

Authority: Item 8.3, Planning Committee Minutes 25-011 (PED25144)
CM: August 6, 2025 Ward: City-wide
Written approval for this by-law was given by Mayoral Decision MDE-2025-13
Dated August 6, 2025

Bill No. 156

CITY OF HAMILTON

BY-LAW No. 25-156

To Amend Town of Ancaster Zoning By-law No. 87-57, Town of Dundas Zoning By-law No. 3581-86, Town of Flamborough Zoning By-law No. 90-145-Z, Township of Glanbrook Zoning By-law No. 464, former City of Hamilton Zoning By-law No. 6593, and City of Stoney Creek Zoning By-law No. 3692-92, Respecting Housekeeping Amendments and Strategic Updates

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 municipalities known as "The Corporation of the Town of Ancaster", "The Corporation of the Town of Dundas", "The Corporation of the Town of Flamborough", "The Corporation of the Township of Glanbrook", "The Corporation of the City of Hamilton", "The Corporation of the City of Stoney Creek" 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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. 87-57 (Ancaster) was enacted on the 22nd day of June, 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

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 Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th of November 1990 and approved by the Ontario Municipal Board on the 21st of December, 1991;

To Amend Town of Ancaster Zoning By-law No. 87-57, Town of Dundas Zoning By-law No. 3581-86, Town of Flamborough Zoning By-law No. 90-145-Z, Township of Glanbrook Zoning By-law No. 464, former City of Hamilton Zoning By-law No. 6593, and City of Stoney Creek Zoning By-law No. 3692-92, Respecting Housekeeping Amendments and Strategic Updates

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

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 Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS Council approved Item 8.3 of Minutes 25-011 of the Planning Committee, at its meeting held on the 6th day of August, 2025;

AND WHEREAS this By-law is in conformity with the Rural Hamilton Official Plan, Urban Hamilton Official Plan, Hamilton-Wentworth Regional Official Plan and City of Hamilton Official Plan.

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

1. That Schedule “A”, appended to and forming part of City of Hamilton Zoning By-law No. 6593, as amended by By-law No. 18-165, is hereby further amended by adding the lands located at 115 Vansitmart Avenue, Hamilton to Zoning By-law No. 6593 and zoning “RT-20/S-1762-H” (Townhouse – Maisonette) District, Holding, Modified, attached as Schedule “A1” to this By-law;
2. That Schedule “A”, appended to and forming part of Town of Dundas Zoning By-law 3581-86, as amended by By-law Nos. 15-299 and 22-115, is hereby further amended by changing the zoning on the lands located at 10 Baldwin Street, Dundas from the Medium to High Density Multiple Dwelling (RM3/S-130) Zone, Modified, to the Low Density Residential (R3/S-130) Zone, Modified, attached as Schedule “A2” to this By-law;
3. That the Town of Ancaster Zoning By-law No. 87-57, Town of Dundas Zoning By-law No. 3581-86, Town of Flamborough Zoning By-law No. 90-145-Z, Township of Glanbrook Zoning By-law No. 464, former City of Hamilton Zoning By-law No. 6593, and City of Stoney Creek Zoning By-law No. 3692-92 be amended in accordance with Schedule “B” attached to this By-law;
4. That the Clerk is hereby authorized and directed to proceed with the giving of

To Amend Town of Ancaster Zoning By-law No. 87-57, Town of Dundas Zoning By-law No. 3581-86, Town of Flamborough Zoning By-law No. 90-145-Z, Township of Glanbrook Zoning By-law No. 464, former City of Hamilton Zoning By-law No. 6593, and City of Stoney Creek Zoning By-law No. 3692-92, Respecting Housekeeping Amendments and Strategic Updates

notice of the passing of this By-law in accordance with the *Planning Act*.

