

**Authority:** Item 20, Planning and Economic  
Development Committee  
Report 07-003 (PED06405a)  
CM: February 14, 2007

**Bill No. 107**

**CITY OF HAMILTON**

**BY-LAW NO. 07-107**

**To Amend Zoning By-law No. 6593  
Respecting Deletion of Retirement Homes from Radial Distance Separation**

**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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Item 20 of Report 07-003 of the Planning and Economic Development Committee at its meeting held on the 14<sup>th</sup> day of February, 2007, 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.

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

1. Section 8(5), of By-law 6593, is amended by deleting the words “retirement home”.
2. Section 8(6), of By-law 6593, is deleted in its entirety and replaced with the following:

“ (6) Where the radial separation distance from the lot line of an existing residential care facility is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, emergency shelter, corrections residence or correctional facility may be expanded or redeveloped to accommodate not more than the permitted number of residents.”
3. Section 8A(5), of By-law 6593, is amended by deleting the words “retirement home”.
4. Section 8A(6), of By-law 6593, is deleted in its entirety and replaced with the following:

“ (6) Where the radial separation distance from the lot line of an existing residential care facility is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, emergency shelter, corrections residence or correctional facility may be expanded or redeveloped to accommodate not more than the permitted number of residents.”
5. Section 8B(5), of By-law 6593, is amended by deleting the words “retirement home”.
6. Section 8B(6), of By-law 6593, is deleted in its entirety and replaced with the following:

“ (6) Where the radial separation distance from the lot line of an existing residential care facility is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, emergency shelter, corrections residence or correctional facility may be expanded or redeveloped to accommodate not more than the permitted number of residents.”
7. Section 9(5), of By-law 6593, is amended by deleting the words “retirement home”.

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8. Section 9(6), of By-law 6593, is deleted in its entirety and replaced with the following:

“ (6) Where the radial separation distance from the lot line of an existing residential care facility is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, emergency shelter, corrections residence or correctional facility may be expanded or redeveloped to accommodate not more than the permitted number of residents.”
9. Section 9A(4)(e)1., of By-law 6593, is amended by deleting the words “retirement home”.
10. Section 9A(4)(e)2., of By-law 6593, is deleted in its entirety and replaced with the following:

“ (4)(e)2. Where the radial separation distance from the lot line of an existing residential care facility is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, emergency shelter, corrections residence or correctional facility may be expanded or redeveloped to accommodate not more than the permitted number of residents.”
11. Section 10(6), of By-law 6593, is amended by deleting the words “retirement home”.
12. Section 10(7), of By-law 6593, is deleted in its entirety and replaced with the following:

“ (7) Where the radial separation distance from the lot line of an existing residential care facility is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, emergency shelter, corrections residence or correctional facility may be expanded or redeveloped to accommodate not more than the permitted number of residents.”
13. Section 10A(6), of By-law 6593, is amended by deleting the words “retirement home”.
14. Section 10A(7), of By-law 6593, is deleted in its entirety and replaced with the following:

“ (7) Where the radial separation distance from the lot line of an existing residential care facility is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility,

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emergency shelter, corrections residence or correctional facility may be expanded or redeveloped to accommodate not more than the permitted number of residents.”

15. Section 10B(7), of By-law 6593, is amended by deleting the words “retirement home”.
16. Section 10B(8), of By-law 6593, is deleted in its entirety and replaced with the following:

“ (8) Where the radial separation distance from the lot line of an existing residential care facility is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, emergency shelter, corrections residence or correctional facility may be expanded or redeveloped to accommodate not more than the permitted number of residents.”
17. Section 10C(7), of By-law 6593, is amended by deleting the words “retirement home”.
18. Section 10C(8), of By-law 6593, is deleted in its entirety and replaced with the following:

“ (8) Where the radial separation distance from the lot line of an existing residential care facility is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, emergency shelter, corrections residence or correctional facility may be expanded or redeveloped to accommodate not more than the permitted number of residents.”
19. Section 11(7), of By-law 6593, is amended by deleting the words “retirement home”.
20. Section 11(8), of By-law 6593, is deleted in its entirety and replaced with the following:

“ (8) Where the radial separation distance from the lot line of an existing residential care facility is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, emergency shelter, corrections residence or correctional facility may be expanded or redeveloped to accommodate not more than the permitted number of residents.”
21. Section 11A(7), of By-law 6593, is amended by deleting the words “retirement home”.

