

Authority: Item 19, Economic Development
and Planning Committee
Report 07-003 (PED07001)
CM: February 15, 2007

Bill No. 050

CITY OF HAMILTON

BY-LAW NO. 07-050

To Amend By-law No. 6593 to Remove Sign Regulations

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 City of Hamilton passed a new Hamilton Sign By-law to regulate signs throughout the City of Hamilton on August 9, 2006, with an effective date of February 1, 2007;

AND WHEREAS it is desirable to remove the sign provisions from the City of Hamilton Zoning By-law No. 6593 once the Hamilton Sign By-law comes into effect to avoid duplication;

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

1. That the following Sections of By-law No. 6593 are deleted in their entirety: Section 2.(2)H(viea); Section 2.(2)H(vif); Section 2.(2)H(vig); Section 3.(3)(ix); Section 3.(3)(xx); Section 3.(3)(xxv); Section 3.(3)(xxvii); Section

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- 3.(6); Section 3.(7); Section 3.(7a); Section 11.(1)(x)(f); Section 11.(1)(xi); Section 11.(1)(xii)(k); Section 11A.(1)(iii)(c); Section 11A.(1)(iv); Section 12C.(1)B(d)2; Section 12C.(3); Section 12D.(1)B(d)2; Section 12D.(3); Section 13.(1)(xv); Section 13A.(1)(x); Section 13A.(1)(xi); Section 13A.(1)(xii); Section 13C.(1)(iii); Section 13D.(1)B(xvii); Section 14.(1)(xvi); Section 15A.(1)(xviii); Section 15B.(3)(b)18; Section 15B.(5); Section 16.(1)(ivb); Section 16A.(1)(f); Section 16A.(1)(fa); Section 17A.(1)(d); Section 17A.(1)(dd); Section 17C.(1)(d)3; Section 17C.(3); Section 17D.(1)(d)3; Section 17D.(3); Section 17E.(1)(e)3; Section 17E.(3); Section 17F.(1)(d)3; Section 17F.(3); Section 17G.(1)(d)3; Section 17G.(3); Section 18.(3)(vi)(eee); Section 18.(15); and Section 19A.
2. Section 2.(2)D of By-law No. 6593 is amended by deleting the phrase “and shall also include any billboard, roof sign, overhanging sign or other sign or notice except an announcement sign of a public or an institutional use, or one exempted from the operation of this By-Law as a public sign by Section 3”.
 3. Section 2.(2)H(iii)(b) of By-law No. 6593 is deleted and replaced with the following:

“there is no sign or notice posted on the premises except in accordance with the Sign By-law; and”.
 4. Section 2.(2)H(vid) of By-law No. 6593 is amended by deleting the following:

“Sign, Business Identification” shall mean a sign identifying a business operated on a lot, displaying only one or more of the following content:

 1. The name of the business.
 2. The registered trademark of the business.
 3. The ownership of the business.
 4. The name of the activity, product or service available on the premises. (81-30)”.
 5. Section 3.(3)(xxii) of By-law No. 6593 is amended by deleting the phrase “and which may include one sign of an area of not more than 1.2 square metres (12.92 square feet), for advertising such products, which sign is at least 3.0 metres (9.84 feet) from the nearest street”.
 6. Section 11B.(1)(vii) of By-law No. 6593 is amended by deleting the phrase “and in connection therewith one ground sign, wall sign, or projecting sign, of an area of not more than 0.4 square metres (4.31 square feet), non

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illuminated or illuminated by non-flashing, indirect, or interior means only, located at least 1.5 metres (4.92 feet) from the nearest street line. (10575/64) (79-288) (80-049)”

7. Section 11B.(1)(ix)2nd(c) of By-law No. 6593 is amended by deleting the phrase “no indication of the existence or availability of any such use whether by way of sign, display, or otherwise shall be visible from the outside of the building. (10698/65)”
8. Section 13A.(4)(b) of By-law No. 6593 is amended by deleting the 2nd paragraph and replacing it with the following:

“Provided that in the case of an automobile service station, fuel pump islands may also be located at a distance of not less than 4.5 metres (14.76 feet) from the nearest street line.”
9. Section 14A.(1)(c) of By-law No. 6593 is amended by deleting the 2nd paragraph which starts with “Provided” and ends with “of the lot”.
10. Section 14A.(3)(a) of By-law No. 6593 is amended by deleting the 2nd and 3rd paragraphs, and replacing them with the following:

“And that in the case of an automobile service station, fuel pump islands, including a canopy, may also be located at a distance of not less than 3.0 metres (9.84 feet) from the nearest street line”.
11. Section 15.(1)(ii) of By-law No. 6593 is amended by deleting the phrase “or a third party/billboard sign”.
12. Section 17C.(2) of By-law No. 6593 is amended by deleting the phrase “except a sign,”.
13. Section 17D.(2) of By-law No. 6593 is amended by deleting the phrase “except a sign,”.
14. Section 17E.(2) of By-law No. 6593 is amended by deleting the phrase “except a sign,”.
15. Section 17F.(2) of By-law No. 6593 is amended by deleting the phrase “except a sign,”.
16. Section 17G.(2) of By-law No. 6593 is amended by deleting the phrase “except a sign,”.
17. Section 18.(3)(ivc)(e) of By-law No. 6593 is amended by deleting the following phrases:

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“sign or”; and,

“nor shall any sign be located within 3.0 metres (9.84 feet) of any lands designated for residential purposes”.

18. Section 18.(3)(ive)(c) of By-law No. 6593 is amended by deleting the following phrases:

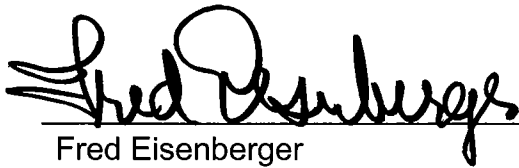
“sign or”; and,

“nor shall any sign be located within 3.0 metres (9.84 feet) of any lands designated for residential purposes”.

19. Section 20.(1) of By-law No. 6593 is amended by deleting the phrase “(including a sign)”.

20. The Clerk be 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 15th day of February, 2007.



Fred Eisenberger
Mayor



Kevin C. Christenson
Clerk

CI-06-J