5. That this By-law comes into force in accordance with Section 34 of the *Planning Act*.

PASSED this 6th day of August, 2025

A. Horwath
Mayor

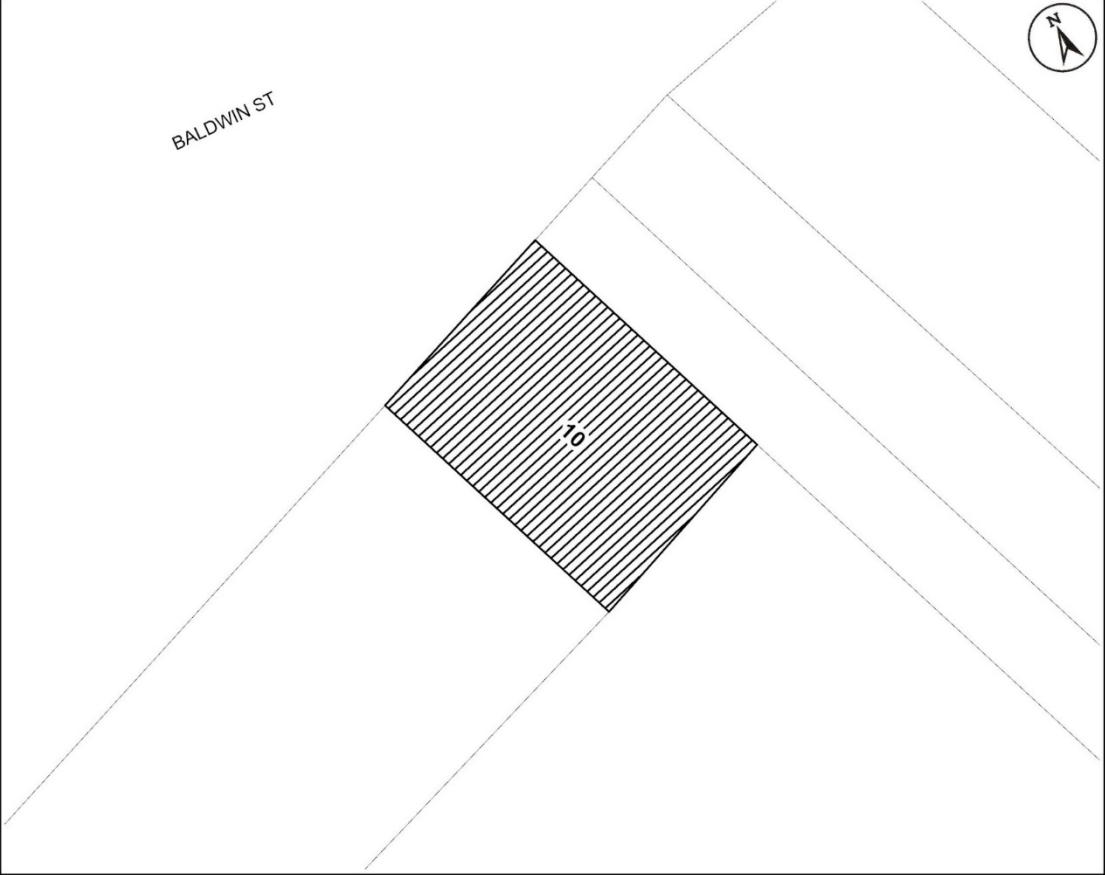
J. Pilon
Acting City Clerk

CI 25-D

To Amend Town of Ancaster Zoning By-law No. 87-57, Town of Dundas Zoning By-law No. 3581-86, Town of Flamborough Zoning By-law No. 90-145-Z, Township of Glanbrook Zoning By-law No. 464, former City of Hamilton Zoning By-law No. 6593, and City of Stoney Creek Zoning By-law No. 3692-92, Respecting Housekeeping Amendments and Strategic Updates

		
This is Schedule "A1" to By-law No. 25- _____ Mayor Passed the day of, 2025 Clerk		
Schedule "A1" to Amend By-law No. 6593	Subject Property 115 and 121 Vansitmart Avenue, Hamilton Lands to be added to Zoning By-law No. 6593 and zoned "RT-20/S-1762-H" (Townhouse – Maisonette) District, Holding, Modified	
Scale: N.T.S. Date: May 23, 2025	File Name/Number: CI-25-D Planner/Technician: SC/RS	 Hamilton
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

To Amend Town of Ancaster Zoning By-law No. 87-57, Town of Dundas Zoning By-law No. 3581-86, Town of Flamborough Zoning By-law No. 90-145-Z, Township of Glanbrook Zoning By-law No. 464, former City of Hamilton Zoning By-law No. 6593, and City of Stoney Creek Zoning By-law No. 3692-92, Respecting Housekeeping Amendments and Strategic Updates

