

# **PROPERTY MAINTENANCE**

## **Chapter 478 SIGNS - OUTDOOR OTHER ADVERTISING DEVICES**

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### **Article 1 SHORT TITLE**

#### **478.1.1 Citation**

This Chapter shall be known as the “Sign By-law.”

### **Article 2 INTERPRETATION**

#### **478.2.1 Awning - defined**

“awning” means a temporary shelter or roof-like projection consisting entirely or mainly of non-rigid materials, but may have a support frame.

#### **478.2.2 Banner sign - defined**

“banner sign” means a sign of non-rigid material displaying a message in words or symbols, but shall not include a flag.

#### **478.2.3 Billboard sign - defined**

“billboard sign” means a non-accessory sign displaying third party advertising.

#### **478.2.4 Building face - defined**

“building face” means the total area of a building between the finished surface of the ground and the eaves of any architectural elevation.

**478.2.5 Canopy - defined**

“canopy” means any roof-like structure projecting more than 0.3 m (12 in) from the face of a building, having a rigid frame, and being attached to said building in such manner as not to become an integral part thereof but does not include collapsible or fixed awnings or balconies.

**478.2.6 Chief Building Official - defined**

“Chief Building Official” means the person who may, from time to time, be appointed by Council to the position of Chief Building Official in conformity with the provisions of the *Building Code Act*, 1992.

**478.2.7 City - defined**

“City” means The Corporation of the City of Brantford.

**478.2.8 Election sign - defined**

“election sign” means any notice or device which is used by or on behalf of a political party or candidate for any federal, provincial or municipal election. By-law 122-91, 2 July, 1991.

**478.2.9 Electronic message display - defined**

“electronic message display” means an electronically and/or computer controlled sign, or part thereof, which displays illuminated copy or graphic information in a prearranged sequence which may or may not change. For the purposes of this Chapter, electronic message display shall include but is not limited to a video screen, read-o-graph or projected image. By-law 60-2012, 18 June, 2012.

**478.2.10 Erect - defined**

“erect” means anything done in the installation of any sign.

**478.2.11 Essential service - defined**

“essential service” means hospitals, hotels, motels, hostels, restaurants, food stores, drug stores, parking lots and motor vehicle service stations.

**478.2.12 Flag - defined**

“flag” means a piece of cloth or similar material, usually oblong and bearing various devices and colours to designate a nation, province, organization, etc. and commonly attached to a pole or halyard, but does not include a banner.

**478.2.13 Ground sign - defined**

“ground sign” means a sign directly supported from the ground without the aid of any other building or structure other than the sign structure, including a pylon sign, and shall exclude any sign otherwise defined in this Chapter including billboard sign.

**478.2.14 Height of sign - defined**

“height of sign” means the vertical distance measured from the highest point of the sign to immediately below such sign and support structure.

**478.2.15 Industrial mall - defined**

“industrial mall” means a lot and a building or structure, or portion thereof, or group of buildings designed, developed and managed as a unit in which each building contains two or more suites or spaces each for separate occupancy by a permitted use for which common loading and parking facilities and other common services may be provided.

**478.2.16 Lot frontage - defined**

“lot frontage” means that side or limit of the lot that abuts directly on a street or highway. By-law 122-91, 2 July, 1991.

**478.2.17 Mural - defined**

“mural” means a painting, illustration or decoration applied to an exterior wall of a building that does not identify or advertise any business, enterprise, organization, product or service. By-law 45-2000, 27 March, 2000.

**478.2.18 Non-accessory - defined**

“non-accessory” means a sign that advertises goods, products, services or facilities that are not necessarily available at the location where the sign is situated or that directs persons to a location different from that where the sign is located.

**478.2.19 Portable sign - defined**

“portable sign” means any sign or other advertising device which is not permanently erected, has no foundation, and is not permanently attached to a building or structure; and includes a mobile sign, the type of sign commonly known as a “sandwich-board,” and any airborne device tethered to any building, structure, vehicle or other anchor.

**478.2.20 Public information sign - defined**

“public information sign” means any of the following signs:

- (a) signs erected by or for a government agency;
- (b) signs designating a public or private hospital, a church, a primary or secondary school (other than a nursery school), within the meaning of the *Education Act*, a public library, a service club, a community centre, arena or other public, government or institutional use;
- (c) signs erected in parks, stadia or playgrounds including those for use as scoreboards or timers;

## SIGNS - OUTDOOR

- (d) signs located at or near entrances to new subdivisions or land under development or redevelopment which provide an adequate portrayal of the zoning and land uses permitted in the various parts of the subdivision land under development or redevelopment, and all adjacent properties, and any other sign required under a subdivision or development agreement provided such signs are approved by the Director of Planning and carry no advertising other than the name of the subdivision or development, the owners, builders, utilities, consultants and real estate agents and provided the sign area is not more than 20.0 sq m (215 sq ft);
- (e) non-illuminated signs located on the entrance gates, columns or walls in front of a building or project provided total sign area per gate or entrance is not over 1.2 sqm (13 sq ft) and provided such signs carry no advertising other than the address and name or logo of the building or project;
- (f) signs designating fire routes.

### **478.2.21 Roof sign - defined**

“roof sign” means any sign, other than an airborne device tethered to a building, which is located entirely on or above the main roof of a building or located entirely on the top of or above the parapet of a building.

### **478.2.22 Shopping centre or plaza - defined**

“shopping centre or plaza” means a lot or lots, and building or buildings containing at least three individual commercial uses, designed, developed, and a managed as a comprehensive development for which common loading spaces, parking areas, landscaping areas, and other common facilities may be provided, and which is held in single or multiple ownership and where it is held in multiple ownership of more than one lot, the total area of the properties shall be deemed to be a lot for the regulations of this Chapter. By-law 122-91, 2 July, 1991.

### **478.2.23 Sign - defined**

“sign” includes any device located outside of any building which identifies or advertises any business, enterprise, organization or project, product or service, including all parts of such device including frames but excluding supporting structures, located on any premises by means of painting on or attaching bills, letters, numerals, pictorial matter or electric or other devices in such a way as to be visible to the public. A sign also includes any airborne device tethered to any building, structure, vehicle or other anchor and an announcement, notice, directional matter, name, declaration, demonstration, display, mural or insignia (monuments, grave stones and tree dedication markers are not considered signs). By-law 122-91, 2 July, 1991; By-law 45-2000, 27 March, 2000.

**478.2.24 Sign area - defined**

“sign area” means the area within the entire outer perimeter, including cutouts, if any, and including all visible faces used for sign purposes, but not including the thickness of the sign where same is 400 mm (15.74 in) or less and is not used for message purposes. Where a sign is not bounded or enclosed within a distinct frame, the area shall be that of a rectangle, circle or other simple geometrical shape containing all letters, symbols and devices on the sign.

**478.2.25 Sign permit - defined**

“sign permit” means a permit issued by the City of Brantford’s Chief Building Official pursuant to the provisions of this Chapter.

**478.2.26 Street - defined**

“street” means a highway, as defined in the *Highway Traffic Act*, but does not include a private lane or unopened road allowance.

**478.2.27 Street line - defined**

“street line” means the property line or common boundary between a property or lot and a street and in the case of a corner lot means both such lines produced to their point of intersection.

**478.2.28 Temporary personal sign - defined**

“temporary personal sign” means a ground sign or advertising device, not permanently erected, without foundations, and is not affixed to any other structure, having a sign area not greater than 3.0 sq m (32.2 sq ft) per face on a single sign board, a height not greater than 2.5 m (8.2 ft), is not illuminated either internally or externally, which is located on a property used for residential use and which sign is used for a personal announcement or congratulatory message. A temporary personal sign shall be located on the property for not longer than three days and there shall not be more than one such sign on any one property at the same time.

**478.2.29 Third party advertising - defined**

“third party advertising” means advertising which directs attention to products sold or services provided which cannot be considered as the principal product sold or service provided on the premises at which the sign is located. By-law 122-91, 2 July, 1991.

**478.2.30 Utility pole - defined**

“utility pole” means a pole located within a public road allowance and erected for the purpose of the transmission of electric energy, telecommunications, or street lighting. Without limiting the generality of the foregoing, other posts or barriers erected within road allowances and used solely for traffic control purposes or for displaying traffic information are not utility poles for purposes of this Chapter. By-law 178-95, 11 December, 1995.

**478.2.31 Wall sign - defined**

“wall sign” means any sign attached to and supported by a wall of a building, or attached to and supported by the face of a parapet of a building, or which is painted on such wall and/or parapet and includes a sign painted or mounted on a canopy or awning, and includes the type of signs known as fascia sign and building sign.

**478.2.32 Zone - defined**

“zone” means any area of land for which specific uses and development standards are prescribed by the City of Brantford Zoning By-law 160-90, as amended, and “zoned” shall be construed accordingly. By-law 122-91, 2 July, 1991.

**478.2.33 Interpretation - private property rights**

Neither the provisions of this Chapter nor the granting of any permit under the authority of this Chapter are intended to or shall have the effect of granting a licence, interest, or any property or other right to any person in respect of the lands and premises on which any sign is to be erected. By-law 95-96, 6 August, 1996.

