

B Y - L A W 250-2004

A BY-LAW RESPECTING SIGNS AND OTHER ADVERTISING DEVICES IN THE CITY OF WINDSOR

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B Y - L A W N U M B E R 250-2004**A BY-LAW RESPECTING SIGNS AND OTHER
ADVERTISING DEVICES IN THE CITY OF
WINDSOR**

Passed the 26th day of July, 2004

WHEREAS Section 99 of the Municipal Act, S.O. 2001, Chapter 25, provides that municipalities may pass By-laws respecting advertising devices, including signs;

AND WHEREAS Section 427 of the Municipal Act, S.O. 2001, Chapter 25, provides that municipalities have the authority by By-law or otherwise to direct or require that a matter or thing be done, and that municipalities may direct that, in default of this being done by the person directed or required to do it, such matter or thing shall be done at the person's expense;

AND WHEREAS Section 11 of the Municipal Act, S.O. 2001, Chapter 25, provides that a single-tier municipality may pass By-laws respecting structures, including fences and signs;

AND WHEREAS Section 391 of the Municipal Act, S.O. 2001, Chapter 25, provides that municipalities may pass By-laws imposing fees or charges for services or activities provided;

NOW THEREFORE the Council of The Corporation of the City of Windsor enacts as follows:

SECTION 1.0 TITLE AND SCOPE OF SIGN BY-LAW**1.1 Short Title**

1.1.1 This By-law may be cited as "The Windsor Sign By-law".

1.2 Scope

1.2.1 The provisions of this By-law shall regulate the location, size, number, construction, alteration, repair and maintenance of all exterior SIGNS and other exterior ADVERTISING DEVICES within the limits of the Corporation of the CITY of Windsor.

1.2.2 All schedules attached to this By-law form part of this By-law by reference.

1.2.3 All SIGNS and ADVERTISING DEVICES located on PUBLIC and PRIVATE lands within the Corporate limits of the CITY of Windsor are subject to the provisions of this By-law.

1.2.4 This By-law does not apply to SIGNS ERECTED or DISPLAYED, or cause to be ERECTED or DISPLAYED by a Federal, Provincial or Municipal Government or by a local board as defined in the *Municipal Affairs Act*, R.S.O. 1990, c.M.46 as amended.

SECTION 2.0 DEFINITIONS AND INTERPRETATION

In this By-law:

- 2.1 **ABANDONED SIGN** means a PERMANENT SIGN ERECTED on PROPERTY which said PROPERTY that becomes vacant or unoccupied for a period of ninety (90) days or more, or any TEMPORARY SIGN DISPLAYED for more than seventy-two (72) hours after a time, event or purpose for which the SIGN is no longer applicable.
- 2.2 **ADULT ENTERTAINMENT PARLOUR** means any premises, or part thereof, in which is provided in pursuance of a trade, calling, business, or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations. ADULT ENTERTAINMENT PARLOUR goods include books, magazines, pictures, slides, film, phonograph records, pre-recorded magnetic tape and any other reading, viewing or listening matter.
- 2.3 **ADVERTISING DEVICE** means any device or object, including a SIGN and SIGN STRUCTURE, ERECTED or DISPLAYED so as to attract public attention to any premise, good, service, facility or event.
- 2.4 **ALTER** (including cause to ALTER, **ALTERED**, cause to be ALTERED and **ALTERATION**) means any change to a SIGN or SIGN FACE, including the addition, deletion or re-arrangement of parts, but does not include:
- (a) The rearrangement of numerals, letters or COPY applied directly to the existing SIGN FACE that are specifically designed and intended to be periodically arranged, or
 - (b) MAINTENANCE, including replacement of identical components, as required or permitted by this By-law.
- 2.5 **ANIMATION** means a SIGN depicting action, motion, and light or color changes through electrical or mechanical means.
- 2.6 **APPROVED** means approved by an AUTHORITY HAVING JURISDICTION.
- 2.7 **AUTHORITY HAVING JURISDICTION** means an employee of the CITY who has been assigned with the responsibility of administering and enforcing this By-law, or his or her designate.
- 2.8 **AWNING** means a space-frame system covered with non-rigid materials designed in a moveable, retractable or fixed position, which is attached to, and projecting from a BUILDING or STRUCTURE, but not forming an integral part thereof. This definition does not include a CANOPY.
- 2.9 **BUILDING** means a STRUCTURE consisting of a wall, roof and floor or a structural system serving the function thereof.
- 2.10 **BUILDING FACADE** means an exterior BUILDING WALL facing a STREET, facing a parking area located on the same LOT and/or any other BUILDING WALL having a main pedestrian entrance.
- 2.11 **BUILDING FRONTAGE** means the horizontal distance, measured at GRADE LEVEL, along a BUILDING WALL that faces a STREET or that faces a parking area located on the same LOT.
- 2.12 **BUILDING SETBACK** means the horizontal distance, measured at right angles, from a LOT LINE to the closest wall of any BUILDING or STRUCTURE on the same LOT, all as set out in the ZONING BY-LAW.
- 2.13 **BUILDING WALL** means an exterior wall of a BUILDING that encloses the STRUCTURE.
- 2.14 **BUSINESS IMPROVEMENT AREA DISTRICT** means a Business Improvement Area, established under the Municipal Act, as the same may be amended from time to time.
- 2.15 **CANOPY** means a roof-like structure, un-enclosed by BUILDING WALLS and designed to provide shelter for goods, materials, equipment, people or vehicles. It may either project outward from a BUILDING WALL or be freestanding. This definition does not include an AWNING.

- 2.16 **CITY** means The Corporation of the City of Windsor.
- 2.17 **CONTROLLED ACCESS HIGHWAY DISTRICT** means a designated road designed to carry high volumes of both passenger and commercial urban, inter-urban and long distance traffic at high speeds and consisting of four or more travel lanes divided by a median.
- 2.18 **CONVERSION** means the conversion of dimensions and measurements provided in this By-law where 1 metre is equivalent to 3.28 feet and 1 square metre is equivalent to 10.764 square feet.
- 2.19 **COUNCIL** means the Council of the CITY.
- 2.20 **DAYLIGHT CORNER** means, on a corner LOT, the triangular space formed by the intersection of two STREET LINES and a line connecting a point located 6.0 m from the point of intersection of the STREET LINES along one STREET LINE to a point located 6.0 m from the point of intersection of the STREET LINES on the other STREET LINE.
- 2.21 **DWELLING UNIT** means a room or suite of rooms OCCUPIED or capable of being OCCUPIED by an individual(s) or family as an independent and separate housekeeping establishment and having self-contained culinary and sanitary facilities.
- 2.22 **DISPLAY** (including cause to DISPLAY, **DISPLAYED** and cause to be DISPLAYED) means to attach, construct, exhibit, or locate any SIGN for a limited period of time and in a manner that is deemed TEMPORARY.
- 2.23 **ELECTRICAL DISTRIBUTION LINES** means any overhead or underground wires used to distribute electrical power.
- 2.24 **ENCROACHMENT AGREEMENT** means an agreement between the CITY and a PERSON to permit the ERECTION or DISPLAY of a SIGN on or overhanging PUBLIC PROPERTY.
- 2.25 **ERECT** (including cause to ERECT, **ERECTED**, cause to be ERECTED and **ERECTION**) means to attach, DISPLAY, build, construct, reconstruct, locate, or relocate any SIGN. This definition does not include COPY changes on any SIGN FACE or MAINTENANCE as set out in Section 3.6 of this By-law.
- 2.26 **EXISTING** means a SIGN LAWFULLY existing on the effective date of this By-law, unless otherwise provided by this By-law.
- 2.27 **FRONTAGE** means the distance measured on a horizontal plane along the FRONT LOT LINE, between the SIDE LOT LINES.
- 2.28 **GATEWAY DISTRICT** means a designated district, located at the major entry points into Windsor, and are designed to provide a sense of welcome and arrival; assist in orientation; create a memorable image; and contribute to the social, cultural, historic or thematic character of the area being defined.
- 2.29 **GROUP USE** means the organization of land uses and related activities into groups, each of which require SIGNS of similar characteristics to fulfil common needs of IDENTIFICATION and/or ADVERTISING. Where a USE is defined in the ZONING BY-LAW 8600, the same definition shall also apply to this By-law. Refer to **Table 2.1(a)** and **Table 2.1(b)** for GROUP USES.
- 2.30 **HA** means hectare. One (1) hectare is the equivalent of 2.471 acres (where 1 acre = 0.405 hectares = 43,560 square feet).
- 2.31 **HERITAGE AREA DISTRICT** means a designated area where there are collections of important heritage resources. Heritage resources include BUILDINGS, STRUCTURES, archaeological and historic sites, landscapes and landmarks, either individually or in groups, which are considered to be of architectural and/or historical significance.
- 2.32 **ILLUMINATION** (including **ILLUMINATE** and **ILLUMINATED**) means lighting of a SIGN or ADVERTISING DEVICE, in whole or in part, by artificial means and under:
- 2.32.1 **EXTERNAL ILLUMINATION** - the SIGN reflects light from a light source intentionally directed upon it;