		
This is Schedule "A2" to By-law No. 25- _____ Mayor Passed the day of, 2025 Clerk		
Schedule "A2" to Amend By-law No. 3581-86	Subject Property 10 Baldwin Street, Dundas Change in zoning from the Medium to High Density Multiple Dwelling "RM3/S-130" Zone, Modified, to the Low Density Residential "R3/S-130" Zone, Modified	
Scale: N.T.S	File Name/Number: CI-25-D	 Hamilton
Date: May 23, 2025	Planner/Technician: SC/RS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Town of Ancaster Zoning By-law No. 87-57		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted bolded text = text to be added		
SECTION 3: DEFINITIONS		
Definition of "Baby Sitting" Section 3.11 [Delete]	3.11 "Baby Sitting" means the caring of children in the absence of parents or guardians on an occasional basis.	
Definition of "Child Care Centre" Section 3.24.1 [New]	3.24.1 "Child Care Centre" Shall mean a facility licensed under the <u>Child Care and Early Years Act</u>, as amended, for the purpose of providing temporary care of children for a continuous period not exceeding twenty-four hours, but shall not include a home child care use.	3.24.1 "Child Care Centre" Shall mean a facility licensed under the <u>Child Care and Early Years Act</u> , as amended, for the purpose of providing temporary care of children for a continuous period not exceeding twenty-four hours, but shall not include a home child care use.
Definition of "Church" Section 3.25	3.25 "Church" means a building used by any religious organization for public worship, and may include as accessory uses; a rectory, manse, public hall, day nursery child care centre or school.	Section 3.25 "Church" means a building used by any religious organization for public worship, and may include as accessory uses; a rectory, manse, public hall, child care centre or school.
Definition of "Day Nursery" Section 3.37 [Delete]	3.37 "Day Nursery" means a day nursery as defined in The Day Nurseries Act, being Chapter 111 of the Revised Statutes of Ontario, 1980, as amended from time to time.	
Definition of "Home-based Business" Section 3.65	3.65 "Home-based Business" means any activity undertaken in a dwelling unit that generates income but does not include babysitting, private home day care and any activity where sleeping accommodation is furnished.	3.65 "Home-based Business" means any activity undertaken in a dwelling unit that generates income but does not include any activity where sleeping accommodation is furnished.
Definition of "Home Child	3.65.1 "Home Child Care"	3.65.1 "Home Child Care"

Town of Ancaster Zoning By-law No. 87-57		
Section	Proposed Change	Proposed Revised Zone Regulation
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Care” Section 3.65.1 [New]	Shall mean a portion of a dwelling used for the purpose of providing temporary care to children for a continuous period not exceeding twenty-four hours that: (a) is licensed in accordance with the requirements of the <u>Child Care and Early Years Act</u>, as amended; or, (b) is not licensed under the <u>Child Care and Early Years Act</u>, as amended, and the number of children does not exceed five.	Shall mean a portion of a dwelling used for the purpose of providing temporary care to children for a continuous period not exceeding twenty-four hours that: (a) is licensed in accordance with the requirements of the <u>Child Care and Early Years Act</u> , as amended; or, (b) is not licensed under the <u>Child Care and Early Years Act</u> , as amended, and the number of children does not exceed five.
Definition of “Private Home Day Care” Section 3.118 [Delete]	3.118 “Private Home Day Care” means the routine caring of five children or less within a dwelling unit, where the length of care at any one time does not exceed 24 hours, and where no employees are required to assist the caregiver.	
SECTION 7: GENERAL PROVISIONS		
Parking and Loading Section 7.14 (b) (iv) (E)	(E) Nursery school, or day nursery , child care centre , or public elementary school 1.5 spaces for each classroom or teaching Area.	(E) Nursery school, child care centre, or public elementary school 1.5 spaces for each classroom or teaching Area.

Town of Ancaster Zoning By-law No. 87-57		
Section	Proposed Change	Proposed Revised Zone Regulation
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Baby Sitting and Private Home Day Care Section 7.23 [Note: This section is to be retitled “Home Child Care”]	7.23 Baby Sitting and Private Home Day Care Home Child Care Baby sitting and private day care shall be permitted within a dwelling unit that is permitted by this by-law. (a) A home child care use shall be permitted within any dwelling unit in any zone provided that the principal residential use is permitted in the zone. (b) A home child care use shall not be considered a home-based business. (c) All the regulations of this By-law applicable to the principal dwelling shall continue to apply.	7.23 Home Child Care (a) A home child care use shall be permitted within any dwelling unit in any zone provided that the principal residential use is permitted in the zone. (b) A home child care use shall not be considered a home-based business. (c) All the regulations of this By-law applicable to the principal dwelling shall continue to apply.
SECTION 22: NEIGHBOURHOOD COMMERCIAL “C1” ZONE, SHOPPING CENTRE COMMERCIAL “C2” ZONE, GENERAL COMMERCIAL “C3” ZONE, URBAN COMMERCIAL “C4” ZONE, RURAL COMMERCIAL “C5” ZONE AND VILLAGE AREA “VA” ZONE (Certain Uses Only)		
Table 1: Uses permitted in Certain Commercial Zones Section 22.1 18.	18. Day nurseries Child care centres	18. Child care centres
In Sections 23.1 a) and 34 replace every instance of the words “Day Nursery” with “Child Care Centre” and every instance of the words “Day Nurseries” with “Child Care Centres”.		

