

Summary of Proposed Changes to Zoning By-law No. 05-200

Section 1 - Administration			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
1.11 c) i)	<p>In addition to Section 1.11 c), the repair, restoration, or replacement of an existing porch, deck, balcony, unenclosed fire escape, or open stair of an existing Single Detached, Semi-Detached, or Duplex Dwelling shall be permitted, provided that such repair, restoration, or replacement will not increase the height, area or volume, or site coverage of such structure.</p>	<p>In addition to Section 1.11 c), the repair, restoration, or replacement of an existing porch, deck, balcony, unenclosed fire escape, or open stair of an existing Single Detached, Semi-Detached, or Duplex Dwelling shall be permitted, provided that such repair, restoration, or replacement will not increase the height, area or volume, or site coverage of such structure.</p>	<p>Currently, Section 1.11 c) only permits a homeowner to repair or restore an existing building, or part thereof, that is not in conformity with the provisions of the Zoning By-law, if deemed unsafe. This amendment clarifies that certain structures can be repaired, restored or replaced even if the structure is not in an unsafe condition.</p> <p>The regulation further clarifies that it applies to single detached, semi-detached, and duplex dwellings.</p>
1.12 b)	<p>Within the C1 to C7 Zones, a building permit may be issued to permit the erection of a building or structure in accordance with any minor variance, site specific zoning, site plan, consent, plan of subdivision or plan of condominium that has been approved or conditionally approved by the City of Hamilton or the Ontario Land Tribunal as it read on the day before</p>	<p>Within the C1 to C7 Zones, a building permit may be issued to permit the erection of a building or structure in accordance with any minor variance, site specific zoning, site plan, consent, plan of subdivision or plan of condominium that has been approved or conditionally approved by the City of Hamilton or the Ontario Land Tribunal as it read on the day before By-law No. 17-240 was passed by Council, provided the Building</p>	<p>Consistent with the transition provision for the D1, D2, and D5 zones (Section 1.12 a)), a transition provision is being established for the Commercial and Mixed Use Zones in Zoning By-law No. 05-200 to recognize previous <i>Planning Act</i> approvals for which a building permit had not yet been issued as of the date that By-law No. 17-240 was passed by Council. By-law No. 17-240</p>

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	<p>By-law No. 17-240 was passed by Council, provided the Building Permit Application complies with the Zoning By-law that affected the lot before By-law No. 17-240 came into effect. For the purposes of determining zoning conformity the following shall apply:</p> <p>i) This By-law is deemed to be modified to the extent necessary to permit a building or structure that is erected in accordance with Subsection b) above.</p> <p>ii) Once the permit or approval under Subsection b) above, has been granted, the provisions of this By-law apply in all other respects to the land in question.</p>	<p>Permit Application complies with the Zoning By-law that affected the lot before By-law No. 17-240 came into effect. For the purposes of determining zoning conformity the following shall apply:</p> <p>i) This By-law is deemed to be modified to the extent necessary to permit a building or structure that is erected in accordance with Subsection b) above.</p> <p>ii) Once the permit or approval under Subsection b) above, has been granted, the provisions of this By-law apply in all other respects to the land in question.</p>	<p>introduced the Commercial and Mixed Use Zones.</p> <p>Once a building permit is issued in accordance with the approved <i>Planning Act</i> Application, the provisions of Zoning By-law No. 05-200 apply in full.</p>

Section 3 - Definition			
Definition	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
<p>Agricultural Brewery / Cidery / Winery Agricultural Alcohol Production Facility</p>	<p>Shall mean a Secondary Use to an Agricultural operation on the same lot, for the processing of grapes, fruit, honey, hops or other produce in the production of beers, wine, ciders and / or spirits. or wines. Agricultural Brewery / Cidery / Winery Agricultural Alcohol Production Facility uses may include the crushing, fermentation, distillation, production, bottling, aging, storage and accessory sale of beers, ciders, wines, spirits and related products to both, a laboratory, an administrative office, and a tasting, hospitality and retail area, but shall not include a Restaurant, a Conference or Convention Centre, overnight accommodation or an Alcohol Production Facility.</p>	<p>Shall mean a Secondary Use to an Agricultural operation on the same lot, for the processing of grapes, fruit, honey, hops or other produce in the production of beer, wine, cider and / or spirits. Agricultural Alcohol Production Facility uses may include the crushing, fermentation, distillation, production, bottling, aging, storage and accessory sale of beers, ciders, wines, spirits and related products, a laboratory, an administrative office, and a tasting, hospitality and retail area, but shall not include a Restaurant, a Conference or Convention Centre, overnight accommodation or an Alcohol Production Facility.</p>	<p>Amendment changes the name of the to provide clarity to include all types of alcohol production such as brewery, cidery, winery, and distillation.</p> <p>Amendment also adds “distillation” as a permitted production method for the production of gin, whisky, or other similar products that are not made in a brewery, cidery, or winery.</p> <p>A distillery shall be permitted in the rural area, provided it is a small scale, secondary use to an agricultural operation on the same lot.</p>
<p>Agricultural Processing Establishment – Secondary</p>	<p>Shall mean a Secondary use to an Agricultural operation on the same lot, for a facility dedicated to the transformation of raw agricultural commodities, but shall not include an Abattoir or Agricultural Brewery / Cidery / Winery Agricultural Alcohol Production Facility. Agricultural Processing -</p>	<p>Shall mean a Secondary use to an Agricultural operation on the same lot, for a facility dedicated to the transformation of raw agricultural commodities, but shall not include an Abattoir Agricultural Alcohol Production Facility. Agricultural Processing - Secondary shall be limited to the</p>	<p>Technical change due to new definition name – “Agricultural Alcohol Production Facility”.</p>

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	<p>Secondary shall be limited to the processing of agricultural commodities grown primarily as part of the farm operation, and may include Accessory Retail.</p>	<p>processing of agricultural commodities grown primarily as part of the farm operation, and may include Accessory Retail.</p>	
<p>Agricultural Processing Establishment – Stand Alone</p>	<p>Shall mean the use of land, building or Establishment – Stand Alone structure, or portion thereof, for a stand alone facility dedicated to the transformation of raw agricultural commodities and may include Accessory Retail, but shall not include an Abattoir, Agricultural Brewery/Cidery/Winery Agricultural Alcohol Production Facility or processing of cannabis products.</p>	<p>Shall mean the use of land, building or Establishment – Stand Alone structure, or portion thereof, for a stand alone facility dedicated to the transformation of raw agricultural commodities and may include Accessory Retail, but shall not include an Abattoir, Agricultural Alcohol Production Facility or processing of cannabis products.</p>	<p>Technical change due to new definition name – “Agricultural Alcohol Production Facility”.</p>
<p>Alcohol Production Facility</p>	<p>Shall mean the use of land, building or structure for the production and distribution of beer and other malt-based beverages, wine, cider and / or spirits. An Alcohol Production Facility may include a tasting room, tours and limited retail sales of products developed on site as permitted by the specific zone, but shall not include the production of energy drinks, sports drinks and / or soft drinks. An Alcohol Production Facility shall not include an Agricultural Brewery/ Cidery/Winery Agricultural Alcohol Production Facility,</p>	<p>Shall mean the use of land, building or structure for the production and distribution of beer and other malt-based beverages, wine, cider and / or spirits. An Alcohol Production Facility may include a tasting room, tours and limited retail sales of products developed on site as permitted by the specific zone, but shall not include the production of energy drinks, sports drinks and / or soft drinks. An Alcohol Production Facility shall not include an Agricultural Alcohol Production Facility,</p>	<p>Technical change due to new definition name – “Agricultural Alcohol Production Facility”.</p>

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	Beverage Making Establishment or Microbrewery.	Beverage Making Establishment or Microbrewery.	
Major Recreation Vehicle Sales and Service Establishment	Shall mean the use of land, building or structure, or part thereof, for the display and retail sale of travel trailers, recreational vehicles and boats and which may include but not be limited to the servicing, repair, cleaning, painting, polishing and greasing of such vehicles, trailers and boats and the sale of accessories and related products and the leasing or renting of such vehicles, but shall not include a Motor Vehicle Sales and Service Establishment .	Shall mean the use of land, building or structure, or part thereof, for the display and retail sale of travel trailers, recreational vehicles and boats and which may include but not be limited to the servicing, repair, cleaning, painting, polishing and greasing of such vehicles, trailers and boats and the sale of accessories and related products and the leasing or renting of such vehicles, but shall not include a Motor Vehicle Dealership.	To change the term from “Motor Vehicle Sales and Service Establishment” to “Motor Vehicle Dealership”, which is a defined term. The intent of the definition is unchanged as a Motor Vehicle Dealership may include an associated Motor Vehicle Service Station. So, both the sale and service of motor vehicles remain prohibited.
Motor Vehicle Service Station	Shall mean an establishment used for the sale of fuel, automotive accessories and/or convenience goods, the repair or replacement of parts in a motor vehicle and shall include but not be limited to the repair or replacement of mufflers, exhaust systems, shock absorbers, transmissions, gears, brakes, clutch assemblies, steering systems, tires, wheels, windshields, windows and other mechanical or electrical parts or systems, the installation of undercoating, engine tuning, lubrication and	Shall mean an establishment used for the sale of fuel, automotive accessories and/or convenience goods, the repair or replacement of parts in a motor vehicle and shall include but not be limited to the repair or replacement of mufflers, exhaust systems, shock absorbers, transmissions, gears, brakes, clutch assemblies, steering systems, tires, wheels, windshields, windows and other mechanical or electrical parts or systems, the installation	To change the term from “Motor Vehicle Sales and Service Establishment” to “Motor Vehicle Dealership”, which is a defined term. The amendment provides clarity and does not change the intent of the definition as a Motor Vehicle Dealership may include an associated Motor Vehicle Service Station.

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	<p>engine conversion or replacement but shall not include a Motor Vehicle Collision Repair Establishment, Motor Vehicle Dealership Sales and Service Establishment, or a Motor Vehicle Wrecking Establishment.</p>	<p>of undercoating, engine tuning, lubrication and engine conversion or replacement but shall not include a Motor Vehicle Collision Repair Establishment, Motor Vehicle Dealership, or a Motor Vehicle Wrecking Establishment.</p>	
Planting Strip	<p>Shall mean an area of land growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a buffer and may include low level architectural walls or features, and fire hydrants, but shall not include charging stations, walkways, and sidewalks, and charging stations unless a walkway or sidewalk traverses the planting strip to provide access to the site.</p>	<p>Shall mean an area of land growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a buffer and may include low level architectural walls or features, and fire hydrants, but shall not include charging stations, walkways, and sidewalks unless a walkway or sidewalk traverses the planting strip to provide access to the site.</p>	<p>An amendment to permit a walkway / sidewalk to traverse through the planting strip, providing greater access between the lot and the municipal sidewalk.</p>

Section 4 – General Provisions			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
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4.8a)	<p>Unless otherwise provided for in this By-law, Accessory Buildings shall not be used for human habitation as a dwelling unit.</p>	<p>Unless otherwise provided for in this By-law, Accessory Buildings shall not be used as a dwelling unit.</p>	<p>Amendment provides clarity that an accessory building may include certain habitable rooms and may be used for human habitation but shall not be a dwelling unit.</p> <p>It is noted that a Secondary Dwelling Unit – Detached, shall not be considered as an Accessory Building.</p>
4.17	<p>All development in the City of Hamilton shall comply with the Hamilton Airport Zoning (Height) Regulations established by Transport Canada, which are registered at the local Land Titles Office and which may be amended from time to time. No projections shall be permitted beyond this maximum height.</p>	<p>All development in the City of Hamilton shall comply with the Hamilton Airport Zoning (Height) Regulations established by Transport Canada, which are registered at the local Land Titles Office and which may be amended from time to time. No projections shall be permitted beyond this maximum height.</p>	<p>Definition of building height does not include certain projections such as flags, chimneys, mechanical penthouses, water tower, antennae, and smokestack. The current regulation does not consider these projections, to which a new development could construct.</p> <p>This amendment clarifies that the maximum height as established by the Hamilton Airport Zoning (Height) Regulation, includes projections.</p>
4.21e)	<p>A home business within a Dwelling Unit, Mixed Use (s) in Conjunction with a Commercial Use shall not be</p>	<p>A home business within a Dwelling Unit, Mixed Use shall not be permitted.</p>	<p>Amendment to change the term from “Dwelling Unit in Conjunction with a Commercial Use” to “Dwelling Unit,</p>

