SUBJECT: City Initiative – Housekeeping Amendments to Comprehensive Zoning By-law 05-200, City of Hamilton Zoning By-law 6593, Town of Dundas Zoning By-law No. 3581-86 and Town of Flamborough Zoning By-law No. 90-145-Z (PED08194) (City Wide)

RECOMMENDATION:

(a) That approval be given to City Initiative CI-08-I to provide housekeeping amendments to the City’s Comprehensive Zoning By-law, known as Zoning By-law 05-200, former City of Hamilton Zoning By-law 6593, former Town of Dundas Zoning By-law No. 3581-86 and former Town of Flamborough Zoning By-law No. 90-145-Z.

(b) That the attached draft Zoning By-laws, marked as Appendices “A”, “B”, “C” and “D” to Report PED08194, which have been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(c) That the attached draft By-law amending the License Code By-law 07-170, marked as Appendix “F” to Report PED08194, prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(d) That item “P” be removed from the Outstanding Business List.

Tim McCabe
General Manager
Planning and Economic Development Department
EXECUTIVE SUMMARY:

Further to commitment to Council, staff continues to monitor the existing Zoning By-laws and where necessary bring forward housekeeping amendments to ensure that the By-laws remain up to date, provide clarification for interpretation issues and correct any issues within the Zoning By-laws.

Specific amendments recommended as part of this report include the following:

1. **Comprehensive Zoning By-law 05-200:**
   - clarifying wording to provide easier interpretation;
   - permitting bay windows/alcoves to encroach into required yards;
   - allowing for temporary sales offices for multiple dwellings;
   - amending the parking requirement for Places of Worship to 1 space per 15 square metres of gross floor area;
   - addressing the issue of multiple buildings constructed on a lot where a maximum yard setback from a street line is required;
   - provide zoning regulations for Educational Establishment within the Downtown Multiple Residential (D6) Zone
   - provide zoning regulations for Recreation within the Major Institutional (I3) Zone;
   - zone 150 King Street East as Conservation/Hazard Lands (P5) Zone which is a property recently acquired by the Conservation Authority; and,
   - zone former Dundas District outdoor play area to Neighbourhood Park (P1) Zone to reflect acquisition by the City for park purposes.

2. **City of Hamilton Zoning By-law 6593**
   - remove reference to “bath house” and “public bath”; and,
   - modify definition of “habitable room” to delete exclusion of “cellar”.

3. **Town of Dundas**
   - rezone two properties – 67 and 83 Watsons Lane - where single detached dwellings exist within an Open Space – Conservation (OS) zone.

4. **Town of Flamborough**
   - correct a by-law related to minimum lot frontage.

To implement the amendments to the former Hamilton Zoning By-law 6593, amendments are being proposed to the City of Hamilton Licensing Code By-law 07-170 to remove the references to “public bath”. 
BACKGROUND:

City Council previously enacted new Zones for the City including Downtown Zones, Open Space and Parks Zones, and Institutional Zones of the new Comprehensive Zoning By-law 05-200 for the City of Hamilton. During the presentations and approval, staff stated that the Zoning By-law is intended to be a “living document” which needs to be monitored on an on-going basis. The intent is to ensure the Zoning By-law remains easy to use, but continues to remedy any interpretation issues that may arise.

Along with monitoring the comprehensive Zoning By-law, other issues arose from various former municipal Zoning By-laws which need to be addressed. The following section outlines the proposed changes and rationale for the recommendations.

Zoning By-law Reform staff continues to work with the Building Services Division and Development Planning staff to identify any amendments that should be undertaken to provide easier use of, and clarity in, the new Comprehensive Zoning By-law.

ANALYSIS/RATIONALE:

The following outlines the analysis and rationale for the proposed amendments to the various Zoning By-laws:

1. Comprehensive Zoning By-law 05-200 (Appendix A, to report PED08194):
   a) Several modifications are recommended to clarify existing wording and interpretation of regulations including:
      i) to permit a bay window or alcove to encroach into a required yard but limit encroachment and width;
         ▪ This amendment is a wording clarification to permit encroachments but limit the length so that there are not encroachments along an entire side of a dwelling.
      ii) to permit temporary sales office for multiple dwellings;
         ▪ The current By-law permits temporary sales offices for “houses” within a residential plan of subdivision and is being amended to permit temporary sales offices for multiple dwelling projects.
      iii) application of regulations related to visual barriers;
         ▪ Clarification of wording to remove interpretation issues.
      iv) maximum building setbacks are only from a street line;
         ▪ Clarification of wording to ensure maximum building setbacks are only from the street line, as opposed to interior lot lines.
      v) clarification related to construction of additional buildings on a lot when a building exists at the street line;
         ▪ New wording added so that where a building exists at a street in conformity to the By-law regulations, additional buildings can be
vi) rooftop mechanical, stair towers and elevator bulkheads are not subject to maximum building setbacks from a street line;

- Clarification of wording not requiring these types of structures to necessarily be located at the street line.

vii) provide zoning regulations for Educational Establishment within the Downtown Multiple Residential (D6) Zone;

viii) provide zoning regulations for Recreation within the Major Institutional (I3) Zone; and,

ix) accessory buildings and structures, e.g. garbage enclosures, are not subject to maximum building setbacks from a street line setbacks;

b) Issues of interpretation have arisen related to the existing parking requirement for Places of Worship, which is as follows:

<table>
<thead>
<tr>
<th>Place of Worship</th>
<th>1 for every classroom plus 1 for each 7 seat capacity in that part of the building used for worship or 1 for every classroom plus 1 for each 23.0 square metres of floor area used for hall, auditorium or similar use involving the assembly of persons not including the place of worship, whichever results in the greater requirement.</th>
</tr>
</thead>
</table>

The regulation has resulted in issues related to the lack of clarity related to different methods of worshiping (e.g. fixed seating versus open area). Further research was undertaken on various municipal parking requirements (as shown in the Appendix E to Report PED08194). A recent Place of Worship proposal for an approximate 800 sm building, with a congregation of 140 people, was reviewed under a site plan application. The existing By-law requirements, based on the plans submitted, would only require 17 parking spaces. This example has been used in reviewing other municipal calculations of parking requirements resulting a range of required parking from 0 – 216 spaces.

