

Schedule C – Special Exceptions			
	Current Regulations	Proposed Amendment	Rationale
Part of Woodburn Rural Settlement	Maximum Lot Area 0.8 hectares	Minimum Lot Area 0.8 hectares	Correction to language to capture original intent.
SE 125 967 Highway 5 West & 966 4th Concession Road West	Property contains Flamboro Downs. The existing Special Exception currently contains a range of permitted uses (including “Commercial Entertainment”) in addition to the uses permitted in the Agriculture (A1) Zone.	Add “Casino” as an additional permitted use.	A casino was previously permitted under the definition “Commercial Entertainment”. However, “Commercial Entertainment” was amended through By-law No. 17-240 to exclude “Casino”. This current amendment is reinstating the previous permission in accordance with the Minister’s Zoning Order (Ontario Regulation 680/98).
SE 225 159 Carlisle Road, Flamborough	The subject property is currently zoned City Wide Park (P3, 225) Zone, Modified. The Special Exception limits permitted uses to Recreation.	The Special Exception should be revised to also permit the existing Single Detached Dwelling.	The subject property is approximately 1.0 acre in size and contains a single detached dwelling (the Abrey-Zimmerman House which is designated under Part IV of the <i>Ontario Heritage Act</i> ). The existing dwelling is not permitted in the City Wide Park (P3) Zone, nor the Special Exception. Accordingly, to avoid sterilizing the Heritage dwelling, it is proposed to be recognized through the existing Special Exception. Should the dwelling ever cease to exist, the park zoning would facilitate the lands merging with the adjacent Courtcliffe Park.

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SE 253 Part of 928 Regional Road 97	1,298 square metres (1.38 Ha)  Part 1 – 931 square metres (0.09 Ha) and set back 57 set back metres from Regional Road 97  Part 2 – 367 square metres (0.98 Ha) and set back 129 metres from Regional Road 97	1,298 square metres (0.13 Ha)  Part 1 – 931 square metres (0.09 Ha) and set back 129 metres from Regional Road 97  Part 2 – 367 square metres (0.04 Ha) and set back 57 metres from Regional Road 97	Correction to measurements and language
SE 296 Parts of Westdale	Some addresses are incorrect in the Special Exception preamble.	Add 51 Forsyth Avenue South, remove 57 Forsyth Avenue South.	Update for accuracy.
SE 310 906 Main Street West	The existing Special Exception addresses 906 Main Street West, Hamilton and establishes the Front Lot Line to be abutting Main Street West.	Add reference to 122 Longwood Road South and add a regulation to state that both 122 Longwood Road South and 906 Main Street West shall be considered one lot for zoning purposes.	The amendment to this Special Exception facilitates the rezoning of 122 Longwood Road South from Zoning By-law No. 6593 to a TOC1 Zone in Zoning By-law No. 05-200.
SE 375 Various Single Detached Dwellings in Industrial Zones	Special Exception permits existing dwelling units and establishes regulations for minimum front, side, and rear yards and maximum height.	Add reference to the specific addresses to which this Special Exception applies. Fix the existing structure of the Special Exception. Also add a regulation to address accessory buildings for existing single detached dwellings.	Addresses need to be added and the structure of the Special Exception needs to be corrected for accuracy and consistency with the other Special Exceptions in the By-law. Further, accessory buildings are currently unregulated for existing dwelling units. These structures should be regulated consistently with other accessory buildings (under Subsection 4.8.1).
SE 456 121 Augusta Street, Hamilton	Special Exception currently refers to regulations contained in Zoning By-law No. 6593.	Delete current Special Exception and replace it with a new comprehensive one which refers only to Zoning By-law No. 05-200.	This amendment provides a correction to the format and ensures that the Special Exception is still applicable even when Zoning By-law No. 6593 has been repealed in its entirety.

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SE 461 55 Queenston Road, Hamilton	Special Exception preamble currently refers to Downtown Mixed Use (D3) Zone.	Special Exception preamble should refer to Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone.	The property is located along the proposed LRT Corridor and is designated Mixed Use – Medium Density on Schedule E-1 of the UHOP. The property was originally zoned a D3 Zone to bring it into Zoning By-law No. 05-200, but since the TOC Zones have been established, a TOC1 Zone is more appropriate. Therefore, the lands will be rezoned from the Downtown Mixed Use (D3, 461, H54) Zone, Modified with a Holding, to the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 461, H54) Zone, Modified with a Holding. This amendment will reflect the existing site-specific planning permissions.
SE 329 Various properties located on Queenston Road and Clapham Road	Special Exception currently contains a numbering error.	Correct Clause b) i) to read as Clause b) ii), and correct Clause b) iii) to read as Clause b) v).	This amendment provides correction to a typographical / numbering error.
SE 637 670, 674, 686, 692, 700 and 706 Queenston Road, Hamilton	Special Exception currently contains a numbering error.	Correct Clause a) G) a), b), c) and d) to read as Clause a) G) i), ii, iii) and iv).	This amendment provides correction to a numbering error, to provide consistency in numbering scheme throughout the By-law.

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SE 672 870 Scenic Drive, Hamilton	No existing Special Exception	A new Special Exception is required to permit certain uses within the existing building, in accordance with the OMB decision dated June 22, 2012.	The Board-ordered zone boundary between the “E-H/S-1600” (Multiple Dwellings, Lodges, Clubs, Etc.) District, Modified in Zoning By-law No. 6593 and the Conservation / Hazard Land (P5) Zone cuts through the existing building. As Site Specific Modification S-1600 permits uses within the existing building, these uses should be added as a Special Exception to the P5 Zone.
SE 676 1086 West 5th Street, Hamilton	No Special Exception currently exists.	New Special Exception to prohibit any use of the land except for archaeological conservation.	This Special Exception establishes protective zoning for a registered archaeological site. The text of this Special Exception will allow other archaeological sites to be added in the future as they are identified.
SE 678 Ancaster Business Park	Currently permits the following uses in the parent zone with location restrictions embedded in the body of the zone: <ul style="list-style-type: none"> <li>• Children’s Play-gym</li> <li>• Gymnastics Studio</li> </ul>	Remove these uses from the parent General Business Park (M2) Zone, Prestige Business Park (M3) Zone, and Business Park (M4) Zone and create a new Special Exception No. 678 for the Ancaster Business Park	The current format provides confusion and uncertainty for interpretation, as many people read the permitted uses list on the first page of the zone without realizing that there are location restrictions to certain uses. This amendment will avoid misinformation being disseminated to the public and shows clearly that these uses are only permitted in the Ancaster Business Park, not city-wide.
SE 681 199 Glover Road, Stoney Creek	No Special Exception currently exists.	New Special Exception to recognize existing Long Term Care Facility.	This Long Term Care Facility pre-dated Zoning By-law No. 05-200’s Rural Zones and should have been identified through the Rural Zoning process. This facility is licensed under the <i>Long Term Care Facilities Act</i> .