

SECTION 9: INDUSTRIAL ZONES**ZONING BY-LAW****9.13 SHIPPING AND NAVIGATION (PORT LANDS) (M13) ZONE**

Explanatory Note: The M13 Zone located primarily at Piers 11 – 12, 14, 15, and 22-24 permits specific industrial uses that are integral to the functioning of the Hamilton Port Authority and uses supporting shipping and navigation activities. This Zone is found primarily on lands owned by the Hamilton Port Authority and located north of Burlington Street and along Hamilton Harbour.

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within an Shipping and Navigation (Port Lands) (M13) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

9.13.1 PERMITTED USES

Bulk Fuel and Oil Storage Establishment
 Catering Service
 Commercial Parking Facility
 Courier Establishment
 Equipment and Machinery Sales, Rental
 and Service Establishment
 Industrial Administrative Office
 Laboratory
 Labour Association Hall
 Manufacturing
 Marina
 Marine Service
 Office
 Private Power Generation Facility
 Repair Service
 Research and Development
 Establishment
 Restaurant
 Salt Storage Facility
 Transport Terminal
 Warehouse
 Waste Processing Facility
 Waste Transfer Facility

9.13.2 PROHIBITED USES

Notwithstanding Section 9.13.1, the following uses are prohibited, even as an accessory use:

Day Nursery
 Dwelling Unit

SECTION 9: INDUSTRIAL ZONES**ZONING BY-LAW****9.13.3 REGULATIONS**

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| a) Minimum Lot Area | 4000.0 square metres |
| b) Minimum Yard Abutting Street | Minimum 3.0 metre. |
| c) Planting Strip Abutting a Street | Minimum 3.0 metre wide Planting Strip shall be provided and maintained abutting Burlington Street except for points of ingress and egress and shall not permit outdoor display. |
| d) Limitation on Outdoor Storage and Outdoor Assembly | Outdoor Storage and Outdoor Assembly shall not exceed 85% of the total lot area. |
| e) Maximum Gross Floor Area for Office Use□ | Maximum Gross floor area for Office use within an individual building, shall be limited to 3,000 square metres |
| f) Maximum Gross Floor Area for Industrial Administrative Office | Maximum Gross floor area for an Industrial Administrative Office shall be limited to 10,000 square metres on a lot. |
| g) Maximum Combined Gross Floor Area for Accessory Retail and Showroom Area | Maximum 25% of the gross floor area of the principal Use or 500.0 square metres whichever is the lesser. |
| h) Location Restriction of a Waste Processing Facility and Waste Transfer Facility | In addition to regulations of Section 9.13.3, any building, structure, or land used for a Waste Processing Facility or a Waste Transfer Facility, shall be located a minimum of 300.0 metres from a Residentially Zoned or Institutionally Zoned property lot line.□ |
| i) Restriction on Location and Covering of Stockpiles of Salt and Soils | In addition to Clause d) above, the following regulations shall also apply for stockpiles of salt and soils: |
| | i) All stockpiles shall not be located within 250 metres of a lot line abutting a Residential Zone or an |

Institutional Zone; and,

- ii) All stockpiles shall be secured and protected with a roofed structure with a minimum of three walls.
- j) In accordance with the requirements of Section 5 of this By-law.
- k) Accessory Buildings
 - i) In accordance with the requirements of Sections 9.13.3 of this By-law.
 - ii) In addition to i) above, no accessory building shall be permitted within a front yard or a flankage yard.

(By-law No. 18-092, April 11, 2018)