Section 4 – General Provisions			
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	permitted.		Mixed Use”. Does not change the intent of the regulation.
4.23d)	<p>All buildings or structures located on a property shall be have a minimum setback a minimum of 7.5 metres from a P5, P7 and P8 Zone boundary, which is determined by flood and fill line mapping as prepared by the Conservation Authority having jurisdiction and amended from time to time.</p>	<p>All buildings or structures located on a property shall have a minimum setback of 7.5 metres from a P5, P7 and P8 Zone boundary, which is determined by flood and fill line mapping as prepared by the Conservation Authority having jurisdiction and amended from time to time.</p>	<p>Amendment includes wording changes that does not change the intent of the regulation.</p> <p>The amendment also includes determining the setback from the P5, P7, and P8 Zones by flood and fill mapping provided by the Conservation Authorities. Prior to construction of any building on a lot within P5, P7, and P8 Zones, the landowner is required to consult with the Conservation Authority for the flood and fill mapping.</p>

Section 5 – Parking																							
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5.6 c)	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%; padding: 5px;"><u>Column 1</u></th> <th style="width: 50%; padding: 5px;"><u>Column 2</u></th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">i. Residential Uses</td> <td style="padding: 5px;"></td> </tr> <tr> <td style="padding: 5px;">Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling, Dwelling Unit</td> <td style="padding: 5px;">1 per unit.</td> </tr> <tr> <td style="padding: 5px;">Dwelling Unit and Dwelling Unit, Mixed Use (Commercial and Mixed Use (C5) and (C5a) Zones and all Transit Oriented Corridor Zones)</td> <td style="padding: 5px;"></td> </tr> <tr> <td style="padding: 5px;">(By-law No. 16-264, October 12, 2016) (NOT FINAL AND BINDING By-law No. 17-240, November 8, 2017) (By-law No. 21-189, October 13, 2021)</td> <td style="padding: 5px;"></td> </tr> </tbody> </table>	<u>Column 1</u>	<u>Column 2</u>	i. Residential Uses		Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling, Dwelling Unit	1 per unit.	Dwelling Unit and Dwelling Unit, Mixed Use (Commercial and Mixed Use (C5) and (C5a) Zones and all Transit Oriented Corridor Zones)		(By-law No. 16-264, October 12, 2016) (NOT FINAL AND BINDING By-law No. 17-240, November 8, 2017) (By-law No. 21-189, October 13, 2021)		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%; padding: 5px;"><u>Column 1</u></th> <th style="width: 50%; padding: 5px;"><u>Column 2</u></th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">i. Residential Uses</td> <td style="padding: 5px;"></td> </tr> <tr> <td style="padding: 5px;">Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling, Dwelling Unit</td> <td style="padding: 5px;">1 per unit.</td> </tr> <tr> <td style="padding: 5px;">Dwelling Unit and Dwelling Unit, Mixed Use (Commercial and Mixed Use (C5) and (C5a) Zones and all Transit Oriented Corridor Zones)</td> <td style="padding: 5px;"></td> </tr> <tr> <td style="padding: 5px;">(By-law No. 16-264, October 12, 2016) (NOT FINAL AND BINDING By-law No. 17-240, November 8, 2017) (By-law No. 21-189, October 13, 2021)</td> <td style="padding: 5px;"></td> </tr> </tbody> </table>	<u>Column 1</u>	<u>Column 2</u>	i. Residential Uses		Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling, Dwelling Unit	1 per unit.	Dwelling Unit and Dwelling Unit, Mixed Use (Commercial and Mixed Use (C5) and (C5a) Zones and all Transit Oriented Corridor Zones)		(By-law No. 16-264, October 12, 2016) (NOT FINAL AND BINDING By-law No. 17-240, November 8, 2017) (By-law No. 21-189, October 13, 2021)		<p>The parking schedule was silent on the parking requirement for a Dwelling Unit and Dwelling Unit, Mixed Use if located in a C5, C5a or TOC zone and if greater than 50.0 square metres in gross floor area. The intent is to apply the parking requirements for a Multiple Dwelling.</p> <p>To note, these parking regulations are specific to the C5, C5a, and TOC Zones only.</p> <p>In addition, the parking schedule identifies parking requirements for Multiple Dwellings in the C5, C5a and TOC Zones. Standalone residential development is not permitted in the C5a zone and thus a Multiple Dwelling is not a permitted use. Therefore, the C5a zone has been deleted from the parking requirement for Multiple Dwellings.</p>
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Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling, Dwelling Unit	1 per unit.																						
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Section 5 – Parking							
Section	Proposed Change			Proposed Revised Zone Regulation			Rationale
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	i) Dwelling Units less than 50.0 square metres in gross floor area	0.3 per unit.		i) Dwelling Units less than 50.0 square metres in gross floor area	0.3 per unit.		
	ii) Dwelling Units greater than 50.0 square metres in gross floor area	Minimum.	Maximum.	ii) Dwelling Units greater than 50.0 square metres in gross floor area	Minimum.	Maximum.	
	1 – 3 units	0.3 per unit.	1.25 per unit.	1 – 3 units	0.3 per unit.	1.25 per unit.	
	4 – 14 units	0.7 per unit.	1.25 per unit.	4 – 14 units	0.7 per unit.	1.25 per unit.	
	15 – 50 units	0.85 per unit.	1.25 per unit.	15 – 50 units	0.85 per unit.	1.25 per unit.	
	51+ units	1.0 per unit.	1.25 per unit.	51+ units	1.0 per unit.	1.25 per unit.	
	Multiple Dwelling, Street Townhouse Dwelling	1 per unit, except where a dwelling unit is 50 square metres in gross floor area or less, in which case, parking shall be provided at a rate of 0.3 per unit. (NOT FINAL AND BINDING By-law No.		Multiple Dwelling, Street Townhouse Dwelling	1 per unit, except where a dwelling unit is 50 square metres in gross floor area or less, in which case, parking shall be provided at a rate of 0.3 per unit. (NOT FINAL AND BINDING By-law No.		

Section 5 – Parking							
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		17-240, November 8, 2017)			17-240, November 8, 2017)		
	Multiple Dwelling (Commercial and Mixed Use (C5) and (C5a) Zones and all Transit Oriented Corridor Zones) (By-law No. 16-264, October 12, 2016) (NOT FINAL AND BINDING By-law No. 17-240, November 8, 2017)			Multiple Dwelling (Commercial and Mixed Use (C5) Zone and all Transit Oriented Corridor Zones) (By-law No. 16-264, October 12, 2016) (NOT FINAL AND BINDING By-law No. 17-240, November 8, 2017)			
	i) Dwelling Units less than 50.0 square metres in gross floor area	Minimum	Maximum	i) Dwelling Units less than 50.0 square metres in gross floor area	Minimum	Maximum	
		0.3 per unit.	1.25 per unit.		0.3 per unit.	1.25 per unit.	
	ii) Dwelling Units greater than 50.0 square metres in gross floor area	Minimum	Maximum	ii) Dwelling Units greater than 50.0 square metres in gross floor area	Minimum	Maximum	

Section 5 – Parking							
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	1 – 14 units	0.7 per unit.	1.25 per unit.	1 – 14 units	0.7 per unit.	1.25 per unit.	
	15 – 50 units	0.85 per unit.	1.25 per unit.	15 – 50 units	0.85 per unit.	1.25 per unit.	
	51+ units	1.0 per unit.	1.25 per unit.	51+ units	1.0 per unit.	1.25 per unit.	

Section 9 – Industrial Zones			
Section 9.8 – Airport Related Business (M8) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
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9.8.1	<p>PERMITTED USES</p> <p>Catering Service Commercial Motor Vehicle Sales, Rental and Service Establishment Commercial Parking Facility Conference or Convention Centre Equipment and Machinery Sales, Rental and Service Establishment Financial Establishment Hotel Labour Association Hall Motor Vehicle Rental Establishment Motor Vehicle Service Station Motor Vehicle Dealership Sales and Service Establishment Motor Vehicle Washing Establishment Personal Services Restaurant Retail Transportation Depot Trade School</p>	<p>PERMITTED USES</p> <p>Catering Service Commercial Motor Vehicle Sales, Rental and Service Establishment Commercial Parking Facility Conference or Convention Centre Equipment and Machinery Sales, Rental and Service Establishment Financial Establishment Hotel Labour Association Hall Motor Vehicle Rental Establishment Motor Vehicle Service Station Motor Vehicle Dealership Motor Vehicle Washing Establishment Personal Services Restaurant Retail Transportation Depot Trade School</p>	<p>To change the term from "Motor Vehicle Sales and Service Establishment" to "Motor Vehicle Dealership", which is a defined term</p>

Section 10 – Commercial and Mixed Use Zones					
Section 10.5 a – Mixed Use Medium Density – Pedestrian Focus (C5a) Zone					
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10.5a.3	I) Minimum Amenity Area for Dwelling Units, Mixed Use and Multiple Dwellings	On a lot containing 10 dwelling units or more, the following Minimum Amenity Area requirements be provided:	I) Minimum Amenity Area for Dwelling Unit, Mixed Use	On a lot containing 10 dwelling units or more, the following Minimum Amenity Area requirements be provided:	Technical correction to reflect permitted use – Dwelling Unit, Mixed Use

Section 12 – Rural Zones Section 12.1 – Agriculture (A1) Zone Section 12.2 – Rural (A2) Zone			
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12.1.3.2	<p>a) Uses Permitted as Secondary to Agriculture</p> <p>Agricultural Brewery/Cidery/Winery</p> <p>Agricultural Alcohol Production Facility</p> <p>Landscape Contracting Establishment – Secondary</p> <p>h) Agricultural Brewery/Cidery/Winery Agricultural Alcohol Production Facility</p>	<p>a) Uses Permitted as Secondary to Agriculture</p> <p>Agricultural Processing Establishment – Secondary</p> <p>Agricultural Research Operation</p> <p>Agritourism</p> <p>Home Industry</p> <p>Kennel</p> <p>Agricultural Brewery/Cidery/Winery</p> <p>Agricultural Alcohol Production Facility</p> <p>Landscape Contracting Establishment – Secondary</p> <p>h) Agricultural Alcohol Production Facility</p> <p>i) Notwithstanding Sections 12.1.3.1 a), 12.1.3.2 b), and 4.12 d), an Agricultural Alcohol Production Facility shall only be permitted on a lot with a minimum area of 4.0 hectares, of which a minimum of 2.0</p>	<p>Changes a result of the update and name change to the definition “Agricultural Alcohol Production Facility” (formerly “Agricultural Brewery / Cidery / Winery”).</p>

Section 12 – Rural Zones Section 12.1 – Agriculture (A1) Zone Section 12.2 – Rural (A2) Zone			
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	<p>hectares shall be used for the growing of grapes, fruits, hops or other produce directly associated with onsite beer, cider, or wine, or spirit production;</p> <p>ii) The total maximum building area devoted to an Agricultural Brewery/Cidery/Winery Agricultural Alcohol Production Facility use shall be 500.0 square metres of gross floor area exclusive of the basement or cellar, of which a maximum of 25% of the gross floor area may be used for Retail and/or hospitality/tasting purposes.</p>	<p>used for the growing of grapes, fruits, hops or other produce directly associated with onsite beer, cider, wine, or spirit production;</p> <p>ii) The total maximum building area devoted to an Agricultural Alcohol Production Facility use shall be 500.0 square metres of gross floor area exclusive of the basement or cellar, of which a maximum of 25% of the gross floor area may be used for Retail and/or hospitality/tasting purposes.</p>	

Section 12 – Rural Zones Section 12.1 – Agriculture (A1) Zone Section 12.2 – Rural (A2) Zone			
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12.2.3.2	<p>a) Uses Agricultural Processing Establishment – Secondary to Agriculture Agricultural Research Operation Agritourism Home Industry Agricultural Brewery/Cidery/Winery Agricultural Alcohol Production Facility Landscape Contracting Establishment – Secondary</p> <p>g) Agricultural Brewery/Cidery/Winery Agricultural Alcohol Production Facility</p>	<p>a) Uses Agricultural Processing Establishment – Secondary to Agriculture Agricultural Research Operation Agritourism Home Industry Agricultural Alcohol Production Facility Landscape Contracting Establishment – Secondary</p> <p>g) Agricultural Alcohol Production Facility</p> <p>i) Notwithstanding Sections 12.2.3.1 a), 12.2.3.2 b), and 4.12 d) an Agricultural Brewery/Cidery/Winery Agricultural Alcohol Production Facility shall only be permitted on a lot with a minimum area of 4.0 hectares, of which a minimum of 2.0 hectares shall be used</p>	<p>Changes a result of the update and name change to the definition “Agricultural Alcohol Production Facility” (formerly “Agricultural Brewery / Cidery / Winery”).</p>