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22. Section 11A(8), of By-law 6593, is deleted in its entirety and replaced with the following:

“ (8) Where the radial separation distance from the lot line of an existing residential care facility is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, emergency shelter, corrections residence or correctional facility may be expanded or redeveloped to accommodate not more than the permitted number of residents.”
23. Section 11B(7), of By-law 6593, is amended by deleting the words “retirement home”.
24. Section 11B(8), of By-law 6593, is deleted in its entirety and replaced with the following:

“ (8) Where the radial separation distance from the lot line of an existing residential care facility is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, emergency shelter, corrections residence or correctional facility may be expanded or redeveloped to accommodate not more than the permitted number of residents.”
25. Section 11C(6), of By-law 6593, is amended by deleting the words “retirement home”.
26. Section 11C(7), of By-law 6593, is deleted in its entirety and replaced with the following:

“ (7) Where the radial separation distance from the lot line of an existing residential care facility is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, emergency shelter, corrections residence or correctional facility may be expanded or redeveloped to accommodate not more than the permitted number of residents.”
27. Section 13(5), of By-law 6593, is amended by deleting the words “retirement home”.
28. Section 13(6), of By-law 6593, is deleted in its entirety and replaced with the following:

“ (6) Where the radial separation distance from the lot line of an existing residential care facility is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility,

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emergency shelter, corrections residence or correctional facility may be expanded or redeveloped to accommodate not more than the permitted number of residents.”

29. Section 13B(9), of By-law 6593, is amended by deleting the words “retirement home”.
30. Section 13B(10), of By-law 6593, is deleted in its entirety and replaced with the following:

“ (10) Where the radial separation distance from the lot line of an existing residential care facility is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, emergency shelter, corrections residence or correctional facility may be expanded or redeveloped to accommodate not more than the permitted number of residents.”
31. Section 14(7), of By-law 6593, is amended by deleting the words “retirement home”.
32. Section 14(8), of By-law 6593, is deleted in its entirety and replaced with the following:

“ (8) Where the radial separation distance from the lot line of an existing residential care facility is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, emergency shelter, corrections residence or correctional facility may be expanded or redeveloped to accommodate not more than the permitted number of residents.”
33. Section 15(6), of By-law 6593, is amended by deleting the words “retirement home”.
34. Section 15(7), of By-law 6593, is deleted in its entirety and replaced with the following:

“ (7) Where the radial separation distance from the lot line of an existing residential care facility is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, emergency shelter, corrections residence or correctional facility may be expanded or redeveloped to accommodate not more than the permitted number of residents.”
35. Section 15B(14b), of By-law 6593, is amended by deleting the words “retirement home”.

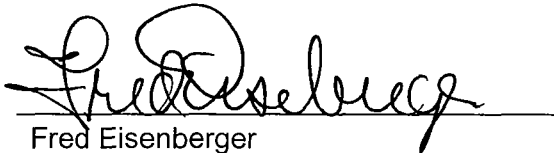
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36. Section 15B(14b), of By-law 6593, is deleted in its entirety and replaced with the following:

“ (14b) Where the radial separation distance from the lot line of an existing residential care facility is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, emergency shelter, corrections residence or correctional facility may be expanded or redeveloped to accommodate not more than the permitted number of residents.”

37. 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 11<sup>th</sup> day of April, 2007.



Fred Eisenberger  
Mayor



Kevin C. Christenson  
City Clerk

CI-06-H