

Authority:

Bill No.

CITY OF HAMILTON

BY-LAW NO. _____

**To Amend Zoning By-law No. 6593 (Hamilton) Respecting Lands at 125 and 129
Robert Street, in the City of Hamilton**

WHEREAS the *City of Hamilton Act, 1999*; Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton"

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Hamilton" and is successor to the former Regional Municipality, namely, the regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this By-law is in conformity with the City of Hamilton Official Plan upon adoption of the Official Plan Amendment No.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet No. E-4 of the District maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended:
 - (a) by changing from the "D/S-378" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District, Modified, to the "DE-2/S-1800" (Multiple Dwellings) District, Modified.

2. For the purpose of the regulations contained in Hamilton Zoning By-law No. 6593, the external boundary of the lots shown on Schedule "A" shall be deemed to be the lot lines for this purpose and the regulations of the "DE-2/S-1800" (Multiple Dwellings) District, Modified including but not limited to the lot area, lot frontage, lot depth, lot coverage and building setbacks, shall be from the external boundaries these lots shown on Schedule "A" and not the individual property boundaries of any lots created by registration of a Condominium Plan, Part Lot Control, or Consent.
3. That, the "DE-2" (Multiple Dwellings) District, regulations, as contained in Section 10B of Zoning By-law No.6593, applicable to the lands known as 125 and 129 Robert Street are further modified to include the following special requirements:
 - (a) Notwithstanding 10B.(3)(i)(b) a minimum front yard setback of 1.0 metres;
 - (b) Notwithstanding Section 10B.(3)(ii)(a) a minimum side yard of 0.0 metres along the easterly and westerly lot line except the furthest westerly dwelling, the lot line shall be a minimum side yard of 1.0 metres;
 - (c) Notwithstanding Section 10B (3)(iii)(a) a minimum rear yard depth of 6.0 metres;
 - (d) Notwithstanding Section 10B.(4)(iv) a width of 20.0 metres and an area of at least 420.0 metres;
 - (e) Notwithstanding Section 10B.(6) a minimum of 25% of the lot area shall be provided as landscaped area;
 - (f) Notwithstanding Section 18.(3)(vi)(d) a roofed-over or screened but otherwise unenclosed one-storey porch at the first level, including eaves and gutters, shall be distant at least 1.0 metres from the front lot line;
 - (g) Notwithstanding Section 18.(3)(iv)(c)(i) an open stairway may encroach 2.5 metres into a required rear yard; and,
 - (h) Notwithstanding Section 18A.(1)(a) and (b) no parking spaces shall be provided.
4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-2/S-1800 (Multiple Dwelling) District, Modified provisions, subject to the special requirements referred to in Section 2 and 3.
5. Sheet No. E-4 of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as S-1800.

6. That Zoning By-law No. 6593 (Hamilton) is amended by adding to By-law Section 19B a Schedule S-1800.
7. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this by-law, in accordance with the *Planning Act*.

PASSED and ENACTED this XX day of _____, 2022.

Fred Eisenberger
Mayor

A. Holland
City Clerk



This is Schedule "A" to By-law No. 22- Passed the day of, 2022	----- <p style="text-align: center;">Mayor</p> ----- <p style="text-align: center;">Clerk</p>
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map forming Part of By-law No. 22-_____</p> <p style="margin: 0 0 0 0;">to Amend By-law No. 6593</p>	<p>Subject Property</p> <p> 125 - 129 Robert Street</p> <p>Change in zoning from the "D/S-378" (Urban Protected Residential – One and Two Family Dwellings, etc.) District Modified to the "DE-2/S-1800" (Multiple Dwellings) District, Modified</p>
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