

Authority: Item 15, Economic Development
and Planning Committee
Report 07-019 (PED07275)
CM: November 14, 2007

Bill No. 321

CITY OF HAMILTON

BY-LAW NO. 07-321

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 Item 15 of Report 07-019 of the Economic Development and Planning Committee at its meeting held on the 14th day of November, 2007, 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 4.4 of By-law 05-200 be amended to add a “,” between the words “for the City” and “and any agency”.

2. That Section 4.8 of By-law 05-200 be amended by adding the following sub-section:

“g) Buildings greater than 18 square metres of gross floor area and accessory to an Institutional use shall conform to the regulations of the principle use.”

3. That Section 5.6 a) ii. of By-law 05-200 is amended by deleting the following:

“Day Nursery	1 for each 125.0 square metres of gross floor area which accommodates such use.”
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and replacing it with the following:

“Day Nursery	<p>i. 1 for each 125.0 square metres of gross floor area which accommodates such use.</p> <p>ii. Notwithstanding i. above, no parking shall be required where a Day Nursery is located within an Education Establishment.”</p>
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4. That Section 5.6 a) ii. of By-law 05-200 is amended by adding the following sub-section:

“Social Services Establishment	1 for each 50.0 square metres of gross floor area which accommodates such use.”
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5. That Section 5.6 c) ii. of By-law 05-200 is amended by deleting the following:

“Day Nursery	1 for each 125.0 square metres of gross floor area which accommodates such use.”
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and replacing it with the following:

“Day Nursery	<p>i. 1 for each 125.0 square metres of gross floor area which accommodates such use.</p> <p>ii. Notwithstanding i. above, no parking shall be required where a Day Nursery is located within an Education Establishment.”</p>
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Housekeeping Amendments to By-law 05-200

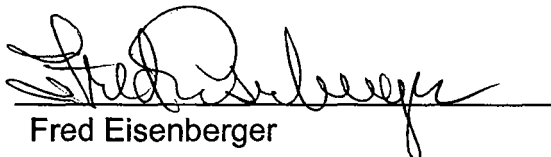
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6. That Section 5.6 c) ii. of By-law 05-200 is amended by adding the following sub-section:

"Social Services Establishment	1 for each 30.0 square metres of gross floor area which accommodates such use."
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7. That Section 6.1.3 a) of By-law 05-200 is amended by deleting the words "Maximum Building Setback" and replacing them with the words "Maximum Building Setback from a Street line".
8. That Section 6.2.3 a) of By-law 05-200 is amended by deleting the words "Maximum Building Setback" and replacing them with the words "Maximum Building Setback from a Street line".
9. That Section 6.2.3 e) i) of By-law 05-200 is amended by deleting the words "Lodging House".
10. That Section 6.2.3 e) ii) of By-law 05-200 is amended by adding the words "Lodging House" between the words "Dwelling Unit(s)" and "Multiple Dwelling".
11. That Section 6.3.3 a) of By-law 05-200 is amended by deleting the words "Maximum Building Setback" and replacing them with the words "Maximum Building Setback from a Street line".
12. That Section 7.4.2 of By-law 05-200 is amended by deleting Section b) in its entirety and by renaming Sections "c)", "d)" and "e)" to "b)", "c)" and "d)" respectively.
13. 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 and ENACTED this 14th day of November, 2007.



Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk

CI-07-M