Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
Grey highligh	ted strikethrough text = text to be deleted	bolded text = text to be added	
10.4.1.1 ii)2.	Notwithstanding Section 10.4.1.1 ii) i)1., a maximum of one Dwelling Unit(s) shall be permitted in a basement or cellar.	Notwithstanding Section 10.4.1.1 ii)1., Dwelling Units shall be permitted in a basement or cellar.	An amendment to provide clarity in wording. The intent of the regulation to permit residential uses in the basement or cellar remains unchanged.
10.4.3a) ii)	Notwithstanding Section 10.4.3a) i) above, a minimum setback of 6.0 metres for that portion of a building providing an access driveway to a garage.	Notwithstanding Section 10.4.3a) i) above, a minimum setback of 6.0 metres for that portion of a building providing an access driveway to a garage.	An amendment to add a minimum requirement to provide more flexibility in the regulation. Previous wording was too restrictive that a 6.0 metre setback had to be met without flexibility.
10.4.3c)	7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use. 7.5 metres	7.5 metres	An amendment to the regulation to replace the existing zone regulation for 7.5 metres if abutting Residential or Institutional Zone or lot containing a residential use, to a broader requirement of 7.5 metres where it applies regardless of abutting land use.
			A Mixed Use High Density Zone would have a built form and development potential different from other Mixed Use Medium Density Zones (i.e. C5, C5a Zones). A minimum interior side yard would be required to provide the buffer from any zone, including residential and institutional zone. Further, the land parcels of a C4 Zone are much larger and able to accommodate an interior side yard setback.
10.4.3h)	On a lot containing more than 10 or more dwelling units, the following Minimum Amenity Area requirements be provided:	On a lot containing 10 or more dwelling units, the following Minimum Amenity Area requirements be provided:	An amendment to the preamble for more clarity that the regulation applies to 10 or more dwelling units.

Appendix "	Appendix "G-4" – Modifications and Updates Summary to Section 10.4: Mixed Use High Density (C4) Zone				
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale		
Grey highligh	ted strikethrough text = text to be deleted	bolded text = text to be added			
10.4.3 h) i)	An area of 4.0 square metres for each dwelling unit less than or equal to 50 square metres of gross floor area; and,	An area of 4.0 square metres for each dwelling unit less than or equal to 50 square metres of gross floor area; and,	The current regulation was not clear on what regulation to apply when the dwelling unit is exactly 50 square metres of Gross Floor Area. An amendment to the regulation to add the word "equal to" provide greater clarity on what regulation to apply when a dwelling unit is exactly 50 square metres.		
			Further, "gross floor area" provides clarity on what is included in the 50 square metres, as per the definitions of Gross Floor Area in Section 3 of the Hamilton Zoning By-law. No. 05-200.		
10.4.3 h) ii)	An area of 6.0 square metres for each dwelling unit more than greater than 50 square metres of gross floor area.	An area of 6.0 square metres for each dwelling unit greater than 50 square metres of gross floor area.	An amendment to the regulation includes adding the words "gross floor area" provides clarity on what is included in the 50 square metres, as per the definitions of Gross Floor Area in Section 3 of the Hamilton Zoning By-law. No. 05-200.		
			In addition, the amendment also includes a word change replace "more than" with "greater than".		

Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
Grey highligh	ted strikethrough text = text to be deleted	bolded text = text to be added	
10.4.3j)	A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, or Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.	A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone or Downtown (D5) Zone in accordance with the requirements of Section 4.19 of this By-law.	An amendment to the regulation to delete reference to Downtown (D6) Zone. Recent amendments to the Downtown Secondary Plan and implementing Downtown Zones in Hamilton Zoning By-law No. 05-200 resulted in the deletion of the zone.
			In addition, removed the word "line" to have consistent wording with other zones
10.4.3 k) ii)	Notwithstanding Section 10.4.3k) i), the display of goods or materials for retail purposes accessory to a Retail use shall only be permitted in a front or flankage yard.	Notwithstanding Section 10.4.3k) i), the display of goods or materials for retail purposes accessory to a Retail use shall only be permitted in a front or flankage yard.	An amendment to the regulation to correct the reference of a subsection by adding the letter "k" This does not change the intent of the regulations.
10.4.5a)	Notwithstanding Section 10.4.3a) i), a Minimum of 4.5 metres.	Notwithstanding Section 10.4.3a) i), a Minimum of 4.5 metres.	An amendment to added a "notwithstanding" clause to provide clarity on when to apply the setback regulations. The amendment also includes adding the words "a Minimum of" to provide further clarity in the regulation.
10.4.5c)	Notwithstanding Section 10.4.3i), a minimum 3.0 metres planting strip in width shall be required abutting any street line, or Residential Zone or Institutional Zone property lot line, except for points for ingress and egress.	Notwithstanding Section 10.4.3i), a minimum 3.0 metres planting strip shall be required abutting any street line, or Residential Zone or Institutional Zone lot line, except for points for ingress and egress.	An amendment to the regulation adding a "Notwithstanding" clause and reference to another subsection for further clarity. Also add the word "planting strip" to provide clarity to the regulation. The amendments do not
12.1.2	In addition to Confirm 4.00 of the	In addition to Costing A CC of this	change the intent of the regulation.
10.4.8	In addition to Section 4.26 of this By-law, an Urban Farm shall only be permitted in the rear yard or on the roof-top of the principal building.	In addition to Section 4.26 of this By-law, an Urban Farm shall only be permitted in the rear yard or on the roof-top of the principal building.	Revision of the words from "principle" to "principal".

Appendix "G-4" to Report PED19029 Page 4 of 4

Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
Grey highligh	nted strikethrough text = text to be deleted	bolded text = text to be added	
10.4.9	In addition to Section 4.27 of this By-law, a Community Garden shall only be permitted in the rear yard or on the roof-top of the principal principle building.	In addition to Section 4.27 of this By-law, a Community Garden shall only be permitted in the rear yard or on the roof-top of the principal building.	Revision of the words from "principle" to "principal".