

Authority: Item 14, Planning and Economic
Development Committee
Report; 06-010 (PED06194)
CM: June 28, 2006

Bill No. 188

CITY OF HAMILTON

BY-LAW NO. 06-188

**To Amend:
Zoning By-law No. 6593 (Hamilton);**

Respecting:

**RESIDENTIAL CARE FACILITIES AND RETIREMENT HOMES IN THE "B" ZONING
DISTRICTS**

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 the former area municipality known as the "The Corporation of the City of Hamilton",

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Regional Municipality of Hamilton-Wentworth continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 the Council of the City of Hamilton passed Zoning By-law Amendment 01-143 on 26th day of June, 2001 which by-law was approved by the Ontario Municipal Board by Order dated the;

AND WHEREAS the Council of the City of Hamilton passed Zoning By-law Amendment 02-248 on the 11th day of September 2002 which came into effect on the same date;

**BY-LAW RESPECTING RESIDENTIAL CARE FACILITIES AND RETIREMENT
HOMES IN THE “B” ZONING DISTRICTS**

Page 2 of 4

AND WHEREAS this By-law is in conformity with the Official Plans of the former Region of Hamilton-Wentworth and the City of Hamilton;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 14 of Report 06-010 of the Planning and Economic Development Committee at its meeting held on the 28th day of June, 2006, Zoning By-law No. 6593 (Hamilton) be amended as hereinafter provided.

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

1. That Sections 4, 5, and 6 of By-law No. 01-143 be deleted in their entirety;
2. That Section 8 of Zoning By-law No. 6593 (Hamilton) is hereby amended by:

(a) adding the following new uses to Subsection 8.(1):

(iib) residential care facility for the accommodation of not more than six residents.

(iic) retirement home for the accommodation of not more than six residents.

(b) adding the following two new subsections as follows:

DISTANCE REQUIREMENTS

8.(5) Except as provided in Subsection 6, every residential care facility and retirement home shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as may be occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.

8.(6) Where the radial separation distance from the lot line of an existing residential care facility or an existing retirement home is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility, the existing residential care facility or existing retirement home may be expanded or redeveloped to

BY-LAW RESPECTING RESIDENTIAL CARE FACILITIES AND RETIREMENT HOMES IN THE "B" ZONING DISTRICTS

Page 3 of 4

accommodate not more than the permitted number of residents.

3. Section 8A of Zoning By-law No. 6593 (Hamilton) is hereby amended by adding the following two new subsections as follows:

DISTANCE REQUIREMENTS

8A.(5) Except as provided in Subsection 6, every residential care facility and retirement home shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as may be occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.

8A.(6) Where the radial separation distance from the lot line of an existing residential care facility or an existing retirement home is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility, the existing residential care facility or existing retirement home may be expanded or redeveloped to accommodate not more than the permitted number of residents.

4. Section 8B of Zoning By-law No. 6593 (Hamilton) is hereby amended by adding the following two new subsections as follows:

DISTANCE REQUIREMENTS

8B.(5) Except as provided in Subsection 6, every residential care facility and retirement home shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as may be occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.

8B.(6) Where the radial separation distance from the lot line of an existing residential care facility or an existing retirement home, is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional

BY-LAW RESPECTING RESIDENTIAL CARE FACILITIES AND RETIREMENT HOMES IN THE "B" ZONING DISTRICTS

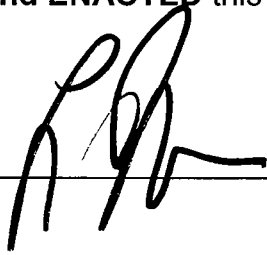
Page 4 of 4

facility, the existing residential care facility or existing retirement home may be expanded or redeveloped to accommodate not more than the permitted number of residents.

5. 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 28th day of June, 2006.

MAYOR



CI-99-A

CLERK

