

Authority: Item 7, Economic Development and
Planning Committee
Report 10-008 (PED10067)
CM: April 28, 2010

Bill No. 084

CITY OF HAMILTON

BY-LAW NO. 10-084

**To Amend Zoning By-law No. 6593 (Hamilton), as amended,
Respecting Lands located at 116 Hess Street North, (Hamilton)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Zoning By-law No. 6593 (Hamilton) was enacted 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 7 of Report 10-008 of the Economic Development and Planning Committee, at its meeting held on the 28th day of April, 2010, 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 City of Hamilton, in accordance with the provisions of the Planning Act;

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

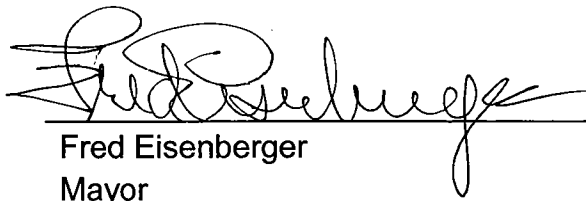
1. That Map No. W-4 of the District Map, appended to and forming part of Zoning By-law No. 6593 (Hamilton), as amended, is hereby amended by changing the zoning from the "D" (Urban Protected Residential - 1 and 2

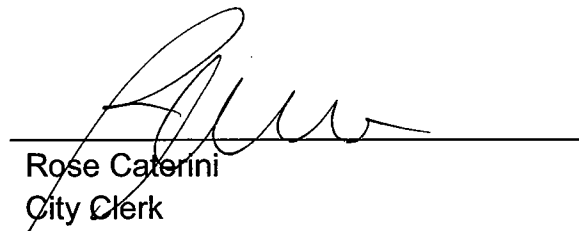
By-law respecting 116 Hess Street North, Hamilton (Page 2 of 3)

Family Dwellings) District, to the "D/S-1629" (Urban Protected Residential - 1 and 2 Family Dwellings) District, Modified, on the lands the extent and boundaries of which are more particularly shown on Schedule "A" annexed hereto and forming part of this By-law.

2. That notwithstanding Sections 2.(2)H.(iii), 18A.1.a) and 18A.1.f) of Zoning By-law No. 6593, the following special requirements shall apply:
 - (a) A home occupation for a commercial customer service office, having a maximum of five (5) non-resident employees, shall only be permitted within the dwelling existing on the date of the passing of this By-law, being the 28th day of April, 2010.
 - (i) For the purpose of this By-law, a Commercial Customer Service Office is defined as an office in which the primary operation is to either contact or be contacted by customers in order to gather information and to provide technical or data collection assistance for customers.
 - (b) Gross Floor Area for Home Occupation (Maximum): 45% Gross Floor Area or 100 sq.m., whichever is less.
 - (c) Manoeuvring Space (Minimum): 0m.
 - (d) Parking Spaces (Minimum): 1 Parking Space.
3. That By-law No. 6593 (City of Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1629.
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

PASSED this 28th day of April, 2010.


Fred Eisenberger
Mayor


Rose Caterini
City Clerk



This is Schedule "A" to By-Law No. 10-084
 Passed the ..28th... day of ...April....., 2010


[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 10-084

to Amend By-law No.6593

Subject Property

 116 Hess Street North, Hamilton
 Change in zoning from the "D" (Urban Protected Residential - 1 & 2 Family Dwelling) District to the "D/S-1629" (Urban Protected Residential - 1 & 2 Family Dwelling) District Modified.

Scale: N.T.S.	File Name/Number: ZAR-09-040
Date: March 9, 2010	Planner/Technician: DB/NB