Town of Dundas Zoning By-law No. 3581-86 – Text

Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted bolded text = text to be added		
SECTION 3: DEFINITIONS		
Definition of “Child Care Centre” Section 3.2.14.1 [New]	3.2.14.1 CHILD CARE CENTRE Means a facility licensed under the Child Care and Early Years Act, as amended, for the purpose of providing temporary care of children for a continuous period not exceeding twenty-four hours, but shall not include a home child care use.	3.2.14.1 CHILD CARE CENTRE Means a facility licensed under the Child Care and Early Years Act, as amended, for the purpose of providing temporary care of children for a continuous period not exceeding twenty-four hours, but shall not include a home child care use.
Definition of “Day Nursery” Section 3.2.17 [Delete]	3.2.17 DAY NURSERY Means premises that receive more than five children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, where the children are: i) Under eighteen years of age in the case of a day nursery for children with a developmental handicap, and ii) under ten years of age in all other cases, but does not include: iii) part of a public school, separate school, private school or a school for trainable retarded children under the Education Act, iv) a place that is used for a program of recreation and that is supervised by a municipal recreation director who holds a certificate issued pursuant to Section 10 of the Ministry of Culture and Recreation Act, or	

Town of Dundas Zoning By-law No. 3581-86 – Text		
Section	Proposed Change	Proposed Revised Zone Regulation
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	v) a children's mental health centre under the Children's Mental Health Services Act. (Source: The Day Nurseries Act, R.S.O. 1980, Chapter 111.)	
Definition of "Home Child Care" Section 3.2.40.1 [New]	3.2.40.1 HOME CHILD CARE Means a portion of a dwelling used for the purpose of providing temporary care to children for a continuous period not exceeding twenty-four hours that: i) is licensed in accordance with the requirements of the Child Care and Early Years Act, as amended; or, ii) is not licensed under the Child Care and Early Years Act, as amended, and the number of children does not exceed five.	3.2.40.1 HOME CHILD CARE Means a portion of a dwelling used for the purpose of providing temporary care to children for a continuous period not exceeding twenty-four hours that: i) is licensed in accordance with the requirements of the Child Care and Early Years Act, as amended; or, ii) is not licensed under the Child Care and Early Years Act, as amended, and the number of children does not exceed five.
SECTION 6: GENERAL REGULATIONS		
Home Child Care Section 6.33 [New]	6.33 HOME CHILD CARE i) A home child care use shall be permitted within any dwelling unit in any zone provided that the principal residential use is permitted in the zone. ii) A home child care use shall not be considered a home occupation use. iii) All the regulations of this By-law applicable to the principal dwelling shall continue to apply.	6.33 HOME CHILD CARE i) A home child care use shall be permitted within any dwelling unit in any zone provided that the principal residential use is permitted in the zone. ii) A home child care use shall not be considered a home occupation use. iii) All the regulations of this By-law applicable to the principal dwelling shall continue to apply.
In Sections 7.12.2.3, 15A.1.6.13, 20.11.7, 27.1.5.2, 32.S-127.(i), and 32.S-128.(i) replace every instance of the words "Day Nursery" with "Child Care Centre" and every instance of the words "Day Nurseries" with "Child Care Centres".		

Town of Flamborough Zoning By-law No. 90-145-Z		
Section	Proposed Change	Proposed Revised Zone Regulation
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SECTION 3: DEFINITIONS		
Definition of "Child Care Centre" [New] [Note: This definition is to be added after the definition of "Centreline of Street"]	<i>Child Care Centre</i> shall mean a facility licensed under the <u>Child Care and Early Years Act</u>, as amended, for the purpose of providing temporary care of children for a continuous period not exceeding twenty-four hours, but shall not include a <i>home child care</i> use.	<i>Child Care Centre</i> shall mean a facility licensed under the <u>Child Care and Early Years Act</u> , as amended, for the purpose of providing temporary care of children for a continuous period not exceeding twenty-four hours, but shall not include a <i>home child care</i> use.
Definition of "Community Centre"	<i>Community Centre</i> shall mean any lot, building or structure owned and/or operated by the Region or the Town used for the purpose of social and recreational activities and may include a day nursery <i>child care centre</i> but shall not include a <i>private club</i> .	<i>Community Centre</i> shall mean any lot, building or structure owned and/or operated by the Region or the Town used for the purpose of social and recreational activities and may include a <i>child care centre</i> but shall not include a <i>private club</i> .
Definition of "Day Nursery" [Delete]	Day Nursery shall mean a building or part thereof used for the purpose of providing temporary care, or guidance or both temporary care and guidance, for a continuous period not exceeding twenty-four hours and that receives more than five children who are not of common parentage where the children are: (a) — under eighteen years of age in the case of a day nursery for children with a developmental handicap; and, (b) — under ten years of age in all other cases. but shall not include: (c) — part of a public school, separate school, private school or	

