

Summary of Proposed Technical Amendments to Zoning By-law No. 05-200		
Section	Subsection to be Amended	Description and Rationale
Section 1 (Administration)	<ul style="list-style-type: none"> Subsection 1.12 	This amendment mirrors the regulations implemented through By-law No. 24-051, which is currently under appeal (these regulations were not appealed), to allow the Transition Provisions to apply upon this By-law becoming final and binding.
Section 2 (Interpretation)	<ul style="list-style-type: none"> Subsection 2.6 	This typographical correction changes “principals” to “principles” with reference to interpretation of zone boundaries.
Section 3 (Definitions)	<ul style="list-style-type: none"> Definition of “Agritourism” 	This strategic update amends the existing definition of Agritourism to restrict a Farm Labour Residence from forming part of the Agritourism use in order to better reflect that a Farm Labour Residence is only permitted as an accessory use to a principal Agriculture use. Although both an Agritourism use and a Farm Labour Residence are permitted as subordinate uses to Agriculture, this amendment further clarifies that any Farm Labour Residence must be directly related to the primary Agriculture use and thus cannot form an Agritourism use (or part thereof) which is classified as an on-farm secondary use that is not required to be directly related to the primary agricultural use.
	<ul style="list-style-type: none"> Definition of “Major Recreation Vehicle Sales and Service Establishment” / “Major Recreational Equipment Sales, Rental and Service Establishment” 	This is a typographical change which provides consistency with reference to a “Major Recreational Equipment Sales, Rental and Service Establishment” use.
	<ul style="list-style-type: none"> Definition of “Personal Services” / “Personal Service” 	This is a typographical change which provides consistency with reference to a “Personal Service” use.
	<ul style="list-style-type: none"> Definition of “Medical Clinic” 	This amendment improves alignment between zoning and Provincial regulations by permitting overnight

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		accommodation as part of a Medical Clinic use.
Section 4 (General Provisions)	• Subsection 4.8.1.1 a)	This amendment clarifies how to measure the maximum permitted area of a lot which may be covered by accessory buildings and structures.
	• Subsection 4.23 c)	This strategic update establishes setback requirements specific to TransCanada PipeLines Limited rights-of-way, in a new Subsection 4.23 c) ii), to align with their current standards and regulations.
	• Subsection 4.8.2 a) iii)	This typographical correction adds necessary reference to the principal use as part of the applicable regulations.
	• Subsection 4.26 (a), (b), (c), 4.27 (c) and 4.28 (a)	This is a typographical change which replaces “principle” with “principal” with reference to a principal use.
	• Subsection 4.26 (a) vi)	This is a typographical change which updates references to Subsections within the Accessory Building regulations
	• Subsections 4.26 (d) and 4.27 (c)	This is a typographical change which corrects numbering and grammar within existing charts.
Section 5 (Parking)	• Subsection 5.7 d) • Subsection 5.7.5, as amended by By-law No. 24-052	This is a typographical change which provides consistency with reference to a “Personal Service” use.
Section 6 (Downtown Zones)	• Subsections 6.1.1, 6.2.1 and 6.3.1	This is a typographical change which provides consistency with reference to a “Personal Service” use.
	• Subsections 6.3.3 m) i. and 6.3.3 n) i.	This is a typographical change which replaces “principle” with “principal”.
Section 7 (Open Space and Park Zones)	• Subsections 7.6.2.3 b), 7.7.2.1 b) and 7.7.2.2 b)	This amendment clarifies that the regulations applicable to expansions of existing buildings also apply to alterations of existing buildings.
Section 9 (Industrial Zones)	• Subsections 9.1.1, 9.1.3 d) ii), 9.1.3 f) i), 9.4.1, 9.4.3 j) i), 9.6.1	This is a typographical change which provides consistency with