- 2.32.2 **FLASHING ILLUMINATION** – the ILLUMINATION is varied or perceived to vary in intensity or design at periodic intervals;
- 2.32.3 **INTERNAL ILLUMINATION** - the SIGN is ILLUMINATED by light emitted from within the SIGN FACE;
- 2.32.4 **NON-ILLUMINATED** - the SIGN is not ILLUMINATED, neither EXTERNALLY nor INTERNALLY.
- 2.32.5 **PROJECTED ILLUMINATION** – the SIGN or image is projected onto a surface from a light source intentional directed upon the surface.
- 2.33 **LAWFUL SIGN** means a SIGN that complies with the applicable regulations of this By-law and with the applicable regulations of the governing By-law in effect when the SIGN PERMIT was issued for said SIGN.
- 2.34 **LEGAL NON-CONFORMING SIGN** means a SIGN which was LAWFULLY erected prior to enactment of this By-law and which does not conform to the applicable regulations of this By-law.
- 2.35 **LOT** means a contiguous parcel of land, the boundaries of which are on record in the Land Registry Office of the County of Essex (No. 12) in the Registry or Land Title Division.
- 2.36 **LOT AREA** means the total land area, as measured along a horizontal plane, within the LOT LINES of a LOT, but does not include any part of a LOT permanently covered by water.
- 2.37 **LOT LINE** means the boundary of a LOT and
- 2.37.1 **FRONT LOT LINE** means the shortest exterior LOT LINE along a STREET.
- 2.37.2 **REAR LOT LINE** means the exterior or interior LOT LINE which is located the farthest from the FRONT LOT LINE.
- 2.37.3 **SIDE LOT LINE** means an exterior or interior LOT LINE other than the FRONT LOT LINE or REAR LOT LINE.
- 2.38 **MAINTAIN** means anything done to preserve, restore or repair the SIGN according to the regulations of this By-law.
- 2.39 **MAJOR DEVELOPMENT** means a development that has a MINIMUM gross floor area of more than 1,000.0 m².
- 2.40 **MINOR DEVELOPMENT** means a development that has a MAXIMUM gross floor area of 1,000.0 m².
- 2.41 **MULTIPLE OCCUPANCY BUILDING** means any BUILDING that contains two or more units for OCCUPANCY by residential, commercial, institutional or industrial USES, or a combination thereof.
- 2.42 **MURAL** means an artistic painting, illustration or decoration, which is applied to the exterior wall of a BUILDING and which is not, or not intended to be, graffiti or a SIGN or ADVERTISING DEVICE as defined in this By-law.
- 2.43 **NATURAL HERITAGE** means a designated district based on a land use designation that provides for the protection and conservation of Windsor's most environmentally significant and sensitive natural areas, including provincially designated areas of natural and scientific interest and wetlands.
- 2.44 **OCCUPANCY** means the premises occupied by a single USE, OWNER or tenant, which has a separate entrance directly to the outdoors or to an indoor walkway or hallway shared with other occupancies.
- 2.45 **OFF- SITE SIGN** means a SIGN which identifies or directs attention to a business, profession, commodity, service, event or other activity not being conducted, sold or offered on the PROPERTY on which the SIGN is located.
- 2.46 **ON-SITE SIGN** means a SIGN which identifies or directs attention to a business,

profession, commodity, service, event or other activity being conducted, sold or offered on the PROPERTY on which the SIGN is located.

- 2.47 **OWNER** means a PERSON in lawful control of the PROPERTY, BUILDING, OCCUPANCY, SIGN or other STRUCTURE or portion thereof under consideration.
- 2.48 **PARAPET** (including **PARAPET WALL**) means that portion of a BUILDING WALL, which rises above the roof level of the STRUCTURE.
- 2.49 **PERFORMANCE BOND** means an agreement with and payment of a specified monetary amount made to the CITY to guarantee the proper installation and removal of TEMPORARY SIGNS. If the terms of the agreement are not satisfied, the CITY retains the payment to cover removal and disposal costs.
- 2.50 **PERMANENT SIGN** means a SIGN attached to a BUILDING, STRUCTURE, or the ground so as to resist environmental loads, such as wind, and preclude its ready removal or relocation.
- 2.51 **PERSON** (including **PERSONS**) means any individual, association, proprietorship, partnership, association, syndicate, company, corporation, firm, authorized agent, trustee and the heirs, executors or other legal representatives, or any combination of the foregoing.
- 2.52 **PROPERTY** means a LOT which has specific boundaries and which is capable of legal transfer, and
- 2.52.1 **PUBLIC PROPERTY** means PROPERTY, lands, or BUILDINGS owned by the CITY, PUBLIC AUTHORITY, local board or utility as defined in the *Municipal Affairs Act* R.S.O. 1990, c.M.46, as may be amended from time to time. PUBLIC PROPERTY also includes:
- (a) **PUBLIC ROAD ALLOWANCE** means all allowances for roads made by the Crown surveyors, all highways laid out or established under the authority of any statute, all roads on which public money has been expended for opening them and roads dedicated by the owner of the lands to public use; including the curb, shoulder, sidewalk and landscaping where applicable. A STREET is a PUBLIC ROAD ALLOWANCE for the purposes of this By-law.
- 2.52.2 **PRIVATE PROPERTY** means PROPERTY, lands, or BUILDINGS owned by a PERSON, other than a PUBLIC AUTHORITY.
- 2.53 **PUBLIC AUTHORITY** means the CITY, the Provincial Government, the Federal Government and any board, commission, committee or body established or exercising any power or authority under a statute of Canada or Ontario with respect to any of the affairs or purposes, including school purposes, of the CITY.
- 2.54 **REPAIR** means anything done to preserve, restore or maintain the SIGN according to the regulations of this By-law.
- 2.55 **SCENIC DRIVE** means a designated road designed to carry moderate volumes of predominately passenger traffic adjacent to major scenic areas, areas of historical or environmental significance or along historic routes at low to moderate speeds.
- 2.56 **SIGN** means an ADVERTISING DEVICE, object, or notice in any visual medium and its surface, SIGN STRUCTURE and related component parts, used or capable of being used to attract attention to a specific subject matter for ADVERTISING, DIRECTIONAL, IDENTIFICATION, INFORMATION or OFFICIAL purposes.
- 2.57 **SIGN CLASSIFICATION** refers to the general classification of SIGNS by reference to their subject matter and/or purpose and:
- 2.57.1 **ADVERTISING SIGN** advertises a business enterprise or the marketing or promotion of an activity, good or service.
- 2.57.2 **BUSINESS SIGN** identifies the name, address and/or insignia of a business enterprise that is located on the same LOT therewith. It may also include additional information respecting activities occurring or products available on the same LOT on which the SIGN is located.
- 2.57.3 **DIRECTIONAL SIGN** indicates directions to be followed to reach a

destination. It may include a logo identifying the place of destination, instructions or warnings for the control of vehicular or pedestrian traffic, and entry and exit signage.

- 2.57.4 **INCIDENTAL SIGN** is an ON-SITE, non-advertising SIGN of minor consequence and size, and includes a SIGN bearing a STREET name and municipal address, or one that is customarily located on a newspaper box, cornerstone, and/or grave marker.
- 2.57.5 **INFORMATION SIGN** provides information concerning public order or public safety or which provides for public education or enlightenment concerning an activity or the nature of their surroundings.
- 2.57.6 **OFFICIAL SIGN** is a SIGN required by, or ERECTED under, any statute or By-law or other directive of any federal, provincial or municipal government or agency thereof or any board or commission.
- 2.58 **SIGN DIMENSION CONTROL MEASUREMENTS** refers to the following quantitative measurements used to regulate the size, spacing or number of SIGNS and
- 2.58.1 **CHANGING COPY AREA** means the COPY AREA on a SIGN FACE permitted for ELECTRONIC, MANUAL and/or ROTATING CHANGING COPY. Although the percentage of permitted CHANGING COPY is based on the calculations for the MAXIMUM TOTAL SIGN FACE AREA, the TOTAL SIGN FACE AREA allowable does not have to be ERECTED or DISPLAYED.
- 2.58.2 **CLEARANCE** means the vertical distance measured between the lowest part of a SIGN and the GRADE LEVEL or other surface immediately located below the SIGN.
- 2.58.3 **COPY** means all letters, numerals, symbols, images and characters DISPLAYED upon, against or through a SIGN FACE. This definition does not include numerals used to identify the MUNICIPAL ADDRESS.
- 2.58.4 **COPY AREA** means the area, which encloses the letters, numerals, symbols, images or characters, conveying a message.
- 2.58.5 **GRADE LEVEL** means the elevation of the sidewalk on the PUBLIC ROAD ALLOWANCE measured at a point that is closest to the SIGN. Where there is no sidewalk on the PUBLIC ROAD ALLOWANCE, GRADE LEVEL shall mean the elevation of the ground measured at a point 2.0 m from the BUILDING FAÇADE on the LOT to which the SIGN relates.
- 2.58.6 **HEIGHT OF SIGN** means the vertical distance measured from GRADE LEVEL to the highest point of a SIGN.
- 2.58.7 **LENGTH OF SIGN FACE** means the maximum distance of the SIGN FACE, excluding a border and frame, measured horizontally. In the case of individually installed letters, numerals, symbols, images or characters, the LENGTH of SIGN FACE shall be the maximum horizontal distance between the extremities of the COPY AREA.
- 2.58.8 **OCCUPANCY FRONTAGE** means the length of a line along the base of a BUILDING WALL, which encloses a single OCCUPANCY and separates it from the outdoors.
- 2.58.9 **SIGN FACE** means that portion of the SIGN, excluding the supporting STRUCTURE, borders and frames, upon which, against, or through which COPY is DISPLAYED or is capable of being DISPLAYED. Further:
- (a) **SINGLE SIGN FACE**: means a SIGN having only one face plane.
 - (b) **DOUBLE SIGN FACE**: means a SIGN having two sign face planes with each SIGN FACE being of equal area and identical length and width, and with two parallel opposing (back-to-back) faces.
 - (c) **MULTIPLE SIGN FACE**: means a SIGN having more than two SIGN FACES.
- 2.58.10 **SIGN FACE AREA** means the entire area of the SIGN FACE. The following shall apply to determine the SIGN FACE AREA for:
- (a) **SIGNS comprised of more than one part** (individually installed letters, numerals, symbols, or characters): the SIGN FACE AREA shall be the same

as the COPY AREA.

- (b) **PAINTED WALL SIGNS**: the entire background area shall be included in the SIGN FACE AREA if the background colour is different from the remainder of the wall.
- (c) **THREE-DIMENSIONAL SIGNS**: the SIGN FACE AREA shall be calculated as one-half the total of all SIGN FACES.

2.58.11 **SIGN FACE EXTENSION** means that part of the SIGN FACE that extends beyond the standard SIGN FACE panel, and relates exclusively to BILLBOARD SIGNS and CANOPY SIGNS.