Town of Flamborough Zoning By-law No. 90-145-Z

Section	Proposed Change	Proposed Revised Zone Regulation
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	a school for trainable retarded children under the Education Act, R.S.O. 1980, Chapter 129, as amended from time to time; (d) a place that is used for a programme of recreation and that is supervised under the direction of the Municipal recreation service delivery agency, or any other approved agency by the Ministry of Community and Social Services.	
Definition of "Home Child Care" [New] [Note: This definition is to be added after the definition of "Help House"]	Home Child Care shall mean a portion of a dwelling used for the purpose of providing temporary care to children for a continuous period not exceeding twenty-four hours that: (a) is licensed in accordance with the requirements of the <u>Child Care and Early Years Act</u>, as amended; or, (b) is not licensed under the <u>Child Care and Early Years Act</u>, as amended, and the number of children does not exceed five.	<i>Home Child Care shall mean a portion of a dwelling used for the purpose of providing temporary care to children for a continuous period not exceeding twenty-four hours that:</i> (a) is licensed in accordance with the requirements of the <u>Child Care and Early Years Act</u>, as amended; or, (b) is not licensed under the <u>Child Care and Early Years Act</u>, as amended, and the number of children does not exceed five.
Definition of "Institutional Use"	<i>Institutional Use shall mean an establishment of cultural, educational, health, welfare, religious or governmental activity which serves the community, generally under the jurisdiction of a local board or public or private agency, and shall include, but not be restricted to, a school, place of worship, hospital, clinic, residence for the elderly, nursing home, museum, day nursery child care centre or park.</i>	<i>Institutional Use shall mean an establishment of cultural, educational, health, welfare, religious or governmental activity which serves the community, generally under the jurisdiction of a local board or public or private agency, and shall include, but not be restricted to, a school, place of worship, hospital, clinic, residence for the elderly, nursing home, museum, child care centre or park.</i>
Definition of "Private Home Day Care" [Delete]	Private Home Day Care shall mean the temporary care and custody for compensation of not more than five children under twelve years of age in a private residence other than the home of a parent or guardian of any such child for a continuous period not exceeding twenty four hours.	
SECTION 5: GENERAL PROVISIONS		

Town of Flamborough Zoning By-law No. 90-145-Z		
Section	Proposed Change	Proposed Revised Zone Regulation
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Home Child Care Section 5.45 [New]	5.45 HOME CHILD CARE (a) A home child care use shall be permitted within any dwelling unit in any zone provided that the principal residential use is permitted in the zone. (b) A home child care use shall not be considered a home occupation use. (c) All the regulations of this By-law applicable to the principal dwelling shall continue to apply.	5.45 HOME CHILD CARE (a) A home child care use shall be permitted within any dwelling unit in any zone provided that the principal residential use is permitted in the zone. (b) A home child care use shall not be considered a home occupation use. (c) All the regulations of this By-law applicable to the principal dwelling shall continue to apply.
In Sections 16.1, 17.1, 19.1, 22.1, 22.3.5, 22.3.7, 22.3.8, replace every instance of the words “Day Nursery” with “Child Care Centre”, and relocate and renumber in alphabetical order if located in an alphabetized list.		

Township of Glanbrook Zoning By-law No. 464

Section	Proposed Change	Proposed Revised Zone Regulation
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SECTION 4: DEFINITIONS		
Definition of "Child Care Centre" [New] [Note: This definition is to be added after the definition of "Cemetery"]	"CHILD CARE CENTRE" means a facility licensed under the <u>Child Care and Early Years Act</u>, as amended, for the purpose of providing temporary care of children for a continuous period not exceeding twenty-four hours, but shall not include a home child care use.	"CHILD CARE CENTRE" means a facility licensed under the <u>Child Care and Early Years Act</u>, as amended, for the purpose of providing temporary care of children for a continuous period not exceeding twenty-four hours, but shall not include a home child care use.
Definition of "Church"	"CHURCH" means land and a building used by a religious organization, which is charitable under the laws of Ontario, for public worship, and may include as accessory uses, a rectory, manse, church hall, day nursery child care centre and school.	"CHURCH" means land and a building used by a religious organization, which is charitable under the laws of Ontario, for public worship, and may include as accessory uses, a rectory, manse, church hall, child care centre and school.
Definition of "Day Nursery" [Delete]	"DAY NURSERY" means a building or part thereof duly licensed by the Province of Ontario for use as a facility for the daytime care of more than five (5) children who are not of common parentage as more specifically defined by the <u>Day Nurseries Act</u>, being Chapter D.2 of the Revised Statutes of Ontario, 1990, as amended from time to time.	
Definition of "Home Child Care" [New] [Note: This definition is to be added after the definition of "Hazardous Waste Management Facility"]	"HOME CHILD CARE" means a portion of a dwelling used for the purpose of providing temporary care to children for a continuous period not exceeding twenty-four hours that: (a) is licensed in accordance with the requirements of the <u>Child Care and Early Years Act</u>, as amended; or, (b) is not licensed under the <u>Child Care and Early Years Act</u>, as amended, and the number of children does not exceed five.	"HOME CHILD CARE" means a portion of a dwelling used for the purpose of providing temporary care to children for a continuous period not exceeding twenty-four hours that: (a) is licensed in accordance with the requirements of the <u>Child Care and Early Years Act</u>, as amended; or, (b) is not licensed under the <u>Child Care and Early Years Act</u>, as amended, and the number of children does not exceed five.
Definition of	"INSTITUTIONAL" means the use of land, buildings or structures	"INSTITUTIONAL" means the use of land, buildings or structures for