**Article 3**

**PERMIT - NOT REQUIRED**

**478.3.1 Sign - statutes - by-laws - regulations - compliance**

Despite Section 478.4.2 of this Chapter, but subject to the requirements of any other applicable statutes, by-laws, or regulations, the signs set out in this Article do not require a sign permit from the Chief Building Official, but shall comply with all other requirements of this Chapter and the Ontario Building Code, as amended.

**478.3.2 Government sign**

Signs erected by or for any federal, provincial, county or local municipal government do not require a permit provided the requirements of Section 478.3.1 are met.

**478.3.3 Public information sign**

Public information signs as defined do not require a permit provided the requirements of Section 478.3.1 are met.

**478.3.4 Regulatory sign - safety - on private property**

A sign not exceeding 0.75 sq m (8 sq ft) in area per face indicating no trespassing, safety, caution or any other regulatory sign, including entrance, exit, parking or traffic signs on private property do not require a permit provided the requirements of Section 478.3.1 are met.

**478.3.5 Information sign - address - name of occupant - size**

A sign not exceeding 0.14 sq m (1.5 sq ft) in area per face indicating the name and address of the owner or occupant of the premises on which the sign is located, or the name of the land or premises or both does not require a permit provided the requirements of Section 478.3.1 are met.

**478.3.6 Information sign - professional occupant - size**

A sign not exceeding 0.56 sq m (6 sq ft) indicating the name and profession of a physician, dentist, chiropractor or other professional person having his/her office and/or residence on the lot on which the sign is located, provided such occupancy and land use is permissible under the zoning by-laws and other land-use regulations in effect in the City does not require a permit provided the requirements of Section 478.3.1 are met.

**478.3.7 Bed and breakfast sign - owner - occupied dwelling unit**

A sign not exceeding 0.15 m (.5 ft) by 0.46 m (1.5 ft) indicating a home occupation or a bed and breakfast establishment conducted at an owner-occupied dwelling unit provided such use is permissible under the zoning by-laws and other land-use regulations in effect in the City does not require a permit provided the requirements of Section 478.3.1 are met.

**478.3.8 Real estate sign - non-illuminated - maximum size**

A non-illuminated real estate point of sale sign advertising the sale or lease of a building or property, provided that such sign does not exceed 1.2 sq m (12.9 sq ft) in area per face where on land zoned for single-detached dwellings and semi-detached dwellings, and is actually located on such building or property does not require a permit provided the requirements of Section 478.3.1 are met.

**478.3.9 Real estate sign - one per property - exception**

Only one real estate sign shall be allowed on a property except in the case of a corner lot or through lot where one sign per street frontage is allowed does not require a permit provided the requirements of Section 478.3.1 are met.

**478.3.10 Contractor's portable sign - non-illuminated**

A non-illuminated contractor's portable sign, advertising the construction or renovation of a building, provided that such sign does not exceed 1.2 sq m (12.9 sq ft) in area per face and height not greater than 1.25 m (13.5 ft) and is actually located on the property where the work is being performed and only during the period of such work does not require a permit provided the requirements of Section 478.3.1 are met.

**478.3.11 Vehicle - sign - lettering - use limitation**

Signs or lettering attached to or painted directly upon any vehicle, trailer or cycle, provided such vehicle, trailer or cycle is not being used



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mainly for sign purposes and being stored at any location where a portable sign would otherwise not be permitted does not require a permit provided the requirements of Section 478.3.1 are met.

### **478.3.12 Seasonal produce sign - agricultural - maximum size**

A sign having a maximum sign area of 3.0 sq m (32 sq ft) per face advertising the sale of seasonal produce from the agricultural land on which they were grown, during the appropriate growing season for the produce advertised does not require a permit provided the requirements of Section 478.3.1 are met.

### **478.3.13 Christmas tree sign - maximum size - allocation**

A sign having a maximum sign area of 3.0 sq m (32 sq ft) per face advertising the sale of Christmas trees, in season, on land zoned by the City for such use does not require a permit provided the requirements of Section 478.3.1 are met.

### **478.3.14 Election sign**

Election signs as defined (see Article 5) do not require a permit provided the requirements of Section 478.3.1 are met.

### **478.3.15 Development sign - non-illuminated - size - duration**

A non-illuminated sign not exceeding 6.0 sq m (64.5 sq ft) per face in area stating the name of the building or project to be built on the property on which the sign is located and stating names and addresses of the owners, agents, contractors, utilities and consultants, provided that such sign shall be removed within six months of first occupancy and provided the locations of such signs are approved by the Chief Building Official does not require a permit provided the requirements of Section 478.3.1 are met.

### **478.3.16 Construction sign - duration - approved**

Signs erected on any construction project after construction has commenced provided that such signs must be removed within six months of the first occupancy of the building under construction and provided the locations of such signs are approved by the Chief Building Official do not require a permit provided the requirements of Section 478.3.1 are met.

### **478.3.17 Personal sign - temporary**

Temporary personal signs as defined do not require a permit provided the requirements of Section 478.3.1 are met.

### **478.3.18 Banner sign - temporary - location - restriction**

Temporary banner signs located on land zoned for commercial and industrial uses do not require a permit provided the requirements of Section 478.3.1 are met. By-law 122-91, 2 July, 1991.

## SIGNS - OUTDOOR

### 478.3.19 Garage sale sign - temporary

Temporary signs erected for the sole purpose of advertising a garage sale for which a licence has been issued pursuant to Chapter 352 [The City of Brantford Municipal Code] do not require a permit, even if such signs are located on a utility pole, but all other requirements of this Chapter (including the requirements of Sections 478.4.6(a), (b), and (c)) shall continue to apply to such signs. Despite the foregoing, Sections 478.4.7(b) and (c) shall not apply to a sign erected for the sole purpose of advertising a garage sale which has been affixed to a utility pole, but the holder of the garage sale licence shall instead:

- (a) remove such signs within twenty-four hours of the completion of the applicable garage sale; and
- (b) include in legible writing on the face of the sign the licence number under which the garage sale is being held. By-law 178-95, 11 December, 1995.

### 478.3.20 Sandwich-board - sign

Sandwich-board signs may be placed in the untravelled port of a public road allowance, without a permit, subject to the regulations of Section 478.11.19 and provided that the requirements of Section 478.3.1 are met. By-law 59-99, 12 April, 1999.

## Article 4

### GENERAL PROHIBITIONS

#### 478.4.1 Sign - non-conforming - prohibited

No person shall erect or permit to be erected, or allow to remain on land or buildings owned, rented or leased or occupied by them, any sign in the City of Brantford other than in accordance with the provisions of this Chapter.

#### 478.4.2 Erection - alteration - without permit - prohibited

Except as provided in Article 3 no person shall erect or structurally alter any sign in the City of Brantford without first obtaining a sign permit from the Chief Building Official. By-law 122-91, 2 July, 1991.

#### 478.4.3 Sign - on road allowance - prohibited exceptions

No sign shall be erected on any road allowance except as may be expressly permitted in this Chapter. By-law 178-95, 11 December, 1995.

#### 478.4.4 Sign - on road allowance - government - Bell

Signs erected by or for the federal government, the provincial government, a municipal Council, Brantford Power Inc., the Grand Erie District School Board, the Brant Haldimand-Norfolk Catholic District School Board may be erected on any road allowance, including utility

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poles. Signs erected by or for Bell Canada may be erected within any road allowance on any pole owned by Bell Canada.

### **478.4.5 Sign - on road allowance - transit**

The City of Brantford Public Works shall be entitled to erect and to grant permission to other persons to erect transit shelter and bench signs within road allowances. By-law 60-2012, 18 June, 2012.

### **478.4.6 Sign - on road allowance - permit requirements**

Any person shall be entitled to obtain a sign permit to erect a sign to be attached to a utility pole located within a road allowance, upon the following conditions:

- (a) the proposed sign shall otherwise comply with all requirements of this Chapter and the requirements of any other applicable law;
- (b) the proposed sign and its location shall not be a hazard to pedestrian or vehicular traffic travelling within the road allowance;
- (c) the proposed sign shall not exceed 0.09 sq m (.96 sq ft) in size.

### **478.4.7 Sign - on utility pole - means of attaching - removal**

Any person, other than a government or other person listed in Section 478.4.4, who erects a sign on a utility pole:

- (a) shall not use any metal nail, staple or any other fastening device to attach the sign, but shall only use adhesive tape materials to attach the sign to the pole;
- (b) shall remove the sign not later than twenty-eight days from the date on which the applicable permit was issued;
- (c) shall include in legible writing on the face of the sign the permit number under which the sign was erected; and
- (d) shall ensure that the entire surface area of the sign is securely taped down so that no portion of the sign projects out from the pole. By-law 178-95, 11 December, 1995.

### **478.4.8 Obstruction - confusing - hazardous - prohibited**

A sign shall not be erected, operated, used or maintained if its position, shape, colour, format or illumination obstructs the view of or may be confused with an official traffic sign, signal or device, or other official sign, or otherwise poses a potential hazard to traffic.

**478.4.9 Light - flashing - misleading - prohibited**

A sign shall not be erected, operated, used or maintained if it displays lights which may be mistaken for the flashing lights customarily associated with danger or with those used by police, fire, ambulance or other emergency vehicles.