From this review, it can be seen that there are a wide variety of parking requirements that result in a substantial range of required parking spaces. It is staff opinion that a parking requirement based on building gross floor area, inclusive of areas related to worship, classrooms, common area and hall would be easy to understand and implement. Further, it is not the intent to have a parking requirement that creates large parking lots used few times a
As a result, staff is proposing the following parking requirement:

| Place of Worship | 1 for every 15 square metres of gross floor area, inclusive of a basement or cellar, to accommodate such use. |

Based on the Place of Worship example used, the calculation would result in a parking requirement of 54 parking spaces for the 800 sm building and 140 person congregation. It should be noted that should any Place of Worship have a Building Permit application submitted prior to this By-law coming into affect, the new parking requirements will not apply.

c) Dundas District School

During the implementation of the Institutional Zones, Dundas District school was zoned Neighbourhood Institutional (I1) Zone reflecting the existing elementary school. This zoning includes the property with the school as well as land across Main Street which was the playfields for the school. Since that time, the school has been deemed surplus by the School Board. The City has acquired the outdoor playfields for the purpose of creating a neighbourhood park.

To that end, it is recommended that the new City property containing the play fields be rezoned from Neighbourhood Institutional (I1) Zone to Neighbourhood Park (P1) Zone to reflect the future use of the lands.

d) Building Restrictions on Institutional Properties within Ainslie Wood/Westdale Neighbourhoods

During the implementation of the Institutional Zones, Council approved a direction that permitted residential uses as-of-right within the Institutional Zones. Only existing institutional uses were zoned.

Inquiries have been received where some institutional uses are considering selling/moving which could lead to the possible development of duplex, single detached dwellings or semi-detached dwellings permitted within the Institutional Zones. The “monster home” zoning regulations were not included within the Institutional Zones as it was not anticipated that the existing long term institutional uses would change.

Until a complete review of the Official Plan policies and implementing zoning determined, it is the intent of staff to maintain the “monster home” regulations
to limit development. To that end, staff has recommended to rezone all the Neighbourhood Institutional and Community Institutional sites with a Special Exception to reflect the existing “monster home” zoning regulations. These regulations relate to building height, maximum gross floor area and parking requirements related to habitable rooms and ensure that any redevelopment of institutional sites to residential be consistent with existing residential zoning in the Ainslie Wood/Westdale Neighbourhoods.

e) 150 King Street East, Dundas

The Hamilton Conservation Authority (HCA) acquired a former greenhouse property which is located within the flood plain in the former Town of Dundas. The site is currently zoned Highway Commercial (CH-FP/S-28). At the request of the HCA, it is proposed the site be rezoned to Conservation/Hazard Land (P5) Zone which provides consistency with the protection of the land related to its location within the flood plain.

2. Former City of Hamilton Zoning By-law (Appendix “B”, to Report PED08194)

a) “Bath house” and “public bath”

The former City of Hamilton Zoning By-law was developed in the 1950s and has been subject of many variances since that time. Some terms exist within the By-law that are no longer relevant use and can be misinterpreted.

The By-law still permits and references a “bath house” and “public bath” which were communal facilities that existed at the time of the original By-law. There are examples where a business was calling itself and licensed as a “bath house” but through enforcement was determined to be a Body Rub Parlour. As a note, from research of other municipalities, this term cannot be found within existing Zoning By-laws.

While these facilities still do exist in Europe and Asia as spas, they are not commonly found within North America and none exist within Hamilton. To avoid issues of interpretation, staff has recommended the removal of all references to “bath house” and “public bath”. Should a proponent want to create a new “bath house” or “public bath” within the City, the use will be evaluated through a rezoning application.

With the removal of these terms from the City of Hamilton Zoning By-law, the “bath house” could be considered a personal service or where permitted through licensing could also be considered a Body Rub Parlour. The illegal use of properties remains an enforcement issue should a business not comply with zoning.
To further implement this change, the Licensing Code By-law 07-170 is being amended to remove the license category for Public Baths, so that the Code and Zoning definitions coincide with the list of permitted uses, as per “Appendix F.”

b) Modify definition of “habitable room”

Previous amendments to the former City of Hamilton included the development of a definition for “habitable room”. At the time of the development of this definition, the Building Code did not permit a habitable room within a “cellar”. Since that time, the Building Code has changed and now permits habitable rooms within a cellar.

Parking requirements for a single family dwelling are based on 2 spaces per dwelling plus 0.5 spaces per additional habitable room. With the changes to the Building Code, additional habitable rooms permitted in cellars should be subject to the increased parking requirements. It is recommended that the exclusion of cellar from the definition of “habitable room” be removed.

With the implementation of this recommended change, staff has the ability to regulate the potential concentration issue as it relates to student rental housing, subject to compliance with parking requirements.

3. Former Town of Dundas Zoning By-law (Appendix “C” to Report PED08194)

Earlier this year, the owners of 83 Watsons Lane approached the City to build an addition onto their existing single detached dwelling. Through the circulation of a minor variance application, it was found that the existing dwellings were located on lands that are zoned Open Space - Conservation (OS) Zone. The “OS” Zone does not permit a single detached dwelling.

From research undertaken, it is found that in 1984 a Building Permit was issued for single detached dwellings to be constructed on 67 and 83 Watsons Lane. At that time, the lands were zoned “OS” under the former Dundas By-law. Review was undertaken with Building Department, the Niagara Escarpment Commission and former Town of Dundas staff; no explanation can be provided for the issuance of the permits at that time.