2.58.12 **STREET FRONTAGE** means the length of the LOT LINE to which the SIGN relates dividing the LOT from a PUBLIC ROAD ALLOWANCE. For LOTS with more than one STREET FRONTAGE, the STREET FRONTAGES shall not be combined for any SIGN DIMENSION CONTROL MEASUREMENT.

2.58.13 **WALL AREA** means the total area, including all openings, of an exterior BUILDING WALL, upon which a SIGN is erected. In the case of an irregular BUILDING WALL, which does not form a vertical plane, the WALL AREA shall be the total area of a vertical plane projected from the wall.

2.58.14 **WIDTH OF SIGN FACE** means the maximum distance measured horizontally from the extremities of the COPY AREA of a SIGN FACE. In the case of individually installed letters, numerals, symbols, images or characters, the WIDTH OF THE SIGN FACE shall be the maximum vertical distance between the extremities of the COPY AREA.

2.59 **SIGN OWNER** means the person who owns the SIGN. Where there is no known owner of the SIGN, or such person cannot be determined with certainty, the SIGN OWNER shall be deemed to be the PERSON having authority over the associated use or deriving the major benefit from the SIGN. If such PERSON is unknown, the SIGN OWNER shall be deemed to be the registered owner of the land upon which the SIGN is situated.

2.60 **SIGN PERMIT** means a permit issued by the AUTHORITY HAVING JURISDICTION pursuant to the provisions of this By-law to ERECT or DISPLAY a SIGN.

2.61 **SIGN STRUCTURE** means a STRUCTURE, framework or bracing, which is constructed to support a SIGN FACE or FACES and in turn is supported by the ground, BUILDING or other STRUCTURE not deemed to be an integral part of the SIGN.

2.62 **SIGN TYPE** means a SIGN referenced by its means of support, manner of displaying information and/or the information intended to be displayed. Further:

2.62.1 **A-FRAME SIGN** means a SIGN not permanently anchored to the ground and constructed in a manner, and of such materials, which permit it to be repositioned by an individual without mechanical aid. This definition shall include SIGNS commonly referred to as SIDEWALK SIGNS and SANDWICH BOARD SIGNS.

2.62.2 **ADULT ENTERTAINMENT PARLOUR SIGN** means any type of SIGN located outside or capable of being viewed from the outside of a premises used as an ADULT ENTERTAINMENT PARLOUR, which SIGN is used or intended to be used to IDENTIFY and/or ADVERTISE an ADULT ENTERTAINMENT PARLOUR.

2.62.3 **ANIMATED SIGN** means a SIGN or part thereof, which displays kinetic or illusionary motion, including SIGNS in which twenty-five percent (25%) or less of the total SIGN FACE AREA rotates or revolves. This definition does not include an ELECTRONIC CHANGING COPY SIGN or ROTATING SIGN.

2.62.4 **AWNING SIGN** means a SIGN painted on, or otherwise affixed to, the surface of an AWNING and such SIGN does not project out from the AWNING in any direction.

2.62.5 **BANNER SIGN** means a SIGN made from non-rigid, lightweight material, which is secured or mounted to a BUILDING or other STRUCTURE by its ends or corners. This definition does not include a BANNER FLAG, recognized flag, AWNING, CANOPY, WINDOW or INFLATABLE SIGN.

2.62.6 **BANNER FLAG SIGN** means a SIGN made from non-rigid, lightweight

material, which is attached to and projects out horizontally from an exterior wall of a BUILDING or a STRUCTURE in a predominantly perpendicular manner and used primarily for attracting attention.

- 2.62.7 **BILLBOARD SIGN** means a GROUND or WALL SIGN, which has COPY fastened in such a manner so as to permit its periodic replacement, which is owned and maintained by a PERSON engaged in the rental or leasing of the SIGN FACE AREA for advertising goods, products, services or facilities that are not present or sold on the PROPERTY on which the SIGN is located.
- 2.62.8 **CANOPY SIGN** means a SIGN with COPY affixed flat on the surface of a CANOPY or hanging from the underside of a CANOPY, where such COPY does not extend beyond the limits of such CANOPY.
- 2.62.9 **COMMUNITY EVENT SIGN** means an ADVERTISING, DIRECTIONAL or INFORMATION SIGN promoting events conducted and/or sponsored by charitable organizations or community associations.
- 2.62.10 **CONGRATULATORY SIGN** means a SIGN that promotes a private special occasion and does not contain a commercial message nor direct PERSONS to a commercial enterprise.
- 2.62.11 **CONSTRUCTION SITE SIGN** means a SIGN that provides information about the builder and trades and/or the BUILDING or STRUCTURE currently under construction or proposed to be constructed and shall be removed upon completion of the project.
- 2.62.12 **DEVELOPMENT PROJECT SIGN** means a SIGN that advertises a proposed development and may include the name of the project, the name of the contractors, architects, engineers, information and personnel related to the project and shall be removed upon completion of the project.
- 2.62.13 **DIRECTORY SIGN** means a SIGN that identifies the OCCUPANTS of a multi-OCCUPANCY BUILDING.
- 2.62.14 **ELECTION SIGN** means a SIGN that promotes the election of a political party or a candidate for public office in a federal, provincial or municipal election.
- 2.62.15 **ELECTRONIC CHANGING COPY SIGN** means an electronically and/or computer controlled SIGN, or that part thereof, which displays ILLUMINATED COPY and graphic information in a pre-arranged sequence for continuous scrolling or flashing display or other form of ANIMATION.
- 2.62.16 **EXTERIOR SIGN** means any SIGN or ADVERTISING DEVICE ERECTED or DISPLAYED outdoors or any SIGN erected inside a BUILDING and intended to be visible from the outdoors.
- 2.62.17 **FASCIA WALL SIGN** means a SIGN, which is painted on, affixed to and/or supported by an exterior BUILDING WALL and erected in a predominantly parallel manner to that BUILDING WALL. This definition does not include a BANNER SIGN.
- 2.62.18 **FLASHING SIGN** means a SIGN that contains, in part, an intermittent or flashing light source or conveys the illusion of an intermittent or flashing light. This definition does not include an ELECTRONIC CHANGING COPY SIGN or ANIMATED SIGN.
- 2.62.19 **GROUND SIGN** means a SIGN that is supported by a STRUCTURE or supports erected on or anchored in the ground for the sole purpose of supporting the SIGN, and are not attached to any BUILDING or other STRUCTURE.
- 2.62.20 **HOARDING SIGN** means a SIGN, attached to hoarding panels surrounding a construction site, providing information about the builder and trades and/or the BUILDING or STRUCTURE under construction or proposed to be constructed.
- 2.62.21 **INFLATABLE SIGN** means a SIGN or ADVERTISING DEVICE designed to be inflated and tethered to the ground, a BUILDING or any other STRUCTURE.
- 2.62.22 **INTERIOR SIGN** means any SIGN ERECTED or DISPLAYED inside a BUILDING or STRUCTURE and not intended to be visible from the outdoors.

- 2.62.23 **LIGHT STANDARD SIGN** means a SIGN DISPLAYED on a light standard, entirely located on PRIVATE PROPERTY, secured with APPROVED mounting components, and the SIGN FACE AREA is a POSTER SIGN.
- 2.62.24 **MANUAL CHANGING COPY SIGN** means a SIGN, or that part thereof, on which the COPY can be periodically changed or rearranged by manual means. This definition does not include a BILLBOARD SIGN.
- 2.62.25 **MENU BOARD SIGN** means a SIGN ERECTED as part of a drive-thru facility and used to list products, services and prices in association with a fast food restaurant/retailer business.
- 2.62.26 **MOBILE SIGN** means a SIGN designed to be readily moved from one location to another and which does not rely on a BUILDING or fixed foundation for its structural support. This definition shall include a MANUAL CHANGING COPY SIGN in which the letters or numerals conveying the message can be manually rearranged or changed. This definition includes a T-frame SIGN, but does not include an A-FRAME SIGN.
- 2.62.27 **MUNICIPAL ADDRESS SIGN** means a SIGN, which is used to identify the municipal address of an OCCUPANCY, PROPERTY and/or LOT.
- 2.62.28 **PENNANT SIGN** means a SIGN, constructed of a lightweight flexible material, suspended from a rope, wire or string, usually in series, and designed to move in the wind. This definition does not include a BANNER FLAG or recognized flag.
- 2.62.29 **PLAQUE SIGN** means a SIGN, which is used as a commemorative or identifying tablet.
- 2.62.30 **POSTER SIGN** means a SIGN, constructed of a lightweight flexible material, which is secured on an existing support STRUCTURE, such as a lamp standard, or some other foundation, other than a BUILDING.
- 2.62.31 **PROGRESSIVE SIGN** means a combination of individual identification and/or ADVERTISING SIGNS, which when acting together convey a complete message.
- 2.62.32 **PROJECTING WALL SIGN** means a WALL SIGN attached to and projects out horizontally from an exterior wall of a BUILDING in a predominantly perpendicular manner.
- 2.62.33 **PUBLIC SERVICE INFORMATION SIGN** means a SIGN that electronically displays only the local time, temperature and/or date.
- 2.62.34 **REAL ESTATE SIGN** means a SIGN that advertises the sale, rent or lease of the property on which it is located.
- 2.62.35 **REAL ESTATE OPEN HOUSE DIRECTIONAL SIGN** means a SIGN, which is intended to direct a PERSON to a BUILDING or PROPERTY offered for sale, rental or lease.
- 2.62.36 **ROOF SIGN** means any of the following:
 (a) A SIGN ERECTED on or located wholly above the roof of a BUILDING;
 (b) A SIGN ERECTED, constructed, attached to or located wholly or partially above the PARAPET WALL of a BUILDING;
- 2.62.37 **ROTATING SIGN** means a SIGN in which more than twenty-five percent (25%) of the total SIGN FACE AREA mechanically rotates or revolves. A SIGN in which twenty-five percent (25%) or less of the total SIGN FACE AREA rotates or revolves is deemed to be an ANIMATED SIGN.
- 2.62.38 **ROTATING CHANGING COPY SIGN** means an electronically controlled SIGN, or that part thereof, which displays COPY and graphic information as the SIGN FACE continuously scrolls or rotates to display a static COPY AREA at timed intervals.
- 2.62.39 **SIDEWALK SIGN** (and **SANDWICH BOARD SIGN**) means an A-FRAME SIGN.

