

Authority: Item 6, Planning and Economic
Development Committee
Report: 06-004 (PED06075)
CM: March 22, 2006

Bill No. 066

CITY OF HAMILTON

BY-LAW NO. 06-066

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 1092 Main Street West**

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 6 of Report 06-004 of the Planning and Economic Development Committee at its meeting held on the 22nd day of March, 2006 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.

Zoning By-law Respecting 1092 Main Street West (Page 2 of 4)

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

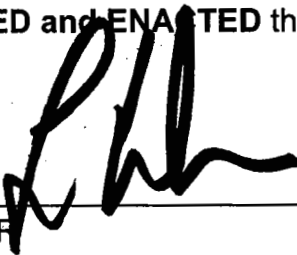
1. The "G/S-1361" (Neighbourhood Shopping Centre, etc.) District, Modified, contained in Section 13 of Zoning By-law No. 6593, as amended by By-law No. 96-109, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended to the extent of the following special requirements:
 - (a) That notwithstanding the provisions of Section 13 (1) of Zoning By-law No. 6593, the following additional commercial uses shall be permitted:
 - (i) A dance studio;
 - (ii) An illuminated ground pylon sign that complies with the following requirements:
 1. A maximum of one sign shall be permitted within the front yard.
 2. No sign shall exceed 4.6 metres in height.
 3. Maximum sign face of 4.1 square metres per side.
 4. A sign shall provide the municipal street address at a minimum height of 15 centimetres on each sign face.
 5. Maximum 30% of the sign area per side may be used for changeable messages.
 6. The intensity of illumination of electronic characters within the read-o-graph portion of the sign shall be at a constant level and the message shall be displayed for a minimum of 5 seconds and cannot be a continuous scroll or chase message.
 - (b) That notwithstanding the provisions of Section 13 (9) (i) of Zoning By-law No. 6593, no planting strip shall be required along the rear lot line.
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 "G/S-1361" (Neighbourhood Shopping Centre, etc.) District, Modified, 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-1361a.

Zoning By-law Respecting 1092 Main Street West (Page 3 of 4)

4. Sheet No. W-33 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1361a.
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 22nd day of March, 2006.

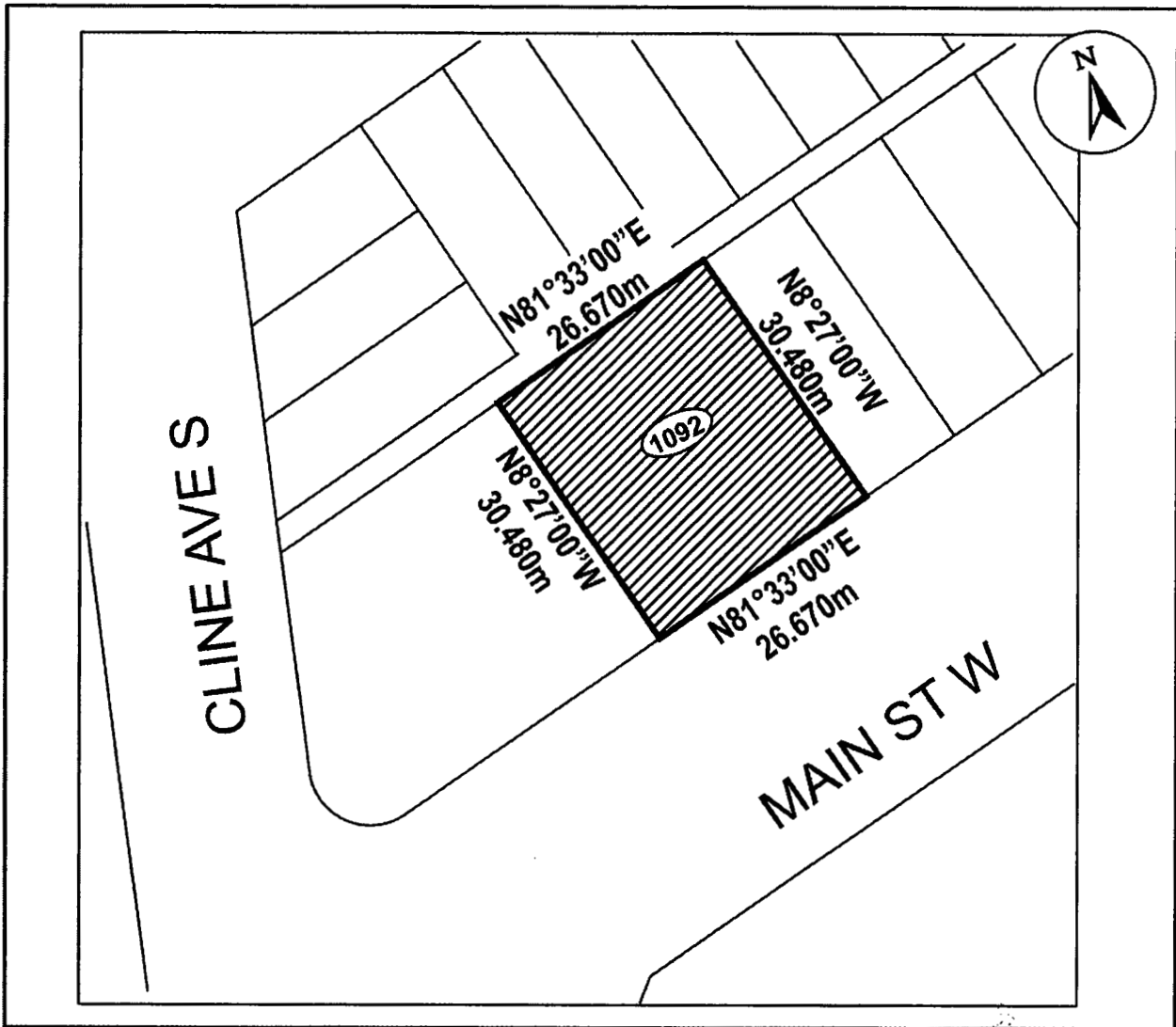
MAYOR



CLERK



ZAR-05-110



This is Schedule "A" to By-Law No. 06-066

Passed the 22nd day of March, 2006

[Signature]
Clerk

[Signature]
Mayor

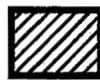
Schedule "A"

Map Forming Part of
By-Law No. 06-066


to Amend By-Law No. 6593

Subject Property

1092 Main Street West (Hamilton)



Change in Zoning from the existing "G/S-1361" (Neighbourhood Shopping Centre, etc.) District, Modified, to the "G/S-1361a" (Neighbourhood Shopping Centre, etc.) District, Modified.

	Scale: Not to Scale	File Name/Number: ZAR-05-110
	Date: November 2005	Planner/Technician: OQ/LM