To rectify the inconsistencies, staff recommends that 67 Watsons Lane be rezoned to a site specific OS zone to permit the existing single detached dwelling. It is also recommend that the portion of 83 Watsons Lane which includes the existing dwelling and manicured lawn be rezoned consistent with the abutting “Single-Detached Residential (R2)” Zone, which would permit the proposed addition.
The areas of the two properties, where the existing single detached dwellings are located, are within the Boer’s Creek – Rock Chapel Environmentally Sensitive Area. As the proposed rezoning represents recognition of an existing situation and can be supported without further study. While that portion of the properties where the existing homes are located are designated Conservation/Hazard Land, Policy 5.2.1 of the former Town of Dundas Official Plan allows for interpretation of the land use boundaries through the Zoning By-law without amendment to the Official Plan. For the property located at 83 Watsons Lane, it is interpreted as being within the “Residential Neighbourhoods”. However, for the property located at 67 Watsons Lane, it is recommended that the portion of the property remain Conservation/Hazard Lands to limit any future development.

4. Town of Flamborough (Appendix “D” to Report PED08194)

A typographical error was made through the implementation of a rezoning application for 591 Safari Road whereby “minimum lot frontage” was inadvertently written as “maximum lot frontage”. Staff is recommending correcting this error.

**ALTERNATIVES FOR CONSIDERATION:**

If this By-law is not approved, there is potential for questions and inconsistencies in the interpretation and application of the City’s new Comprehensive Zoning By-law.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Financial: N/A.

Staffing: N/A.

Legal: As required by the Planning Act, Council will hold at least one (1) Public Meeting to consider an amendment to the Zoning By-law.

As required by the Municipal Act, notice shall be given related to the intent to pass an amendment.

**POLICIES AFFECTING PROPOSAL:**

No policies are affected by this amendment.

**RELEVANT CONSULTATION:**

Consultation has been undertaken with the Legal Services Division and internal Divisions (Building Engineering and Zoning Section and Development Planning Section of the Planning and Economic Development Department) to discuss any issues that have arisen in the implementation of the new Comprehensive Zoning By-law.
Notice of the Housekeeping amendments has been posted in the Hamilton Spectator, as per the Planning Act, and all property owners directly affected by the new Institutional Site Specific have been mailed a letter outlining the proposed amendments.

**CITY STRATEGIC COMMITMENT:**

By evaluating the “Triple Bottom Line”, (community, environment, and economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No

Amendments provide for clarity to the Comprehensive Zoning By-law to better understand and interpret the document.

Environmental Well-Being is enhanced. ☐ Yes ☑ No

Economic Well-Being is enhanced. ☑ Yes ☐ No

With greater clarity to the regulations, economic decisions will not be impacted by an incorrect interpretation of the regulations.

Does the option you are recommending create value across all three bottom lines? ☐ Yes ☑ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☑ Yes ☐ No

These amendments provide for clarification and enable easier interpretation of the document.

AF/dkm
Attachs. (5)
WHEREAS the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the City of Hamilton Act, 1999, S.O. 1999, Chap. 14;

AND WHEREAS the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law 05-200;

AND WHEREAS it was desirable to enact a new Zoning By-law to comprehensively deal with zoning throughout the City;

AND WHEREAS this By-law provides for housekeeping amendments to By-law 05-200, as hereinafter described and depicted;

AND WHEREAS the Council of the City of Hamilton, in adopting Section ______ of Report ______ of the Economic Development and Planning Committee at its meeting held on the ______ day of ________, 2008, recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Section 4.6, of By-law 05-200, be amended by adding the following regulation:

“f) A bay window or alcove, without foundation, may encroach into any required yard to a maximum of 0.6 metres or half the distance of
the required yard, whichever the lesser. No such feature shall have
a width greater than 3.0 metres.”

2. That Section 4.18 b), of By-law 05-200, be amended by deleting the words
“in a residential subdivision” and replace the word “houses” with the words
“dwelling unit(s)”.

3. That Section 4.19, of By-law 05-200, be amended by deleting the words
“in any zone a visual barrier is required” and replacing with the words “this
By-law requires a visual barrier”;

4. That Section 5.6 a), of By-law 05-200, be amended by deleting the
following:

| Place of Worship | 1 for every classroom plus 1 for each 7 seat capacity in that part of the building used for worship or 1 for every classroom plus 1 for each 23.0 square metres of floor area used for hall, auditorium or similar use involving the assembly of persons not including the place of worship, whichever results in the greater requirement. |

and replace it with the following:

| Place of Worship | 1 for every 15 square metres of gross floor area, inclusive of a basement or cellar, to accommodate such use. |

5. That Section 5.6 c), of By-law 05-200, be amended by deleting the
following:

| Place of Worship | 1 for every classroom plus 1 for each 7 seat capacity in that part of the building used for worship or 1 for every classroom plus 1 for each 23.0 square metres of floor area used for hall, auditorium or similar use involving the assembly of persons not including the place of worship, whichever results in the greater requirement. |
and replace it with the following:

| Place of Worship                                                                 | 1 for every 15 square metres of gross floor area, inclusive of a basement or cellar, to accommodate such use. |

6. That Section 6.1.3 a), of By-law 05-200, be amended by adding the words “from a Street Line” be added after the words “Maximum Building Setback”;

7. That Section 6.1.3 a), of By-law 05-200, be amended to add the following:

   “iv) Where a building(s) has been constructed and complies with section 6.1.3 c) ii) below, additional buildings constructed on the subject property shall not be subject to section 6.1.3 a) i) above, as it relates to the setback from a front lot line.

   v) Rooftop mechanical penthouse, stair tower and elevator bulkhead shall not be subject to section 6.1.3 a) i) above.

   vi) Accessory buildings and structures shall not be subject to 6.2.3 a) i) above.”

8. That Section 6.2.3 a), of By-law 05-200, be amended by adding the words “from a Street Line” be added after the words “Maximum Building Setback”;

9. That Section 6.2.3 a) of this By-law be amended to add the following:

   “iv) Where a building(s) has been constructed and complies with section 6.2.3 c) ii) below, additional buildings constructed on the subject property shall not be subject to section 6.2.3 a) i) above, as it relates to the setback from a front lot line.

   v) Rooftop mechanical penthouse, stair tower and elevator bulkhead shall not be subject to section 6.2.3 a) i) above.

   vi) Accessory buildings and structures shall not be subject to 6.2.3 a) i) above.”

