COMMITTEE

August 10, 2021

# PED20135(b)

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

Presented by: Alana Fulford

## Background

- On August 21, 2020, City Council passed Temporary Use By-law No. 20-181 to permit:
  - Outdoor commercial patios, under certain conditions, in a side/rear yard that abuts a residential zone for certain commercial zones.
  - Entertainment on outdoor commercial patios within the Downtown area.
  - In effect until December 31, 2020.

## Background

- On October 14, 2020, City Council passed two Temporary Use By-laws.
  1. By-law No. 20-215:
    - 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

### 2. By-law No. 20-214:

- Permitted temporary tents for restaurants and institutional uses (places of worship, hospitals, and educational establishments), for six consecutive months to accommodate physical distancing.
- Applies to certain Downtown Zones, all Commercial and Mixed Use Zones with the exception of the Residential Character Commercial (C1) Zone, the Transit Oriented Corridor Zones with the exception of the Multiple Residential (TOC3) Zone, and all Institutional Zones.
- In effect until October 31, 2021

## Council Motion – Extension of Support for Businesses Operating Outdoors

- On June 23, 2021, City Council passed a motion to:
  - Amend existing temporary use by-laws as necessary to include temporary tents associated with outdoor retail, commercial, entertainment, arts, and recreational uses as well as ancillary uses to existing permitted uses, for up to 6 consecutive months and within required parking spaces.
  - Extend the permissions for patios and temporary tents through to December 31, 2021.

## Council Motion – Extension of Support for Businesses Operating Outdoors

- Council direction - to facilitate businesses and institutional establishments to accommodate physical distancing measures as the Province reopens (Roadmap to Reopen), through the temporary relaxation of certain regulations, specifically respecting outdoor commercial patios and temporary tents.

# Proposed Temporary Use By-law – Outdoor Commercial Patios and Temporary Tents

- This report implements the June 23, 2021 Council direction by:
  - Expanding the temporary tent permissions to additional commercial uses – in certain Commercial Zones, Park Zones, and Industrial Zones (accessory commercial uses to a permitted use).
  - Extending temporary use permissions for outdoor commercial patios and temporary tents to December 31, 2021.

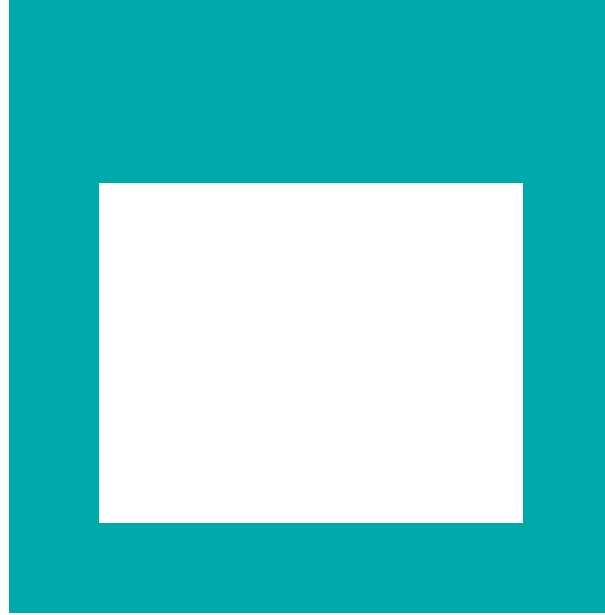


## Recommendations

- Amend Temporary Use By-law No. 20-214 to expand the permissions for Temporary Tents 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.
- Amend Temporary Use By-law No. 20-214 to extend the time period the by-law is in effect to December 31, 2021.

## Recommendations

- Amend Temporary Use By-law No. 20-181, as amended by Temporary Use By-law No. 20-215, for Outdoor Commercial Patios, by extending the time period the by-law is in effect to December 31, 2021.



# THANK YOU

THE CITY OF HAMILTON PLANNING COMMITTEE