**478.4.10 Illumination - in residential area - hours visible**

Every illuminated sign which is visible from within habitable living space contained in a dwelling in a residential zone shall have its illumination extinguished by 2300 hours each day, and shall not be re-lighted before 0700 hours of the morning of the following day.

**478.4.11 Illumination - essential - visible while open**

Despite Section 478.4.10 of this Chapter, illuminated signs designating essential services may remain lighted so long as such establishments are open for service to the public.

**478.4.12 Illumination - flashing - distance from residential zone**

No flashing illumination of signs shall be permitted within 40 m (131.2 ft) of any residential zone, except where the construction of the building or structure upon which the sign is erected is such that any such sign is not visible from such residential zone.

**478.4.13 Illumination - flashing - 3 second intervals - permitted**

No flashing illumination of signs faster than three second intervals is permitted. By-law 122-91, 2 July, 1991.

**478.4.14 Illumination - animated - moving - changing message**

No electronic message display, illuminated sign being electrically animated or having moving parts or message changes is permitted except:

- (a) a rotating sign which does not exceed ten revolutions per minute;
- (b) an illuminated sign where a message is changed at not less than three second intervals, subject to Section 478.4.12;
- (c) a sign having raceway track lighting or a continuous moving message sign, subject to Section 478.4.12;
- (d) a sign located not closer than 50 m (164 ft) (to the nearest traffic signal of an intersection or to the nearest signal of a pedestrian crossing. By-law 60-2012, 18 June, 2012.

**478.4.15 Traffic sign - not official - prohibited - exception**

No sign which attempts or purports to direct the movement of traffic on highways, other than entrance or exit signs or any other sign erected by or for a federal, provincial, county or local municipal government, is permitted.

**478.4.16 Obstruction - fire escape - door - window - prohibited**

No sign shall be located so as to obstruct or impede any fire escape, fire exit, door, window, hatchway, skylight, flue or air intake or exhaust or so as to prevent or impede the free access of emergency personnel to any part of a building, including fire department Siamese connections and fire hydrants.

**478.4.17 Projection - over - sidewalk - vertical clearance**

No sign, light fixture or other device used for advertising purposes, including a canopy or awning, which projects more than 75 mm (3 in) over a bicycle pathway, sidewalk, or other pedestrian walkway located on private property is permitted unless it is located at least 2.3 m (7.5 ft) above grade and will not interfere with pedestrian or bicycle movement.

**478.4.18 Sign - on residential area - restricted use**

No sign is permitted on land used or zoned for residential purposes other than those signs specifically permitted under this Section, or under Sections 478.3.3 through 478.3.11 inclusive, Sections 478.3.14 through 478.3.17 inclusive, Sections 478.6.1 through 478.6.3 inclusive and Article 12 to this Chapter.

**478.4.19 Information sign - building complexes - maximum size**

Apartment buildings, townhouses or other approved multiple residential complexes may have a building or complex identification sign or signs having a maximum total sign area of 6 sq m (6.5 sq ft) erected in accordance with Article 6 with respect to location, plus an “apartment for rent” type sign having a maximum sign area of 0.6 sq m (.65 sq ft) per face.

**478.4.20 Portable sign - restriction**

Portable signs are not permitted except for temporary personal signs and portable contractor signs and as provided for in Article 11 to this Chapter.

**478.4.21 Roof sign - approval - Council - required**

Roof signs are not permitted until approval is received from the Council of the City of Brantford. (see Article 10) By-law 122-91, 2 July, 1991.

**478.4.22 Advertising - third party - prohibited - exceptions**

No third party advertising shall be permitted other than on the following varieties of signs:

- (a) billboard signs;
- (b) election signs;
- (c) real estate signs;

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- (d) mobile signs advertising charitable events; or
- (e) signs of any classification which are wholly located on lands owned by the Corporation of the City of Brantford. By-law 95-96, 6 August, 1996.

### **478.4.23 Sign - on fence - pole - tree - structure - prohibited**

Except where permitted in this Chapter, no sign shall be fixed, attached on or painted onto fences, boards, trees, posts, poles or any other structure which is visible from the street.

### **478.4.24 Projection - over street - vertical clearance - minimum**

No person shall erect or maintain any sign, awning or canopy or portion thereof which projects over any portion of a road allowance unless such sign, awning or canopy has a vertical clearance of 2.44 m (8 ft) between the sidewalk grade and the underside of such sign, awning or canopy and has the express written approval of the Engineer and subject to any provisions deemed necessary by the Engineer including an encroachment agreement. By-law 122-91, 2 July, 1991.

### **478.4.25 Bell Canada - approval - issuance of permit**

Section 478.4.6 shall not be applied to permit the issuance of a permit to any person for the erection of a sign to be attached to a utility pole owned by Bell Canada unless and until Bell Canada has either consented to the specific permit application or has given its general consent to the issuance of permits on its poles in the manner prescribed by this Chapter. By-law 178-95, 11 December, 1995.

## **Article 5 ELECTION SIGN**

### **478.5.1 On highway - over public property - prohibited**

No person including a candidate shall affix, erect, display or keep an election sign or permit or allow an election sign to be affixed, erected, displayed or kept, wholly or partially on or overhanging public property including highways, boulevards and parks. By-law 122-91, 2 July, 1991

### **478.5.2 On public utilities property - prohibited**

No person including a candidate shall affix, erect, display or keep an election sign or permit or allow an election sign to be affixed, erected, displayed or kept, on any property owned, managed or controlled by the Brantford Power Inc. By-law 60-212, 18 June, 2012.

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### **478.5.3 Obstructing - door - window - opening - prohibited**

No person including a candidate shall affix, erect, display or keep an election sign or permit or allow an election sign to be affixed, erected, displayed or kept, at any location where the election sign might obstruct doors, windows, fire exits, openings required for light, ventilation, ingress or egress.

### **478.5.4 Election Signs – regulations – Amended: By-law 86-2014 31 August 2015)**

All regulations under Article 5- Election Sign of Chapter 478 apply to Municipal, Provincial and Federal Election signs.

#### **478.5.4.1 Display of Election Signs**

The earliest date and time election signage may be placed is immediately following the close of nominations on Nomination Day for municipal elections or the date of issuance of the Writ of Election, for Federal or Provincial election.

#### **478.5.4.2 Removal – 3rd day following Election Day**

The latest date and time on which election signage may be removed is 16:30 hours on the 3rd day following Election Day.

### **478.5.5 Notice to remove - non-confirming**

Where any person has affixed, erected, displayed or kept an election sign contrary to provisions of this Chapter, the Chief Building Official, the Engineer, the Clerk, may direct either orally or in writing such person, candidate, or person in charge at a candidate's headquarters, to remove such election sign(s).

### **478.5.6 Removal - without notice - authority**

Despite Section 478.5.5, where any election sign contravenes this Chapter the Chief Building Official, the Engineer, the Clerk or their designates may remove such sign without notice or compensation or return of sign. **Amended: By-law 86-2014 31 August 2015)**

### **478.5.7 Removal - cost - paid by candidate**

Further, the candidate whose sign is removed shall pay for the City's cost of removal.

### **478.5.8 Placement – privately-owned property only Amended: By-law 86-2014 31 August 2015)**

Election signs may be placed only on privately-owned property, excluding commercial, industrial and multi-residential classes.

### **478.5.9 Amended: By-law 86-2014 31 August 2015)**

Prior to the placement of any election sign permission must first be granted by either the property owner or occupant.

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### Article 6

#### SIGN - TYPE - SIZE - LOCATION

##### **478.6.1 Permitted - commercial - industrial land**

Except as otherwise expressly permitted by the provisions of this Chapter, signs are permitted only on land zoned for commercial or industrial uses by the zoning by-law, or on land occupied by lawfully established non-conforming commercial or industrial uses.

##### **478.6.2 Conformance - all requirements - exception**

Signs must conform with requirements contained in this Chapter respecting size, type and location, unless the sign is located on a property which is controlled by a site specific zoning by-law or a site plan control agreement.

##### **478.6.3 Site specific by-law - site plan control agreement**

A site specific by-law or site plan control agreement has precedence over the sign by-law, and may contain requirements more restrictive or less restrictive than this Chapter.

##### **478.6.4 Chief Building Official - define type**

When a sign cannot be clearly defined as to sign type, the Chief Building Official shall decide on the sign type and regulations applicable to that sign. By-law 122-91, 2 July, 1991.

##### **478.6.5 Interpretation - municipal lands**

Section 478.6.1 does not prohibit signs of any classification which are wholly located on lands owned by The Corporation of the City of Brantford. By-law 95-96, 6 August, 1996.

### Article 7

#### HERITAGE BUILDING - HERITAGE ZONE

##### **478.7.1 Sign - compliance - heritage guidelines**

Any sign to be erected on a designated heritage property or within a heritage conservation district must meet the requirements of this Chapter and comply with the guidelines for heritage signage set forth in Schedule 'B'. By-law 178-95, 11 December, 1995.

##### **478.7.2 Portable sign - prohibited - limitation**

Portable signs are not permitted on any property designated under Part V of the *Ontario Heritage Act*, as amended. By-law 122-91, 2 July, 1991.