10. That Section 6.3.3 a), of By-law 05-200, be amended by adding the words “from a Street Line” be added after the words “Maximum Building Setback”;
11. That Section 6.3.3 a), of By-law 05-200, be amended to add the following:

   “iv) Where a building(s) has been constructed and complies with section 6.3.3 c) ii) below, additional buildings constructed on the subject property shall not be subject to section 6.3.3 a) i) above, as it relates to the setback from a front lot line.

   v) Rooftop mechanical penthouse, stair tower and elevator bulkhead shall not be subject to section 6.2.3 a) i) above.

   vi) Accessory buildings and structures shall not be subject to 6.2.3 a) i) above.”

12. That Section 6.4.3 a), of By-law 05-200, be amended by adding the words “from a Street Line” be added after the words “Maximum Building Setback”;

13. That Section 6.6.2.1, of By-law 05-200, be amended by adding the words “Educational Establishment” prior to the words “Emergency Shelter”;

14. That Section 8.3.2.2, of By-law 05-200, be amended by adding the “Recreation” between “Medical Office” and “and Multiple Dwellings”;

15. That Maps 817 and 859 of Schedule “A”, of By-law 05-200, be amended by changing the zoning for lands located at the south-west corner Bond Street South and King Street West, the extent and boundaries of the lands, attached to this By-law as Schedule “A” from the “Neighbourhood Institutional (I1) Zone” to the “Neighbourhood Park (P1) Zone”.

16. That Map 949 of Schedule “A”, of By-law 05-200, be amended by changing the zoning for the property known as 125 Cline Avenue South, the extent and boundaries of the lands attached to this By-law as Schedule “B”, from the “Neighbourhood Institutional (I1) Zone” to the “Neighbourhood Institutional (I1) Zone, modified by Special Exception 17.

17. That Map 866 of Schedule “A”, of By-law 05-200, be amended by changing the zoning for the property known as 201 Paradise Road North, the extent and boundaries of the lands attached to this By-law as Schedule “C” from the “Neighbourhood Institutional (I1) Zone” to the “Neighbourhood Institutional (I1) Zone, modified by Special Exception 17.

18. That Map 866 of Schedule “A”, of By-law 05-200, be amended by changing the zoning for the property known as 69 Sanders Boulevard, the extent and boundaries of the lands attached to this By-law as Schedule
“D” from the “Community Institutional (I2) Zone” to the “Community Institutional (I2) Zone”, modified by Special Exception 17.

19. That Maps 906 and 948 of Schedule “A”, of By-law 05-200, be amended by changing the zoning for the property known as 1152 Main Street West the extent and boundaries of the lands attached to this By-law as Schedule “E”, from the “Neighbourhood Institutional (I1) Zone” to the “Neighbourhood Institutional (I1) Zone”, modified by Special Exception 17.

20. That Map 907 of Schedule “A”, of By-law 05-200, be amended by changing the zoning for the property known as 1140 and 1155 King Street West, the extent and boundaries of the lands attached to this By-law as Schedule “F”, from the “Neighbourhood Institutional (I1) Zone” to the “Neighbourhood Institutional (I1) Zone”, modified by Special Exception 17.

21. That Map 907 of Schedule “A”, of By-law 05-200, be amended by changing the zoning for the property known as 96-100 North Oval and 99 North Oval, the extent and boundaries of the lands attached to this By-law as Schedule “G”, from the “Neighbourhood Institutional (I1) Zone” to the “Neighbourhood Institutional (I1) Zone”, modified by Special Exception 17.

22. That Map 907 of Schedule “A”, of By-law 05-200, be amended by changing the zoning for the property known as 215 Cline Avenue North, 900 King Street West and 2 Bond Street North, the extent and boundaries of the lands attached to this By-law as Schedule “H”, from the “Neighbourhood Institutional (I1) Zone” to the “Neighbourhood Institutional (I1) Zone”, modified by Special Exception 17.

23. That Map 948 of Schedule “A”, of By-law 05-200, be amended by changing the zoning for the property known as 1349 Main Street West and 1355 Main Street West, the extent and boundaries of the lands attached to this By-law as Schedule “I”, from the “Neighbourhood Institutional (I1) Zone” to the “Neighbourhood Institutional (I1) Zone”, modified by Special Exception 17.

24. That Maps 988 and 989 of Schedule “A”, of By-law 05-200, be amended by changing the zoning for the property known as 143 and 150 Lower Horning Road, the extent and boundaries of the lands attached to this By-law as Schedule “J”, from the “Neighbourhood Institutional (I1) Zone” to the “Neighbourhood Institutional (I1) Zone”, modified by Special Exception 17.

25. That Maps 988 and 989 of Schedule “A”, of By-law 05-200, be amended by changing the zoning for the property known as 7 Butty Place, the extent and boundaries of the lands attached to this By-law as Schedule “K”, from
the “Neighbourhood Institutional (I1) Zone” to the “Neighbourhood Institutional (I1) Zone”, modified by Special Exception 17.

26. That Maps 947 and 989 of Schedule “A”, of By-law 05-200, be amended by changing the zoning for the property known as 80 and 84 Ewen Road, the extent and boundaries of the lands attached to this By-law as Schedule “L”, from the “Neighbourhood Institutional (I1) Zone” to the “Neighbourhood Institutional (I1) Zone”, modified by Special Exception 17.

27. That Map 989 of Schedule “A”, of By-law 05-200, be amended to include additional zone boundaries, for the property known as 261 Whitney Avenue, the extent and boundaries of the lands attached to this By-law as Schedule “M”, and be zoned “Neighbourhood Institutional (I1) Zone”, modified by Special Exception 17.

28. That Map 989 of Schedule “A”, of By-law 05-200, be amended by changing the zoning for the property known as 125 Rifle Range Road, the extent and boundaries of the lands attached to this By-law as Schedule “N”, from the “Neighbourhood Institutional (I1) Zone” to the “Neighbourhood Institutional (I1) Zone”, modified by Special Exception 17.

