

Section 14.0 – Waterfront Zone Section 14.1 – Waterfront - Multiple Residential (WF1) Zone Section 14.2 – Waterfront – Multiple Residential (WF2) Zone Section 14.3 – Waterfront – Prime Retail Streets (WF3) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
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Title	Waterfront Zones General Provisions	Waterfront Zones General Provisions	Section 14.0 of Hamilton Zoning By-law No. 05-200 contains General Provision regulations affecting all Waterfront Zones. The words “General Provisions” are missing from the title.
14.0) B) i) 14.0) D) i)	Medical Clinic Office	Medical Clinic	Amendment changes the word “Medical Office” to “Medical Clinic” for consistent language. The amendment does not change the intent of the definition.
14.0) D) iii)	Bicycle Parking 0.5 long term, secure bicycle parking spaces shall be provided per dwelling unit and 10 short term bicycle parking spaces per multiple dwelling. Where the number of existing parking spaces exceed the maximum parking standard in Section D) above, the parking spaces provided in excess of the maximum parking standard may be eliminated. However, in no case may the number of parking spaces provided be less than the minimum parking requirement in D) above.	n/a	<p>Bicycle parking requirements originally found in Section 14.0) D) iii) has been moved to Section 14.0) D) for clarity in the regulation.</p> <p>The amendment also deletes the end paragraph respecting parking spaces in excess of the parking maximum requirements and creating a new regulation. The amendment is required as the regulation does not belong to a subsection or clause.</p>

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14.0) D iv) Reworded Regulation	i) In addition to Section 5.7 of this By-law, short term Bicycle Parking for the Waterfront Zones shall be provided in each and every building in the minimum quantity specified in accordance with the following Requirements: <table border="0"> <tr> <td>Uses</td> <td>Short Term Spaces</td> </tr> <tr> <td>Multiple Dwelling</td> <td>10</td> </tr> </table> ii) In addition to Section 5.7 of this By-law, long term Bicycle Parking for the Waterfront Zones shall be provided in the minimum quantity specified in accordance with the following Requirements: <table border="0"> <tr> <td>Multiple Dwelling</td> <td>0.5 per dwelling unit</td> </tr> <tr> <td>Live/Work Unit</td> <td>0.5 per dwelling unit</td> </tr> </table>	Uses	Short Term Spaces	Multiple Dwelling	10	Multiple Dwelling	0.5 per dwelling unit	Live/Work Unit	0.5 per dwelling unit	i) In addition to Section 5.7 of this By-law, short term Bicycle Parking for the Waterfront Zones shall be provided in each and every building in the minimum quantity specified in accordance with the following Requirements: <table border="0"> <tr> <td>Uses</td> <td>Short Term Spaces</td> </tr> <tr> <td>Multiple Dwelling</td> <td>10</td> </tr> </table> ii) In addition to Section 5.7 of this By-law, long term Bicycle Parking for the Waterfront Zones shall be provided in the minimum quantity specified in accordance with the following Requirements: <table border="0"> <tr> <td>Multiple Dwelling</td> <td>0.5 per dwelling unit</td> </tr> <tr> <td>Live/Work Unit</td> <td>0.5 per dwelling unit</td> </tr> </table>	Uses	Short Term Spaces	Multiple Dwelling	10	Multiple Dwelling	0.5 per dwelling unit	Live/Work Unit	0.5 per dwelling unit	Existing bicycle parking requirements have been moved to a new subsection 14.0)E) i) and ii). The preamble provides an “in addition to” and a “notwithstanding” clause to provide greater clarity in the regulation, and a separation between short term and long term bicycle parking requirements. The proposed structure of the regulation can also accommodate any future additional land uses that would introduce bicycle parking requirements. The amendment overall does not change the intent of the regulation, but rather provides clarification.
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14.0) D) v)	Where the number of existing parking spaces exceed the maximum parking	Where the number of existing parking spaces exceed the maximum parking	The amendment creates a new subsection for existing regulation that has been																