- 2.62.40 **T-FRAME SIGN** means a MOBILE SIGN.
- 2.62.41 **WINDOW SIGN** means any SIGN, picture, image, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service located on that LOT which is placed inside a window or upon the windowpane or glass and is intended to be visible from the exterior of the window.
- 2.63 **SPECIAL DISTRICT** means an area within the CITY that has been identified to have certain characteristics which warrants special consideration in the provision and regulation of signage. The following SPECIAL DISTRICTS have been identified: BUSINESS IMPROVEMENT AREA DISTRICTS, CONTROLLED ACCESS HIGHWAY DISTRICTS, GATEWAY DISTRICTS, HERITAGE AREA DISTRICTS, NATURAL HERITAGE DISTRICTS, SCENIC DRIVE DISTRICTS and THEME STREET DISTRICTS.
- 2.64 **STOREY** means that part of a BUILDING between any floor and the floor, ceiling or roof next above. Any part of a storey exceeding 4.0 m in height is deemed to be an additional storey for each 4.0 m, or fraction thereof, of such excess.
 - 2.64.1 **GROUND STOREY** means the STOREY with its floor closest to GRADE LEVEL and having its ceiling more than 2.0 m above GRADE LEVEL.
 - 2.64.2 **SECOND STOREY** means the STOREY directly above the GROUND STOREY.
- 2.65 **STREET** means the PUBLIC ROAD ALLOWANCE and affords the principal means of access to adjacent LOTS.
- 2.66 **STREET LINE** means the limit of the road or PUBLIC ROAD ALLOWANCE and is the dividing line between a LOT and a STREET.
- 2.67 **STRUCTURE** means anything, including all component parts that is ERECTED, built or constructed and affixed to or supported by the ground.
- 2.68 **TEMPORARY SIGN** means a SIGN not intended or designed for PERMANENT installation and is designed and DISPLAYED for short-term USE.
- 2.69 **THEME STREET** means a designated road within Windsor, designed with the intension to enhance the PUBLIC RIGHTS-OF-WAY consistent with the established character of the neighbourhood, using streetscaping; protect and enhance significant views and vistas along PUBLIC RIGHTS-OF-WAY; protect and enhance HERITAGE RESOURCES; encourage the provision of building and streetscaping elements that provide shelter from inclement weather, where appropriate; and encourage signage which enhances the character of the THEME STREET.
- 2.70 **UNLAWFUL SIGN** means a SIGN that does not comply with the applicable regulations of this By-law and does not comply with the regulations of the governing By-law in effect when the SIGN PERMIT was issued for said SIGN or when said SIGN was ERECTED or DISPLAYED.
- 2.71 **UNSAFE SIGN** means a SIGN which is structurally unsafe, or which constitutes a safety hazard, impedes the movement of vehicular or pedestrian traffic, or which otherwise constitutes a risk to the safety of persons or property.
- 2.72 **USE** (as a noun) means the purpose, for which any land, BUILDING or STRUCTURE is designed, arranged or intended to be OCCUPIED or for which it is OCCUPIED and MAINTAINED. Reference to a specific use in this By-law means a use defined in the ZONING BY-LAW.
- 2.73 **USE** (as a verb) means anything done or permitted, either directly or indirectly, by a PERSON for the purpose making USE of a LOT or part thereof, BUILDING or part thereof, or other STRUCTURE or part thereof.
- 2.74 **ZONING BY-LAW** means ZONING BY-LAW 8600 and ZONING BY-LAW 3072, as may be amended from time to time, or any successors thereof.

Table 2.1 (a) GROUP USES 1 and 2

subsection	(a)	(b)
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		Group 1	Group 2
2.1.1	Residential	<ul style="list-style-type: none"> ▪ Double Duplex dwelling; ▪ Duplex Dwelling; ▪ Group Home; ▪ Mobile Home Dwelling; ▪ Multiple Dwelling with a maximum of 4 units; ▪ Semi-detached Dwelling; ▪ Single-unit dwelling; ▪ Townhome Dwelling; 	<ul style="list-style-type: none"> ▪ Convent; ▪ Fraternity or Sorority House; ▪ Lodging House; ▪ Monastery; ▪ Multiple Dwelling (minimum of 5 units); ▪ Residential Care Facility; ▪ Student Residence;
2.1.2	Commercial	<ul style="list-style-type: none"> ▪ Home occupation; 	<ul style="list-style-type: none"> ▪ Retail Store, Personal Service Shop, Office located within a multiple dwelling; ▪ Tourist Home;
2.1.3	Industrial/Support	NA	<ul style="list-style-type: none"> ▪ Facilities of a Public Authority ▪ Public Utility within a Residential Zoning District;
2.1.4	Institutional	NA	NA
2.1.5	Agricultural	<ul style="list-style-type: none"> ▪ Land within a Development Reserve Zoning District. 	<ul style="list-style-type: none"> ▪ Produce sales stands and other minor accessory uses associated with an agricultural use.
2.1.6	Open Space	<ul style="list-style-type: none"> ▪ Pedestrian walkways. 	NA

Table 2.1 (b) GROUP USES 3 and 4

subsection	(a)		(b)
		Group 3	Group 4
2.1.1	Residential	NA	NA
2.1.2	Commercial	<ul style="list-style-type: none"> ▪ Business Office; ▪ Commercial School; ▪ Contractor's Office; ▪ Day Nursery; ▪ Medical Office or Clinic; ▪ Professional Studio; ▪ Veterinary Office or Clinic; 	<ul style="list-style-type: none"> ▪ Adult Entertainment Parlour; ▪ Automobile Repair Garage; ▪ Automobile Dealership or Sales Lot; ▪ Car Wash; ▪ Club; ▪ Drive-through Restaurant; ▪ Financial Office; ▪ Funeral Home; ▪ Gas Bar and Service Station; ▪ Golf Course; ▪ Major and Minor Commercial Centre; ▪ Marina; ▪ Micro-brewery; ▪ Light or Heavy Repair Shop; ▪ Hotel or Motel; ▪ Pawnshop; ▪ Personal Service Shop; ▪ Place of Entertainment or Recreation; ▪ Public Hall; ▪ Restaurant; ▪ Retail Store; ▪ Theatre; ▪ Wholesale Store;
2.1.3	Industrial/Support	<ul style="list-style-type: none"> ▪ Industrial Uses, not listed in these Tables; ▪ Laboratory/Research Facility; ▪ Power Generation Plant; ▪ Salvage Yard; ▪ Self Storage Facility; 	NA
2.1.4	Institutional	<ul style="list-style-type: none"> ▪ Cemetery; ▪ Church and Church Hall; ▪ Facilities of a Public Authority or a Public Utility; ▪ Hospital; ▪ Public Parking Area/ Garage; ▪ School; College; University; 	<ul style="list-style-type: none"> ▪ Public Transportation Facility
2.1.5	Agricultural	<ul style="list-style-type: none"> ▪ Riding Stables; ▪ Industrial/Commercial facilities accessory to a farm operation. 	NA
2.1.6	Open Space	<ul style="list-style-type: none"> ▪ Community or Regional Park; ▪ Private Park or any other recreational use. 	NA

SECTION 3.0 GENERAL REGULATIONS

3.1 Sign Compliance

3.1.1 Every SIGN OWNER shall ensure that each SIGN, including its ERECTION, DISPLAY, ALTERATION and MAINTENANCE, conforms to the following:

- (a) All applicable provisions and regulations of this By-law;
- (b) All applicable municipal, provincial and federal legislation as may be amended from time to time;
- (c) Be ERECTED or DISPLAYED only with the express permission of the PROPERTY OWNER or lessee, or the authorized agent of the owner or the lessee, on which the SIGN is located; and
- (d) Be ERECTED or DISPLAYED only with the express permission of the CITY on lands owned by or controlled by the CITY.

3.2 Electrical Regulations

3.2.1 Every SIGN OWNER shall ensure that all electrical SIGNS conform to the regulations of the Ontario Electrical Safety Authority and the Ontario Electrical Safety Code.

3.2.2 Every SIGN OWNER of SIGNS ERECTED or DISPLAYED within 3.0 m of ELECTRICAL DISTRIBUTION LINE (S) owned by a PUBLIC UTILITY shall ensure that the APPROVAL of the appropriate PUBLIC UTILITY is obtained.

3.3 Illumination Regulations

3.3.1 Every OWNER of an ILLUMINATED SIGN shall ensure that:

- (a) Lights used to EXTERNALLY ILLUMINATE a SIGN shall be arranged to direct light away from adjacent LOTS and PUBLIC ROAD ALLOWANCES;
- (b) FLASHING ILLUMINATION or electronic ANIMATION of SIGNS, located above a height of 4.5 m, shall not be ERECTED within 60.0 m of any Residential Zoning District, if such SIGN will be directly visible from any point in the Residential Zoning District; and
- (c) ELECTRONIC CHANGING COPY SIGNS shall be programmed to dim the intensity of ILLUMINATION during dusk and night hours.

3.3.2 No PERSON shall ERECT or cause to be ERECTED FLASHING ILLUMINATION and ELECTRONIC CHANGING COPY SIGNS, in which the flashing or changing of COPY occurs at intervals of less than 4 seconds

3.4 Identification of Signs

3.4.1 No PERSON shall ERECT or cause to be ERECTED any SIGN for which a SIGN PERMIT is required by this By-law, unless such SIGN displays the name of the erector of the SIGN in clearly legible lettering located in such a place on the SIGN that it can be easily read.