29. That Maps 947 and 989 of Schedule “A”, of By-law 05-200, be amended by changing the zoning for the property known as 200 Whitney Avenue, the extent and boundaries of the lands attached to this By-law as Schedule “O”, from the “Community Institutional (I2) Zone” to the “Community Institutional (I2) Zone”, modified by Special Exception 17.

30. That Map 990 of Schedule “A”, of By-law 05-200, be amended by:

   a) changing the zoning for the property known as 235 Bowman Street and 29 Wilmont Court, the extent and boundaries of the lands attached to this By-law as Schedule “P”, from the “Community Institutional (I2) Zone” to the “Community Institutional (I2) Zone”, modified by Special Exception 17; and,

   b) changing the zoning for the property known as 265 Bowman Street, the extent and boundaries of the lands attached to this By-law as Schedule “P”, from the “Neighbourhood Institutional (I1) Zone” to the “Neighbourhood Institutional (I1) Zone”, modified by Special Exception 17.

31. That Map 866 of Schedule “A”, of By-law 05-200, be amended by changing the zoning for the property known as 100 Macklin Street North, the extent and boundaries of the lands attached to this By-law as Schedule “Q”, from the “Community Institutional (I2) Zone” to the “Community Institutional (I2) Zone”, modified by Special Exception 17.
32. That Map 862 of Schedule “A”, of By-law 05-200, be amended to include additional zone boundaries, for the property known as 150 King Street East, the extent and boundaries of the lands attached to this By-law as Schedule “R”, and be zoned the “Conservation/Hazard Land (P5) Zone”.

33. That Schedule “C” of By-law 05-200 is amended by adding an additional special exception as follows:

“17. Within the lands zoned Neighbourhood Institutional (I1) Zone and Community Institutional (I2) Zone, identified on Maps 886, 906, 907, 947, 948, 949, 988, 989 and 990 of Schedule “A” and described as addresses:

- 2 Bond Street North
- 266 Bowman Street
- 125 Cline Avenue South
- 80 Ewen Road
- 900 King Street West
- 143 Lower Horning Road
- 1152 Main Street West
- 1349 Main Street West
- 100 Macklin Street North
- 99 North Oval
- 69 Sanders Boulevard
- 200 Whitney Avenue
- 28 Wilmont Court

as it relates to the following permitted uses:

- Duplex Dwelling
- Semi-Detached Dwelling
- Single Detached Dwelling

the following special provisions shall apply:

a) notwithstanding Sections 8.1.3.3 g) and 8.2.3.3 g), of By-law 05-200, no building or structure shall exceed 2 storeys or 9.0 metres in height;
b) no building or structure shall have a gross floor area greater than the area within the zone of the lot on which it is situate, multiplied by the floor area ration factor of 0.45;

c) notwithstanding Section 2, of By-law 05-200, for the purposes of this By-law gross floor area is the aggregate of the areas of the building or structure, including the basement or cellar, but shall not include:

   i) an attached garage;
   ii) a detached garage; and,
   iii) the floor area occupied by heating, air conditioning and laundry equipment.

d) for purposes of determining gross floor area for any portion of the dwelling where the ceiling height exceeds 4.6 metres, that portion of the dwelling shall be multiplied by 1.9;

e) notwithstanding Section 5.6 c), of By-law 05-200 and for the purposes of this By-law, parking shall be calculated based on the following:

<table>
<thead>
<tr>
<th>Dwelling Type</th>
<th>Calculation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duplex Dwelling</td>
<td>1 for each dwelling unit, for the first 8 habitable rooms in the dwelling unit plus 0.5 for each additional habitable room.</td>
</tr>
<tr>
<td>Semi-Detached Dwelling</td>
<td></td>
</tr>
<tr>
<td>Single Detached Dwelling</td>
<td></td>
</tr>
</tbody>
</table>

where "habitable room" means any room of a residential building, used or capable of being used by one or more persons for living, eating or sleeping, or as a kitchen serving a dwelling unit; but does not include a bathroom, laundry, serving or storage pantry, corridor or other space not for use frequently or during extended periods."

34. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this ___ day of ______, 2008.

Fred Eisenberger
Mayor

Kevin C. Christenson
Clerk

CI-08-I
Appendix "A" to Report PED08194
Page 9 of 26

This is Schedule "A" to By-Law No. 08-
Passed the .......... day of ....................... , 2008

Clerk
Mayor

Schedule "A"
Map Forming Part of
By-Law No. 08-_____

to Amend By-law No.05-200
(Maps 817 and 859)

Subject Property

[Map showing a shaded area within the city blocks, indicating the property to be rezoned]

Lands to be rezoned from Neighbourhood Institutional (I1) Zone to Neighbourhood Park (P1) Zone

Scale:
N.T.S.

File Name/Number:
Schedule A 11 to P1

Date:
July 28, 2008

Planner/Technician:
AF/MC

Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Schedule "B"

Map Forming Part of By-Law No. 08-______
to Amend By-law No. 05-200
(Map 949)

Subject Property
125 Cline Avenue South

Lands to be rezoned from Neighbourhood Institutional (11) Zone to Neighbourhood Institutional (11) Zone, modified.

This is Schedule "B" to By-Law No. 08-
Passed the .......... day of ......................, 2008

Clerk

Mayor
Schedule "C"

Map Forming Part of
By-Law No. 08-____
to Amend By-law No. 05-200
(Map 866)

Subject Property
201 Paradise Road North
Lands to be rezoned from Neighbourhood Institutional (I1) Zone to Neighbourhood Institutional (I1) Zone, modified.
This is Schedule "D" to By-Law No. 08-
Passed the .......... day of ................... , 2008

Schedule "D"

Map Forming Part of By-Law No. 08-____
to Amend By-law No. 05-200
(Map 866)

Subject Property
69 Sanders Boulevard

Lands to be rezoned from Community Institutional (12) Zone to Community Institutional (12) Zone, modified.
This is Schedule "E" to By-Law No. 08-
Passed the .......... day of ..................., 2008

---

Schedule "E"

Map Forming Part of
By-Law No. 08-____
to Amend By-law No. 05-200
(Map 906 and 948)

Subject Property
1152 Main Street West

Lands to be rezoned from Neighbourhood
Institutional (II) Zone to Neighbourhood
Institutional (II) Zone, modified.