##### **478.7.3 Interpretation**

For the purposes of this Article, “designated heritage property” and “heritage conservation district” means a property designated as a heritage property pursuant to the *Ontario Heritage Act* and a Heritage Conservation District established pursuant to the *Ontario Heritage Act* respectively.



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### **478.7.4 Heritage Committee - advice and assistance**

The Brantford Heritage Committee shall provide its advice and assistance to the Chief Building Official for the purpose of assisting the Chief Building Official in his/her interpretation and consideration of the guidelines for heritage signage set forth in Schedule 'B' and referred to in Section 478.7.1. The Chief Building Official shall receive and consider any such advice and assistance. By-law 178-95, 11 December, 1995.

## **Article 8 GROUND SIGN**

### **478.8.1 Minimum distance apart**

Ground signs located on a property shall not be located closer to each other than 30 m (98 ft). By-law 154-2002, 23 September, 2002.

### **478.8.2 Exemption - traffic directional sign**

This Article does not apply to traffic directional signs. By-law 122-91, 2 July, 1991

### **478.8.3 Area - maximum permissible**

The maximum total sign area for ground signs is either 20 sq m (215 sq ft), with any single sign face being no greater than 10 sq m (107.5 sq ft) or .6 sq m (6.5 sq ft) for each 1 m (3.2 ft) of street frontage, with any single sign face being no greater than 0.3 sq ft (3.2 sq ft) for each 1 m (3.2 ft) of street frontage, whichever is greater. Where the sign area is a function of street frontage, the maximum sign area shall be 60 sq m (645 sq ft) with any single sign face being no greater than 30 sq m (323 sq ft) in area. By-law 154-2002, 23 September, 2002.

### **478.8.4 Area - per tenant - sign face - owner responsibility**

In the case of a shopping centre, industrial mall or any other multi-tenant/user property, it is the responsibility of the owner and the owner's agent, if any, to allocate an appropriate sign area for each store, office or other floor area on the basis of the maximum allowable sign area for the entire property.

### **478.8.5 Setback - from street - minimum**

The minimum setback from the street line for a ground sign is 1 m (3.2 ft).

### **478.8.6 Height - from grade - maximum**

The maximum height, measured from grade to the top of the sign, for a ground sign is 10.5 m (34.4 ft).

### **478.8.7 Setback - from lot line - residential zone - minimum**

The minimum setback from a lot line abutting a residential zone, institutional zone or open space zone for a ground sign is 6 m (2 ft).

### **478.8.8 Setback - other application - minimum**

The minimum setback from any lot line other than those mentioned in

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Sections 478.8.5, 478.8.7 and 478.8.10 is 0.6 m.

### **478.8.9 Obstruction - view of pedestrian - requirements**

Every ground sign over 1.11 sq m (12 sq ft) in face area on any one side shall be constructed and located so as not to interfere with the ability of motorists exiting from the property to see pedestrians travelling on the sidewalk or on the boulevard for a distance of at least 9 m (29.5 ft) on each side of the driveway exit.

### **478.8.10 Intersection - sight triangle - prohibited - exceptions**

No sign shall be erected within the sight triangle located at the intersection of two streets, the sight triangle being the triangular space formed by joining a point on one street line to a point on the other street line, such points being a certain distance measured along each street line from their point of intersection, except as set out in Sections 478.8.11 through 478.8.13 inclusive.

### **478.8.11 Street line 9.0 m (29.5 ft) - height - maximum**

Where the distance measured along each street line is 9 m (29.5 ft) a sign may be permitted within the sight triangle provided its height above the level of the nearest adjacent sidewalk, or where no sidewalk exists, the grade as established by the Engineer is 1 m (3.2 ft) or less.

### **478.8.12 Street line 4.5 m (15 ft) - height - maximum**

Notwithstanding Section 478.8.11, within the sight triangle where the distance measured along each street line is 4.5 m the maximum height of a sign which may be permitted is reduced to 0.75 m (2.5 ft).

**478.8.13 Intersection - special cases - determined by Engineer** In such cases where the angle of intersection is less than 80 degrees, or greater than 100 degrees, the above distances shall be determined by the Engineer.

### **478.8.14 Guy wires - for support - prohibited**

Guy wires cannot be used to support a ground sign.

### **478.8.15 Location - on property - required**

A ground sign shall be located on the property of the business to which the sign is accessory. By-law 122-91, 2 July, 1991; By-law 154-2002, 23 July, 2002.

### **478.8.16 Interpretation - City of Brantford**

Despite Section 478.8.15, signs of any classification which are wholly located on lands owned by The Corporation of the City of Brantford need not be accessory to any use. By-law 95-96, 6 August, 1996; By-law 154-2002, 23 July, 2002.

## **Article 9 WALL SIGN**

### **478.9.1 Areas - maximum 20 percent - of building face**

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The total sign area of all wall signs on any one architectural elevation shall not exceed 20 percent of the building face regardless of lot size or frontage.

### **478.9.2 Area - 20 percent - shopping centre - industrial mall**

In a shopping centre or industrial mall or other multiple occupant property, the total sign area of all wall signs on any architectural elevation of a single store, business or occupant shall not exceed 20 percent of the total area of the elevation for that unit.

### **478.9.3 Projection - maximum - exception - awning - canopy**

No part of any wall sign shall project more than .61 m (2 ft) front the face of the wall except in the case of a sign painted on an awning or canopy provided such awning or canopy is located in accordance with Sections 478.4.17 and 478.4.24 of this Chapter.

### **478.9.4 Location - exterior wall - adjacent to business**

Any wall sign shall be attached to that portion of an exterior wall adjacent to the business or use to which the sign is accessory. This wall must directly front a street, public lane, public parking lot or private parking lot accessory to this business or use.

### **478.9.5 Service station - illumination - from residential zone**

On a property used as an automobile service station or an automobile gas bar and abutting a residential use, no illuminated wall sign visible from the residential property shall have a vertical dimension greater than 1 m (3.2 ft). By-law 122-91, 2 July, 1991.

### **478.9.6 Interpretation - City of Brantford**

Section 478.9.4 does not apply to signs of any classification which are wholly located on lands owned by The Corporation of the City of Brantford. By-law 95-96, 6 August, 1996.

### **478.9.7 Murals**

Any mural to be erected must meet the requirements of this Chapter and comply with the guidelines for murals as contained in Schedule 'C'.

### **478.9.8 Murals - exception**

Sections 478.9.1, 478.9.2 and 478.9.4 do not apply to murals.

### **478.9.9 Mural - information sign**

A mural may include an information or identification sign provided that the maximum area of such information or identification sign shall not exceed the lesser of 5 per cent of the area of the mural or 1 sq m (10.7 sq ft). The information or identification sign shall only identify or acknowledge the artists, owner and/or sponsor of the mural and/or provide a brief description of the image depicted.

### **478.9.10 Mural - guidelines**

Any mural shall comply with the guidelines set forth in Schedule 'C'. By-law 45-2000, 27 March, 2000.

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### **478.9.11 Appeals**

An applicant for a permit to erect a mural may, upon refusal of such application by the Chief Building Official, appeal the decision of the Chief Building Official to the Community Services Commission Sectoral Committee of Council and the decision of the committee shall be final. By-law 45-2000, 27 March, 2000; By-law 128-2011, 24 October, 2011.

## **Article 10 ROOF SIGN**

### **478.10.1 Prohibited - exception - Council approval**

Roof signs are prohibited under all circumstances unless approval is received from the Council of the City of Brantford by a site-specific amendment to this Chapter. By-law 178-95, 11 December, 1995.

### **478.10.2 Engineer's certificate - requirements - load bearings**

No permit will be issued until certification is received from a professional engineer that the sign and building or structure that it is erected upon will adequately withstand the loads specified in the Ontario Building Code.

### **478.10.3 Height - maximum - zoning by-law**

Any permitted roof sign cannot be located at an elevation greater than the maximum building height permitted within the zone in the zoning by-law.

## **Article 11 PORTABLE SIGN**

### **478.11.1 Location - restriction**

No portable sign may be located within 1 m (3.2 ft) of any lot line or within any visibility triangle referred to in Sections 478.8.12 through 478.8.15 inclusive.

### **478.11.2 Obstruction - interference - motorist - pedestrian**

Every portable sign over 1.11 sq m (12 sq ft) in face area on any one side shall be located so as not to interfere with the ability of motorists exiting from the property to see pedestrians travelling on the sidewalk or on the boulevard for a distance of at least 9 m (29.5 ft) on each side of the driveway exit. By-law 122-91, 2 July, 1991.

### **478.11.3 Permit - maximum duration - annually**

No permit, or series of permits, shall be issued to permit portable signs to be displayed in respect of any business for a period which exceeds a total of 180 days in any one calendar year.

### **478.11.4 Permit - number - duration**

Permits for portable signs to advertise a business shall be issued for 30 day periods, 60 day periods, 90 day periods, 120 day periods, 150 day periods and 180 day periods. Any number of separate permits may be issued to an

## SIGNS - OUTDOOR

applicant provided that any necessary application fee is paid for each permit and the cumulative period permitted by all such permits for the advertising of the business does not exceed 180 days in any one calendar year. By-law 178-95, 11 December, 1995; By-law 16-97, 10 February, 1997.

**478.11.5 Area - height - maximum - exception**

Except for a shopping centre or industrial mall, the maximum sign area for a mobile sign is 4.7 sq m (50 sq ft) per face and the maximum height is 3 m (9.8 ft).