3.5 Maintenance

3.5.1 The SIGN OWNER shall MAINTAIN the SIGN in good practice so that it does not become unsafe, defective or dangerous.

3.5.2 Every SIGN OWNER shall ensure that each SIGN be MAINTAINED so that:

- (a) All exposed SIGN and SIGN STRUCTURE surfaces are covered with a durable, weather resistant, protective finish;
- (b) Repainting or refinishing is undertaken as often as is necessary to prevent peeling or flaking of paint or corrosion;
- (c) All electric bulbs and tubes are continuously operative;

- (d) All SIGN FACES and SIGN STRUCTURES are kept intact and operative and do not contain deteriorating, peeling, broken and/or cracked parts; and
- (e) Where a SIGN FACE is required to cover and protect any electrical components, lamps and/or sign box from weather elements, the SIGN FACE must remain intact at all times. If a SIGN FACE is removed for REPAIR and/or replacement, a SIGN FACE shall be reinstalled within ten (10) days of removal.

3.6 Existing Signs

3.6.1 Every SIGN OWNER shall ensure that:

- (a) For an EXISTING PERMANENT SIGN, which does not comply with the provisions of this By-law, changes to or replacement of the SIGN FACE, REPAIR of the SIGN, including the SIGN STRUCTURE, and changing of COPY shall be deemed to be permitted provided all dimensions and characteristics of the SIGN remain the same;
- (b) Replacement of an EXISTING SIGN STRUCTURE in whole or in part, except to REPAIR the structure, shall be in full compliance with all provisions of this By-law and shall require a SIGN PERMIT; and
- (c) MAINTENANCE and REPAIR of an EXISTING SIGN shall be in accordance with the provisions of Section 3.5 of this By-law;

3.6.2 An EXISTING TEMPORARY SIGN shall be deemed to be in compliance with this By-law until the expiration of the SIGN PERMIT for such SIGN.

“3.7 Relocated/replaced SIGNS For a Municipal Infrastructure Purpose

3.7.1 In the event that the City requires that an existing sign, lawful sign or legal non-conforming sign be relocated due to a municipal infrastructure purpose, then:

- a) such a relocated existing sign, lawful sign or legal non-conforming sign shall not be deemed to have caused any contravention of the location regulations of this by-law which are affected by such relocation, and
- b) any required replacement of a relocated existing sign, lawful sign or legal non-conforming sign because of age or condition, by a new sign of the same dimensions shall not be deemed to have caused any contravention of the dimension regulations in s.6 of this by-law which are caused by such replacement.”

(added B/L 35-2010, March 1, 2010)

SECTION 4.0 SIGN PERMITS AND INSPECTIONS

4.1 Signs That Require a SIGN PERMIT

- 4.1.1 Unless otherwise specifically provided in this By-law, no PERSON shall ERECT, cause to be ERECTED, DISPLAY or cause to DISPLAY a SIGN, ADVERTISING DEVICE or SIGN STRUCTURE unless a SIGN PERMIT has been issued by the AUTHORITY HAVING JURISDICTION for the following SIGNS:
- (a) All PERMANENT SIGNS identified in Section 6.0 of this By-law.
 - (b) All ILLUMINATED SIGNS.
 - (c) All electric SIGNS.
 - (d) All of the following TEMPORARY SIGNS as indicated in Section 7.0 of this By-law:
 - i. A-FRAME SIGNS;
 - ii. BANNER SIGNS require a permit if the SIGN is DISPLAYED for more than 72 hours;
 - iii. BANNER FLAG SIGNS require a permit if the SIGN is DISPLAYED for more than 72 hours;
 - iv. COMMUNITY EVENT SIGNS;
 - v. CONSTRUCTION SITE SIGNS;
 - vi. DEVELOPMENT PROJECT SIGNS;
 - vii. INFLATABLE SIGNS require a permit if the SIGN is DISPLAYED for GROUP 3 and GROUP 4 USES;
 - viii. MOBILE SIGNS; and
 - ix. REAL ESTATE SIGNS in excess of 1.0 m² in SIGN FACE AREA.

4.2 Application for a SIGN PERMIT

- 4.2.1 Every PERSON applying for a SIGN PERMIT shall properly and fully:
- (a) Complete a SIGN PERMIT application in accordance with Section 4.2 hereof;
 - (b) Submit all plans, drawings and photographs as required by the CITY; and
 - (c) Pay all applicable fees as set out in Schedule "B".
- 4.2.2 An application for a SIGN PERMIT for a TEMPORARY SIGN shall be accompanied by plans and drawings that contain the following information:
- (a) A key plan showing the location of the land on which the proposed TEMPORARY SIGN(S) is to be located and the nearest major intersection;
 - (b) Drawings and specifications of the SIGN, including dimensions; supporting framework; materials; height, length and width of SIGN; and SIGN FACE AREA.
 - (c) Other information determined by the AUTHORITY HAVING JURISDICTION with respect to the TEMPORARY SIGN or the BUILDING as may be necessary to determine if the STRUCTURE is capable, under the Ontario Building Code, of supporting the SIGN or ADVERTISING DEVICE.
 - (d) A site plan, drawn to scale and including dimensions, of the following: all LOT LINES, STREET FRONTAGES, existing or proposed BUILDINGS and STRUCTURES, location of proposed SIGNS, and location of all EXISTING PERMANENT SIGNS on the same LOT. **(Section (d) added B/L 165-2012, Nov. 5/12)**
- 4.2.3 An application for a SIGN PERMIT for a PERMANENT SIGN shall be accompanied by plans and drawings that contain the following information:
- (a) A key plan showing the location of the land on which the proposed PERMANENT SIGN(S) is to be located and the nearest major intersection;

- (b) A site plan, drawn to scale and including dimensions, of the following: all LOT LINES, STREET FRONTAGES, existing or proposed BUILDINGS and STRUCTURES, location of proposed SIGNS, and location of all EXISTING PERMANENT SIGNS on the same LOT.
 - (c) Drawings and specifications of the SIGN, drawn to scale and including dimensions, showing sections and elevations of the SIGN to be erected, construction details, supporting framework, foundations, materials, illumination details, height of SIGN and SIGN FACE area, length and width of the SIGN FACE.
 - (d) Other information determined by the AUTHORITY HAVING JURISDICTION with respect to the PERMANENT SIGN or the BUILDING, including architectural and structural drawings as may be necessary to determine if the STRUCTURE is structurally capable, under the Ontario Building Code, of supporting the SIGN or ADVERTISING DEVICE; and
- 4.2.4 In addition to the information required under Section 4.2.3, all plans and drawings accompanying an application for any GROUND SIGN PERMIT shall contain the following information:
- (a) A GROUND SIGN, which exceeds 7.5 m in height above GRADE LEVEL, shall require drawings and specifications prepared and stamped by a professional engineer.
 - (b) A site plan, drawn to scale and including dimensions, of the following: parking and landscaping areas, vehicular access and egress points, location of proposed SIGNS, and location of all EXISTING PERMANENT GROUND and/or BILLBOARD SIGNS on adjacent LOTS.
- 4.2.5 In addition to the information required under Section 4.2.3, all plans and drawings accompanying an application for any FASCIA WALL SIGN PERMIT shall contain the following information:
- (a) A drawing of the elevation of the STRUCTURE on which the proposed SIGN is to be erected, including: doors, windows and other openings, wall finishing materials, WALL AREA, OCCUPANCY FRONTAGES, dimensions, location and elevations of the proposed SIGN and all other EXISTING SIGNS attached to the same wall.
- 4.2.6 In addition to the information required under Section 4.2.3, all plans and drawings accompanying an application for a BILLBOARD SIGN PERMIT shall contain the following information:
- (a) Identification of adjacent land uses, zoning, BUILDINGS, STRUCTURES, BILLBOARD SIGNS and PERMANENT GROUND SIGNS within a 200.0 m radius of the proposed SIGN.
 - (b) A site plan, drawn to scale and including dimensions, of the following: parking and landscaping areas, vehicular access and egress points and location of proposed SIGNS.
 - (c) The setback of the proposed BILLBOARD SIGN and SIGN STRUCTURE from all PROPERTY LINES, and from the PROPERTY LINES of adjacent or nearby residential lands.
 - (d) A BILLBOARD SIGN, which exceeds 7.5 m in height above GRADE LEVEL, shall require drawings and specifications prepared and stamped by a professional engineer.
- 4.2.7 In addition to the information required under Section 4.2.3, all plans and drawings accompanying an application for any PROJECTING WALL SIGN PERMIT shall contain the following information:
- (c) A PROJECTING WALL SIGN weighing more than 115 kg shall require drawings and specifications prepared and stamped by a professional engineer.

(d) A PROJECTING WALL SIGN shall not be attached or fastened in any manner to a parapet wall unless designed and stamped by an architect or professional engineer.

4.2.8 No PERSON shall make application for a SIGN PERMIT who is not the OWNER or lessee, or the authorized agent of the OWNER or the lessee, of the PROPERTY upon which the SIGN is to be ERECTED or DISPLAYED or upon which work on the SIGN work is to be performed.

4.2.9 No PERSON shall submit false or misleading information or documents or make omissions that may mislead in connection with any application for a SIGN PERMIT, details of construction, or any revisions thereto.

4.3 Issuance of a SIGN PERMIT

4.3.1 A SIGN PERMIT shall be issued when the AUTHORITY HAVING JURISDICTION is satisfied that all documentation received complies and conforms to this By-law and any other applicable municipal, provincial and federal legislation.

4.3.2 A SIGN PERMIT shall be issued when the business enterprise has received a required construction permit and/or municipal business license; with the exception of a CONSTRUCTION SITE SIGN and/or a DEVELOPMENT PROJECT SIGN.

4.4 SIGN PERMIT Fees

4.4.1 Prior to the issuance of a SIGN PERMIT, every PERSON applying for a SIGN PERMIT shall pay a SIGN PERMIT fee in accordance with the fee schedule set out in Schedule "B" to this By-law, as may be amended from time to time.

4.5 Expiration of a SIGN PERMIT

4.5.1 A SIGN PERMIT issued by the AUTHORITY HAVING JURISDICTION for a PERMANENT SIGN shall expire after a period of six (6) months from the date of issue if the ERECTION of the SIGN has not commenced or been completed within six (6) months.

