

Authority: Item 11, Planning Committee
Report 12-009 (PED12015(a))
CM: June 13, 2012

Bill No. 132

CITY OF HAMILTON

BY-LAW NO. 12-132

Housekeeping Amendments to By-law 05-200

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 11 of Report 12-009 of the Planning Committee at its meeting held on the 13th day of June, 2012, 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 3, of By-law 05-200, be amended by deleting "main" and replacing it with "any" in the definition of Yard, and adding the words "but shall not be measured to a building required for security within any Industrial Zone."

2. That Section 5.6 b), of By-law 05-200, be amended by adding “or increased number of dwelling units, whichever shall apply.” after the words “of the building”.
3. That Section 9.1.3, of By-law 05-200, be amended by adding the following section:
 - “i) Accessory Buildings i) In accordance with the requirements of Section 9.1.3;
 - ii) In addition to i) above, no accessory building shall be permitted within a front yard or a flankage yard.”
4. That Section 9.2.3 k), of By-law 05-200, be deleted in its entirety and replaced with the following:
 - “k) Accessory Buildings i) In accordance with the requirements of Section 9.2.3;
 - ii) In addition to i) above, no accessory building shall be permitted within a front yard or a flankage yard.”
5. That Section 9.3.3 q), of By-law 05-200, be deleted in its entirety and replaced with the following:
 - “q) Accessory Buildings i) In accordance with the requirements of Section 9.3.3;
 - ii) In addition to i) above, no accessory building shall be permitted within a front yard or a flankage yard.’
6. That Section 9.4.3 r), of By-law 05-200, be deleted in its entirety and replaced with the following:
 - “r) Accessory Buildings i) In accordance with the requirements of Section 9.4.3;
 - ii) In addition to i) above, no accessory building shall be permitted within a front

yard or a flankage yard, except where the structure is for security purposes.'

7. That Section 9.5.3 j), of By-law 05-200, be deleted in its entirety and replaced with the following:

- "j) Accessory Buildings i) In accordance with the requirements of Section 9.5.3;
- ii) In addition to i) above, no accessory building shall be permitted within a front yard or a flankage yard."

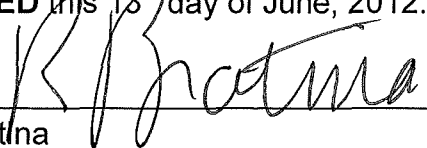
8. That Section 9.6.3 q), of By-law 05-200, be deleted in its entirety and replaced with the following:

- "q) Accessory Buildings i) In accordance with the requirements of Section 9.6.3;
- ii) In addition to i) above, no accessory building shall be permitted within a front yard or a flankage yard."

9. That Special Exception 49 of Schedule "C" – Special Exceptions to By-law 05-200 be amended by adding the words "and that Section 9.3.3 b) shall not apply only for a structure(s) for security purposes" after the words "shall not apply."

10. 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 this 13th day of June, 2012.



R. Bratina
Mayor



R. Caterini
City Clerk

CI-12-E