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	and 9.8.1	reference to a “Personal Service” use.
	<ul style="list-style-type: none"> • Subsection 9.1.3 a) i) 	This amendment corrects the misspelling of the word “here” so it reads “where”.
	<ul style="list-style-type: none"> • Subsections 9.1.3 a), 9.3.3 b), 9.4.3 b), 9.11.3 c) and 9.14.3 b) 	This amendment clarifies how maximum front yard setback requirements are applied to corner lots with frontages on two or more streets.
	<ul style="list-style-type: none"> • Subsections 9.1.3 c), 9.2.3 g), 9.3.3 h), 9.4.3 i), 9.7.3, 9.10.3 j) and 9.11.3 j) 	This strategic update reduces the maximum permitted gross floor area of an individual office building to 4,000 square metres in certain Industrial Zones to implement Official Plan Amendment No. 167.
Section 10 (Commercial Zones)	<ul style="list-style-type: none"> • Subsections 10.1.1, 10.2.1, 10.3.1, 10.5.1 and 10.5a.1 	This is a typographical change which provides consistency with reference to a “Personal Service” use.
	<ul style="list-style-type: none"> • Subsections 10.1.3 b), 10.2.3 b), 10.3.3 b) 10.4.3 b), 10.5.3 b), 10.5a.3 b), and 10.6.3 b) 	This amendment clarifies how front and rear yard setback requirements are applied to corner lots with frontages on multiple streets.
	<ul style="list-style-type: none"> • Subsections 10.2.3 i) iii), 10.3.3 i) iii), 10.5.3 g) iii), 10.5a.3 h) iii) and 10.6.3 g) iii) 	This amendment clarifies how building facade requirements are applied by providing consistent reference to “a street line”, instead of “front and flankage lot lines”.
	<ul style="list-style-type: none"> • Subsections 10.2.3 i) iv), 10.3.3 i) iv), 10.5.3 g) iv), and 10.6.3 g) iv) 	This amendment clarifies how building facade requirement exclusions are applied by providing consistent reference to “a street line”, instead of “front and flankage lot lines”.
	<ul style="list-style-type: none"> • Subsection 10.5a.3 h) 	This amendment clarifies how building facade requirements and exclusions are applied in the C5a Zone.
	<ul style="list-style-type: none"> • Subsections 10.2.1.1 ii), 10.5a.1.1 ii) and 10.6.1.1 i) 	This amendment clarifies the permissions for dwelling units located in a basement or cellar.
	<ul style="list-style-type: none"> • Subsections 10.4.3 e) and 10.5.3. e) 	This strategic update reduces the maximum permitted gross floor area

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		of an individual office building to 4,000 square metres in certain Commercial and Mixed Use Zones in order to implement Official Plan Amendment No. 167.
	<ul style="list-style-type: none"> • Subsections 10.5a.7 and 10.5a.8 	This is a typographical change which replaces “principle” with “principal”.
	<ul style="list-style-type: none"> • Subsection 10.6.1.1 i) 2. 	This strategic update removes a restriction in the District Commercial (C6) Zone with respect to Medical Clinic and Office uses requiring such uses to be located above the first storey to provide greater flexibility for incorporating these uses, in alignment with the broader policy framework.
Section 11 (Transit Oriented Corridor)	<ul style="list-style-type: none"> • Subsections 11.1.3 b), 11.2.3 b), 11.3.2 b), and 11.4.3 b) 	This amendment clarifies how front and rear yard setback requirements are applied to corner lots with frontages on multiple streets
	<ul style="list-style-type: none"> • Subsections 11.1.8 a) ii) and 11.1.8 b) ii) 	This is a typographical change which replaces “principle” with “principal”.
	<ul style="list-style-type: none"> • Subsection 11.2.1 	This is a typographical change which provides consistency with reference to a “Personal Service” use.
	<ul style="list-style-type: none"> • Subsections 11.1.3 g) iii), 11.3.2 f) iii) and 11.4.3 g) iii) 	This amendment clarifies how building facade requirements are applied by providing consistent reference to “a street line”, instead of “front and flankage lot lines”.
	<ul style="list-style-type: none"> • Subsections 11.1.3 g) iv), 11.3.2 f) iv) and 11.4.3 g) iv) 	This amendment clarifies how building facade requirement exclusions are applied by providing consistent reference to “a street line”, instead of “front and flankage lot lines”.
	<ul style="list-style-type: none"> • Subsections 11.1.3 f) and 11.4.3 f) 	This strategic update reduces the maximum permitted gross floor area of an individual office building to 4,000 square metres in certain

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		Transit Oriented Corridor Zones to implement Official Plan Amendment No. 167.
Section 12 (Rural Zones)	• Subsection 12.1.2 b)	This amendment corrects the misspelling of the word “delineated”.
	• Subsection 12.4.1	This is a typographical change which provides consistency with reference to a “Personal Service” use.
Section 13 (Utility Zones)	• Subsection 13.2.1	This strategic update adds new permissions for a Pipeline and Associated Facilities use to the Utility (U2) Zone which reflects the intent of the Zone to permit and regulate utility uses.
Section 14 (Waterfront Zones)	• Subsection 14.0 D) i)	This is a typographical change which provides consistency with reference to a “Personal Service” use.
Schedule C (Special Exceptions)	• Special Exception Nos. 46, 47, 266, 290, 294, 298, 299, 319, 347, 394, 399, 442, 443, 445, 461, 550, 552, 558, 584, 585, 600, 618, 649, 672, 748, 749, 811 and 852	This is a typographical change which provides consistency with reference to a “Personal Service” use.
	• Special Exception No. 179	This is a strategic update which implements Official Plan Amendment No. 167 and Council approved Urban Site Specific Policy UFN-5 on lands located at 329, 337 and 345 Parkside Drive, in conjunction with a new Holding Provision – see Schedule “D” Holding Provision No. 176.
	• Special Exception Nos. 190, 558, 601 and 649	This is a typographical change which provides consistency with reference to a “Major Recreational Equipment Sales, Rental and Service Establishment” use.
	• Special Exception No. 375	This amendment removes 481 Barton Street from inclusion in Special Exception 375 which had previously been done in error.
	• Special Exception No. 728	This amendment updates the