**478.11.6 Area - height - shopping centre - industrial mall**

For a shopping centre or industrial mall, the maximum sign area for a mobile sign is 6.7 sq m (72 sq ft) per face and the maximum height is 3 m (9.8 ft).

**478.11.7 Distance - between signs - minimum**

Not more than one mobile sign is permitted at any one time on any property having less than 45 m (147.6 ft) frontage on a street, and in no case shall a mobile sign be installed closer than 25 m (82 ft) to another mobile sign already located on the same or another property.

**478.11.8 Name - address - owner - on sign - permanently**

No person shall install, erect or display any mobile sign which does not have permanently affixed thereto in a readily accessible location, the name and current business address of the owner of such sign.

**478.11.9 Shopping centre - industrial mall - signage**

allocation In the case of a shopping centre, industrial mall or any other multi-tenant/user property, it is the responsibility of the owner and the owner's agent, if any, to allocate the signage permitted under this Chapter for portable signs. By-law 122-91, 2 July, 1991.

**478.11.10 Illumination - animation - prohibited**

Portable signs shall only be non-illuminated, shall not include an electronic message display, and shall not contain any animation or device that creates noise or motion. By-law 60-2012, 18 June, 2012.

**478.11.11 Advertising - third party - prohibited - exception**

Except for messages regarding charitable events, third party advertising is not permitted on portable signs.

**478.11.12 Sandwich-board sign - maximum area**

The maximum sign area for a sandwich-board sign is 1.2 sq m (13 sq ft) per face.

**478.11.13 Sandwich-board sign - maximum height**

A sandwich-board sign shall not exceed 1.2 m (4 ft) in height. By-law 122-91, 2 July, 1991.

**478.11.14 Sandwich-board sign - exceptions**

Sections 478.11.3 through 478.11.7 inclusive do not apply to Sandwich-board signs. By-law 178-95, 11 December, 1995.

**478.11.15 Load - requirements**

Portable signs must be designed and constructed in accordance with Article 15 of this Chapter, and to stay in place under any reasonable loading conditions. By-law 122-91, 2 July, 1991.

**478.11.16 Balloon - airborne device - requirements**

Sections 478.11.3 and 478.11.4 apply to balloons or airborne devices as well as mobile signs. By-law 178-95, 11 December, 1995.

**478.11.17 Balloon - airborne device - one per property - limit**

Not more than one balloon or airborne device shall be located on any one property and no balloon or airborne device shall be located on any one property for a total time in any calendar year, whether continuously or otherwise, of more than thirty days.

**478.11.18 Balloon - airborne device - approval by Council**

Balloons and airborne devices are prohibited under all circumstances, unless a certification is received from a Professional Engineer that the proposed tethering will adequately withstand the loads specified in the Ontario Building Code and that the building or structure to which the balloon or airborne device will be tethered will not be adversely affected. By-law 1128-97, 15 September, 1997.

**478.11.19 Balloon - airborne device - maximum dimensions**

The maximum dimension of an inflated balloon or airborne device in any one direction is 8 m (26.2 ft).

**478.11.20 Sandwich-board sign - public road allowance**

Sandwich-board signs placed in the untravelled portion of a public road allowance shall comply with the following regulations:

- (a) maximum sign height - 1.2 m (3.9 ft);
- (b) maximum area 1 sq m (107 sq ft) per sign face;
- (c) one sign per business use;
- (d) the sign shall be within 1.5 m (4.9 ft) of the curb or within 1 m (3.2 ft) of the building;
- (e) the placement of the sign does not create an obstruction to vehicle or pedestrian traffic;
- (f) illumination or animation of the sign is not permitted;
- (g) the sign shall be permitted only during business hours;
- (h) that 1.5 m (5 ft) width of sidewalk be left unencumbered;

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- (i) the entire building is set back at a distance of less than 1 m from the street line and there is no capacity within the front yard to locate the sign; and
- (j) the sign must be designed and constructed in accordance with Article 15 of the Chapter and stay in place under any reasonable loading condition. By-law 59-99, 12 April, 1999.

### **Article 12 TRAFFIC DIRECTIONAL SIGN**

**478.12.1 Number - not limited - maximum area - exemption**  
There shall be no limit to the number of traffic directional signs upon a property nor shall the area of such signs be included in calculating the maximum sign area.

**478.12.2 Use - restriction**  
A traffic directional sign shall be confined to directing motor vehicle or pedestrian traffic and includes such signs as an entrance sign, an exit sign or a motor vehicle parking direction sign.

**478.12.3 Area - maximum permissible**  
No traffic directional sign shall exceed an area of 0.75 sq m (8 sq ft) for a single face.

**478.12.4 Height - maximum - within visibility triangle - other**  
No traffic directional sign shall be higher than 1 m (3.2 ft) from grade within any visibility triangle as described in Section 478.8.12 through 478.8.15 inclusive nor higher than 3.65 m (12 ft) at other locations.

### **Article 13 FLAG**

**478.13.1 Permit - not required**  
Flags do not require permits.

**478.13.2 Pole - required - strings of flags - prohibited**  
Flags must be attached to flag poles; strings of flags are prohibited.

**478.13.3 Patriotic - civic - educational - religious - permitted**  
Flags or emblems of patriotic, civic, educational or religious organizations may be flown on any premises.

**478.13.4 Corporate flag - permitted as accessory**  
Corporate flags containing only the business name and/or logo may be flown on any premise as an accessory to that business. By-law 122-91, 2 July, 1991.



**ARTICLE 14  
BILLBOARD SIGN**

**478.14.1 Areas permitted - Schedule 'A'**

Provided that all other applicable provisions of this Article and of this Chapter are complied with, billboard signs are permitted only in the locations identified in Schedule 'A'.

**478.14.2 Billboard sign – restriction**

No billboard sign shall be erected within the downtown Urban Growth Centre as identified in Schedule 'D'. Notwithstanding the provisions of Section 478.4.1 billboard signs erected prior to '*date of the bylaw*' are allowed to remain until such time they are removed.

**478.14.3 Lot - defined**

For the purposes of this Article, the term "lot", as used in said Schedule 'A', shall also include hydro and railway rights-of-way.

**478.14.4 Message - clearly visible - from street frontage**

All messages displayed on a billboard sign shall be clearly visible to, and within the direct line of sight of, pedestrian and motorists travelling along the streets upon which the lot has frontage as specified in Schedule 'A', said lot being the lot upon which said billboard sign is erected.

**478.14.5 Location - distance from street - lot line**

No billboard sign shall be erected closer to any street line than 9 m (29.5 ft), nor closer to any side lot line than 0.6 m (2 ft), nor closer to any rear lot line than the minimum rear yard requirements of the zoning by-laws of The Corporation of the City of Brantford for a main building on the same lot, unless greater or lesser distance separations between such billboard sign and any front, side or rear lot line are required by approval granted pursuant to section 41 of the Planning Act, R.S.O. 1990, c. P.13.

**478.14.6 Location - within sight triangle - prohibited**

No billboard sign shall be located within a sight triangle as described in Sections 478.8.12 through 478.8.15 inclusive.

**478.14.7 Area - maximum**

The maximum sign area for a billboard sign shall be 44 sq m (474 sq ft) per face.

**478.14.8 Height - maximum**

A billboard sign shall not exceed 10.5 m (34.4 ft) in height nor exceed the maximum height of a building permitted in the zone in which the billboard is

## SIGNS - OUTDOOR

located.

### **478.14.9 Distance - between signs - minimum requirements**

No two billboard signs shall be located within 100 m (328 ft) of each other on the same side of the street and in the same line of sight.

### **478.14.10 Number of signs - on lot - limited**

Notwithstanding the provisions of Section 478.14.8, a maximum of two side-by-side billboard signs or one double-sided billboard sign shall be permitted on any given lot.

### **478.14.11 Area - maximum - on one lot**

The total sign area for all billboard signs on a lot shall be 44 sq m (474 sq ft) for each 450 sq m (4844 sq ft) of lot area on which such signs are erected.

### **478.14.12 Restricted zone - distance from - minimum**

A billboard sign shall not be located within a distance of 30 m (98.5 ft) of any residential zone, hospital, park or school property which has frontage on the same side of the street as the lot upon which said sign is proposed to be erected.

### **478.14.13 Site plan control approval - required**

Site plan control approval pursuant to section 41 of the Planning Act, R.S.O. 1990, c. P.13 shall be obtained for any billboard sign hereafter erected. By-law 138-92, 21 September, 1992. By-law 76-2017, 23 May, 2017.

## **Article 15**

### **CONSTRUCTION - MAINTENANCE**

#### **478.15.1 Load - design capability - minimum requirements**

Every sign shall be designed and constructed to adequately withstand all loads which may reasonably be expected to come upon them and loads and design shall be at least equal to those specified in the Ontario Building Code as amended from time to time.

#### **478.15.2 Compliance - Ontario Building Code**

All signs must comply with the Ontario Building Code.

#### **478.15.3 Electrical work - standards - regulations**

No sign illuminated or operated electrically shall be erected, maintained or altered unless such electrical work is in conformity with all regulations of Ontario Hydro and all such electrical equipment bears the appropriate approval of the Canadian Standards Association. By-law 122-91, 2 July, 1991.