4.5.2 Before a SIGN PERMIT for a PERMANENT SIGN has passed the expiration date, an application may be made to extend the SIGN PERMIT for a further six (6) months. Prior to the extension of a SIGN PERMIT, a sign renewal permit fee shall be paid in accordance with the fee schedule set out in Schedule "B" of this By-law.

4.5.3 A SIGN PERMIT issued by the AUTHORITY HAVING JURISDICTION to DISPLAY a TEMPORARY SIGN shall expire on the expiry date indicated on the said SIGN PERMIT.

4.6 Revocation of a SIGN PERMIT

4.6.1 The City may revoke a SIGN PERMIT at any time if it is determined by the AUTHORITY HAVING JURISDICTION that:

- (a) The SIGN PERMIT has been issued in error by the CITY;
- (b) The SIGN does not conform to this By-law, the Ontario Building Code, or any other applicable regulation or legislation; or
- (c) The SIGN PERMIT has been issued as a result of false, mistaken, incorrect, or misleading information, or undertaking shown on the SIGN PERMIT application.

4.7 Encroachment Agreements

4.7.1 No PERSON shall ERECT or cause to be ERECTED any SIGN that projects more than 0.3 m onto PUBLIC PROPERTY or the PUBLIC ROAD ALLOWANCE, in whole or in part, unless the PERSON has entered into an ENCROACHMENT AGREEMENT with the CITY in the form prescribed in Schedule "D" attached hereto.

- 4.7.2 No PERSON shall maintain any PERMANENT EXISTING SIGN, or part thereof, extending more than 0.3 m into the PUBLIC ROAD ALLOWANCE at or above GRADE that was erected under the provisions of former By-law 7750, unless an ENCROACHMENT AGREEMENT in the form prescribed in Schedule "D" attached hereto has been entered into.
- 4.7.3 No PERSON shall ERECT any SIGN for which an ENCROACHMENT AGREEMENT has been entered into with the CITY, unless the PERSON has submitted proof of liability insurance in a form and in an amount satisfactory to the AUTHORITY HAVING JURISDICTION.

4.8 Inspections

- 4.8.1 A PERSON, to whom a SIGN PERMIT is issued, shall notify the AUTHORITY HAVING JURISDICTION at the following stages of construction so that the work may be inspected:

For PERMANENT GROUND and BILLBOARD GROUND SIGNS:

- (a) After completion of the excavation and prior to the installation of footings;
- (b) After the completion of the foundation;
- (c) After the completion of the structural framing; and
- (d) After the SIGN is fully erected.

For all other PERMANENT SIGNS:

- (e) After the completion of the structural framing, and
- (f) After the SIGN is fully erected.

- 4.8.2 A PERSON to whom the SIGN PERMIT has been issued shall give notification requesting an inspection at least twenty-four (24) hours in advance of the required inspection time.
- 4.8.3 An OWNER of the PROPERTY and/or the OWNER of the SIGN shall provide all equipment and labour necessary for the inspection of a SIGN by the AUTHORITY HAVING JURISDICTION.
- 4.8.4 The AUTHORITY HAVING JURISDICTION may, at all reasonable times, inspect SIGNS in accordance with the provisions of this By-law.

SECTION 5.0 SIGNS NOT REQUIRING A SIGN PERMIT

5.1 SIGNS Not Requiring a SIGN PERMIT

- 5.1.1 A SIGN PERMIT is not required for any SIGN ERECTED or DISPLAYED, or caused to be ERECTED or DISPLAYED, by the CITY or a PUBLIC AUTHORITY.
- 5.1.2 A SIGN PERMIT is not required for any of the following SIGNS ERECTED or DISPLAYED on PRIVATE PROPERTY, provided however, that the subject SIGNS shall comply with all other requirements of this By-law, unless otherwise specifically provided:
- (a) A PERMANENT, NON-ILLUMINATED FASCIA WALL SIGN having a SIGN FACE AREA of less than 1.0 m²;
 - (b) A PERMANENT, NON-ILLUMINATED GROUND SIGN having a maximum HEIGHT of less than 1.5 m and a SIGN FACE AREA of less than 1.0 m²;
 - (c) The following specific SIGN CLASSES and SIGN TYPES:
 - i) CONGRATULATORY SIGN DISPLAYED for GROUP 1 and GROUP 2 USES on PRIVATE PROPERTY for a period of less than 72 hours;
 - ii) NON-ILLUMINATED DIRECTIONAL SIGN ERECTED on PRIVATE PROPERTY;
 - iii) ELECTION SIGN DISPLAYED on PRIVATE PROPERTY;
 - iv) Holiday Decorations;
 - v) NON-ILLUMINATED IDENTIFICATION SIGN ERECTED or DISPLAYED on PRIVATE PROPERTY showing exclusively the emblem or insignia of a patriotic, civic, educational or religious organization;
 - vi) INFORMATION SIGN or OFFICIAL SIGN ERECTED or DISPLAYED as:
 - (a) A SIGN pertaining exclusively to public safety, not exceeding 0.35 m² in SIGN FACE AREA;
 - (b) A MUNICIPAL ADDRESS SIGN, not exceeding 0.2 m² in SIGN FACE AREA;
 - (c) A SIGN exclusively indicating the maximum headroom for vehicular traffic, not exceeding 0.35 m² in SIGN FACE AREA;
 - (d) A memorial SIGN or tablet, commemorative plaque or corner stone denoting the date of erection of buildings or other related information, attached to the wall of a BUILDING or STRUCTURE;
 - vii) NON-ILLUMINATED REAL ESTATE GROUND or FASCIA WALL SIGN DISPLAYED on PRIVATE PROPERTY with a maximum SIGN FACE AREA of 1.0 m²;
 - viii) NON-ILLUMINATED REAL ESTATE OPEN HOUSE DIRECTIONAL SIGN DISPLAYED on PRIVATE PROPERTY with a maximum SIGN FACE AREA of 0.35 m²;
 - ix) NON-ILLUMINATED TEMPORARY contractor SIGN DISPLAYED on PRIVATE PROPERTY with a maximum SIGN FACE AREA of 0.50 m²;
 - x) NON-ILLUMINATED WINDOW SIGN.

- 5.1.3 A SIGN PERMIT is not required for any ALTERATIONS or REPAIRS to a SIGN for which a SIGN PERMIT has been issued, where such ALTERATIONS or REPAIRS involve only a change of COPY or the repainting, cleaning or other normal activities, provided the SIGN STRUCTURE is not modified in any other way.

SECTION 6.0 REGULATIONS FOR PERMANENT SIGNS ON PRIVATE PROPERTY

6.1 General Provisions

NO PERSON shall ERECT or cause to be ERECTED a SIGN, ADVERTISING DEVICE or SIGN STRUCTURE on PRIVATE PROPERTY unless it complies with the following:

- 6.1.1 Each OCCUPANCY is permitted any of the following PERMANENT SIGN TYPES for which a SIGN PERMIT is required, subject to the regulations herein:
- (a) an **AWNING SIGN**, in accordance with the provisions of subsection **6.2**, of this Section;
 - (b) a **CANOPY SIGN**, in accordance with the provisions of subsection **6.4**, of this Section;
 - (c) a **FASCIA WALL SIGN**, in accordance with the provisions of subsection **6.5** of this Section;
 - (d) a **PROJECTING WALL SIGN**, in accordance with the provisions of subsection **6.8 of this Section**;
 - (e) any **combination** of AWNING, CANOPY, FASCIA WALL SIGN or WINDOW SIGN, provided that the TOTAL SIGN FACE AREA for all SIGNS does not exceed the MAXIMUM TOTAL SIGN FACE AREA permitted for FASCIA WALL SIGN(S).
- 6.1.2 Each LOT is permitted the following PERMANENT SIGN TYPE for which a SIGN PERMIT is required, subject to the regulations herein:
- (a) a **GROUND SIGN**, in accordance with the provisions of subsection **6.6**, of this Section.
 - (b) a **LIGHT STANDARD SIGN** or **BANNER FLAG SIGN**, in accordance with the provisions of subsection **6.7**, of this Section.
- 6.1.3 Each **BILLBOARD GROUND SIGN** and **BILLBOARD WALL SIGN** shall conform to the provisions of subsection **6.3**, of this Section.

6.2 Regulations for PERMANENT AWNING SIGNS

subsection		(a)	(b)	(c)	(d)
	SIGN TYPE Permitted	PERMANENT AWNING SIGNS on PRIVATE PROPERTY			
6.2.1	GROUP USE	GROUP 1	GROUP 2	GROUP 3	GROUP 4
6.2.2	SIGN Classification	INCIDENTIAL SIGN related to a specific BUILDING or OCCUPANCY located on the same LOT.	ADVERTISING or BUSINESS SIGN related to a specific BUILDING or OCCUPANCY located on the same LOT.		
6.2.3	Number of SIGNS	1 per OCCUPANCY	Not Limited		
6.2.4	Number of SIGN FACES	SINGLE SIGN FACE			
6.2.5	MAXIMUM SIGN HEIGHT	Not Applicable			
6.2.6	MAXIMUM TOTAL SIGN FACE AREA per BUILDING FAÇADE	Equal to the width of the entrance door x 0.03 m and DISPLAYED exclusively on an AWNING located above the main pedestrian entrance only.	MAXIMUM TOTAL SIGN FACE AREA as a Percentage of the WALL AREA of the BUILDING STOREY on which the SIGN is ERECTED:		
			GROUND STOREY or SECOND STOREY: 10% All Other STOREYS: 5%	GROUND STOREY or SECOND STOREY: 20% All Other STOREYS: 5%	GROUND STOREY or SECOND STOREY: 30% All Other STOREYS: 5%
6.2.7	MAXIMUM CHANGING COPY AREA	Not permitted			
6.2.8	ANIMATION	Not permitted			
6.2.9	ILLUMINATION	NON-ILLUMINATED	NON-ILLUMINATED, EXTERNAL or INTERNAL ILLUMINATION		
6.2.10	ROTATION	Not permitted			
6.2.11	SIGN PERMITS	A SIGN PERMIT is required for each AWNING SIGN.			
6.2.12	SIGN Restrictions	No part of any AWNING SIGN shall: i. Have a CLEARANCE of less than 2.4 m .			
6.2.13	Special Provisions	i. An AWNING SIGN may project over PUBLIC PROPERTY or the PUBLIC ROAD ALLOWANCE and shall be subject to and conform to an ENCROACHMENT AGREEMENT, as set out in Section 4.7.			