---

Scale: N.T.S. File Name/Number: 1152 Main Street West
Date: July 30, 2008 Planner/Technician: AF/IDG
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
This is Schedule "F" to By-Law No. 08-
Passed the .......... day of .................., 2008

Clerk

Mayor

Schedule "F"

Map Forming Part of
By-Law No. 08-____
to Amend By-law No. 05-200
(Map 907)

Subject Property

1140 King Street West
1155 King Street West

Lands to be rezoned from Neighbourhood Institutional (II) Zone to Neighbourhood Institutional (II) Zone, modified.
Appendix "A" to Report PED08194
Page 15 of 26

This is Schedule "G" to By-Law No. 08-
Passed the .......... day of ....................., 2008

Schedule "G"
Map Forming Part of
By-Law No. 08-_____ to Amend By-law No. 05-200
(Map 907)

Subject Property

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>96</td>
<td>96 - 100 North Oval</td>
</tr>
<tr>
<td>99</td>
<td>99 North Oval</td>
</tr>
</tbody>
</table>

Lands to be rezoned from Neighbourhood Institutional (II) Zone to Neighbourhood Institutional (II) Zone, modified.
Schedule "H"

Map Forming Part of By-Law No. 08______
to Amend By-law No. 05-200
(Map 907)

Subject Property

- 215 Cline Avenue North
- 900 King Street North
- 2 Bond Street North

Lands to be rezoned from Neighbourhood Institutional (II) Zone to Neighbourhood Institutional (II) Zone, modified.
Schedule "I"

Map Forming Part of By-Law No. 08-____ to Amend By-law No. 05-200
(Map 948)

Subject Property

- 1349 Main Street West
- 1355 Main Street West

Lands to be rezoned from Neighbourhood Institutional (I) Zone to Neighbourhood Institutional (I) Zone, modified.

This is Schedule "I" to By-Law No. 08-

Passed the .......... day of ...................., 2008

Clerk

Mayor

Scale:
N.T.S.

File Name/Number:
1349 & 1355 Main St W

Date:
July 30, 2008

Planner/Technician:
AF/DG

Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Schedule "J"

Map Forming Part of
By-Law No. 08-____
to Amend By-law No. 05-200
(Maps 988 and 989)

Subject Property

- 143 Lower Horning Road
- 150 Lower Horning Road

Lands to be rezoned from Neighbourhood Institutional (II) Zone to Neighbourhood Institutional (II) Zone, modified.

This is Schedule "J" to By-Law No. 08-
Passed the ........... day of ....................., 2008

Clerk

Mayor

Scale: N.T.S.
File Name/Number: 143 & 150 Lower Horning Rd
Date: July 30, 2008
Planner/Technician: AF/DG

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Hamilton
This is Schedule "K" to By-Law No. 08-_____
Passed the .......... day of ...................., 2008

Schedule "K"
Map Forming Part of By-Law No. 08-_____
to Amend By-law No. 05-200
(Maps 988 and 989)

<table>
<thead>
<tr>
<th>Subject Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>7 Butty Place</td>
</tr>
<tr>
<td>Lands to be rezoned from Neighbourhood Institutional (II) Zone to Neighbourhood Institutional (II) Zone, modified.</td>
</tr>
</tbody>
</table>

Scale:
N.T.S.

File Name/Number:
7 Butty Place

Date:
July 30, 2008

Planner/Technician:
AF/DG

Hamilton
Planning and Economic Development Department
Schedule "L"

Map Forming Part of By-Law No. 08-_____

Passed the ............ day of .........................., 2008

Subject Property

- 80 Ewen Road
- 84 Ewen Road

Lands to be rezoned from Neighbourhood Institutional (II) Zone to Neighbourhood Institutional (II) Zone, modified.
This is Schedule "M" to By-Law No. 08-
Passed the ........ day of ......................, 2008

Schedule "M"

Map Forming Part of
By-Law No. 08-_____
to Amend By-law No. 05-200
(Map 989)

Subject Property
261 Whitney Avenue

[Redacted]
Lands to be zoned Neighbourhood Institutional (II) Zone, modified.

Scale: N.T.S.
File Name/Number: 261 Whitney Avenue
Date: July 30, 2008
Planner/Technician: AF/DG

Hamilton
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Schedule "N"

Map Forming Part of By-Law No. 08-____
to Amend By-law No. 05-200
(Map 989)

This is Schedule "N" to By-Law No. 08-
Passed the .......... day of ....................., 2008

Clerk

Mayor

Subject Property
125 Rifle Range Road

Lands to be rezoned from Neighbourhood Institutional (II) Zone to Neighbourhood Institutional (II) Zone, modified.
Schedule "O"

Map Forming Part of By-Law No. 08-____
to Amend By-law No. 05-200
(Map 947 and 989)

This is Schedule "O" to By-Law No. 08-
Passed the .......... day of ..................., 2008

Subject Property
200 Whitney Avenue
Lands to be rezoned from Community Institutional (12) Zone to Community Institutional (12) Zone, modified.

<table>
<thead>
<tr>
<th>Scale: N.T.S.</th>
<th>File Name/Number: 200 Whitney Avenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date: July 30, 2008</td>
<td>Planner/Technician: AFDG</td>
</tr>
</tbody>
</table>

Hamilton PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
This is Schedule "P" to By-Law No. 08-
Passed the ............. day of ....................., 2008

---

Clerk

---

Mayor

**Schedule "P"**

Map Forming Part of
By-Law No. 08-____
to Amend By-law No. 05-200
(Map 990)

<table>
<thead>
<tr>
<th>Subject Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>29 Wilmont Court</td>
</tr>
<tr>
<td>235 Bowman Street</td>
</tr>
<tr>
<td>Lands to be rezoned from Community Institutional (I2) Zone to Community Institutional (I2) Zone, modified.</td>
</tr>
<tr>
<td>265 Bowman Street</td>
</tr>
<tr>
<td>Lands to be rezoned from Neighbourhood Institutional (I1) Zone to Neighbourhood Institutional (I1) Zone, modified.</td>
</tr>
</tbody>
</table>

---

Planning and Economic Development Department

---

Scale: N.T.S.
File Name/Number: 235 & 265 Bowman St.
Date: July 30, 2008
Planner/Technician: AF/DG

Hamilton
This is Schedule "Q" to By-Law No. 08-
Passed the ........ day of ......................, 2008

---

Clerk

---

Mayor

**Schedule "Q"**

Map Forming Part of By-Law No. 08-_____ to Amend By-law No. 05-200
(Map 866)

<table>
<thead>
<tr>
<th>Subject Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>100 Mackin Street North</td>
</tr>
</tbody>
</table>

Lands to be rezoned from Community Institutional (I2) Zone to Community Institutional (I2) Zone, modified.