## SIGNS - OUTDOOR

### **478.15.4 Maintenance - good repair - safe - operative**

The owner, lessee or agent of the land or premises upon which any sign or advertising device or mural is located shall maintain, or cause the sign or advertising device or mural to be maintained, in a proper state of repair so that such sign or advertising device or mural does not become unsafe, unsightly, dangerous or defective and so that such sign shall be completely operative at all times. Where a building is vacated or a business is no longer in operation, signs related to these shall be removed within 30 days after the building is vacated or business ends its operation. Ground signs shall be completely removed including support structures to ground level. Wall sign boxes and other support structures may remain as long as these are reasonable compatible architecturally

with the building. Any exposed wall remaining after a sign or mural is removed shall be covered or refinished in a similar colour to the exterior finish of the building. By-law 45-2000, 27 March, 2000.

## **Article 16**

### **PERMIT - APPLICATION**

**478.16.1 Erection - alteration - lease - rental - permit - required** No person shall erect, structurally alter or rent or lease a sign until such time as a sign permit for such erection, structural alteration, rental or lease has been issued by the Chief Building Official.

**478.16.2 Application - form - from Chief Building Official**  
The application for a sign permit shall include two completed copies of the application form supplied by the Chief Building Official.

**478.16.3 Application - site plan - proposed location**  
The application for a sign permit shall include two copies of a site plan showing the street line and/or other boundaries of the property on which it is proposed to erect or alter the sign, and showing the proposed location of the sign upon the property in relation to all other signs and structures existing or proposed on such property and showing all other information as may be necessary, including the total existing sign area, to enable the application to be processed to ensure compliance with all pertinent requirements of this Chapter.

**478.16.4 Plans - information - certified - as required**  
If required by the Chief Building Official, the plans and/or information set out in Section 478.16.3 shall be certified by a registered Ontario Land Surveyor.

**478.16.5 Drawings - specifications - requirements**  
The application for a sign permit shall include two copies of complete working drawings and specifications covering the construction and/or alteration of the sign, including any supporting frame work.

## SIGNS - OUTDOOR

### **478.16.6 Load - stress data - sign attached to structure**

Where the sign is proposed to be or is located on a building or other structure, sufficient data shall be shown to determine that such building or structure can safely carry the additional loads and stresses imposed thereon by the erection or alteration of such sign.

### **478.16.7 Load - stress data - certified - as required**

Where required by the Chief Building Official, the drawings set out in Section 478.16.5 shall include calculations bearing the stamp of a registered professional engineer.

### **478.16.8 Advertising - description - wording - required**

Drawings must include a description of advertising copy or wording to be displayed, and if the sign is to be illuminated, the means by which this is to be accomplished.

### **478.16.9 Ministry of Transportation - approval - as required**

The application for a sign permit shall include an approval from the Ontario Ministry of Transportation, where required.

### **478.16.10 Existing sign - non-conforming - permit required**

Any existing sign or other advertising device which does not conform to the provisions of this Chapter shall not be relocated, rebuilt, reconstructed, altered, restored or replaced except in accordance with the provisions of this Chapter and a permit therefore has been issued in accordance with this Article. By-law 122-91, 2 July, 1991.

### **478.16.11 Message - changed - no permit required**

A change in the message displayed by a sign or other advertising device shall not in itself constitute an alteration such as to require the issuance of a permit. This Section shall not apply to murals. By-law 122-91, 2 July, 1991; By-law 45-2000, 27 March, 2000.

### **478.16.12 Permit - issued - work commenced - within six months**

Except for portable signs as regulated in Sections 478.11.3 through 478.11.6 inclusive a sign permit issued pursuant to this Chapter shall remain valid so long as the work covered by the permit is commenced within six months and so long as the work is carried out at a reasonable rate to completion.

### **478.16.13 Expiry - renewal - requirement**

A sign permit shall be renewable once without the need for re-submitting the documents referred to in Sections 478.16.1 through 478.16.9 inclusive or any further fee provided a written request for renewal is submitted to the Chief Building Official before the expiry of the six month period and provided such permit would still be issuable.

### **478.16.14 Expiry - work not commenced - new application**

Where no written request for renewal is submitted to the Chief Building Official before the expiry of the six month period or where a sign permit has been renewed once with work not being commenced before

## SIGNS - OUTDOOR

the expiry of the second six month period, the sign permit shall automatically lapse and a new application shall be required along with fees applicable at that time.

**Article 17  
GENERAL PROVISIONS**

**478.17.1 Liability - damage - not relieved - by permit**

Neither the provisions of this Chapter nor the issuance of any permit shall be construed as relieving or limiting the responsibility or liability of any person erecting or displaying any sign or advertising device for any resulting personal injury, property damage, or any other liability whatsoever (including, but not limited to, any liability arising from patent, copyright, or other infringements of intellectual property rights) nor shall the provisions of this Chapter be construed, or the issuance of any permit, operate to impose upon the Corporation of the City of Brantford or upon any officer or employee thereof any responsibility or liability for personal injury, property damage or any other liability whatsoever, including, but not limited to, any liability arising from patent, copyright or other infringements of intellectual property rights.

**478.17.2 Sign - in contravention - removal - by City**

Any employee of the City of Brantford is authorized to take down or remove any sign or other advertising device that is erected or displayed in contravention of this Chapter and the owner shall pay for any costs or expenses of the City.

**478.17.3 Removal - cost - recovery method**

Such costs or expenses as referred to in Section 478.17.2 may be recovered in accordance with section 446 of the *Municipal Act, 2001*, c. 25.

**478.17.4 Sign - without permit - removed - time limitation**

The Chief Building Official may require any person who has caused a sign or other advertising device to be erected, displayed, altered or repaired without first having obtained a permit to do so to make such sign or other advertising device comply with this Chapter if it does not so comply or to remove such sign or other advertising device within any period from one to 30 days.

**478.17.5 Sign - contrary to plan - removed - altered**

The Chief Building Official may require any person who having obtained a permit has caused a sign or other advertising device to be erected, displayed, altered or repaired contrary to the approved plans in respect of which the permit was issued, to make such sign or other advertising device comply with this Chapter if it does not so comply or to remove such sign or other advertising device within any period from one to 30 days.

**478.17.6 Sign - dangerous - notice to remedy - or remove**

Where a sign or sign structure is deemed by the Chief Building Official to be in such a condition that it is or may be dangerous to the public, the

## SIGNS - OUTDOOR

Chief Building Official may, in his/her discretion, either serve written notice to the owner or tenant of the property on which or in front of which, such sign is located, to remove such sign or make the same safe, or without giving notice to the owner or tenant of the property on which such sign is located, cause such sign or structure to be removed.

### **478.17.7 Sign - removed - by City - left on property**

Any sign removed pursuant to this Article may be deposited on the property on which or in front of which it was located or removed.

### **478.17.8 Notice - to remedy - or remove - by mail**

Any notice given under this Chapter may be given by ordinary mail to the person making application for a permit to erect a sign, or where such sign is existing, by ordinary mail to the owner or tenant, according to the last revised assessment roll of the municipality, of the property on which, or in front of which, the sign is located.

### **478.17.9 Sign - erected - previous**

This Chapter does not apply to a sign or advertising device that is lawfully erected or displayed on the day the enabling by-law comes into force, so long as the sign or advertising device is not in any way substantially altered, provided that the maintenance and repair of the sign or advertising device or a change in the message displayed shall be deemed not to in itself constitute an alteration.

### **478.17.10 Minor variance - Committee of Adjustment**

The Committee of Adjustment of The Corporation of the City of Brantford may, upon the application of any person and upon the payment of an application fee in the amount prescribed by Council from time to time, authorize minor variances from the provisions of this Chapter, provided that the general intent and purposes of the Chapter are maintained. By-law 122-91, 2 July, 1991.

### **478.17.11 Home occupation sign - maximum size**

Any sign accessory to a home occupation as defined and regulated by the City of Brantford Zoning By-law 160-90 shall not exceed a size of 30.48 cm (12 inches) x 60.96 cm (24 inches). By-law 62-2017, 25 April, 2017

### **478.17.12 Bed and breakfast sign - maximum size**

Any sign accessory to a bed and breakfast establishment as defined and regulated by City of Brantford Zoning By-law 160-90 shall not exceed a size of 0.15 m (6 in) by 0.46 m (18 in). By-law 138-92, 21 September, 1992.

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### **Article 18 PERMIT - FEE**

#### **478.18.1 Fee - paid - prior to issue - permit - refund**

No permit shall be issued until the fees set out in this Article have been paid. Where any person has paid the prescribed fee and obtained a permit, but thereafter surrenders the permit to the Chief Building Official without erecting the sign in respect of which the permit was granted, the Chief Building Official shall, upon application therefor, refund one-half of the permit fee which was paid, provided however that no refund shall be made which shall result in the retention by The Corporation of the City of Brantford of a sum less than \$50. By-law 95-96, 6 August, 1996.