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New Regulation	<p>standard in Section D) above, the parking spaces provided in excess of the maximum parking standard may be eliminated. However, in no case may the number of parking spaces provided be less than the minimum parking requirement in D) above.</p>	<p>standard in Section D) above, the parking spaces provided in excess of the maximum parking standard may be eliminated. However, in no case may the number of parking spaces provided be less than the minimum parking requirement in D) above.</p>	<p>relocated. The amendment creates clarity and addresses an “orphaned” regulation without belonging to a subsection or clause.</p>
14.1.2d)iii) 1.	<p>No parking, driveways, or aisles shall be located between a building façade and a street the front lot line or flankage lot line.</p>	<p>No parking, driveways, or aisles shall be located between a building façade and the front lot line or flankage lot line.</p>	<p>The amendment includes the words “between the building façade and the front lot line or flankage lot line” to provide further clarity on where the restrictions apply. The current regulation is not clear where the restrictions apply to.</p>
14.1.2d)iii) 2.	<p>In addition to 1. above, the following restrictions shall apply to Blocks 11 and 13 of Figure 10 of Schedule F: Special Figures between the building façade and a street the front lot line or flankage lot line.</p>	<p>In addition to 1. above, the following restrictions shall apply to Blocks 11 and 13 of Figure 10 of Schedule F: Special Figures between the building façade and the front lot line or flankage lot line:</p>	<p>Amendment to the clause is to add the words “of Figure 10” to provide clarity on what Special Figure to refer to. The amendment does not change the intent of the regulations.</p> <p>The amendment is also to include the words “between the building façade and the front lot line or flankage lot line” to provide further clarity on where the restrictions apply. The current regulation is not clear where the restrictions apply to.</p>

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14.1.2 d) v)	<p>All above-grade parking structures shall be located within buildings and fronted on all levels by residential uses except for driveway access.</p>	<p>All above-grade parking structures shall be located within buildings and fronted on all levels by residential uses except for driveway access.</p>	<p>The amendment adds the words “except for driveway access” to provide clarity that a driveway access is permitted to provide access to the parking structure. The amendment does not affect the original intent of the regulation.</p>
14.1.2 d) v)	<p>v) vi) A minimum of 40% of the ground floor façade facing a street shall be composed of windows. Window and doorframes, clear glazed transoms and sidelights, doors with at least 50% clear glazing, and a sill up to 0.6m in height are included in the calculation of the clear glazed area. Signage and opaque/ spandrel glazing shall not be included in the calculation of the clear glazed area</p>	<p>A minimum of 40% of the ground floor façade facing a street shall be composed of windows. Window and doorframes, clear glazed transoms and sidelights, doors with at least 50% clear glazing, and a sill up to 0.6m in height are included in the calculation of the clear glazed area. Signage and opaque/ spandrel glazing shall not be included in the calculation of the clear glazed area</p>	<p>The amendment is to renumber the regulation as there are two clause “v)”.</p> <p>The second amendment is to add further clarity on what constitutes as a window, doorframe, or sidelights, which is at least 50% clear glazing, minimum sill height, and where signage and spandrel glazing shall not be included in the calculation of clear glazed area. The current regulation does not have such information, and the concern is 100% of the windows would be spandrel glazing. The regulation is consistent with the Downtown Zone General Provision regulation.</p>

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<p>14.2.1.1 Reworded Regulation</p>	<p>In addition to Subsection 14.2.1, the following use shall be permitted in accordance with the following restrictions:</p> <p>i) Restrictions for Commercial Uses: 1. Commercial uses shall only be permitted on the ground floor.</p> <p>ii) Restrictions for Institutional uses of a Cultural Nature 1. A Library, Art Gallery, or Museum shall only be permitted on the ground floor and second floor.</p> <p>iii) Restrictions for Non-Residential Floor Area 1. 20% of the total non-residential floor area will be permitted for commercial uses ancillary to a Library, Art Gallery, or Museum.</p> <p>iv) Additional Residential Unit Restrictions 1. In accordance with Figure 14 of Schedule F: Special Figures of this By-law.</p>	<p>In addition to Subsection 14.2.1, the following use shall be permitted in accordance with the following restrictions:</p> <p>i) Restrictions for Commercial Uses: 1. Commercial uses shall only be permitted on the ground floor.</p> <p>ii) Restrictions for Institutional uses of a Cultural Nature 1. A Library, Art Gallery, or Museum shall only be permitted on the ground floor and second floor.</p> <p>iii) Restrictions for Non-Residential Floor Area 1. 20% of the total non-residential floor area will be permitted for commercial uses ancillary to a Library, Art Gallery, or Museum.</p> <p>iv) Additional Residential Unit Restrictions 1. In accordance with Figure 14 of Schedule F: Special Figures of this By-law.</p>	<p>The amendment restructures the Waterfront Mix Use (WF2) Zone by relocating all use restrictions into its own subsection. The structure is consistent with other Zones such as CMU and TOC Zones. The intent of the regulations are not affected.</p>