Section 12 – Rural Zones Section 12.1 – Agriculture (A1) Zone Section 12.2 – Rural (A2) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
	<p>for the growing production of grapes, fruits, hops or other produce directly associated with on-site beer, cider, or wine, or spirit production;</p> <p>ii) The total maximum building area devoted to an Agricultural Brewery/Cidery/Winery Agricultural Alcohol Production Facility use shall be 500.0 square metres of gross floor area exclusive of the basement or cellar, of which a maximum of 25% of the gross floor area may be used for Retail and/or hospitality/tasting purposes.</p>	<p>other produce directly associated with on-site beer, cider, wine, or spirit production;</p> <p>ii) The total maximum building area devoted to an Agricultural Alcohol Production Facility use shall be 500.0 square metres of gross floor area exclusive of the basement or cellar, of which a maximum of 25% of the gross floor area may be used for Retail and/or hospitality/tasting purposes.</p>	

Schedule “C” – Special Exceptions			
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
SE 66 2318 Wilson Street West, Ancaster	In addition to Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 157 of Schedule “A” – Zoning Maps and described as 2318 Wilson Street West, a Motor Vehicle Dealership Sales and Service Establishment shall also be permitted.	In addition to Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 157 of Schedule “A” – Zoning Maps and described as 2318 Wilson Street West, a Motor Vehicle Dealership Sales and Service Establishment shall also be permitted.	Updated to reflect the change in terminology from “Motor Vehicle Sales and Service Establishment” to “Motor Vehicle Dealership”, which is a defined term.
SE 187 400 Brock Road, Flamborough	Notwithstanding Section 12.7.1 and the definition of a Motor Vehicle Service Station found in Section 3 of this By-law, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 94 of Schedule “A” – Zoning Maps and described as 400 Brock Road, the following special provisions shall also apply: a) Only the following uses shall be permitted: i) Manufacturing; ii) Motor Vehicle Collision Repair Establishment; iii) Motor Vehicle Service Station where the sale of fuel is prohibited; iv) Motor Vehicle Dealership Sales and Service Establishment ; v) Towing Establishment; vi) Bulk Fuel and Oil Storage Establishment; and,	Notwithstanding Section 12.7.1 and the definition of a Motor Vehicle Service Station found in Section 3 of this By-law, on those lands zoned Existing Rural Industrial (E2) Zone, identified on Map 94 of Schedule “A” – Zoning Maps and described as 400 Brock Road, the following special provisions shall also apply: a) Only the following uses shall be permitted: viii) Manufacturing; ix) Motor Vehicle Collision Repair Establishment; x) Motor Vehicle Service Station where the sale of fuel is prohibited; xi) Motor Vehicle Dealership; xii) Towing Establishment; xiii) Bulk Fuel and Oil Storage Establishment; and, xiv) Transport Terminal.	Updated to reflect the change in terminology from “Motor Vehicle Sales and Service Establishment” to “Motor Vehicle Dealership”, which is a defined term.

Schedule “C” – Special Exceptions			
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
	<p>vii) Transport Terminal.</p> <p>b) The following uses shall be prohibited:</p> <p style="padding-left: 20px;">i) Abattoir; and, ii) Open Storage.</p>	<p>b) The following uses shall be prohibited:</p> <p style="padding-left: 40px;">iii) Abattoir; and, iv) Open Storage.</p>	
<p>SE 216 850 Concession 6 West, Flamborough</p>	<p>In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 58 of Schedule “A” – Zoning Maps and described as part of 850 Concession 6 West, the following special provisions shall also apply:</p> <p>a) The following uses shall also be permitted:</p> <p style="padding-left: 20px;">i) Motor Vehicle Service Station repair shop, including body and fender repairs; and, ii) Motor Vehicle Dealership sales.</p> <p>b) The uses identified in a) above shall be subject to the regulations contained within Section 12.2.3.1 b), c), d), e), and g).</p>	<p>In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 58 of Schedule “A” – Zoning Maps and described as part of 850 Concession 6 West, the following special provisions shall also apply:</p> <p>a) The following uses shall also be permitted:</p> <p style="padding-left: 20px;">iii) Motor Vehicle Service Station, including body and fender repairs; and, iv) Motor Vehicle Dealership.</p> <p>b) The uses identified in a) above shall be subject to the regulations contained within Section 12.2.3.1 b), c), d), e), and g).</p>	<p>Updated to reflect the change in terminology from “Motor Vehicle Sales and Service Establishment” to “Motor Vehicle Dealership”, which is a defined term.</p> <p>Further, “Motor Vehicle Service Station” is a defined term and has replaced repair shop.</p>
<p>SE 217 Part of 963</p>	<p>In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 24 and 25 of Schedule “A” – Zoning Maps and</p>	<p>In addition to Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 24 and 25 of Schedule “A” – Zoning Maps and described</p>	<p>Updated to reflect the change in terminology from “Motor Vehicle Sales and Service</p>

Schedule “C” – Special Exceptions			
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
Regional Road 97, Flamborough	<p>described as part of 963 Regional Road 97, the following special provisions shall also apply:</p> <p>a) The following uses shall also be permitted:</p> <ul style="list-style-type: none"> i) Motor Vehicle Service Station repair shop, ii) Motor Vehicle Dealership sales, excluding sale of new motor vehicles; and, iii) Salvage yard. <p>b) The uses identified in a) above shall be subject to the regulations contained within Section 12.2.3.1 b), c), d), e), and g).</p>	<p>as part of 963 Regional Road 97, the following special provisions shall also apply:</p> <p>a) The following uses shall also be permitted:</p> <ul style="list-style-type: none"> i) Motor Vehicle Service Station repair shop, ii) Motor Vehicle Dealership sales, excluding sale of new motor vehicles; and, iii) Salvage yard. <p>b) The uses identified in a) above shall be subject to the regulations contained within Section 12.2.3.1 b), c), d), e), and g).</p>	<p>Establishment” to “Motor Vehicle Dealership”, which is a defined term.</p> <p>Further, “Motor Vehicle Service Station” is a defined term and has replaced repair shop.</p>
SE 224 557 Highway No. 5, Flamborough	<p>In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 84 of Schedule “A” – Zoning Maps and described as 557 Highway No. 5, the following uses shall also be permitted:</p> <ul style="list-style-type: none"> a) Commercial Motor Vehicle Sales, Rental and Service Establishment; b) fruit and vegetable market; c) Garden Centre; 	<p>In addition to Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone, identified on Map 84 of Schedule “A” – Zoning Maps and described as 557 Highway No. 5, the following uses shall also be permitted:</p> <ul style="list-style-type: none"> a) Commercial Motor Vehicle Sales, Rental and Service Establishment; b) fruit and vegetable market; c) Garden Centre; d) Motor Vehicle Dealership; 	<p>Updated to reflect the change in terminology from “Motor Vehicle Sales and Service Establishment” to “Motor Vehicle Dealership”, which is a defined term.</p>

Schedule "C" – Special Exceptions			
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
	<p>d) Motor Vehicle Dealership Sales and Service Establishment; e) Manufacturing; and, f) Restaurant.</p>	<p>e) Manufacturing; and, f) Restaurant.</p>	
<p>SE 302 883 and 999 Upper Wentworth Street and 508, 520 and 524 Limeridge Road East, Hamilton</p>	<p>Within the lands zoned Mixed Use High density (C4) Zone, identified on Maps 1239 and 1292 of Schedule "A" – Zoning Maps and described as 883 and 999 Upper Wentworth Street and 508, 520 and 524 Limeridge Road East, shown as Figure 10 Figure 25 of Schedule "F" – Special Figures, the following special provisions shall apply:</p> <p>d) For the purposes of Special Exception No.302 the following special regulations shall apply to Areas A to E, as shown on Figure 10 Figure 25 of Schedule "F" – Special Figures</p> <p>e) For the purposes of Special Exception No. 302 the following special regulations shall apply to Areas A to D as shown on Figure 10 Figure 25 of Schedule "F" – Special Figures</p> <p>iii) The ground floor façade facing a front lot line and access driveway to the site shall be greater than or equal to 50% of the measurement of the</p>	<p>Within the lands zoned Mixed Use High density (C4) Zone, identified on Maps 1239 and 1292 of Schedule "A" – Zoning Maps and described as 883 and 999 Upper Wentworth Street and 508, 520 and 524 Limeridge Road East, shown as Figure 25 of Schedule "F" – Special Figures, the following special provisions shall apply:</p> <p>d) For the purposes of Special Exception No.302 the following special regulations shall apply to Areas A to E, as shown on Figure 25 of Schedule "F" – Special Figures</p> <p>e) For the purposes of Special Exception No. 302 the following special regulations shall apply to Areas A to D as shown on Figure 25 of Schedule "F" – Special Figures</p> <p>iii) The ground floor façade facing a front lot line and access driveway to the site shall be greater than or equal to 50% of the measurement of the width identified for Area A1 to D in Figure 25 for</p>	<p>Schedule "F" contains two Special Figure 10's. This Figure 10 has been renumbered to Figure 25 to remove the duplication.</p>

Schedule “C” – Special Exceptions																							
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale																				
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>																							
	<p>width identified for Area A1 to D in Figure 10 Figure 25 for buildings greater than 1,000 square metres and shall exclude access driveways and lands within a required yard.</p> <p>f) For the purposes of Special Exception No. 302 the following special regulations shall apply to Area E as shown on Figure 10 Figure 25 of Schedule “F” – Special Figures:</p>	<p>buildings greater than 1,000 square metres and shall exclude access driveways and lands within a required yard.</p> <p>f) For the purposes of Special Exception No. 302 the following special regulations shall apply to Area E as shown on Figure 25 of Schedule “F” – Special Figures:</p>																					
SE 304	<p>Within the lands zoned Neighbourhood Commercial (C2) Zone, Community Commercial (C3) Zone, Mixed Use Medium Density (C5) Zone, Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 482, 860, 903, 912, 947, 956, 958, 1039, 1042, 1085, 1136, 1175, 1234, 1238, 1251, 1287, 1291, 1302, 1389, 1398, 1502 and 1956 of Schedule “A” – Zoning Maps and described as:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Property Address</th> <th>Map Number</th> </tr> </thead> <tbody> <tr> <td>925 Barton Street East</td> <td>956</td> </tr> <tr> <td>19 Flamboro Street</td> <td>482</td> </tr> <tr> <td>Part of 18-64 Hamilton Street North</td> <td>482</td> </tr> <tr> <td>473-489 Upper Wellington Street</td> <td>1039 and 1085</td> </tr> </tbody> </table>	Property Address	Map Number	925 Barton Street East	956	19 Flamboro Street	482	Part of 18-64 Hamilton Street North	482	473-489 Upper Wellington Street	1039 and 1085	<p>Within the lands zoned Neighbourhood Commercial (C2) Zone, Community Commercial (C3) Zone, Mixed Use Medium Density (C5) Zone, Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 482, 860, 903, 912, 947, 956, 958, 1039, 1042, 1085, 1136, 1175, 1234, 1238, 1251, 1287, 1291, 1302, 1389, 1398, 1502 and 1956 of Schedule “A” – Zoning Maps and described as:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Property Address</th> <th>Map Number</th> </tr> </thead> <tbody> <tr> <td>925 Barton Street East</td> <td>956</td> </tr> <tr> <td>19 Flamboro Street</td> <td>482</td> </tr> <tr> <td>Part of 18-64 Hamilton Street North</td> <td>482</td> </tr> <tr> <td>473-489 Upper Wellington Street</td> <td>1039 and 1085</td> </tr> </tbody> </table>	Property Address	Map Number	925 Barton Street East	956	19 Flamboro Street	482	Part of 18-64 Hamilton Street North	482	473-489 Upper Wellington Street	1039 and 1085	<p>SE 304 established through By-law No. 17-240 does not identify all properties subject to this special exception. The list of properties has been updated to identify all subject properties, consistent with the zoning maps.</p>
Property Address	Map Number																						
925 Barton Street East	956																						
19 Flamboro Street	482																						
Part of 18-64 Hamilton Street North	482																						
473-489 Upper Wellington Street	1039 and 1085																						
Property Address	Map Number																						
925 Barton Street East	956																						
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Schedule "C" – Special Exceptions				
SE / Address	Existing Special Exception (Proposed Change)		Proposed Special Exception	Rationale
Grey highlighted strikethrough text = text to be deleted bolded text = text to be added				
	139 and 141 Oak Avenue	912	139 and 141 Oak Avenue	912
	902 Main Street East	1042	902 Main Street East	1042
	386 Upper Gage Avenue and 63 East 39 th Street	1136	386 Upper Gage Avenue and 63 East 39 th Street	1136
	283 and 289 Highway No. 8	1251	283 and 289 Highway No. 8	1251
	889 Upper Paradise Road	1234 and 1287	889 Upper Paradise Road	1234 and 1287
	200 King Street West	860	200 King Street West	860
	121 King Street West	860	121 King Street West	860
	134, 138 King Street West	860	134, 138 King Street West	860
	40 16 Foundry Street	860	16 Foundry Street	860
	1 Osler Drive	903	1 Osler Drive	903
	1655 Main Street West	947	1655 Main Street West	947
	407, 413 Wilson Street East	1175	407, 413 Wilson Street East	1175
	82 King Street East	1302 and 1249	82 King Street East	1302 and 1249
	605 Garner Road East	1389	605 Garner Road East	1389
	136-146 Upper Mount Albion Road	1502	136-146 Upper Mount Albion Road	1502
	3194 Regional Road 56	1956	3194 Regional Road 56	1956
	517 Kenilworth Avenue North	958	517 Kenilworth Avenue North	958
	209 and 221 Limeridge Road East	1238 and 1291	209 and 221 Limeridge Road East	1238 and 1291
	902 Main Street East	1042	902 Main Street East	1042
	92 Stapleton Avenue	958	92 Stapleton Avenue	958
	1368 Upper Gage Avenue	1398	1368 Upper Gage Avenue	1398