**478.18.2 Repealed: By-law 60-2012, 18 June, 2012**

**478.18.3 Repealed: By-law 60-2012, 18 June, 2012**

**478.18.4 Repealed: By-law 60-2012, 18 June, 2012**

**478.18.5 Repealed: By-law 60-2012, 18 June, 2012**

**478.18.6 Repealed: By-law 60-2012, 18 June, 2012**

**478.18.7 Repealed: By-law 60-2012, 18 June, 2012**

**478.18.8 Repealed: By-law 60-2012, 18 June, 2012**

### **Article 19 INSPECTION**

#### **478.19.1 Permit - holder - responsibility - to notify**

The person to whom any sign permit has been issued, or his/her authorized agent, shall notify the Chief Building Official upon commencement of the installation of the sign, in order to arrange inspection.

#### **478.19.2 Entry on land - authority**

The Chief Building Official or his/her designate shall have the right to enter onto any private property to inspect any sign for compliance with the provisions of this Chapter.

### **Article 20 ENFORCEMENT**

#### **478.20.1 Fine - for contravention**

Every persons who contravenes any provision of this Chapter is guilty of an offence and on conviction is liable to a fine not exceeding the maximum provided under the *Provincial Offences Act*, exclusive of costs. Such fine shall be recoverable under the *Provincial Offences Act*.



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### **Article 21 REPEAL - ENACTMENT**

#### **478.21.1 By-law - previous**

By-laws 4462, 61-63, 112-63, 181-73, 100-84, 148-86 and 162-86 are hereby repealed.

#### **478.21.2 Effective date**

This Chapter shall come into force and have effect on and from the date it is passed, and subject to Sections 478.16.10 and 478.16.11 shall govern all signs erected or displayed on and after that date. By-law 122-91, 2 July, 1991.

### **SCHEDULE**

#### **Schedule 'A' - Billboard sign - permitted areas**

Billboard signs shall only be permitted in the following locations:

#### **1.0 On any lot zoned C8 (General Commercial Zone) having frontage on:**

1.1 The east side of King George Road (between Charing Cross Street and Highway No. 403).

1.2 The west side of King George Road (between Queensway Drive and Highway No. 403).

1.3 The north side of Colborne Street (between Puleston Street and Second Avenue).

1.4 The north or south sides of Colborne Street (between Glenwood Drive and Garden Avenue).

1.5 The south side of Highway No. 403 (between Wayne Gretzky Parkway and the centerline of the Canadian National Railway to the east).

1.6 The east side of Wayne Gretzky Parkway (between Highway No. 403 and the centerline of the Canadian National Railway to the south).

1.7 The east side of King George Road (between Fairview Drive and Norman Street).

1.8 The west side of King George Road (between Tollgate Road and Somerset Road).

## SIGNS - OUTDOOR

1.9 The east side of King George Road (between Powerline Road and a point at the intersection of the projected northerly limit of Summerhayes Crescent and King George Road).

1.10 The north side of Fairview Drive and Lynden Road (between West Street and Wayne Gretzky Parkway).

1.11 The west side of King George Road (Queensway Drive and Highway No. 403).

1.12 The west side of King George Road (between Oxford Street and Kent Road).

1.13 The south side of St. Paul Avenue (between St. George Street and Melrose Street).

1.14 The east side of Wayne Gretzky Parkway (between Highway No. 403 and Lynden Road).

1.15 The eastside of West Street (between Henry Street and Harris Avenue).

1.16 The north or south sides of Dalhousie Street (between Rawdon Street and Colborne Street).

1.17 The north side of Colborne Street (between Rawdon Street and Dalhousie Street).

1.18 The north side of Colborne Street West (between Winniett Street and Gilkison Street).

1.19 The south side of Colborne Street West (between Welsh Street and Gilkison Street).

1.20 The south side of Fairview Drive and Lynden Road (between West Street and Woodyatt Drive).

1.21 The east side of King George Road (between Dunsdon Street and Varadi Avenue).

1.22 The westside of King George Road (between Powerline Road and Summerhayes Crescent).

1.23 The south side of Fairview Drive (between West Street and Park Road North).

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1.24 The east side of West Street (between Edmondson Street and Fairview Drive).

1.25 The east side of Park Road North (between West Street and Powerline Road).

1.26 The north or south sides of Charing Cross Street (between North Park Street and Sydenham Street).

### **2.0 On any lot zoned C10 (Community Centre Commercial Zone) having frontage on:**

2.1 King George Road

2.2 Colborne Street East

2.3 West Street

### **3.0 On any lot zoned C11 (District Centre Commercial Zone) having frontage on:**

3.1 King George Road (between Powerline Road and a point at the intersection of the projected northerly limit of Summerhayes Crescent and King George Road).

3.2 Lynden Road

### **4.0 On any lot zoned M1 (Industrial Commercial Zone) having frontage on:**

4.1 The north or south sides of Lynden Road.

4.2 The east or west sides of Wayne Gretzky Parkway (between Henry Street and Fairview Drive).

4.3 The north side of Highway No. 403.

### **5.0 On any lot zoned M2 (General Industrial Zone) having frontage on:**

5.1 The east side of Wayne Gretzky Parkway (between Hachborn Road and Holiday Drive).

5.2 The west side of Wayne Gretzky Parkway (between Henry Street and Fairview Drive).

5.3 The north or south sides of Highway No. 403.

## SIGNS - OUTDOOR

5.4 The north side of Colborne Street West (between Ballantyne Drive and a point at the intersection of the projected westerly limit of Shellard Lane and Colborne Street West).

5.5 The south side of Colborne Street West (between D' Aubigny Road and Shellard Lane).

5.6 The west side of West Street (between Wadsworth Street and Usher Street).

5.7 The east side of West Street (between Highway No. 403 and Fairview Drive).

5.8 The north or south sides of Henry Street (between Wayne Gretzky Parkway and Garden Avenue).

5.9 The north or south sides of Elgin Street (between Cowan Street and Murray Street).

5.10 The west side of Murray Street (between Grey Street and the Canadian National Railway to the north).

### **6.0 On any lot zoned M3 (Business Park Industrial Zone) having frontage on:**

6.1 The north or south sides of Highway No. 403.

6.2 The north side of Henry Street.

### **7.0 Notwithstanding the provisions of Sections 478.6.1, 478.6.2 and 478.6.3, on the lots described as follows:**

7.1 A lot whose boundaries are defined by the northerly limit of the Canadian National Railway, the easterly limit of West Street and the westerly limit of George Street, and having frontage on West Street

7.2 A lot described as Part of Lot 1 in Block "C", Registered Plan 94 having frontage on the easterly limit of West Street, notwithstanding Section 478.14.9.

7.3 A lot described as Lots 152, 153, 154, or 155 in Registered Plan 110A, having frontage on Ridgewood Drive, notwithstanding Section 478.14.9.

7.4 The parcel of land located on the south side of Glenwood Drive

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between Humberstone Avenue and Clara Crescent, as described in instrument number A53532 registered at the Registry office for Brant County.

**8.0 On any lot zoned RC (Residential Conversion) having frontage on:**

8.1 The east side of Brant Avenue (between St. Paul Avenue and the Canadian National Railway to the north).

**9.0 On any land zoned C6 (Automobile Service Commercial) located at:**

9.1 The northeast corner of the intersection of Stanley Street and Dalhousie Street.

9.2 The northeast corner of the intersection of Stanley Street and Colborne Street. By-law 154-2002, 23 September, 2002; Schedule 'A'; By-law 109-2005, 20 June, 2005.

By-law 154-2002, 23 September, 2002; Schedule 'A'; By-law 109-2005, 20 June, 2005; By-law 76-2017, 23 May, 2017.

**Schedule 'B' – Guidelines - Heritage Buildings**

**1. Objective**

- 1.1 The primary objective for the heritage sign guidelines is to encourage signage that preserves and enhances the heritage nature of the property and the surrounding streetscape. Signs should serve as a piece of street furniture which enhance the visual character of the surrounding area. Signs that are simple in design, informative and harmonious with the architectural style of the street will be encouraged.

**2. Guidelines - Brant Avenue Heritage Conservation District  
And Individually Designated Heritage Properties**

- 2.1 No sign should disfigure or conceal any significant architectural feature of a building.
- 2.2 Signs should enhance the heritage nature of the existing streetscape.
- 2.3 Post signage (2 posts) should be used wherever possible to identify the activities within the building:
- 2.3.1 Single use buildings
- 2.3.1.1 post signage should not exceed 1.8m (5.9 feet) in height;
- 2.3.1.2 the total area of any post signage should not exceed 1.5 m<sup>2</sup> (16 sq. ft.) per single sign face, or 3.0 m<sup>2</sup> (32 sq.ft.) for all faces combined;
- 2.3.2 Multi-use buildings
- 2.3.2.1 post signage should not exceed 2.0 m (6.6 feet) in height;
- 2.3.2.2 the total area of any post signage should not exceed 2.0 m<sup>2</sup> (21.5 sq.ft.) per single sign face, or 4.0 m<sup>2</sup> (43 sq.ft.) for all faces combined.
- 2.3.3 The width of any single sign face should not exceed 1.8 m (6.0 feet);
- 2.4 Fascia signage will become the primary signage when space does not adequately allow post signage:

