

**Authority:** Item 3, Planning Committee Report  
21-003 (PED21029)  
CM: February 24, 2021  
Ward: 3

**Bill No. 018**

## **CITY OF HAMILTON**

### **BY-LAW NO. 21-**

#### **To Amend Zoning By-law No. 6593 (City of Hamilton) Respecting Lands located at 95-97 Fairholt Road South, Hamilton**

**WHEREAS** the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule 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 municipality known as the “The Corporation of the City of Hamilton” and is the 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 and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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** the Council of the City of Hamilton, in adopting Item 3 of Report 21-003 of the Planning Committee, at its meeting held on the 24<sup>th</sup> day of February, 2021, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan.

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

1. That Sheet No. E33 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing the zoning from the “C” (Urban Protected Residential, etc.) District to the “C/S-1805” (Urban Protected Residential, etc.) District, Modified, on the lands the extent and boundaries of which are shown of the plan hereto annexed as Schedule “A”.

2. That the “C” (Urban Protected Residential, etc.) District provisions as contained in Section 9 of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following special requirements:
  - a) That in addition to Section 9. (1) “Residential Uses”, a multiple dwelling with a maximum of six dwelling units shall be permitted within the building existing on the date of the passing of this By-Law.
  - b) That notwithstanding Section 9.(2), the maximum building height shall be restricted to the height of the building existing on the date of the passing of this By-law.
  - c) That notwithstanding Section 9.(3)(i), a front yard depth of at least 3.36 metres.
  - d) That notwithstanding Section 18A(1)(a) and 18A – Table 1, a multiple dwelling shall provide 1 parking space per Class A dwelling unit.
  - e) Section 18A.(1)(b) and 18A – Column 1 of Table 2, shall not apply.
  - f) Section 18A.(1)(c) shall not apply.
  - g) Section 18A (9), shall not apply.
  - h) Section 18A (11), shall not apply.
  - i) Section 18A (12) (a) and (b), shall not apply.
  - j) That notwithstanding Section 18A (24)(b)(i) and (ii), the existing driveway access having a width of 3.43m shall be permitted for ingress and egress.
  - k) Section 18A (25), shall not apply.
3. That 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 “C” (Urban Protected Residential, etc.) District provisions, subject to the special provisions referred to in Section 2.
4. That 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*.

To Amend Zoning By-law No. 6593 (City of Hamilton)  
Respecting Lands located at 95-97 Fairholt Road South, Hamilton

**PASSED** this 24<sup>th</sup> day of February, 2021.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk


ZAR-19-054




This is Schedule "A" to By-law No. 21-  
 Passed the ..... day of ....., 2021

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 Mayor  
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 Clerk

**Schedule "A"**  
**Map forming Part of**  
**By-law No. 21-\_\_\_\_\_**  
**to Amend By-law No. 6593**

**Subject Property**  
 95 and 97 Fairholt Road South, Hamilton  
 Change in Zoning from the "C" (Urban Protected Residential Etc.) District to the "C/S-1805" (Urban Protected Residential, Etc.) District, Modified

Scale: N.T.S	File Name/Number: ZAR-19-054	 Hamilton
Date: December 18, 2020	Planner/Technician: SS/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		