

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

**Bill No. 132**

## **CITY OF HAMILTON**

### **BY-LAW NO. 12-**

#### **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 13<sup>th</sup> day of June, 2012.

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R. Bratina  
Mayor

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R. Caterini  
City Clerk

CI-12-E