Schedule “C” – Special Exceptions															
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale												
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>															
SE 339 45 Goderich Road, Hamilton	<p>Within the these lands zoned Arterial Commercial (C7) Zone, identified on Map 1048 of Schedule “A” – Zoning Maps and described as 45 Goderich Road, the following special provisions shall apply: a) In addition to Subsection 10.7.1, the following uses shall also be permitted:</p> <p>i) Medical Clinic ii) Office iii) Retail</p>	<p>Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1048 of Schedule “A” – Zoning Maps and described as 45 Goderich Road, the following special provisions shall apply: a) In addition to Subsection 10.7.1, the following uses shall also be permitted:</p> <p>i) Medical Clinic ii) Office iii) Retail</p>	<p>Permit Medical Clinic use, consistent with special exception S-240b of Former City of Hamilton Zoning By-law No. 6593 which applied to the property before it was rezoned to C7 in Zoning By-law No. 05-200.</p>												
SE 375 Various properties	<p>375. Within the lands zoned Prestige Business Park (M3) Zone, General Industrial (M5) Zone, and Light Industrial (M6) Zone, identified on Maps 829, 870, 871, 912, 913, 914, 915, 956, 957, 958, 959, 1147, 1198, 1199, and 1256 of Schedule “A” – Zoning Maps and described as:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Property Address</th> <th style="text-align: left;">Map Number</th> </tr> </thead> <tbody> <tr> <td>1-18, 20, 22-37, 39, 41, 43 Albemarle Street</td> <td>915, 956, 957</td> </tr> <tr> <td>362, 364, 366, 368, 370, 372, 374, 376, 378, 380,</td> <td>914, 915, 956, 957</td> </tr> </tbody> </table>	Property Address	Map Number	1-18, 20, 22-37, 39, 41, 43 Albemarle Street	915, 956, 957	362, 364, 366, 368, 370, 372, 374, 376, 378, 380,	914, 915, 956, 957	<p>375. Within the lands zoned Prestige Business Park (M3) Zone, General Industrial (M5) Zone, and Light Industrial (M6) Zone, identified on Maps 829, 870, 871, 912, 913, 914, 915, 956, 957, 958, 959, 1147, 1198, 1199, and 1256 of Schedule “A” – Zoning Maps and described as:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Property Address</th> <th style="text-align: left;">Map Number</th> </tr> </thead> <tbody> <tr> <td>1-18, 20, 22-37, 39, 41, 43 Albemarle Street</td> <td>915, 956, 957</td> </tr> <tr> <td>362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 385-387, 393, 395, 397, 399 Avondale Street</td> <td>914, 915, 956, 957</td> </tr> </tbody> </table>	Property Address	Map Number	1-18, 20, 22-37, 39, 41, 43 Albemarle Street	915, 956, 957	362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 385-387, 393, 395, 397, 399 Avondale Street	914, 915, 956, 957	<p>The property 333 McNeilly Road is within the McNeilly residential enclave. The Employment Land Review Report, completed as part of the Municipal Comprehensive Review, recommended this property be rezoned to Prestige Business Park (M3, 375) to permit the legally established residential use.</p>
Property Address	Map Number														
1-18, 20, 22-37, 39, 41, 43 Albemarle Street	915, 956, 957														
362, 364, 366, 368, 370, 372, 374, 376, 378, 380,	914, 915, 956, 957														
Property Address	Map Number														
1-18, 20, 22-37, 39, 41, 43 Albemarle Street	915, 956, 957														
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Schedule "C" – Special Exceptions

SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
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~~Grey highlighted strikethrough text~~ = text to be deleted **bolded text** = text to be added

	382, 385-387, 393, 395, 397, 399 Avondale Street		481 Barton Street East	1147, 1198, 1199		
	481 Barton Street East	1147, 1198, 1199	31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 55, 57, 59, 61, 63, 65, 67, 69, 73, 75, 77, 79, 81, 83, 89, 91, 93, 104, 105, 107-113, 116-118, 120, 122, 124, 126, 128, 130, 132, 136, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160-164, 166, 167, 169, 172, 173, 175- 177, 179-182, 184, 186, 188, 190, 192, 194, 195, 203, 205, 207, 211, 213, 215, 217, 219, 221, 223, 227, 229, 233, 237, 240, 243, 252, 254, 263, 264, 266, 267, 269-275, 526, 528, 530, 532, 534, 544, 548, 554, 560, 568 Beach Road	914, 956, 957, 958, 959	1147, 1198, 1199 914, 956, 957, 958, 959	
	3, 8-10, 12-15, 20, 22 Beatty Avenue	958	3, 8-10, 12-15, 20, 22 Beatty Avenue	958		
	2, 4, 8, 16 Birmingham Street	914	2, 4, 8, 16 Birmingham Street	914		
			450, 517, 520, 539, 553, 555, 561, 563, 569, 571,	971		

Schedule "C" – Special Exceptions

SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
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~~Grey highlighted strikethrough text~~ = text to be deleted **bolded text** = text to be added

	450, 517, 520, 539, 553, 555, 561, 563, 569, 571, 573, 577 Burlington Street East	971	
	29, 43, 110, 112, 114, 116, 118, 120, 122, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166 Burton Street	870, 912	
	83, 85, 87, 89, 91-105 Cheever Street	912	
	3, 16, 18, 20, 22, 24, 32, 36 Clark Avenue	870, 912	
	5-7, 21, 23, 25, 27, 29-31, 33, 35, 37, 39, 40, 45, 47-49 Depew Street	915, 957	
	12-22, 24-28, 30, 31, 33 Dickson Street	871	
	6, 8, 10, 16 Douglas Avenue	912	
	350, 353, 360, 362, 364, 366, 368, 373, 375, 377, 391, 393, 395 Emerald Street North	870, 912	
	304, 322, 332, 334, 337, 342, 344, 348, 350, 352, 357 Gage Avenue North	914, 956	
	3, 17, 20, 22, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43-58, 60, 62, 64, 66, 69,	914, 915, 957	
			573, 577 Burlington Street East
		870, 912	29, 43, 110, 112, 114, 116, 118, 120, 122, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166 Burton Street
		912	83, 85, 87, 89, 91-105 Cheever Street
		870, 912	3, 16, 18, 20, 22, 24, 32, 36 Clark Avenue
		915, 957	5-7, 21, 23, 25, 27, 29-31, 33, 35, 37, 39, 40, 45, 47-49 Depew Street
		871	12-22, 24-28, 30, 31, 33 Dickson Street
		912	6, 8, 10, 16 Douglas Avenue
		870, 912	350, 353, 360, 362, 364, 366, 368, 373, 375, 377, 391, 393, 395 Emerald Street North
		914, 956	304, 322, 332, 334, 337, 342, 344, 348, 350, 352, 357 Gage Avenue North
		914, 915, 957	3, 17, 20, 22, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43-58, 60, 62, 64, 66, 69,

Schedule "C" – Special Exceptions

SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
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	3, 17, 20, 22, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43-58, 60, 62, 64, 66, 69, 70, 72-79, 81-84, 86, 87-95, 97, 99, 101-103, 105, 107, 109, 113, 115 Gertrude Street	914, 915, 957	
	5, 59, 61, 63, 65-71, 73-75, 78, 79, 81, 91, 93, 95, 97-99, 101-103, 105, 107, 109, 111, 113, 115-119, 121, 123, 125, 127, 129, 131, 133, 135, 137, 139, 141 Hillyard Street	871, 913	70, 72-79, 81-84, 86, 87-95, 97, 99, 101-103, 105, 107, 109, 113, 115 Gertrude Street
	1, 3, 5, 7, 9, 11, 13, 15-17, 19-21, 23, 25, 34, 36, 38, 40, 42 Land Street	915, 957	5, 59, 61, 63, 65-71, 73-75, 78, 79, 81, 91, 93, 95, 97-99, 101-103, 105, 107, 109, 111, 113, 115-119, 121, 123, 125, 127, 129, 131, 133, 135, 137, 139, 141 Hillyard Street
	1, 4-12, 14-16, 18, 19, 21-24, 26-28, 30-37 Lyndhurst Street	915, 957	1, 3, 5, 7, 9, 11, 13, 15-17, 19-21, 23, 25, 34, 36, 38, 40, 42 Land Street
	2, 6, 8, 10, 16, 20, 22, 24-27, 30, 31, 35, 36, 38-41, 43, 45 Macallum Street	870, 871	1, 4-12, 14-16, 18, 19, 21-24, 26-28, 30-37 Lyndhurst Street
	17, 23, 25, 27, 29, 31 McKinstry Street	871	2, 6, 8, 10, 16, 20, 22, 24-27, 30, 31, 35, 36, 38-41, 43, 45 Macallum Street
	333 McNeilly Road	1256	17, 23, 25, 27, 29, 31 McKinstry Street
	52, 56, 58, 60, 64 Munroe Street	913	333 McNeilly Road
			52, 56, 58, 60, 64 Munroe Street
			66, 67, 69-71, 73-76, 78, 82, 84, 86, 88, 98, 99, 102-104, 106-110, 112-131, 133-135, 137, 139,

Schedule "C" – Special Exceptions				
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale	
<div style="display: flex; justify-content: space-between;"> Grey highlighted strikethrough text = text to be deleted bolded text = text to be added </div>				
	<p>66, 67, 69-71, 73-76, 78, 82, 84, 86, 88, 98, 99, 102-104, 106-110, 112-131, 133-135, 137, 139, 141, 143, 152, 163, 167, 171 Niagara Street</p> <p>2, 4, 10, 12, 20, 26, 28, 32 Northcote Street</p> <p>1 Norton Street</p> <p>5 Roadway</p> <p>1, 2, 4, 6, 8 Roosevelt Avenue</p> <p>1, 3, 5-20, 22-25, 27-29, 31, 33, 35-37 Rowanwood Street</p> <p>15, 17, 20-27, 29-36, 38, 40, 48, 50, 52, 56, 58, 60, 64, 65, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97, 99, 103, 107, 109, 111, 113, 115, 117-119, 170, 175 Shaw Street</p> <p>366, 390, 400 Victoria Avenue North</p> <p>335, 517, 519, 521, 527, 529, 531, 533, 536, 540, 560, 562, 564, 566, 568, 570, 572, 574, 578, 580, 582, 584, 600, 610, 612, 618 Wentworth Street North</p>	<p>829, 871</p> <p>957</p> <p>914</p> <p>871, 914, 915, 956, 957</p> <p>958</p> <p>957</p> <p>912, 913</p> <p>870, 912</p> <p>829, 871, 912, 913</p>	<p>141, 143, 152, 163, 167, 171 Niagara Street</p> <p>2, 4, 10, 12, 20, 26, 28, 32 Northcote Street</p> <p>1 Norton Street</p> <p>5 Roadway</p> <p>1, 2, 4, 6, 8 Roosevelt Avenue</p> <p>1, 3, 5-20, 22-25, 27-29, 31, 33, 35-37 Rowanwood Street</p> <p>15, 17, 20-27, 29-36, 38, 40, 48, 50, 52, 56, 58, 60, 64, 65, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97, 99, 103, 107, 109, 111, 113, 115, 117-119, 170, 175 Shaw Street</p> <p>366, 390, 400 Victoria Avenue North</p> <p>335, 517, 519, 521, 527, 529, 531, 533, 536, 540, 560, 562, 564, 566, 568, 570, 572, 574, 578, 580, 582, 584, 600, 610, 612, 618 Wentworth Street North</p>	<p>957</p> <p>914</p> <p>871, 914, 915, 956, 957</p> <p>958</p> <p>957</p> <p>912, 913</p> <p>870, 912</p> <p>829, 871, 912, 913</p>

Schedule "C" – Special Exceptions

SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
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~~Grey highlighted strikethrough text~~ = text to be deleted **bolded text** = text to be added