---

Scale: N.T.S.  
File Name/Number: 100 Mackin Street North
Date: July 30, 2008  
Planner/Technician: AF/DG

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Hamilton
Appendix "A" to Report PED08194
Page 26 of 26

This is Schedule "A" to By-Law No. 08-
Passed the ........... day of ................., 2008

Schedule "R"

Map Forming Part of By-Law No. 08-_____ to Amend By-law No.05-200 (Map 862)

Subject Property
150 King Street East, Dundas

Lands to be Zoned Conservation/Hazard Lands (P5) Zone

Scale: N.T.S.
File Name/Number: 150 King Street East
Date: July 28, 2008
Planner/Technician: AF/BR

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
CITY OF HAMILTON

BY-LAW NO. ______

To Amend Zoning By-law No. 6593

Respecting Deletion of Reference to Bath House/Public Bath

Modifying the Definition of Habitable Room

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section ______ of Report ______ of the Economic Development and Planning Committee at its meeting held on the ______ day of ______________, 2008, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;
AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Section 2(2)(J)(viiib), of By-law 6593, is amended by deleting the word “cellar” from the definition of “Habitable Room”.

2. That Section 12(1)(v), of By-law 6593, is amended by deleting the words “or bath house”;

3. That Section 13(1)(v), of By-law 6593, is amended by deleting the words “public bath”;

4. That Section 13B(1)(f), of By-law 6593, is amended by deleting the words “public bath”,

5. That Section 14(1)(viii), of By-law 6593, is amended by deleting the words “public bath”,

6. That Section 14(6)(v), of By-law 6593, is amended by deleting the words “public bath”,

7. That Section 14A(1)(cd), of By-law 6593, is amended by deleting the words “public bath”,

8. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this ______ day of ______, 2008.

______________________________  ________________________________
Fred Eisenberger                 Kevin C. Christenson
Mayor                            Clerk

CI-08-I
WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as the “The Corporation of the Town of Dundas” and is the successor to the former Regional Municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3581-86 (Dundas) was enacted on the 22nd day of May, 1986, and approved by the Ontario Municipal Board on the 10th day of May, 1988;

AND WHEREAS the Council of the City of Hamilton, in adopting Section of Report 08- of the Economic Development and Planning Committee at its meeting held on the day of, 2008, recommended that Zoning By-law No. 3581-86 (Dundas), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Dundas) in accordance with the provisions of the Planning Act;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:
1. That Schedule “Q” (York Road) of Zoning By-law No. 3581-86 (Dundas), is hereby amended:

   (a) by changing from the OPEN SPACE – CONSERVATION ZONE (OS) to the SINGLE DETACHED RESIDENTIAL ZONE (R2), for the land comprised as Block “1”; and,

   (b) by modifying the OPEN SPACE – CONSERVATION ZONE (OS), for the land comprised as Block “2”;

   the extent and boundaries of which are shown on Schedule “A” which forms part of this By-law.

2. That Section 32: “EXCEPTIONS” of Zoning By-law No. 3581-86 (Dundas), is hereby amended by adding the following as “S-109”:

   “S-109”

   (a) Notwithstanding the provisions of SUBSECTION 25.1: PERMITTED USES of SECTION 25: OPEN SPACE – CONSERVATION ZONE (OS) the existing single detached dwelling shall also be permitted.

3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this [blank] day of [blank], 2008

Fred Eisenberger
Mayor

Kevin Christenson
Clerk

CI-08-I
This is Schedule "A" to By-Law No. 08-

Passed the .......... day of .................., 2008

Clerk

Mayor

Schedule "A"

Map Forming Part of By-Law No. 08-____
to Amend By-law No. 3581-86

Subject Property

83 Watsons Lane
Block 1 - Lands to be rezoned from the Open Space-Conservation Zone (OS) to the Single Detached Residential Zone R2

67 Watsons Lane
Block 2 - Lands to be rezoned from the Open Space-Conservation Zone (OS) to Open Space-Conservation Zone (OS), modified
Appendix “D” to Report PED08194  
Page 1 of 2

Authority:  Item , Economic Development and Planning Committee  
Report: 08-  (PED08194)  
CM:  

Bill No.  

CITY OF HAMILTON  

BY-LAW NO.  

591 Safari Road  

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;  

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as the “The Corporation of the Town of Flamborough” and is the successor to the former Regional Municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;  

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;  

AND WHEREAS the Council of The Corporation of the Town of Flamborough passed Zoning By-law No. 90-145-Z (Flamborough) on the 5th day of November 1990, which by-law was approved by the Ontario Municipal Board by Order dated the 21st day of December 1992;  

AND WHEREAS the Council of the City of Hamilton, in adopting Section of Report 08- of the Economic Development and Planning Committee at its meeting held on the day of , 2008, recommended that Zoning By-law No. 3581-86 (Dundas), be amended as hereinafter provided;  

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough) in accordance with the provisions of the Planning Act;  

NOW THEREFORE the Council of the City of Hamilton enacts as follows:
1. That Section 33.3.76 - Zoning Provisions (b), of Zoning By-law No. 90-145-Z (Flamborough) as amended by By-law 03-202, is hereby further amended by deleting the words “Lot Frontage (maximum)” and replacing with the words “Lot Frontage (minimum)”.