Township of Glanbrook Zoning By-law No. 464

Section	Proposed Change	Proposed Revised Zone Regulation
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"Institutional"	for religious, charitable, educational, health or welfare purposes, and without limiting the generality of the foregoing, shall include churches, places of worship, public or private schools, nursery schools, day nurseries child care centres , public or private hospitals, nursing homes and homes for the aged.	religious, charitable, educational, health or welfare purposes, and without limiting the generality of the foregoing, shall include churches, places of worship, public or private schools, nursery schools, child care centres, public or private hospitals, nursing homes and homes for the aged.
SECTION 7: GENERAL PROVISIONS FOR ALL ZONES		
Minimum Parking Requirements Section 7.35 (b)	Day Nursery Child Care Centre 1 space for each 6 children who may be lawfully accommodated	Child Care Centre 1 space for each 6 children who may be lawfully accommodated
Home Child Care Section 7.45 [New]	7.45 HOME CHILD CARE (a) A home child care use shall be permitted within any dwelling unit in any zone provided that the principal residential use is permitted in the zone. (b) A home child care use shall not be considered a home occupation or home profession use. (c) All the regulations of this By-law applicable to the principal dwelling shall continue to apply.	7.45 HOME CHILD CARE (a) A home child care use shall be permitted within any dwelling unit in any zone provided that the principal residential use is permitted in the zone. (b) A home child care use shall not be considered a home occupation or home profession use. (c) All the regulations of this By-law applicable to the principal dwelling shall continue to apply.
In Sections 25.1 and 44 replace every instance of the words "Day Nursery" with "Child Care Centre" and every instance of the words "Day Nurseries" with "Child Care Centres", and relocate and renumber in alphabetical order if located in an alphabetized list.		

Former City of Hamilton Zoning By-law No. 6593 – Text		
Section	Proposed Change	Proposed Revised Zone Regulation
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SECTION TWO: INTERPRETATION AND DEFINITIONS		
Definition of “Home Child Care” Section 2.(2)A.(xa) [New]	“Home Child Care” shall mean a portion of a dwelling used for the purpose of providing temporary care to children for a continuous period not exceeding twenty-four hours that: (a) is licensed in accordance with the requirements of the <u>Child Care and Early Years Act</u>, as amended; or, (b) is not licensed under the <u>Child Care and Early Years Act</u>, as amended, and the number of children does not exceed five.	“Home Child Care” shall mean a portion of a dwelling used for the purpose of providing temporary care to children for a continuous period not exceeding twenty-four hours that: (a) is licensed in accordance with the requirements of the <u>Child Care and Early Years Act</u> , as amended; or, (b) is not licensed under the <u>Child Care and Early Years Act</u> , as amended, and the number of children does not exceed five.
Definition of “Private Home Day Care” Section 2.(2)A.(axiia) [Delete]	“Private Home Day Care” means temporary care of 5 or fewer children under 10 years of age in a private residence other than the home of a parent or guardian of any of the children. This care is given for compensation or reward, under the supervision of a private home day care agency and must not exceed a period of 24 hours;	
Section 2.(2)B.(i), Definition of “Children’s Residence”, is to be renumbered Section 2.(2)B.(ia) and Section 2.(2)B.(ia), Definition of “Correctional Facility”, is to be renumbered Section 2.(2)B.(iaa).		
Definition of “Child Care Centre” Section 2.(2)B.(i) [New]	“Child Care Centre” shall mean a facility licensed under the <u>Child Care and Early Years Act</u>, as amended, for the purpose of providing temporary care of children for a continuous period not exceeding twenty-four hours, but shall not include a home child care use.	“Child Care Centre” shall mean a facility licensed under the <u>Child Care and Early Years Act</u> , as amended, for the purpose of providing temporary care of children for a continuous period not exceeding twenty-four hours, but shall not include a home child care use.
Definition of “Children’s Residence”	[...] A day nursery child care centre or camp provided for under the	[...] A child care centre or camp provided for under the <i>Child Care and Early</i>