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14.2.2	<p>ii) In addition to i) above, a Drive Through Facility is prohibited even as an accessory use.</p> <p>i) Notwithstanding Section 14.1.1 above, the following uses are prohibited, even as an accessory use:</p> <p>Motor Vehicle Collision Repair Establishment Motor Vehicle Rental Establishment Motor Vehicle Service Station Motor Vehicle Gas Bar Drive-Through Facility</p>	<p>Notwithstanding Section 14.1.1 above, the following uses are prohibited, even as an accessory use:</p> <p>Motor Vehicle Collision Repair Establishment Motor Vehicle Rental Establishment Motor Vehicle Service Station Motor Vehicle Gas Bar Drive-Through Facility</p>	<p>The amendment is to add a “Notwithstanding” preamble in the beginning of the regulation to provide greater clarity that all uses are prohibited, even as an accessory use. As noted in Report PED17074, the intent of the Waterfront Zones is to foster a pedestrian-friendly environment, which is achieved by prohibiting auto-centric land uses. The amendment does not affect the intent of the regulation.</p> <p>The amendment also combines the two clauses into a single subsection.</p>
14.3.2e)i)	<p>All commercial uses with the exception of Office and Personal Service, shall Shall only be permitted on the ground floor (except Office Uses and Personal Services);</p>	<p>All commercial uses with the exception of Office and Personal Service, shall only be permitted on the ground floor</p>	<p>Amendment restructures the sentence to provide greater clarity and intent that all commercial uses are permitted only on the ground floor, with the exception of Office and Personal Service.</p>

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14.3.1 14.3.2	14.3.1 Prohibited Use 14.3.2 14.3.2 Regulations 14.3.3	14.3.2 Prohibited Use 14.3.3 Regulations	Amendment renumbers the sections. Currently there are two Section 14.3.1 for Permitted Uses and Prohibited Uses. The amendment does not change the intent of the regulations.
14.3.1.1 Reworded Regulation	In addition to Subsection 14.3.1, the following use shall be permitted in accordance with the following restrictions: i) Restriction for Commercial Uses 1. Commercial uses with the exception of Office and Personal Service, shall only be permitted on the ground floor. 2. Shall be oriented to the southerly and easterly streets for Block 4 of Figure 10 of Schedule F: Special Figures; 3. Shall be oriented to the southerly and westerly streets for Block 6 of Figure 10 of	In addition to Subsection 14.3.1, the following use shall be permitted in accordance with the following restrictions: i) Restriction for Commercial Uses 1. All commercial uses with the exception of Office and Personal Service, shall only be permitted on the ground floor. 2. Shall be oriented to the southerly and easterly streets for Block 4 of Figure 10 of Schedule F: Special Figures; 3. Shall be oriented to the southerly and westerly streets for Block 6 of Figure 10 of Schedule F: Special Figures; and,	The amendment restructures the Waterfront Prime Retail (WF3) Zone by relocating all use restrictions into its own subsection. The structure is consistent with other Zones such as CMU and TOC Zones. The intent of the regulations are not affected. Amendment restructures subsection 14.3.2e) by providing greater clarity and intent that all commercial uses are permitted only on the ground floor, with the exception of Office and Personal Service. Amendment to the original regulation to add the words “of Figure 10 of Schedule F” to allow proper cross-referencing of Special Figures. Currently,

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	<p>Schedule F: Special Figures; and,</p> <p>4. Shall be oriented to the northerly and westerly streets for Block 9 of Figure 10 of Schedule F: Special Figures.</p> <p>ii) Restriction for Residential Uses</p> <p>1. A maximum of 30% of the ground floor façade shall be occupied by residential uses facing the following lot lines:</p> <p>A. Southerly lot line for Block 4 of Figure 10 of Schedule F: Special Figures;</p> <p>B. Southerly lot line for Block 6 of Figure 10 of Schedule F: Special Figures; and,</p> <p>C. Westerly lot line for Block 9 of Figure 10 of Schedule F: Special Figures.</p>	<p>4. Shall be oriented to the northerly and westerly streets for Block 9 of Figure 10 of Schedule F: Special Figures.</p> <p>ii) Restriction for Residential Uses</p> <p>ii) Restriction for Residential Uses</p> <p>1. A maximum of 30% of the ground floor façade shall be occupied by residential uses facing the following lot lines:</p> <p>A. Southerly lot line for Block 4 of Figure 10 of Schedule F: Special Figures;</p> <p>B. Southerly lot line for Block 6 of Figure 10 of Schedule F: Special Figures; and,</p> <p>C. Westerly lot line for Block 9 of Figure 10 of Schedule F: Special Figures.</p> <p>iii) Additional Residential Unit Restrictions</p>	

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	iii) Additional Residential Unit Restrictions In accordance with Figure 14 of Schedule F: Special Figures of this By-law.	In accordance with Figure 14 of Schedule F: Special Figures of this By-law.	