	<p>570, 572, 574, 578, 580, 582, 584, 600, 610, 612, 618 Wentworth Street North</p>	<p>2, 4, 6, 8, 10-25, 27, 28, 30, 32, 34, 36, 38, 40 44, 46-48, 50 Whitfield Avenue</p>	<p>914</p>
	<p>2, 4, 6, 8, 10-25, 27, 28, 30, 32, 34, 36, 38, 40 44, 46-48, 50 Whitfield Avenue</p> <p style="text-align: center;">914</p> <p>The following special provisions shall apply:</p> <p>a) In addition to Subsections 9.3.1, 9.5.1 and 9.6.1, and notwithstanding Subsections 9.3.2 ii), 9.5.2 and 9.6.2 ii), the legally established residential uses existing on the date of passing of this By-law (May 26, 2010) shall also be permitted.</p> <p>b) In addition to clause a), a Secondary Dwelling Unit may be permitted within a legally established single detached dwelling, semi-detached dwelling, street townhouse, or block townhouse dwelling existing as of May 26, 2010 and shall be in accordance with Section 4.33 of the By-law.</p>	<p>The following special provisions shall apply:</p> <p>a) In addition to Subsections 9.3.1, 9.5.1 and 9.6.1, and notwithstanding Subsections 9.3.2 ii), 9.5.2 and 9.6.2 ii), the legally established residential uses existing on the date of passing of this By-law (May 26, 2010) shall also be permitted.</p> <p>b) In addition to clause a), a Secondary Dwelling Unit may be permitted within a legally established single detached dwelling, semi-detached dwelling, street townhouse, or block townhouse dwelling existing as of May 26, 2010 and shall be in accordance with Section 4.33 of the By-law.</p> <p>c) Notwithstanding Subsections 9.3.3, 9.5.3 and 9.6.3, the following regulations shall apply to the use permitted in Clause a):</p>	

Schedule “C” – Special Exceptions			
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
	<p>c) Notwithstanding Subsections 9.3.3, 9.5.3 and 9.6.3, the following regulations shall apply to the use permitted in Clause a):</p> <p>i) Minimum Front Yard 6.0 metres</p> <p>Maximum Building Height 14.0 metres</p> <p>iii) Minimum Side Yard 0.6 metres</p> <p>iv) Minimum Rear Yard 7.5 metres</p> <p>v) Accessory buildings shall be subject to Subsection 4.8.1</p>	<p>i) Minimum Front Yard 6.0 metres</p> <p>Maximum Building Height 14.0 metres</p> <p>iii) Minimum Side Yard 0.6 metres</p> <p>iv) Minimum Rear Yard 7.5 metres</p> <p>v) Accessory buildings shall be subject to Subsection 4.8.1</p>	
<p>SE 383</p> <p>0 Portia Drive, Ancaster</p>	<p>383 In addition to the uses permitted in Section 9.3.1, on those lands zoned Prestige Business Park (M3) Zone, identified on Maps 1433 and 1482 of Schedule “A” Zoning Maps and described as 0 Portia Drive, the following uses shall also be permitted:</p> <p>a. Motor Vehicle Sales and Service Establishment</p>		<p>SE 383 was replaced by SE 649 through By-law No. 17-240. This modification will correct the error by deleting SE 383.</p>

Schedule "C" – Special Exceptions			
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
	<p>b. Veterinary Service c. Retail d. Farm Product Supply Dealer e. Major Recreational Vehicle Sales and Service Establishment f.</p>		
SE 384 0 Portia Drive, Ancaster	<p>384 In addition to the Regulations of Section 9.3.3, on those lands zoned Prestige Business Park (M3) Zone, identified on Map 1433 of Schedule "A" – Zoning Maps and described as 0 Portia Drive, the Minimum Rear Yard shall be 15.0 metres</p>		SE 384 was replaced by SE 650 through By-law No. 17-240. This modification will correct the error by deleting SE 383.
SE 451 1295 Cormorant Road, Ancaster	<p>SE 451 SE 767</p>	SE 767	<p>Duplicate Special Exception Numbers were used.</p> <p>Renumber SE 451 that applies to 1295 Cormorant Road, Ancaster to resolve the duplication.</p> <p>The change to Schedule "A" – Zoning Maps of Zoning By-law No. 05-200 is shown on Schedule "A-3" to the amending by-law.</p>

Schedule “C” – Special Exceptions																																															
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale																																												
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>																																															
SE 451 108 James Street North and 111 and 115 Hughson Street North, Hamilton	Notwithstanding Sections 6.2.3 of this By-law, within the lands zoned Downtown Prime Retail Streets (D2, 451) Zone, identified on Maps 910 and 911 of Schedule “A” – Zoning Maps, and described as 108 James Street North and 111 and 115 Hughson Street North, and as further detailed and informed through attached Concept Plan (Schedule “F” – Figure 5 Figure 17), the following special provisions shall apply:	Notwithstanding Sections 6.2.3 of this By-law, within the lands zoned Downtown Prime Retail Streets (D2, 451) Zone, identified on Maps 910 and 911 of Schedule “A” – Zoning Maps, and described as 108 James Street North and 111 and 115 Hughson Street North, and as further detailed and informed through attached Concept Plan (Schedule “F” – Figure 17), the following special provisions shall apply:	Incorrect Special Figure # is referenced in the Special Exception.																																												
SE 579 Various properties	Within the lands zoned Neighbourhood Commercial (C2) Zone and Community Commercial (C3) Zone, identified on Maps 1100, 1145, 1146, 1150 , 1185, 1194, 1196, 1198, 1199, 1205, 1247, 1248, 1249, 1251, 1252, 1259, 1260, 1305, 1306, 1403, 1405, 1454, 1503 and 1640 of Schedule “A” – Zoning Maps and described as: <table border="1" data-bbox="451 1040 963 1425" style="margin-left: 40px;"> <thead> <tr> <th>Property Address</th> <th>Map Number</th> </tr> </thead> <tbody> <tr><td>168 Barton Street</td><td>1145</td></tr> <tr><td>178 Barton Street</td><td>1145</td></tr> <tr><td>188 Barton Street</td><td>1145</td></tr> <tr><td>198 Barton Street</td><td>1145</td></tr> <tr><td>210 Barton Street</td><td>1145</td></tr> <tr><td>214 Barton Street</td><td>1145</td></tr> <tr><td>232 Barton Street</td><td>1146</td></tr> <tr><td>274 Barton Street</td><td>1146</td></tr> <tr><td>276 Barton Street</td><td>1146</td></tr> <tr><td>386 Barton Street</td><td>1198</td></tr> </tbody> </table>	Property Address	Map Number	168 Barton Street	1145	178 Barton Street	1145	188 Barton Street	1145	198 Barton Street	1145	210 Barton Street	1145	214 Barton Street	1145	232 Barton Street	1146	274 Barton Street	1146	276 Barton Street	1146	386 Barton Street	1198	Within the lands zoned Neighbourhood Commercial (C2) Zone and Community Commercial (C3) Zone, identified on Maps 1100, 1145, 1146, 1185, 1194, 1196, 1198, 1199, 1205, 1247, 1248, 1249, 1251, 1252, 1259, 1260, 1305, 1306, 1403, 1405, 1454, 1503 and 1640 of Schedule “A” – Zoning Maps and described as: <table border="1" data-bbox="1052 1040 1564 1425" style="margin-left: 40px;"> <thead> <tr> <th>Property Address</th> <th>Map Number</th> </tr> </thead> <tbody> <tr><td>168 Barton Street</td><td>1145</td></tr> <tr><td>178 Barton Street</td><td>1145</td></tr> <tr><td>188 Barton Street</td><td>1145</td></tr> <tr><td>198 Barton Street</td><td>1145</td></tr> <tr><td>210 Barton Street</td><td>1145</td></tr> <tr><td>214 Barton Street</td><td>1145</td></tr> <tr><td>232 Barton Street</td><td>1146</td></tr> <tr><td>274 Barton Street</td><td>1146</td></tr> <tr><td>276 Barton Street</td><td>1146</td></tr> <tr><td>386 Barton Street</td><td>1198</td></tr> </tbody> </table>	Property Address	Map Number	168 Barton Street	1145	178 Barton Street	1145	188 Barton Street	1145	198 Barton Street	1145	210 Barton Street	1145	214 Barton Street	1145	232 Barton Street	1146	274 Barton Street	1146	276 Barton Street	1146	386 Barton Street	1198	The previous approval of Committee of Adjustment Application SC/A-09:212 and Site Plan Application DA-09-21 established the permissions for development of the subject lands. Therefore, the property can be deleted from SE 579.
Property Address	Map Number																																														
168 Barton Street	1145																																														
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188 Barton Street	1145																																														
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Schedule "C" – Special Exceptions			
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<div style="display: flex; justify-content: space-between;"> Grey highlighted strikethrough text = text to be deleted bolded text = text to be added </div>			
	412 Barton Street 1198	412 Barton Street 1198	
	520 Barton Street 1199	520 Barton Street 1199	
	2800 Barton Street East 1145	2800 Barton Street East 1145	
	2806 Barton Street East 1145	2806 Barton Street East 1145	
	2814 Barton Street East 1145	2814 Barton Street East 1145	
	2820 Barton Street East 1145	2820 Barton Street East 1145	
	2824 Barton Street East 1145	2824 Barton Street East 1145	
	2842 Barton Street East 1145	2842 Barton Street East 1145	
	1365 Baseline Road 1259	1365 Baseline Road 1259	
	1367 Baseline Road 1259	1367 Baseline Road 1259	
	92 Centennial Parkway South 1194	92 Centennial Parkway South 1194	
	500 Fifty Road 1259 and 1260	500 Fifty Road 1259 and 1260	
	518 Fruitland Road 1100	518 Fruitland Road 1100	
	110 Gordon Drummond Avenue 1503	110 Gordon Drummond Avenue 1503	
	288 Grays Road 1145	288 Grays Road 1145	
	294 Grays Road 1145	294 Grays Road 1145	
	298 Grays Road 1145	298 Grays Road 1145	
	302 Grays Road 1145	302 Grays Road 1145	
	304 Grays Road 1145	304 Grays Road 1145	
	305 Grays Road 1145	305 Grays Road 1145	
	308 Grays Road 1145	308 Grays Road 1145	
	309 Grays Road 1145	309 Grays Road 1145	
	312 Grays Road 1145	312 Grays Road 1145	
	316 Grays Road 1145	316 Grays Road 1145	
	80 Green Mountain Road 1405	80 Green Mountain Road 1405	
	364 Highway 8 1251	364 Highway 8 1251	

Schedule "C" – Special Exceptions

SE / Address	Existing Special Exception (Proposed Change)		Proposed Special Exception		Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>					
	410 Highway 8	1252	410 Highway 8	1252	
	411 Highway 8	1252	411 Highway 8	1252	
	418 Highway 8	1252	418 Highway 8	1252	
	419 Highway 8	1252	419 Highway 8	1252	
	420 Highway 8	1252	420 Highway 8	1252	
	421 Highway 8	1252	421 Highway 8	1252	
	423 Highway 8	1252	423 Highway 8	1252	
	424 Highway 8	1252	424 Highway 8	1252	
	426 Highway 8	1252	426 Highway 8	1252	
	427 Highway 8	1252	427 Highway 8	1252	
	430 Highway 8	1252	430 Highway 8	1252	
	432 Highway 8	1252	432 Highway 8	1252	
	436 Highway 8	1252	436 Highway 8	1252	
	438 Highway 8	1252	438 Highway 8	1252	
	440 Highway 8	1252	440 Highway 8	1252	
	446 Highway 8	1252	446 Highway 8	1252	
	448, 450 Highway 8	1252	448, 450 Highway 8	1252	
	452 Highway 8	1252	452 Highway 8	1252	
	454 Highway 8	1252 and 1305	454 Highway 8	1252 and 1305	
	466 Highway 8	1252 and 1305	466 Highway 8	1252 and 1305	
	483 Highway 8	1252	483 Highway 8	1252	
	171 Margaret Avenue	1252	171 Margaret Avenue	1252	
	173 Margaret Avenue	1252	173 Margaret Avenue	1252	
	520 Highway 8	1305	520 Highway 8	1305	
	521 Highway 8	1252 and 1305	521 Highway 8	1252 and 1305	
	538 Highway 8	1305	538 Highway 8	1305	
	542, 548 Highway 8	1305 and 1306	542, 548 Highway 8	1305 and 1306	
	570 Highway 8	1306	570 Highway 8	1306	
	604 Highway 8	1306	604 Highway 8	1306	