6.3 Regulations for BILLBOARD GROUND AND WALL SIGNS

subsection		(a)	(b)
	SIGN TYPES Permitted	BILLBOARD GROUND AND WALL SIGNS on PRIVATE PROPERTY	
6.3.1		BILLBOARD GROUND SIGN	BILLBOARD WALL SIGN
6.3.2	Districts	Exclusively on a LOT within a Commercial District or Manufacturing District (not including MD1.3) and has FRONTAGE along a STREET identified in Table 6.3.1	
6.3.3	SIGN Classifications	ADVERTISING or INFORMATION SIGNS	
6.3.4	Maximum Number of SIGNS	One (1) BILLBOARD GROUND SIGN per LOT or One (1) BILLBOARD WALL SIGN per LOT.	
6.3.5	Number of SIGN FACES	SINGLE and/or DOUBLE SIGN FACES	SINGLE SIGN FACE
6.3.6	MAXIMUM HEIGHT OF SIGN	9.0 m above GRADE	
6.3.7	MAXIMUM TOTAL SIGN FACE AREA	20.0 m ² per SIGN FACE	
6.3.8	MAXIMUM CHANGING COPY AREA	ROTATING CHANGING COPY permitted.	
6.3.9	SIGN FACE EXTENSIONS	A maximum of five percent (5%) of the permitted TOTAL SIGN FACE AREA may extend beyond the main panel of the SIGN FACE AREA.	
6.3.10	ANIMATION	Not Permitted	
6.3.11	ILLUMINATION	NON-ILLUMINATED, EXTERNAL or INTERNAL ILLUMINATION	
6.3.12	ROTATION	Not permitted	
6.3.13	SIGN PERMIT	A SIGN PERMIT is required for each BILLBOARD GROUND and WALL SIGN.	
6.3.14	SIGN Restrictions:	<p>No part of any BILLBOARD GROUND or WALL SIGN shall:</p> <ul style="list-style-type: none"> i. Be ERECTED within a 200.0 m radius of any BILLBOARD GROUND or WALL SIGN. ii. Be ERECTED within 6.0 m of the intersection of any PUBLIC ROAD ALLOWANCE; iii. Be ERECTED within 25.0 m of any Residential District; iv. Be ERECTED within 30.0 m of any GROUND SIGN ERECTED on the same LOT or on an abutting LOT. v. Contain ELECTRONIC or MANUAL CHANGING COPY SIGN FACES. 	

continued...

		<p>No part of any BILLBOARD GROUND SIGN shall:</p> <ul style="list-style-type: none"> vi. Be ERECTED on a LOT with a STREET FRONTAGE of less than 12.0m; vii. Be ERECTED within 4.0 m of the PUBLIC ROAD ALLOWANCE; viii. Be ERECTED within 3.0 m of a SIDE LOT LINE; ix. Be ERECTED within 6.0 m of a REAR LOT LINE; x. Be ERECTED less than 2.4 m above GRADE. 	<p>No part of any BILLBOARD WALL SIGN shall:</p> <ul style="list-style-type: none"> vi. Be ERECTED on the primary BUILDING FAÇADE of a BUILDING or STRUCTURE.
6.3.15	Special Provisions	Notwithstanding the provisions of Section 6.3.14 (a)(vii to ix inclusive), no part of any BILLBOARD GROUND SIGN shall be erected closer to any LOT LINE than the distance permitted for any BUILDING or STRUCTURE in the ZONING BY-LAW, if such distance is the greater.	Not Applicable

**Table 6.3.1
Permitted Locations for BILLBOARD GROUND and WALL SIGNS**

subsection		(a)
Table 6.3.1	Permitted Locations	<p>Unless specifically provided in this By-law, a BILLBOARD GROUND or WALL SIGN shall be permitted <u>only</u> on a LOT within a Manufacturing District or a Commercial District, provided that such LOT abuts one of the following STREETS and is not within a SPECIAL DISTRICT:</p> <ul style="list-style-type: none"> i. Central Avenue, south of Tecumseh Road; ii. Crawford Avenue, between Wyandotte Street West and Tecumseh Road West; iii. Division Road; iv. Dougall Avenue, south of Eugenie Street West and north of West Grand Boulevard; v. Eugenie Street, between Howard Avenue and Dougall Road vi. Howard Avenue, between Tecumseh Road East and Talbot Road; vii. Huron Church Road, between Tecumseh Road West and Cabana Road; viii. Jefferson Boulevard, south of Tecumseh Road; ix. Provincial Road; x. Tecumseh Road East and West; xi. Wyandotte Street East and West.

6.4 Regulations for PERMANENT CANOPY SIGNS

subsection		(a)	(b)	(c)
	SIGN TYPE Permitted	PERMANENT CANOPY SIGNS on PRIVATE PROPERTY		
6.4.1	GROUP USE	GROUP 2	GROUP 3	GROUP 4
6.4.2	SIGN Classifications	ADVERTISING or BUSINESS SIGN related to a specific BUILDING or OCCUPANCY located on the same LOT		
6.4.3	Number of SIGNS	Not Limited		
6.4.4	Number of SIGN FACES	SINGLE SIGN FACE		
6.4.5	MAXIMUM TOTAL SIGN FACE AREA	When attached to the underside of a CANOPY:		
		1.0 m²	1.5 m²	2.0 m²
		When attached to the outside of a CANOPY: Not to exceed the area of the outside face of the CANOPY to which it is attached.		
6.4.6	MAXIMUM CHANGING COPY AREA	Not Permitted		30% of the MAXIMUM SIGN FACE AREA is permitted for ELECTRONIC; MANUAL or ROTATING CHANGING COPY.
6.4.7	SIGN FACE EXTENSIONS	The CANOPY SIGN may project above the upper edge of the CANOPY to a maximum additional height of 0.6m .		
6.4.8	ANIMATION	Not Permitted		Permitted
6.4.9	ILLUMINATION	NON-ILLUMINATED, EXTERNAL or INTERNAL ILLUMINATION		NON-ILLUMINATED or ILLUMINATED, exclusive of FLASHING ILLUMINATION unless otherwise specifically provided in Section 6.4.13 (a)(ii)
6.4.10	ROTATION	Not Permitted		
6.4.11	SIGN PERMIT	A SIGN PERMIT is required for each CANOPY SIGN.		
6.4.12	SIGN Restrictions	<p>No part of any CANOPY SIGN shall:</p> <ul style="list-style-type: none"> i. Shall not project more than 0.3 m from the face of the CANOPY to which it is attached; ii. Have a CLEARANCE of less than 2.4 m above GRADE; iii. Be permitted for a GROUP 1 USE. 		
6.4.13	Special Provisions	<ul style="list-style-type: none"> i. A CANOPY SIGN may project over the PUBLIC ROAD ALLOWANCE and shall be subject to and conform to an ENCROACHMENT AGREEMENT, as set out in Section 4.7. ii. FLASHING ILLUMINATION is permitted for the following GROUP 4 USES: Place of Entertainment or Recreation; Hotel or Motel; Restaurant; and Theatre. 		

6.5 Regulations for PERMANENT FASCIA WALL SIGNS

subsection		(a)	(b)	(c)	(d)
	SIGN TYPE Permitted	PERMANENT FASCIA WALL SIGNS on PRIVATE PROPERTY			
6.5.1	GROUP USE	GROUP 1	GROUP 2	GROUP 3	GROUP 4
6.5.2	Sign Classifications	INCIDENTIAL SIGN related to a specific BUILDING or OCCUPANCY on the same LOT	ADVERTISING, BUSINESS, DIRECTORY or INFORMATION SIGN related to a specific BUILDING or OCCUPANCY on the same LOT		
6.5.3	Number of SIGNS	1 per OCCUPANCY	Not Limited		
6.5.4	Number of SIGN FACES	SINGLE, DOUBLE and/or MULTIPLE SIGN FACE			
6.5.5	MAXIMUM TOTAL SIGN FACE AREA	Equal to the width of the main entrance door x 0.3 m	MAXIMUM TOTAL SIGN FACE AREA as a Percentage of the WALL AREA of the BUILDING STOREY on which the SIGN is ERECTED:		
			GROUND STOREY or SECOND STOREY: 10% All Other STOREYS: 5%	GROUND STOREY or SECOND STOREY: 20% All Other STOREYS: 5%	GROUND STOREY or SECOND STOREY: 30% All Other STOREYS: 5%
6.5.6	MAXIMUM CHANGING COPY AREA	Not permitted	30% of the MAXIMUM SIGN FACE AREA is permitted for ELECTRONIC; MANUAL or ROTATING CHANGING COPY.		
6.5.7	ANIMATION	Not permitted			Permitted
6.5.8	ILLUMINATION	NON-ILLUMINATED	NON-ILLUMINATED, EXTERNAL or INTERNAL ILLUMINATION		NON-ILLUM. or ILLUMIN., exclusive of FLASHING ILLUMIN. unless otherwise specifically provided in Section 6.5.12 (a)(ii)
6.5.9	ROTATION	Not permitted			
6.5.10	SIGN PERMIT	A SIGN PERMIT is required for each FASCIA WALL SIGN.			
6.5.11	SIGN Restrictions	<p>No part of any FASCIA WALL SIGN shall:</p> <ul style="list-style-type: none"> i. Project more than 0.3m out from the face of the WALL to which it is attached; ii. Project more than 0.3m horizontally beyond the limits of the WALL to which it is attached. 			

Continued ...