Former City of Hamilton Zoning By-law No. 6593 – Text		
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Section 2.(2)B.(ia)(c)	<i>Child Care and Early Years Act</i> , [...]	<i>Years Act</i> , [...]
Definition of “Day Nursery” [Delete] Section 2.(2)B.(ii)	“Day Nursery” shall mean a facility licensed under the <i>Child Care and Early Years Act</i> which receives more than five children who are not of common parentage, primarily for the purpose of providing temporary care and/or guidance for a continuous period not exceeding 24 hours, where children are, (a) Under eighteen years of age in the case of a day nursery for children with a developmental disability; and, (b) Under ten years of age in all other cases but shall not include part of a school provided for under the <i>Education Act</i>.	
SECTION 3: APPLICATION OF BY-LAW		
Certain Uses Not Restricted Section 3.(3)(ib)	Private home day care; Home child care, in accordance with the following: (a) A home child care use shall be permitted within any dwelling unit in any zone provided that the principal residential use is permitted in the zone. (b) A home child care use shall not be considered a home occupation. (c) All the regulations of this By-law applicable to the principal dwelling shall continue to apply.	Home child care, in accordance with the following: (a) A home child care use shall be permitted within any dwelling unit in any zone provided that the principal residential use is permitted in the zone. (b) A home child care use shall not be considered a home occupation. (c) All the regulations of this By-law applicable to the principal dwelling shall continue to apply.

Former City of Hamilton Zoning By-law No. 6593 – Text

Section	Proposed Change	Proposed Revised Zone Regulation
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In Sections 3.(10)1., 8.(1)(iia), 9.(1)(iii), 9A.(1)(aa)1., 10.(1)(xa), 10A.(1)(ix), 10B.(1)(viii), 10C.(1)(viii), 10D.(2)(b)1., 10E.(2)(b)1., 10F.(2)(b)1., 11.(1)(vii), 11A.(1)(ia), 11B.(1)(vii), 11U.(1), 13.(1)(ib), 13A.(1)(ai), 13B.(1)(bb), and 13D.(1)A.(ii)1., replace every instance of the words “Day Nursery” with “Child Care Centre” and every instance of the words “Day Nurseries” with “Child Care Centres”.		
SECTION 14: “H” DISTRICTS		
Residential Uses Section 14.(1)(iii)	(iii) One or two dwelling units in the same building with a commercial use permitted in the district and/or with a child care centre.	(iii) One or two dwelling units in the same building with a commercial use permitted in the district and/or with a child care centre.
Residential Uses Section 14.(1)(iia)	(iia) One dwelling unit for each 180.0 square metres (1,937.50 square feet) of area of the lot upon which the building is situate provided that the building does not exceed 2 stories in height and provided further that the gross floor area of the building used for dwelling units does not exceed the gross floor area used for commercial or child care centre purposes.	(iia) One dwelling unit for each 180.0 square metres (1,937.50 square feet) of area of the lot upon which the building is situate provided that the building does not exceed 2 stories in height and provided further that the gross floor area of the building used for dwelling units does not exceed the gross floor area used for commercial or child care centre purposes.
In Sections 14A.(1)(bb), 15A.(1)(iib), 15B.(3)(c)2., 16.(1)(ib), 16A.(1)(ac), 17.(1)(ib), 17A.(1)(ac), 18.19.(i), 18A(38), 18A(39), 18A.Table 1.2.(c), replace every instance of the words “Day Nursery” with “Child Care Centre” and every instance of the words “Day Nurseries” with “Child Care Centres”, and relocate and renumber in alphabetical order if located in an alphabetized list.		
SECTION 19: RESIDENTIAL CONVERSION REQUIREMENTS		
Residential Conversion Requirements Section 19.(1)	Secondary Dwelling Unit and Secondary Dwelling Unit – Detached in all Residential Districts, “G” (Neighbourhood Shopping Centre, etc.) and “H” (Community Shopping and Commercial, etc.) District	Secondary Dwelling Unit and Secondary Dwelling Unit – Detached in all Residential Districts, “G” (Neighbourhood Shopping Centre, etc.) and “H” (Community Shopping and Commercial, etc.) District
Residential Conversion Requirements Section 19.(1)(iv)	Notwithstanding any applicable regulations of this By-law, no more than four Dwelling Units shall be permitted on a lot in a “B-1”, “B-2”, “C”, “R4”, “D”, or “R-2”, or “G” District.	Notwithstanding any applicable regulations of this By-law, no more than four Dwelling Units shall be permitted on a lot in a “B-1”, “B-2”, “C”, “R4”, “D”, “R-2”, or “G” District.