2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this ______ day of______, 2008

_________________________  ____________________________
Fred Eisenberger            Kevin Christenson
Mayor                      Clerk

CI-08-I
## Review of Parking Regulations for Places of Worship

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Parking Requirement for Place of Worship</th>
<th>Calculation</th>
</tr>
</thead>
<tbody>
<tr>
<td>By-law 05-200</td>
<td>1/classroom and 1/7 seat capacity where worship takes place OR 1/classroom and 1/23.0 sqm of floor area used for hall, auditorium or similar use involving the assembly of persons not including the place of worship</td>
<td>17.0</td>
</tr>
<tr>
<td>MMM Parking Study</td>
<td>1 space per 5 persons to be accommodated</td>
<td>86</td>
</tr>
<tr>
<td>Ancaster</td>
<td>1 space for each 8 seats</td>
<td>53.75</td>
</tr>
<tr>
<td>Dundas</td>
<td>1 space for every 6 persons lawfully accommodated</td>
<td>71.6</td>
</tr>
<tr>
<td>Flamborough</td>
<td>1 space for every 8 seats of 5m of pew space</td>
<td>53.75</td>
</tr>
<tr>
<td>Glanbrook</td>
<td>1 space per 10sqm gfa</td>
<td>80</td>
</tr>
<tr>
<td>Stoney Creek</td>
<td>1/10sqm</td>
<td>80</td>
</tr>
<tr>
<td>Hamilton</td>
<td>No requirement</td>
<td>0</td>
</tr>
<tr>
<td>Kitchener</td>
<td>1/classroom and 1/7 seat capacity where worship takes place OR 1/classroom and 1/23.0 sqm of floor area used for hall, auditorium or similar use involving the assembly of persons not including the place of worship</td>
<td>17.0</td>
</tr>
<tr>
<td>Burlington</td>
<td>6 spaces for every 100sqm GFA</td>
<td>48</td>
</tr>
<tr>
<td>Oakville</td>
<td>1/5.5sqm fga in nave + 10.8/100sqm fga for a public hall, banquet hall or community/multi-use hall</td>
<td>86.4</td>
</tr>
<tr>
<td>Milton</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Guelph</td>
<td>1/5 seats or 1/10sqm gfa</td>
<td>80</td>
</tr>
<tr>
<td>Ajax</td>
<td>1/4 persons maximum capacity in the largest room of assembly</td>
<td>58</td>
</tr>
<tr>
<td>Mississauga</td>
<td>1.0 space per 4.5 seats for permanent fixed seating (1); plus 27.1 spaces for any non-fixed moveable seating per 100 m2 GFA - non-residential, all in the worship area or 27.1 spaces for all non-fixed moveable seating per 100 m2GFA - non-residential, in the worship area or 10.0 spaces per 100 m2 GFA - non-residential, whichever is greater</td>
<td>216.8 or 80</td>
</tr>
<tr>
<td>Regina</td>
<td>1 per 4 seating places</td>
<td>107.5</td>
</tr>
<tr>
<td>Kingston</td>
<td>1 parking space for each 10 seats. Where individual seats are not provided, each 0.5</td>
<td>43</td>
</tr>
</tbody>
</table>
metres of benches or similar seating shall be considered as 1 seat for the purposes of determining requirements.

<table>
<thead>
<tr>
<th>Location</th>
<th>Requirement</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vancouver</td>
<td>A minimum of one space for each 9.3 square metres of floor area used for assembly purposes, except that where two or more separate areas of assembly exist within a site and are not used concurrently, the Director of Planning may require parking for only the largest.</td>
<td>34.6</td>
</tr>
<tr>
<td>Kamloops</td>
<td>5 spaces for every 100 sqm GLA or 1 space per 10 seats</td>
<td>16.1</td>
</tr>
<tr>
<td>Ottawa</td>
<td>10 spaces per 100 square metres</td>
<td>80</td>
</tr>
<tr>
<td>Winnipeg</td>
<td>1 space per 5 seats</td>
<td>86</td>
</tr>
<tr>
<td>Niagara Falls</td>
<td>1 space for each 5 seats</td>
<td>86</td>
</tr>
<tr>
<td>London</td>
<td>1 per 4 person church capacity</td>
<td>107.5</td>
</tr>
<tr>
<td>Sarnia</td>
<td>1 per 6 fixed seats or 1 for every 6sqm of auditorium or other place of assembly, which ever is greater</td>
<td>53.7</td>
</tr>
</tbody>
</table>

Notes:

1. Site details of recent Place of Worship reviewed under site plan approval used for comparison of parking regulations above.

Worship Area Total: 325.37 square metres  
First Floor Worship Area: 235.25 square metres  
Second Floor Worship Area: 90.37 square metres  

Gross Floor Area Total: 799.62 square metres  
Worship Area: 325.37 square metres  
Basement Area: 477.00 square metres  

OBC Occupancy: 430 persons  
Congregation Total: 140 persons
CITY OF HAMILTON

BY-LAW NO. ______

To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses

WHEREAS Council of the City of Hamilton enacted a by-law to license and regulate various businesses being City of Hamilton By-law No. 07-170;

AND WHEREAS this By-law provides for the deletion of Schedule 15 of By-law No. 07-170;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subparagraph 6(1)(e)(i) and Section 30 of the General Provisions of By-law No. 07-170 are amended by deleting “Schedule 15 Public Baths”.

2. Appendices “A” and “B” of the General Provisions of By-law No. 07-170 are amended by deleting the “Public Baths” row.

3. Appendix “D” of the General Provisions of By-law No. 07-170 is amended by deleting “15 (Public Baths)”.

4. The table under Section 1 of Schedule 31 of By-law No. 07-170 is amended by deleting the “Public Baths” row.
5. The table under Section 2 of Schedule 31 of By-law No. 07-170 is amended by deleting the "Public Baths" row.

6. This By-law comes into force on the day it is passed.

PASSED this [_____] day of[_____], 2008

______________________________      ________________________________
Fred Eisenberger                  Kevin Christenson
Mayor                            Clerk

CI-08-I