

Authority: Item 24, Planning and Economic
Development Committee
Report 04-012 (PD04171)
CM: June 30, 2004

Bill No. 162

CITY OF HAMILTON

BY-LAW NO. 04-162

To Amend Zoning By-law No. 06593 Respecting Lands Located at 101 Nash Road North

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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Section 24 of Report 04-012 of the Planning and Economic Development Committee at its meeting held on the 30th day of June, 2004, recommended that Zoning By-law No. 6593 (Hamilton), 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:

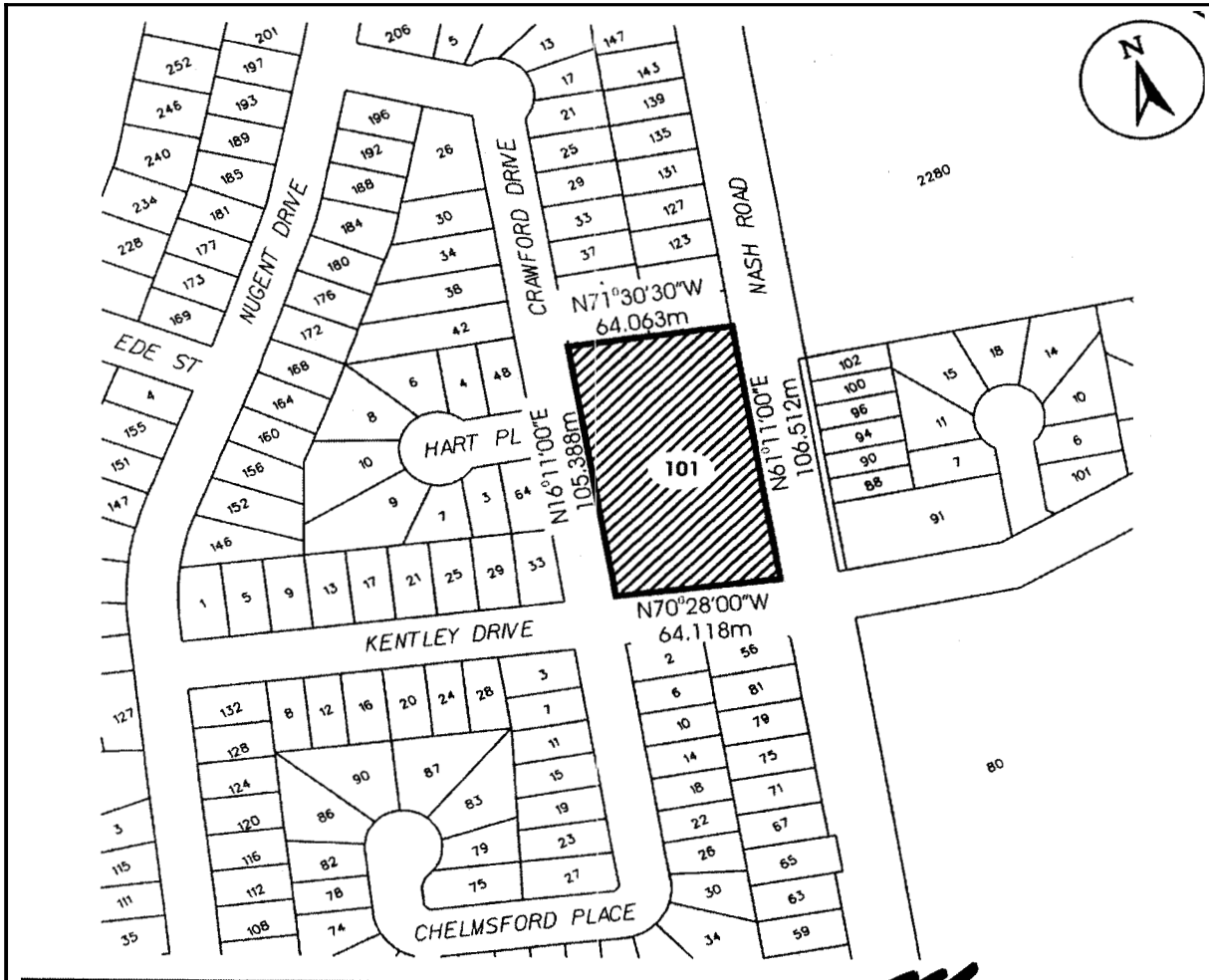
1. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" are amended to the extent only of the following special requirements:
 - (a) That notwithstanding Section 9 (1) (iic) of Zoning By-law 6593, a retirement home for the accommodation of not more than 120 residents in 120 rooms shall be permitted, in rooms which may contain cooking facilities limited to a microwave;
 - (b) That notwithstanding Section 9 (2) of Zoning By-law 6593, no building shall exceed 3 stories, and no structure shall exceed 9.6 metres in height;
 - (c) That notwithstanding Section 9 (3) (iii) of Zoning By-law 6593, a rear yard of a depth of at least 6.0 metres shall be provided and maintained; and,
 - (d) That notwithstanding Section 9 (5) of Zoning By-law 6593, a retirement home shall be permitted on the site;
2. 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 requirements referred to in section 1.
3. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1505.
4. Sheet No. E-94 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1505.
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 30th day of June, 2004.

MAYOR

ZAR-04-11

CLERK



This is Schedule "A" to By-Law No. 04-162

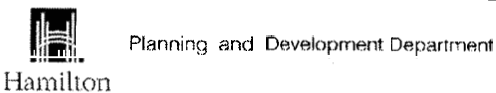
Passed the 30th day of June, 2004

[Handwritten Signature]
 Clerk

 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 04-162
 to Amend By-Law No 6593



Legend



Subject Property
 101 Nash Road North
 Modification to the "C" (Urban Protected Residential, Etc.) District provisions.



North

Scale
NOT TO SCALE

Date
May 6, 2004

Reference File No.
ZAR-04-11

Drawn By
LM