## SIGNS - OUTDOOR

- 2.4.1 fascia signage should not exceed placement above the first storey of a building;
- 2.4.2 the total area of any fascia signage should not exceed 0.3 sq. m (3.2 sq. ft.) for each 1.0 m (3.3 ft.) of linear frontage of the building wall upon which the sign is located and, in any event, not greater than 1.25 sq. m (13.5 sq. ft.) for each sign;
- 2.4.3 fascia signage should not be painted directly on the exterior wall of a building or structure.
- 2.5 A hanging sign shall not exceed .75 square metres (8 square feet) in area; nor project more than .9 metres (3 feet) from the face of the building:
  - 2.5.1 all portions of a hanging sign, including support brackets, shall be a minimum of 2.1 metres (7 feet) above any walkway.
- 2.6 In order to avoid the appearance of visual clutter and excessive advertising, signs should generally be limited to one sign per business, except in unusual circumstances, such as where a property fronts on more than one street.
- 2.7 Signs which combine information regarding the businesses in a building are encouraged.
- 2.8 Ambient, overhead, gooseneck or low-key spotlighting should be used for exterior lighting of signs.
- 2.9 Despite Section 2.8, internally illuminated, backlit signs may be permitted for buildings constructed since 1939, or for buildings for which the front facade has been substantially modernized, provided that all other relevant signage guidelines are complied with.
- 2.10 Preferred sign materials include wood (painted, carved or cut-out letters) and metal (porcelain coated, photo or line-etched, engraved or brass letters). Alternative materials may be considered, provided that they maintain the heritage character of the streetscape.
- 2.11 Subdued colours are more sympathetic to the Brant Avenue area, and should be used. These subdued colours are appropriate for both heritage and contemporary buildings.

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- 2.12 A wide range of appropriate typefaces will be considered in order to provide variety along Brant Avenue, rather than an identical look on signs.
- 2.13 Internally illuminated mobile or portable signs will not be permitted within the Brant Avenue Heritage Conservation District. Non-illuminated “sandwich-board” signs may be permitted, subject to the following:
  - 2.13.1 only one “sandwich board” portable sign will be permitted on a property;
  - 2.13.2 the total area of each board shall not exceed 0.6 sq. m (6.5 sq. ft.);
  - 2.13.3 the total height of the “sandwich board” sign shall not exceed 1.5 m (5 feet) in height;
  - 2.13.4 the “sandwich board” sign shall be constructed in accordance with the guidelines regarding materials, lighting, colouring and typefaces for signage within the Brant Avenue Heritage Conservation District;
  - 2.13.5 the “sandwich board” sign shall be displayed only during the hours of operation of the business it is advertising.
- 2.14 Signs on top of a building will not be permitted. The sight lines of such signage would not be in keeping with the rhythm and balance of the historical area.
- 2.15 In addition to the requirements of Section 7.1 of By-law 122-91, all applications for heritage signage shall be accompanied by scale drawings that show:
  - 2.15.1 the building elevation if the proposed sign is attached thereto;
  - 2.15.2 the type of proposed sign (free-standing or attached to the building);
  - 2.15.3 the dimensions of the sign, along with any proposed design or lettering;
  - 2.15.4 the materials of which the proposed sign is to be constructed;



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- 2.15.5 a cross-section of the proposed sign, showing the brackets and method of affixing the sign to the wall where it affects the building;
- 2.15.6 the proposed colour scheme for the sign; and
- 2.15.7 any proposed means of illumination of the sign.

### **3. Guidelines: Victoria Park Square Heritage Conservation District**

- 3.1 Signs should be designed to compliment and enhance the building's appearance.
- 3.2 No sign should disfigure or conceal any significant architectural features of a building.
- 3.3 Illuminated back-lit signs will be discouraged, particularly on public and institutional buildings.
- 3.4 All buildings should be limited to one main identification sign and to one secondary identification sign on one other facade.
- 3.5 The total permitted signage area should not exceed the following:
  - 3.5.1 Commercial Buildings: 7.0 m<sup>2</sup> (75 sq. ft.) with the largest sign not exceeding 4.6 m<sup>2</sup> (50 sq. ft.).
  - 3.5.2 Public and Institutional Building: 4.6 m<sup>2</sup> (50 sq. ft.) with the largest sign not exceeding 2.3 m<sup>2</sup> (25 sq.ft.)
- 3.6 A freestanding lawn sign should not exceed 2.3 m<sup>2</sup> or 23 sq.ft. in total area.
- 3.7 The typography utilized in the design of the sign should be appropriate to the period of the building's architecture. By-law 178-95, 11 December, 1995; Appendix 'A'.

**Schedule 'C' - Murals - guideline**

**1. Objective**

The primary objectives of the murals guidelines are:

- 1.1 to encourage the erection of murals that depict scenes relating to the natural and cultural history of Brantford and outlying area and which enhance the streetscape; and
- 1.2 to ensure that murals are properly constructed and maintained.

**2. Theme and quality**

- 2.1 The mural shall depict images relating to the natural and cultural history of Brantford and outlying area;
- 2.2 The mural shall be visually attractive; and
- 2.3 The mural shall complement the streetscape.

**3. Information to be supplied with application**

Applications for sign permit to erect a mural shall be accompanied with the following information:

- 3.1 the municipal address of the building on which the mural is to be located;
- 3.2 the location of the wall to carry the mural;
- 3.3 the signed consent of the owner of the property to the proposed mural;
- 3.4 a rendering of the proposed mural showing the proposed image and colour scheme;
- 3.5 a description of how the mural relates to the natural or cultural heritage of the Brantford area;
- 3.6 an elevation drawing, to scale, of the wall proposed to carry the mural with a sketch of the proposed mural location;
- 3.7 the dimensions of the proposed mural;
- 3.8 the location, size and proposed wording for the information or identification sign to accompany the mural;

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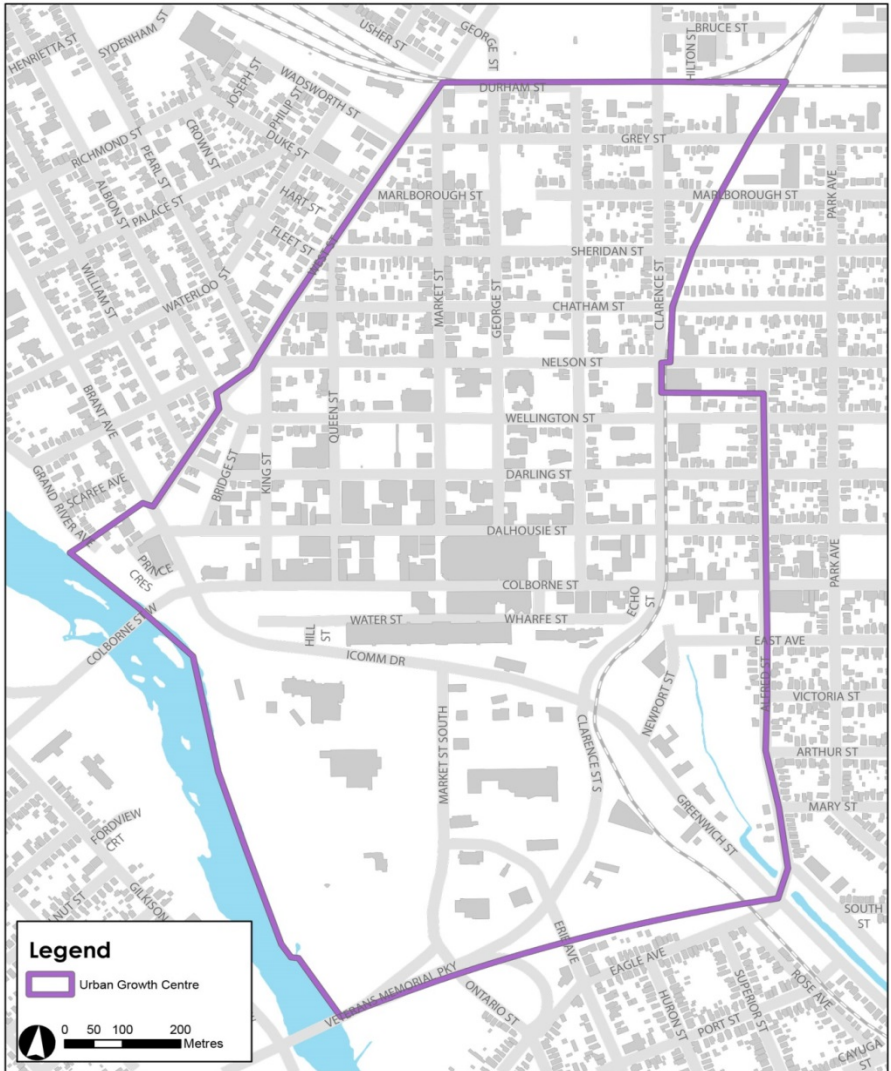
- 3.9 description of the existing wall surface;
- 3.10 a description of how the wall is to be prepared for the mural;
- 3.11 a description and plan for illumination of the mural, if any;
- 3.12 a description of the method by which the mural is to be affixed to the wall; and
- 3.13 a description of the proposed maintenance program for the mural.

By-law 45-2000, 27 March, 2000; Schedule 'C'.

# Schedule “D” – Urban Growth Centre

DOWNTOWN BRANTFORD

## URBAN GROWTH CENTRE



By-law 76-2017, 23 May, 2017.