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		Subsection reference to Pipeline setback requirements.
	<ul style="list-style-type: none"> Special Exception No. 864, Subsection d) iii) b) 	This amendment deletes a regulation concerning height and setbacks which had previously been included in error.
	<ul style="list-style-type: none"> Special Exception No. 900 	This amendment adds a new Special Exception applicable to the lands known as 245 Mill Street, Dundas, which recognizes existing Medical Clinic and Personal Service uses on the lot and implements Minor Variance Decision No. DN/A-23:75.
	<ul style="list-style-type: none"> Special Exception No. 901 	This amendment adds a new Special Exception applicable to the lands known as 221 York Boulevard, Hamilton, which recognizes the commercial parking facility that was permitted by Minor Variance Decision No. HM/A-16:396, in accordance with Council Motion - Item 11 of Planning Committee Report 24-003.
	<ul style="list-style-type: none"> Special Exception No. 902 	This amendment adds a new Special Exception applicable to the lands known as 40 Wood Street East, Hamilton, which recognizes an existing Community Centre use on the lot and permits the height of the existing building, which corrects a previous omission.
Schedule D (Holding Provisions)	Holding Provision No. 21	This amendment corrects a typographical error by deleting the word “no”, which had previously been included in error.
	<ul style="list-style-type: none"> Holding Provision Nos. 129 and 133 	This amendment corrects a numbering error.
	<ul style="list-style-type: none"> Holding Provision No. 176 	This is a strategic update which implements Official Plan

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		Amendment No. 167 with respect to Council approved Urban Site Specific Policy UFN-5 on lands located at 329, 337 and 345 Parkside Drive, in conjunction with modifications to existing Special Exception No. 179.
Schedule E (Temporary Use Provisions)	<ul style="list-style-type: none"> Subsection 8 	This is a typographical change which provides consistency with reference to a “Personal Service” use.
Zoning Mapping	<ul style="list-style-type: none"> Map Nos. 412, 413 and 445 	This strategic update changes the zoning of parts of lands known as 329, 337 and 345 Parkside Drive, Flamborough from the Rural (A2, 179) Zone to the Major Institutional (I3, 179, H176) Zone, in conjunction with modifications to existing Special Exception No. 179 and the creation of new Holding Provision No. 176.
	<ul style="list-style-type: none"> Map No. 827 	This amendment adds a new Special Exception applicable to the lands known as 40 Wood Street East, Hamilton, which recognizes an existing Community Centre use on the lot and permits the height of the existing building which corrects a previous omission.
	<ul style="list-style-type: none"> Map No. 860 	This amendment adds a new Special Exception applicable to the lands known as 245 Mill Street, Dundas, which recognizes existing Medical Clinic and Personal Service uses on the lot and implements Minor Variance Decision No. DN/A-23:75.

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	<ul style="list-style-type: none"> Map No. 910 	<p>This amendment adds a new Special Exception applicable to the lands known as 221 York Boulevard, Hamilton, which recognizes the commercial parking facility that was permitted by Minor Variance Decision No. HM/A-16:396, in accordance with Item 11 of Planning Committee Report 24-003.</p>
	<ul style="list-style-type: none"> Map No. 1000 	<p>This amendment changes the zoning of the lands known as 1368 Barton Street East, Hamilton, from the Parking (U3) Zone to the Mixed Use Medium Density (C5) Zone to reflect the discontinuation of the use of the lands as a municipal parking lot and the intended repurposing of the lands for redevelopment in accordance with the Mixed Use Medium Density (C5) Zone.</p>
	<ul style="list-style-type: none"> Map Nos. 1147, 1198 and 1199 	<p>This amendment removes 481 Barton Street from inclusion in Special Exception 375 which had previously been done in error.</p>
	<ul style="list-style-type: none"> Map Nos. 1498 and 1545 	<p>This strategic update changes the zoning of lands owned by TransCanada PipeLines Limited known as 1020 Rymal Road East, Hamilton from “AA” (Agricultural) and “C/S-1822” (Urban Protected Residential, etc.) Districts under Former City of Hamilton Zoning By-law No. 6593 to the Utility (U2) Zone of Hamilton Zoning By-law No. 05-200. This change implements a request by TransCanada PipeLines Limited who indicated their intent to maintain these lands for current and future utility operations.</p>