Schedule "C" – Special Exceptions

SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
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	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>100 King Street West</td><td>1248</td></tr> <tr><td>102 King Street West</td><td>1247 and 1248</td></tr> <tr><td>30 Lake Avenue Drive</td><td>1248 and 1249</td></tr> <tr><td>32 Lake Avenue Drive</td><td>1248 and 1249</td></tr> <tr><td>36 Lake Avenue Drive</td><td>1248 and 1249</td></tr> <tr><td>3 Lockport Way</td><td>1260</td></tr> <tr><td>15 Lockport Way</td><td>1260</td></tr> <tr><td>256, 270, 276, 280, 284, 288, 294, 300 Mud Street West</td><td>1454</td></tr> <tr><td>74 Neil Avenue</td><td>1194</td></tr> <tr><td>Part of 821 North Service Road</td><td>1150</td></tr> <tr><td>1050 Paramount Drive</td><td>1403 and 1454</td></tr> <tr><td>Part of 2157 Rymal Road and Concession 8 Pt Lot 27 SLT SC RP 62R15203</td><td>1596 and 1640</td></tr> <tr><td>136 – 146 Upper Mount Albion Road</td><td>1502</td></tr> <tr><td>775-779 Upper Wentworth Street</td><td>1185 and 1239</td></tr> <tr><td>524, 526, 530 Winona Road</td><td>1205</td></tr> </table>	100 King Street West	1248	102 King Street West	1247 and 1248	30 Lake Avenue Drive	1248 and 1249	32 Lake Avenue Drive	1248 and 1249	36 Lake Avenue Drive	1248 and 1249	3 Lockport Way	1260	15 Lockport Way	1260	256, 270, 276, 280, 284, 288, 294, 300 Mud Street West	1454	74 Neil Avenue	1194	Part of 821 North Service Road	1150	1050 Paramount Drive	1403 and 1454	Part of 2157 Rymal Road and Concession 8 Pt Lot 27 SLT SC RP 62R15203	1596 and 1640	136 – 146 Upper Mount Albion Road	1502	775-779 Upper Wentworth Street	1185 and 1239	524, 526, 530 Winona Road	1205	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>100 King Street West</td><td>1248</td></tr> <tr><td>102 King Street West</td><td>1247 and 1248</td></tr> <tr><td>30 Lake Avenue Drive</td><td>1248 and 1249</td></tr> <tr><td>32 Lake Avenue Drive</td><td>1248 and 1249</td></tr> <tr><td>36 Lake Avenue Drive</td><td>1248 and 1249</td></tr> <tr><td>3 Lockport Way</td><td>1260</td></tr> <tr><td>15 Lockport Way</td><td>1260</td></tr> <tr><td>256, 270, 276, 280, 284, 288, 294, 300 Mud Street West</td><td>1454</td></tr> <tr><td>74 Neil Avenue</td><td>1194</td></tr> <tr><td>1050 Paramount Drive</td><td>1403 and 1454</td></tr> <tr><td>Part of 2157 Rymal Road and Concession 8 Pt Lot 27 SLT SC RP 62R15203</td><td>1596 and 1640</td></tr> <tr><td>136 – 146 Upper Mount Albion Road</td><td>1502</td></tr> <tr><td>775-779 Upper Wentworth Street</td><td>1185 and 1239</td></tr> <tr><td>524, 526, 530 Winona Road</td><td>1205</td></tr> </table>	100 King Street West	1248	102 King Street West	1247 and 1248	30 Lake Avenue Drive	1248 and 1249	32 Lake Avenue Drive	1248 and 1249	36 Lake Avenue Drive	1248 and 1249	3 Lockport Way	1260	15 Lockport Way	1260	256, 270, 276, 280, 284, 288, 294, 300 Mud Street West	1454	74 Neil Avenue	1194	1050 Paramount Drive	1403 and 1454	Part of 2157 Rymal Road and Concession 8 Pt Lot 27 SLT SC RP 62R15203	1596 and 1640	136 – 146 Upper Mount Albion Road	1502	775-779 Upper Wentworth Street	1185 and 1239	524, 526, 530 Winona Road	1205	
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SE 633 75 Centennial Parkway North (Eastgate Square),	Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142, 1143, and 1194 of Schedule "A" – Zoning Maps, and described as 75 Centennial Parkway North (Eastgate Square), shown as	Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142, 1143, and 1194 of Schedule "A" – Zoning Maps, and described as 75 Centennial Parkway North (Eastgate Square), shown as	Incorrect Special Figure # is referenced in the Special Exception.
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Schedule “C” – Special Exceptions			
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
Hamilton	<p>Figure 11 Figure 18 of Schedule “F” – Special Figures, the following special provisions shall also apply:</p> <p>a) The lands described as 75 Centennial Parkway North (Eastgate Square), as shown as Figure 11 Figure 18 of Schedule “F” – Special Figures shall be considered as one Corner Lot for zoning purposes, notwithstanding any consolidation or division of the lot.</p> <p>c) For the purposes of Special Exception No. 633, the following provisions shall apply to Area A as shown on Figure 11 Figure 18 of Schedule “F” – Special Figures:</p> <p>d) For the purposes of Special Exception No. 633, the following provisions shall apply to Area B as shown on Figure 11 Figure 18 of Schedule “F” – Special Figures:</p>	<p>Figure 18 of Schedule “F” – Special Figures, the following special provisions shall also apply:</p> <p>a) The lands described as 75 Centennial Parkway North (Eastgate Square), as shown as Figure 18 of Schedule “F” – Special Figures shall be considered as one Corner Lot for zoning purposes, notwithstanding any consolidation or division of the lot.</p> <p>c) For the purposes of Special Exception No. 633, the following provisions shall apply to Area A as shown on Figure 18 of Schedule “F” – Special Figures:</p> <p>d) For the purposes of Special Exception No. 633, the following provisions shall apply to Area B as shown on Figure 18 of Schedule “F” – Special Figures:</p>	
SE 637 670, 674, 686, 692, 700 and 706 Queenston Road, Hamilton	<p>Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142 and 1193 of Schedule “A” – Zoning Maps, and described as 670, 674, 686, 692, 700 and 706 Queenston Road, shown as Figure 12 Figure 19 of Schedule “F” – Special</p>	<p>Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142 and 1193 of Schedule “A” – Zoning Maps, and described as 670, 674, 686, 692, 700 and 706 Queenston Road, shown as Figure 12</p>	<p>Incorrect Special Figure # is referenced in the Special Exception.</p> <p>Note: Only the clauses that are to be amended are</p>

Schedule "C" – Special Exceptions			
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
	<p>Figures, the following special provisions shall also apply:</p> <p>a) For the purposes of Special Exception No. 637, the following special regulations shall apply to Areas A and B, as shown on Figure 12 Figure 19 of Schedule "F" – Special Figure:</p> <p>A) The lands described as 670, 674, 686, 692, 700 and 706 Queenston Road, as shown as Figure 12 Figure 19 of Schedule "F" – Special Figures shall be considered as one Corner Lot for zoning purposes, notwithstanding any consolidation or division of the lot.</p> <p>b) For the purposes of Special Exception No. 637, the following special regulations shall apply to Area A as shown on Figure 12 Figure 19 of Schedule "F" – Special Figures:</p> <p>c) For the purposes of Special Exception No. 637, the following special provisions shall apply to Area B as shown on Figure 12 Figure 19 of Schedule "F" – Special Figures:</p>	<p>Figure 19 of Schedule "F" – Special Figures, the following special provisions shall also apply:</p> <p>a) For the purposes of Special Exception No. 637, the following special regulations shall apply to Areas A and B, as shown on Figure 12 Figure 19 of Schedule "F" – Special Figure:</p> <p>A) The lands described as 670, 674, 686, 692, 700 and 706 Queenston Road, as shown as Figure 12 Figure 19 of Schedule "F" – Special Figures shall be considered as one Corner Lot for zoning purposes, notwithstanding any consolidation or division of the lot.</p> <p>b) For the purposes of Special Exception No. 637, the following special regulations shall apply to Area A as shown on Figure 12 Figure 19 of Schedule "F" – Special Figures:</p> <p>c) For the purposes of Special Exception No. 637, the following special provisions shall apply to Area B as shown on Figure 12 Figure 19 of Schedule "F" – Special Figures:</p>	<p>included in this table. The entire Special Exception has not been transcribed.</p>

Schedule “C” – Special Exceptions			
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
<p>SE 649</p> <p>Northwest corner of Wilson Street West and Mason Drive, Ancaster</p>	<p>Within the lands zoned District Commercial (C6) Zone, identified on Maps 1433 and 1482 of Schedule “A” – Zoning Maps and described as the northwest corner of Wilson Street West and Mason Drive, the following special provisions shall apply:</p> <p>a) In addition to the definition of Retail in Section 3: Definitions, the following definition shall also apply:</p> <p>Supermarket A store in which various kinds of food and non-food items are offered or kept for sale, including fresh meats and fresh produce, provided that the area devoted to food items is predominant, and the non-food items may include but are not limited to flowers, hardware, patent medicines, toiletries, household supplies, garden supplies, wine, photofinishing, magazines and videos.</p> <p>b) Notwithstanding Subsection 10.6.1, only the following uses shall be permitted:</p>	<p>Within the lands zoned District Commercial (C6) Zone, identified on Maps 1433 and 1482 of Schedule “A” – Zoning Maps and described as the northwest corner of Wilson Street West and Mason Drive, the following special provisions shall apply:</p> <p>a) In addition to the definition of Retail in Section 3: Definitions, the following definition shall also apply:</p> <p>Supermarket A store in which various kinds of food and non-food items are offered or kept for sale, including fresh meats and fresh produce, provided that the area devoted to food items is predominant, and the non-food items may include but are not limited to flowers, hardware, patent medicines, toiletries, household supplies, garden supplies, wine, photofinishing, magazines and videos.</p> <p>b) Notwithstanding Subsection 10.6.1, only the following uses shall be permitted:</p>	<p>Updated to reflect the change in terminology from “Motor Vehicle Sales and Service Establishment” to “Motor Vehicle Dealership”, which is a defined term.</p>

Schedule "C" – Special Exceptions			
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
	<ul style="list-style-type: none"> i) Art Gallery ii) Auctioneer Establishment iii) Building and Lumber Supply Establishment, within a wholly enclosed building iv) Catering Service v) Cold Storage Locker Establishment vi) Commercial Entertainment, within a wholly enclosed building vii) Commercial Parking Facility viii) Commercial Recreation, within a wholly enclosed building ix) Community Garden x) Craftsperson Shop xi) Day Nursery xii) Educational Establishment xiii) Financial Establishment xiv) Funeral Home xv) Laboratory xvi) Library xvii) Major Recreation Vehicle Sales and Service Establishment xxiii) Manufacturing, limited to a Printing and / or Publishing Establishment xix) Medical Clinic xx) Motor Vehicle Dealership Sales and Service Establishment 	<ul style="list-style-type: none"> i) Art Gallery ii) Auctioneer Establishment iii) Building and Lumber Supply Establishment, within a wholly enclosed building iv) Catering Service v) Cold Storage Locker Establishment vi) Commercial Entertainment, within a wholly enclosed building vii) Commercial Parking Facility viii) Commercial Recreation, within a wholly enclosed building ix) Community Garden x) Craftsperson Shop xi) Day Nursery xii) Educational Establishment xiii) Financial Establishment xiv) Funeral Home xv) Laboratory xvi) Library xvii) Major Recreation Vehicle Sales and Service Establishment xxiii) Manufacturing, limited to a Printing and / or Publishing Establishment xix) Medical Clinic xx) Motor Vehicle Dealership xxi) Museum 	

Schedule "C" – Special Exceptions

SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
	<ul style="list-style-type: none"> xxi) Museum xxii) Office xxiii) Personal Services xxiv) Post Office xxv) Private Club or Lodge xxvi) Recreational Vehicle Sales and Service Establishment xxvii) Repair Service xxviii) Restaurant xxix) Retail, not including a Supermarket xxx) Transportation Depot xxxi) Urban Farm xxxii) Urban Farmer's Market <p>c) Notwithstanding Subsection 10.6.1.1 i) 1. B., a two-storey building containing office uses on both the first and second floor is also permitted.</p> <p>d) In addition to Subsection 10.6.2, the following uses shall also be prohibited, even as an accessory use:</p> <ul style="list-style-type: none"> i) Body Rub Parlour ii) Department Store iii) Dwelling Unit iv) Open Storage v) Supermarket 	<ul style="list-style-type: none"> xxii) Office xxiii) Personal Services xxiv) Post Office xxv) Private Club or Lodge xxvi) Recreational Vehicle Sales and Service Establishment xxvii) Repair Service xxviii) Restaurant xxix) Retail, not including a Supermarket xxx) Transportation Depot xxxi) Urban Farm xxxii) Urban Farmer's Market <p>c) Notwithstanding Subsection 10.6.1.1 i) 1. B., a two-storey building containing office uses on both the first and second floor is also permitted.</p> <p>d) In addition to Subsection 10.6.2, the following uses shall also be prohibited, even as an accessory use:</p> <ul style="list-style-type: none"> i) Body Rub Parlour ii) Department Store iii) Dwelling Unit iv) Open Storage v) Supermarket 	