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Section	Proposed Change	Proposed Revised Zone Regulation
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SECTION 2: DEFINITIONS		
Definition of "Child Care Centre" [New] [Note: This definition is to be added after the definition of "Cemetery"]	Child Care Centre Means a facility licensed under the Child Care and Early Years Act, as amended, for the purpose of providing temporary care of children for a continuous period not exceeding twenty-four hours, but shall not include a home child care use.	Child Care Centre Means a facility licensed under the Child Care and Early Years Act, as amended, for the purpose of providing temporary care of children for a continuous period not exceeding twenty-four hours, but shall not include a home child care use.
Definition of "Day Nursery" [Delete]	Day Nursery Means a premises that receives more than five children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty four hours, where the children are: (a) Under eighteen years of age in the case of a day nursery for children with a developmental handicap; and (b) Under ten years of age in all other cases; but does not include, (c) Part of a public school, separate school, private school or a school for trainable mentally handicapped children under the Education Act, R.S.O. 1990, c.E.2;	
In the Definition of "Dwelling Unit", replace the words "Day Nursery" with "Child Care Centre".		
Definition of "Home Child Care"	Home Child Care Means a portion of a dwelling used for the purpose of providing temporary care to children for a continuous period	Home Child Care Mean a portion of a dwelling used for the purpose of providing temporary care to children for a continuous period not exceeding twenty-four hours that:

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[New] [Note: This definition is to be added after the definition of "Highway"]	not exceeding twenty-four hours that: (a) is licensed in accordance with the requirements of the Child Care and Early Years Act, as amended; or, (b) is not licensed under the Child Care and Early Years Act, as amended, and the number of children does not exceed five.	(a) is licensed in accordance with the requirements of the Child Care and Early Years Act, as amended; or, (b) is not licensed under the Child Care and Early Years Act, as amended, and the number of children does not exceed five.
Definition of "Home Occupation"	Home Occupation Means an occupation, trade, business, profession or craft carried on as a secondary and incidental use within any dwelling unit, which use is carried on solely by the residents of the dwelling in which the home occupation is located and pursued subject to the limitations of Section 4.8 of this By-law. A home occupation may include a hairdressing shop, a barber shop, and a personal service shop and private home day care in a single-detached dwelling only, but shall not include the following uses in any dwelling unit: (a) Retailing and wholesaling; (b) Manufacturing; (c) Repairing; (d) Printing Press For the purposes of this definition, a Personal Service Shop does not include a dry cleaning depot, laundromat or an optical shop.	Home Occupation Means an occupation, trade, business, profession or craft carried on as a secondary and incidental use within any dwelling unit, which use is carried on solely by the residents of the dwelling in which the home occupation is located and pursued subject to the limitations of Section 4.8 of this By-law. A home occupation may include a hairdressing shop, a barber shop and a personal service shop in a single-detached dwelling only, but shall not include the following uses in any dwelling unit: (a) Retailing and wholesaling; (b) Manufacturing; (c) Repairing; (d) Printing Press For the purposes of this definition, a Personal Service Shop does not include a dry cleaning depot, laundromat or an optical shop.
Definition of "Private Home Day Care" [Delete]	Private Home Day Care Means temporary care of 5 or fewer children in a single detached dwelling other than the home of a parent or guardian of the children. This care is given for compensation or reward for a continuous period not exceeding twenty four hours.	
SECTION 4: GENERAL PROVISIONS FOR ALL ZONES		

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In Section 4.10.9, replace the words “Day Nurseries” with “Child Care Centres” and relocate in alphabetical order.		
Uses Permitted in All Zones	[...] Wayside Pits; or	[...] Wayside Pits.
Section 4.17	(n) Private Home Day Care in any zone which permits a single detached dwelling unit.	.
Home Child Care	SECTION 4.21 HOME CHILD CARE	SECTION 4.21 HOME CHILD CARE
Section 4.21	(a) A home child care use shall be permitted within any dwelling unit in any zone provided that the principal residential use is permitted in the zone.	(a) A home child care use shall be permitted within any dwelling unit in any zone provided that the principal residential use is permitted in the zone.
[New]	(b) A home child care use shall not be considered a home occupation or home profession use.	(b) A home child care use shall not be considered a home occupation or home profession use.
	(c) All the regulations of this By-law applicable to the principal dwelling shall continue to apply.	(c) All the regulations of this By-law applicable to the principal dwelling shall continue to apply.
In Sections 6.3.7, 6.11.6, 6.12.6, 8.2.2, 8.2.4, 8.3.2, 8.3.8, 8.5.2, 8.6.2, 8.8.2, 8.8.4, 8.9.2, 8.9.5, 8.10.2, 8.10.6, 9.5.6, 10.2.2, 10.2.5 and 10.3.2, replace every instance of the words “Day Nursery” with “Child Care Centre” and every instance of the words “Day Nurseries” with “Child Care Centres”, and relocate and renumber in alphabetical order if located in an alphabetized list.		