Schedule “C” – Special Exceptions			
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
	<p>e) Notwithstanding Subsection 10.6.3e) and f), the maximum Gross Floor Area for all uses shall be 10,000 square metres, and shall not apply to Motor Vehicle Sales and Service Establishment and Major Recreational Vehicle Sales, Service, and Rental Establishment.</p>	<p>e) Notwithstanding Subsection 10.6.3e) and f), the maximum Gross Floor Area for all uses shall be 10,000 square metres, and shall not apply to Motor Vehicle Sales and Service Establishment and Major Recreational Vehicle Sales, Service, and Rental Establishment.</p>	
<p>SE 674 3100, 3110, 3120, 3140 RR 56, Block 131 of Registered Plan of Subdivision 62M-1062, Glanbrook</p>	<p>d) In addition to Subsection 5.1 d) i) and 5.6 c), and notwithstanding Subsections 5.1 a) v), 5.2 b) and f), and 5.6 c) i. and iv., the following regulations shall apply:</p> <p>i) The minimum parking space size shall be 3.0 metres in width and 5.8 metres in length.</p> <p>ii) The minimum barrier-free parking space size shall be 4.4 metres in width and 5.8 metres in length, except where two (2) barrier-free parking spaces are located together, a minimum 3.5 metres in width shall be permitted for each space.</p> <p>iii) Minimum Parking Requirements</p> <p>i. Residential Uses</p>	<p>d) In addition to Subsection 5.1 d) i) and 5.6 c), and notwithstanding Subsections 5.1 a) v), 5.2 b) and f), and 5.6 c) i. and iv., the following regulations shall apply:</p> <p>i) The minimum parking space size shall be 3.0 metres in width and 5.8 metres in length.</p> <p>ii) The minimum barrier-free parking space size shall be 4.4 metres in width and 5.8 metres in length, except where two (2) barrier-free parking spaces are located together, a minimum 3.5 metres in width shall be permitted for each space</p> <p>iii) Minimum Parking Requirements</p>	<p>Technical corrections. To:</p> <ul style="list-style-type: none"> • Add Clause d) i) which was omitted in error; • Update a definition; and, • Correct the numbering.

Schedule “C” – Special Exceptions

SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
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~~Grey highlighted strikethrough text~~ = text to be deleted **bolded text** = text to be added

	<p style="text-align: center;">Dwelling Units and 1 space per unit Dwelling Units in Conjunction 0.5 visitor spaces per unit</p> <p style="text-align: center;">with a Commercial Use Dwelling Unit, Mixed Use</p> <p style="text-align: center;">iv. ii. Residential Uses Commercial Uses</p> <p style="text-align: center;">All Commercial Uses 1 for each 30 square metres of Gross Floor Area which accommodates such use</p> <p>iv) Minimum Loading Space Requirements: 1 space</p> <p>e) Notwithstanding Subsection 4.6 a), d), e), and f), the following regulations apply:</p> <p>i) Sills, belt courses, cornices, eaves and gutters, chimneys, bay windows, and</p>	<p>i. Residential Uses Dwelling Units 1 space per unit Dwelling Unit, Mixed Use 0.5 visitor spaces per unit</p> <p>ii. Commercial Uses All Commercial Uses 1 for each 30 square metres of Gross Floor Area which accommodates such use</p> <p>iv) Minimum Loading Space Requirements: 1 space</p> <p>e) Notwithstanding Subsection 4.6 a), d), e), and f), the following regulations apply:</p> <p>i) Sills, belt courses, cornices, eaves and gutters, chimneys, bay windows, and pilasters may project into any required yard a maximum 3.0 metres; and,</p>	
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Schedule "C" – Special Exceptions

SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
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~~Grey highlighted strikethrough text~~ = text to be deleted **bolded text** = text to be added

	<p style="text-align: center;">pilasters may project into any required yard a maximum 3.0 metres; and,</p> <p>ii) Balconies, canopies, fruit cellars, and unenclosed porches may project into any required front, rear or side yard a maximum 3.0 metres.</p> <p>f) In addition to Subsection 10.5a.1, the following uses shall also be permitted:</p> <ul style="list-style-type: none"> i) Dwelling Unit ii) Multiple Dwelling iii) Private Club or Lodge <p>g) Notwithstanding Subsection 10.5a.1.1 ii) 2., Dwelling Units shall be permitted on the ground floor.</p> <p>h) Notwithstanding Subsections 10.5a.3 a), d), h) x), i), and in addition to Subsection 10.5a.3. j), the following regulations shall apply:</p> <p>j) The following regulations shall apply:</p> <ul style="list-style-type: none"> i) Maximum Building Setback from a Street Line No Maximum 	<p>ii) Balconies, canopies, fruit cellars, and unenclosed porches may project into any required front, rear or side yard a maximum 3.0 metres.</p> <p>f) In addition to Subsection 10.5a.1, the following uses shall also be permitted:</p> <ul style="list-style-type: none"> i) Dwelling Unit ii) Multiple Dwelling iii) Private Club or Lodge <p>g) Notwithstanding Subsection 10.5a.1.1 ii) 2., Dwelling Units shall be permitted on the ground floor.</p> <p>h) Notwithstanding Subsections 10.5a.3 a), d), h) x), i), and in addition to Subsection 10.5a.3 j) the following regulations shall apply:</p> <ul style="list-style-type: none"> i) Maximum Building Setback from a Street Line No Maximum 	
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Schedule "C" – Special Exceptions

SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
	<p>ii) Building Height The maximum building height shall be 11 metres.</p> <p>iii) Built Form for New Development The first storey shall have a minimum height of 3.5 metres and a maximum height of 4.5 metres.</p> <p>iv) Planting Strip Requirements Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, a minimum 6.0 metre wide Planting Strip shall be provided and maintained.</p> <p>v) Visual Barrier A Visual Barrier shall also be required where a</p>	<p>ii) Building Height The maximum building height shall be 11 metres.</p> <p>iii) Built Form for New Development The first storey shall have a minimum height of 3.5 metres and a maximum height of 4.5 metres.</p> <p>iv) Planting Strip Requirements Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, a minimum 6.0 metre wide Planting Strip shall be provided and maintained.</p> <p>v) Visual Barrier A Visual Barrier shall also be required where a loading space abuts any Residential or</p>	

Schedule “C” – Special Exceptions			
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
	loading space abuts any Residential or Institutional Zone or a residential or institutional use.	Institutional Zone or a residential or institutional use.	
SE 701 71 Rebecca Street, Hamilton	<p>Within the lands zoned Downtown Central Business District (D1, 701, H17, H105) Zone identified on Map 953 of Schedule A - Zoning Maps and described as 71 Rebecca Street the following special regulations apply:</p> <p>a f) Notwithstanding Sections 5.2 b), 6.0 c) i) ii) and iii) 2, and 6.1.3 e), the following special provisions shall also apply:</p> <p>b g) REGULATIONS</p> <p>a) Stepback from the Building Base Façade Height i) A minimum 3.0 metre stepback shall be required from the building base façade height of 11 metres along Rebecca Street.</p>	<p>Within the lands zoned Downtown Central Business District (D1, 701, H17, H105) Zone identified on Map 953 of Schedule A - Zoning Maps and described as 71 Rebecca Street the following special regulations apply:</p> <p>a) Notwithstanding Sections 5.2 b), 6.0 c) i) ii) and iii) 2, and 6.1.3 e), the following special provisions shall also apply:</p> <p>b) REGULATIONS</p> <p>a) Stepback from the Building Base Façade Height i) A minimum 3.0 metre stepback shall be required from the building base façade height of 11 metres along Rebecca Street.</p>	Technical corrections to numbering and addition of clause omitted in error.

Schedule "C" – Special Exceptions			
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
	<p>ba) Stepback for the portion of the Building exceeding 22.0 metres, at the southern point of the perpendicular portion of the rear lot line.</p> <p>cb) Maximum Lot Coverage</p> <p>de) Parking</p>	<p>b) Stepback for the portion of the Building exceeding 22.0 metres, at the southern point of the perpendicular portion of the rear lot line.</p> <p>c) Maximum Lot Coverage</p> <p>d) Parking</p>	
	<p>i) 1.0 metres</p> <p>i) Parking stall sizes shall be in accordance with the following:</p> <p>i. 62 parking stalls at 2.8 m x 5.8 m;</p> <p>ii. 93 parking stalls at 2.6 m x 5.8 m;</p> <p>iii. 36 parking stalls at 2.8 m x 5.5 m;</p>	<p>i) 1.0 metres</p> <p>i) Parking stall sizes shall be in accordance with the following:</p> <p>i. 62 parking stalls at 2.8 m x 5.8 m;</p> <p>ii. 93 parking stalls at 2.6 m x 5.8 m;</p> <p>iii. 36 parking stalls at 2.8 m x 5.5 m;</p>	

Schedule “C” – Special Exceptions			
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
	<p>iv. 13 parking stalls at 2.8 m x 5.5 m; v. 3 barrier-free parking stalls at 4.6 m x 5.8 m; vi. 3 barrier-free parking stalls at 4.6 m x 5.5 m; and, vii. 4 car share parking stalls, at grade at 2.6 m x 5.5 m.</p>	<p>iv. 13 parking stalls at 2.8 m x 5.5 m; v. 3 barrier-free parking stalls at 4.6 m x 5.8 m; vi. 3 barrier-free parking stalls at 4.6 m x 5.5 m; and, vii. 4 car share parking stalls, at grade at 2.6 m x 5.5 m.</p>	
SE 734 118 Hatt Street, Dundas	<p>Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 860 and 902 of Schedule “A20” – Zoning Maps and described as 118 Hatt Street, the following special provisions shall apply:</p>	<p>Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 860 and 902 of Schedule “A” – Zoning Maps and described as 118 Hatt Street, the following special provisions shall apply:</p>	<p>While Schedule “A20” refers to the schedule number in the amending by-law, the special exception should refer to Schedule “A” – Zoning Maps of Zoning By-law No. 05-200.</p>
SE 735 1289 Upper James Street, Hamilton	<p>Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1290 of Schedule “A8” – Zoning Maps, and described as 1289 Upper</p>	<p>Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1290 of Schedule “A” – Zoning Maps, and described as 1289 Upper</p>	<p>While Schedule “A8” refers to the schedule number in the amending by-law, the special exception should refer to</p>

Schedule “C” – Special Exceptions			
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
	James Street, Hamilton, the following special provisions shall apply:	James Street, Hamilton, the following special provisions shall apply:	Schedule “A” – Zoning Maps of Zoning By-law No. 05-200.
SE 737 1092 Gore Road, Flamborough	Within a portion of the lands zoned Rural (A2) Zone, identified on Maps 15 and 16 of Schedule “A22” – Zoning Maps and described as 1092 Gore Road, the following special provisions shall apply:	Within a portion of the lands zoned Rural (A2) Zone, identified on Maps 15 and 16 of Schedule “A” – Zoning Maps and described as 1092 Gore Road, the following special provisions shall apply:	While Schedule “A22” refers to the schedule number in the amending by-law, the special exception should refer to Schedule “A” – Zoning Maps of Zoning By-law No. 05-200.
SE 741 354 King Street West, Hamilton	<p>Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295, 741) Zone, identified on Map No. 909 and 951 of Schedule “A” to Zoning By-law No. 05-200 and described as 351 King Street West 354 King Street West, the following special provisions shall apply:</p> <p>c) Notwithstanding Section 11.1.3. d) ii) and iii), the following special provisions shall apply: i) Building Height b) In addition to a) above, maximum building height shall be in accordance with Figure 24 Figure 26 of Schedule F – Special Figures of Zoning By-law No. 05-200.</p>	<p>Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295, 741) Zone, identified on Map No. 909 and 951 of Schedule “A” to Zoning By-law No. 05-200 and described as 354 King Street West, the following special provisions shall apply</p> <p>c) Notwithstanding Section 11.1.3. d) ii) and iii), the following special provisions shall apply: i) Building Height b) In addition to a) above, maximum building height shall be in accordance with Figure 26 of Schedule F – Special Figures of Zoning By-law No. 05-200.</p>	<p>Subject property incorrectly identified as 351 King Street West when it should be 354 King Street West.</p> <p>Correct the Figure # as the special figure has been renumbered in Schedule “F” – Special Figures.</p>

Schedule “C” – Special Exceptions			
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
SE 747 60 Arbour Road and 1375 Stone Church Road East (in part), Hamilton	Within the lands zoned Prestige Business Park (M3) Zone, identified on Maps 1451 and 1452 of Schedule “ A6 ” – Zoning Maps, and described as 60 Arbour Road and 1375 Stone Church Road East (in part) the following special provisions shall also apply:	Within the lands zoned Prestige Business Park (M3) Zone, identified on Maps 1451 and 1452 of Schedule “A” – Zoning Maps, and described as 60 Arbour Road and 1375 Stone Church Road East (in part) the following special provisions shall also apply:	While Schedule “A6” refers to the schedule number in the amending by-law, the special exception should refer to Schedule “A” – Zoning Maps of Zoning By-law No. 05-200.
SE 748 1603 Rymal Road East, Hamilton	Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1548 of Schedule “ A5 ” – Zoning Maps, and described as 1603 Rymal Road East the following special provisions shall also apply:	Within the lands zoned Arterial Commercial (C7) Zone, identified on Map 1548 of Schedule “A” – Zoning Maps, and described as 1603 Rymal Road East the following special provisions shall also apply:	While Schedule “A5” refers to the schedule number in the amending by-law, the special exception should refer to Schedule “A” – Zoning Maps of Zoning By-law No. 05-200.
SE 749 141 King Street East, Hamilton	Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1249 of Schedule “ A4 ” – Zoning Maps, and described as 141 King Street East, the following special provisions shall also apply:	Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1249 of Schedule “A” – Zoning Maps, and described as 141 King Street East, the following special provisions shall also apply:	While Schedule “A4” refers to the schedule number in the amending by-law, the special exception should refer to Schedule “A” – Zoning Maps of Zoning By-law No. 05-200.
SE 750 144 Wilson Street East, Hamilton	Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1228 of Schedule “ A18 ” – Zoning Maps, described as 144 Wilson Street East, the following special provisions shall also apply:	Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map 1228 of Schedule “A” – Zoning Maps, described as 144 Wilson Street East, the following special provisions shall also apply:	While Schedule “A18” refers to the schedule number in the amending by-law, the special exception should refer to Schedule “A” – Zoning Maps of Zoning By-law No. 05-200.

Schedule “C” – Special Exceptions			
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
SE 751 78 Highway No. 8, Flamborough	Within the lands zoned Settlement Commercial (S2) Zone, identified on Map 107 of Schedule “A19” – Zoning Maps, described as 78 Highway No. 8, the following special provisions shall also apply:	Within the lands zoned Settlement Commercial (S2) Zone, identified on Map 107 of Schedule “A” – Zoning Maps, described as 78 Highway No. 8, the following special provisions shall also apply:	While Schedule “A19” refers to the schedule number in the amending by-law, the special exception should refer to Schedule “A” – Zoning Maps of Zoning By-law No. 05-200.
SE 775 (new) 112 King Street West, Dundas	<p>775 Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a, 570, 775) Zone, identified on Map No. 860 of Schedule “A” – Zoning Maps, and described as 112 King Street West, the following special provision shall apply:</p> <p>a) Notwithstanding Section 5.6 c) iv), a minimum of five (5) parking spaces shall be provided.</p>	<p>775 Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a, 570, 775) Zone, identified on Map No. 860 of Schedule “A” – Zoning Maps, and described as 112 King Street West, the following special provision shall apply:</p> <p>a) Notwithstanding Section 5.6 c) iv), a minimum of five (5) parking spaces shall be provided.</p>	<p>To recognize the reduced parking requirements for commercial purposes granted by the Committee of Adjustment for Application DN/A-15:180.</p> <p>The variance was to Dundas Zoning By-law No. 3581-86 whereas the property is now subject to Zoning By-law No. 05-200. A medical clinic is proposed which was a permitted use under the former Dundas Zoning By-law and is a use permitted in the existing zoning on the property.</p>

Schedule “C” – Special Exceptions			
SE / Address	Existing Special Exception (Proposed Change)	Proposed Special Exception	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
SE 776 (new) 389 / 391 / 427 Limeridge Road East, Hamilton	776 Within the lands zoned Neighbourhood Institutional (I1, 776) Zone, identified on Map Nos. 1291 and 1292 of Schedule “A” – Zoning Maps, and described as 389 / 391 / 427 Limeridge Road East, the following special provision shall apply: a) In addition to Section 8.1.1, a Cemetery shall also be permitted and shall be subject to Section 7.4.2.	776 Within the lands zoned Neighbourhood Institutional (I1, 776) Zone, identified on Map Nos. 1291 and 1292 of Schedule “A” – Zoning Maps, and described as 389 / 391 / 427 Limeridge Road East, the following special provision shall apply: a) In addition to Section 8.1.1, a Cemetery shall also be permitted and shall be subject to Section 7.4.2.	The majority of the lands are to be added to Zoning By-law No. 05-200, with a small portion rezoned from C5 to I1. The Special Exception will recognize the existing use – cemetery.
SE 778 (new) 1609 and 1611 Brock Road, Flamborough	778 Within the lands zoned Settlement Residential (S1, 778) Zone, identified on Map Nos. 25 and 35 of Schedule “A” – Zoning Maps, and described as 1609 & 1611 Brock Road, the following special provision shall apply: a) Notwithstanding Section 12.3.3 a), the Minimum Lot Area shall be 0.17 hectares.	778 Within the lands zoned Settlement Residential (S1, 778) Zone, identified on Map Nos. 25 and 35 of Schedule “A” – Zoning Maps, and described as 1609 & 1611 Brock Road, the following special provision shall apply: a) Notwithstanding Section 12.3.3 a), the Minimum Lot Area shall be 0.17 hectares.	Special Exception 778 recognizes a reduced lot area for a portion of the property, to implement the decision of the Committee of Adjustment for severance application FL/B-22:02. The portion of the property subject to SE 778 represent the lands to be retained.

Schedule “D” – Holding Provisions			
Special Figure #	Proposed Change	Proposed Holding Provision	Rationale
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added	
H94 Pier 8, 65 Guise Street, Hamilton	That notwithstanding Section 14 and Schedule “C” – Special Exceptions, of this By-law, on those lands zoned Waterfront – Multiple Residential (WF1, H94) Zone, and Waterfront – Multiple Residential (WF1, 483, H94) Zone, and Waterfront – Mixed Use (WF2, H94) Zone, and Waterfront – Prime Retail Streets (WF3, H94) Zone, and Waterfront – Prime Retail Streets (WF3, 484, H94) Zone, and Community Institutional (I2, 486, H94) Zone on Map 827 of Schedule “A” – Zoning Maps, described as Pier 8, 65 Guise Street, no development shall be permitted until such time as:	That notwithstanding Section 14 and Schedule “C” – Special Exceptions, of this By-law, on those lands zoned Waterfront – Multiple Residential (WF1) Zone, Waterfront – Multiple Residential (WF1, 483) Zone, Waterfront – Mixed Use (WF2) Zone, Waterfront – Prime Retail Streets (WF3) Zone, -Waterfront – Prime Retail Streets (WF3, 484) Zone, and Community Institutional (I2, 486) Zone on Map 827 of Schedule “A” – Zoning Maps, described as Pier 8, 65 Guise Street, no development shall be permitted until such time as:	Technical corrections to properly identify the zones and to remove the holding number from the preamble.
H105 71 Rebecca Street, Hamilton	Notwithstanding Section 6.1 and Schedule “C” – Special Exceptions, of this By-law, on those lands zoned Downtown Central Business District (D1, 701, H17, H105) Zone, on Map 953 of Schedule “A” – Zoning Maps, described as 71 Rebecca Street, no development shall be permitted until: i) The Owner enters into a conditional	Notwithstanding Section 6.1 and Schedule “C” – Special Exceptions, of this By-law, on those lands zoned Downtown Central Business District (D1, 701, H17, H105) Zone, on Map 953 of Schedule “A” – Zoning Maps, described as 71 Rebecca Street, no development shall be permitted until: i) The Owner enters into a conditional building permit agreement with respect to completing	Through PED18195, By-law No. 18-293 introduced H105. H105 was updated through By-law No. 20-030 but was incorrectly added to Schedule “D” as H701. This change corrects this error by deleting H701 and deleting and replacing H105.

Schedule “D” – Holding Provisions			
Special Figure #	Proposed Change	Proposed Holding Provision	Rationale
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added	
	<p>building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton’s current RSC administration fee.</p>	<p>a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton’s current RSC administration fee.</p>	
H701 71 Rebecca Street, Hamilton	<p>Notwithstanding Section 6.1 and Schedule “C” – Special Exceptions, of this By-law, on those lands zoned Downtown Central Business District (D1, 701, H17, H105) Zone, on Map 953 of Schedule “A” – Zoning Maps, described as 71 Rebecca Street, no development shall be permitted until:</p> <p>i) The Owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition</p>		<p>Through PED18195, By-law No. 18-293 introduced H105. H105 was updated through By-law No. 20-030 but was incorrectly added to Schedule “D” as H701. Therefore, H701 is being deleted.</p>

Schedule "D" – Holding Provisions			
Special Figure #	Proposed Change	Proposed Holding Provision	Rationale
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added	
	<p>or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton's current RSC administration fee.</p>		
H125 (new) 65 Oak Avenue, Flamborough	<p>Notwithstanding Section 12.3 of this By-law, within a portion of the lands zoned Settlement Residential (S1) Zone on Map No. RU106 of Schedule "A" – Zoning Maps, and described as 65 Oak Avenue, no development shall be permitted until such time as:</p> <p>1. The owner submits a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted in hard copy and also</p>	<p>Notwithstanding Section 12.3 of this By-law, within a portion of the lands zoned Settlement Residential (S1) Zone on Map No. RU106 of Schedule "A" – Zoning Maps, and described as 65 Oak Avenue, no development shall be permitted until such time as:</p> <p>1. The owner submits a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted in hard copy and also submitted in CAD format, drawn at true scale and location and tied to the City corporate coordinate system.</p>	<p>The portion of the property zoned the Settlement Residential (R2) Zone in Flamborough Zoning By-law No. 95-145-Z is to be added to Zoning By-law No. 05-200 and zoned Settlement Residential (S1).</p> <p>A holding provision is being applied to the undeveloped portion of the property to recognize the conditions of approved severance Application FL/B-17:69, which must be fulfilled prior to development on the portion of the property that is to be severed.</p>

Schedule "D" – Holding Provisions			
Special Figure #	Proposed Change	Proposed Holding Provision	Rationale
	Grey highlighted strikethrough text = text to be deleted	bolded text = text to be added	
	<p>submitted in CAD format, drawn at true scale and location and tied to the City corporate coordinate system.</p> <p>2. That the proponent shall carry out an archaeological assessment of the portion of the property conveyed and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances shall take place on the subject property prior to the approval of the Director of Planning confirming that all archaeological resource concerns have met conservation requirements. All archaeological reports shall be submitted to the City of Hamilton concurrent with their submission to the Ministry of Tourism, Culture and Sport. Should deeply buried</p>	<p>2. That the proponent shall carry out an archaeological assessment of the portion of the property conveyed and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances shall take place on the subject property prior to the approval of the Director of Planning confirming that all archaeological resource concerns have met conservation requirements. All archaeological reports shall be submitted to the City of Hamilton concurrent with their submission to the Ministry of Tourism, Culture and Sport. Should deeply buried archaeological materials be found on the property during any of the above development activities the Ontario Ministry of Tourism, Culture and Sport (MTCS) should be notified immediately (416.314.7143). In the event that human remains are encountered during construction, the proponent should immediately contact both MTCS and the</p>	

Schedule "D" – Holding Provisions			
Special Figure #	Proposed Change	Proposed Holding Provision	Rationale
	<p>Grey highlighted strikethrough text = text to be deleted</p> <p>archaeological materials be found on the property during any of the above development activities the Ontario Ministry of Tourism, Culture and Sport (MTCS) should be notified immediately (416.314.7143). In the event that human remains are encountered during construction, the proponent should immediately contact both MTCS and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Small Business and Consumer Services (416.326.8392).</p> <p>3. The Applicant shall ensure compliance with Ontario Building Code requirements regarding spatial separation distances of any structures to the satisfaction of the Planning and Economic Development Department (Building Division - Plan Examination Section).</p>	<p>Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Small Business and Consumer Services (416.326.8392).</p> <p>3. The Applicant shall ensure compliance with Ontario Building Code requirements regarding spatial separation distances of any structures to the satisfaction of the Planning and Economic Development Department (Building Division - Plan Examination Section).</p>	

Schedule “F” – Special Figures			
Special Figure #	Proposed Change	Proposed Special Figure	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
Figure 10	Figure 10 Figure 25: Lime Ridge Mall	Figure 25: Lime Ridge Mall	There are two Special Figure 10's in Schedule “F”. Renumber Figure 10: Lime Ridge Mall, to Figure 25.
Figure 24	Figure 24 Figure 26: Maximum Building Height for 354 King Street West	Figure 26: Maximum Building Height for 354 King Street West	There are two Special Figure 24's in Schedule “F”. Renumber Figure 24: Maximum Building Height for 354 King Street West, to Figure 26.