6.5.12	Special Provisions	<ul style="list-style-type: none"> i. A PERMANENT FASCIA WALL SIGN may project vertically above the WALL to which it is attached to a maximum height of 0.6 m above the WALL, provided that the SIGN is entirely supported by the WALL to which it is attached and does not rely on the roof of the STRUCTURE for support. ii. FLASHING ILLUMINATION is permitted for the following GROUP 4 USES: Place of Entertainment or Recreation; Hotel or Motel; Restaurant; and Theatre. iii. WINDOW SIGNS are permitted provided: <ul style="list-style-type: none"> (a) The MAXIMUM TOTAL SIGN FACE AREA for all WINDOW SIGNS is combined into the calculation of the MAXIMUM TOTAL SIGN FACE AREA permitted for a BUILDING WALL, as outlined in Section 6.1.1(d). (b) Not more than 40% of the total surface area of a window or group of windows on any exterior wall shall be covered by WINDOW SIGN(S); (c) No part of any WINDOW SIGN shall block the clear view of any BUILDING exit or entrance; (d) ILLUMINATED and electric WINDOW SIGNS require a SIGN PERMIT, with the exception of an CSA approved “open/closed” ILLUMINATED SIGN with a maximum SIGN FACE AREA of 0.3 m².
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6.6 Regulations for PERMANENT GROUND SIGNS

subsection		(a)	(b)	(c)	(d)
	SIGN TYPE Permitted	PERMANENT GROUND SIGNS on PRIVATE PROPERTY			
6.6.1	GROUP USE	GROUP 1	GROUP 2	GROUP 3	GROUP 4
6.6.2	SIGN Classifications	INCIDENTAL SIGN related to a specific BUILDING or OCC. located on the same LOT.	ADVERTISING, BUSINESS, DIRECTORY or INFORMATION SIGN related to a specific BUILDING or OCCUPANCY located on the same LOT.		
6.6.3	Number of SIGNS	1 per LOT		Where the LOT FRONTAGE is: 12.0 m to less than 75.0 m; 1 SIGN 75.0 m and greater; 1 SIGN for each additional 150.0 m or fraction thereof, to a MAXIMUM of 3 GROUND SIGNS.	
6.6.4	Number of SIGN FACES	SINGLE and/or DOUBLE SIGN FACES		SINGLE, DOUBLE and/or MULTIPLE SIGN FACES	
6.6.5	MAXIMUM TOTAL SIGN FACE AREA	0.25 m ² per SIGN FACE	1.0 m ² per SIGN FACE	Square root of the STREET FRONTAGE (to which the SIGN relates) multiplied by 0.7	Square root of the STREET FRONTAGE (to which the SIGN relates) multiplied by 2.4
				If more than one GROUND SIGN is erected, the MAXIMUM TOTAL SIGN FACE AREA shall be portioned between the SIGNS, but the MAXIMUM TOTAL SIGN FACE AREA permitted shall not be exceeded when all the GROUND SIGN FACE AREAS relating to the same STREET FRONTAGE are added together.	
6.6.6	MAXIMUM CHANGING COPY AREA	Not Permitted	30% of the MAXIMUM SIGN FACE AREA is permitted for MANUAL CHANGING COPY.	30% of the MAXIMUM SIGN FACE AREA is permitted for ELECTRONIC; MANUAL or ROTATING CHANGING COPY.	
6.6.7	MAXIMUM HEIGHT	1.0 m	1.5 m	Refer to Table 6.6.2	
6.6.8	ANIMATION	Not permitted			Permitted
6.6.9	ILLUMINATION	NON-ILLUM.	NON-ILLUMINATED, EXTERNAL or INTERNAL ILLUMINATION		NON-ILLUM. or ILLUMIN., exclusive of FLASHING ILLUMIN. unless otherwise specifically provided in Section 6.6.13 (a)(ii)
6.6.10	ROTATION	Not permitted			Permitted

Continued ...

6.6.11	SIGN PERMIT	A SIGN PERMIT is required for each GROUND SIGN.
6.6.12	SIGN Restrictions	<p>No part of any GROUND SIGN shall:</p> <ul style="list-style-type: none"> i. Be ERECTED on a LOT with a STREET FRONTAGE of less than 12.0 m; ii. Be ERECTED within 1.5 m of any SIDE LOT LINE; iii. Project over the PUBLIC ROAD ALLOWANCE or PUBLIC PROPERTY; iv. Be ERECTED within 30.0m of a BILLBOARD GROUND SIGN or other PERMANENT GROUND SIGN on the same LOT; v. Be ERECTED within 10.0m of a BILLBOARD GROUND SIGN on an adjacent LOT; vi. Be ERECTED within 6.0m of a PERMANENT GROUND SIGN on an adjacent LOT; vii. Be ERECTED within a DAYLIGHT CORNER.
6.6.13	Special Provisions	<ul style="list-style-type: none"> i. Section 6.6.3 (c), Section 6.6.5 (c), Section 6.6.7 (c) and Section 6.6.12 (a)(iv) do not apply to MENU BOARD SIGNS and ON-SITE DIRECTIONAL SIGNS. ii. FLASHING ILLUMINATION is permitted for the following GROUP 4 USES: Place of Entertainment or Recreation; Hotel or Motel; Restaurant; and Theatre. iii. The MAXIMUM SIGN FACE AREA for each side of a ROTATING SIGN shall be equal to 50% of the TOTAL SIGN FACE AREA permitted for one side of a non-rotating SIGN and the maximum radius of rotation shall be 2.0 m; iv. A MOBILE SIGN shall not be permitted for an OCCUPANCY that has a PERMANENT GROUND SIGN with ELECTRONIC CHANGING COPY on the same STREET FRONTAGE.

**Table 6.6.2
Regulations for MAXIMUM HEIGHT of PERMANENT GROUND SIGNS
for GROUP 3 and GROUP 4 USES**

subsection	(a)	(b)	(c)	(d)
Table 6.6.2	STREET FRONTAGE		MAXIMUM SIGN HEIGHT	
6.6.2.1	Greater than	Less than or equal to	GROUP 3	GROUP 4
6.6.2.2	12.0 m	18.0 m	1.5 m	6.0 m
6.6.2.3	18.0 m	30.0 m	4.5 m	7.5 m
6.6.2.4	30.0 m	75.0 m	6.0 m	9.0 m
6.6.2.5	75.0 m	150.0 m	7.5 m	10.5 m
6.6.2.6	150.0 m	300.0 m	10.5 m	12.0 m
6.6.2.7	300.0 m		12.0 m	15.0 m

6.7 Regulations for PERMANENT LIGHT STANDARD SIGNS and FLAG POLE SIGNS

subsection	SIGN TYPE Permitted	(a)
		POSTER SIGNS and BANNER FLAG SIGNS as LIGHT STANDARD SIGNS and FLAG POLE SIGNS on PRIVATE PROPERTY
6.7.1	GROUP USE	GROUP 4 USE
6.7.2	SIGN Classifications	ADVERTISING or BUSINESS SIGN related to a specific BUILDING or OCCUPANCY located on the same LOT
6.7.3	Number of SIGNS	1 SIGN per support STRUCTURE and not more than 25% of the light standards on the LOT can DISPLAY LIGHT STANDARD SIGNS or BANNER FLAG SIGNS and not more than 4 FLAG POLES are permitted per LOT
6.7.4	Number of SIGN FACES	SINGLE and/or DOUBLE SIGN FACES
6.7.5	MAXIMUM TOTAL SIGN FACE AREA	1.5 m ² per SIGN FACE
6.7.6	MAXIMUM CHANGING COPY AREA	POSTER SIGNS and BANNER FLAG SIGNS are DISPLAYED within the mounting supports
6.7.7	Maximum SIGN HEIGHT	Not Applicable
6.7.8	ANIMATION	Not Permitted
6.7.9	ILLUMINATION	Not Permitted
6.7.10	ROTATION	Not Permitted
6.7.11	SIGN PERMITS	A SIGN PERMIT is required for the ERECTION of LIGHT STANDARD SIGNS to DISPLAY POSTER SIGNS and BANNER FLAG SIGNS
6.7.12	SIGN Restrictions	No part of any LIGHT STANDARD SIGN or BANNER FLAG SIGN shall: (a) Be DISPLAYED at a minimum CLEARANCE above GRADE of less than 2.4 m over pedestrian traffic and less than 4.3 m over vehicular traffic. (b) Be permitted on a light standard located within a DAYLIGHT CORNER. (c) Be permitted on a light standard or STRUCTURE that is not designed or deemed able to support this SIGN TYPE. (d) Be permitted for an OCCUPANCY that has a PERMANENT ELECTRONIC CHANGING COPY SIGN. (e) Be permitted for any GROUP 1, GROUP 2 or GROUP 3 USE.
6.7.13	Special Provisions	Not Applicable

6.8 Regulations for PERMANENT PROJECTING WALL SIGNS

subsection	SIGN TYPE Permitted	PERMANENT PROJECTING SIGNS on PRIVATE PROPERTY	
		(a)	(b)
6.8.1	GROUP USE	GROUP 3	GROUP 4
6.8.2	SIGN Classifications	ADVERTISING, BUSINESS, IDENTIFICATION or INFORMATION SIGN related to a specific BUILDING or OCCUPANCY located on the same LOT	
6.8.3	Number of SIGNS	1 per OCCUPANCY	
6.8.4	Number of SIGN FACES	SINGLE, DOUBLE and/or MULTIPLE SIGN FACES	
6.8.5	MAXIMUM TOTAL SIGN FACE AREA	Length of OCCUPANCY FRONTAGE (in metres) x 0.3	Length of OCCUPANCY FRONTAGE (in metres) x 0.5
6.8.6	MAXIMUM CHANGING COPY AREA	30% of the MAXIMUM SIGN FACE AREA is permitted for ELECTRONIC or ROTATING CHANGING COPY.	
6.8.7	MAXIMUM PROJECTION	Not to project more than 2.6 m beyond the WALL to which it is attached and not closer than 1.0 m to a vertical plane extending from the STREET curb or edge of pavement	
6.8.8	ANIMATION	Not Permitted	Permitted
6.8.9	ILLUMINATION	NON-ILLUMINATED, EXTERNAL or INTERNAL ILLUMINATION	NON-ILLUMINATED or ILLUMINATED, exclusive of FLASHING ILLUMINATION unless otherwise specifically provided in Section 6.8.13 (b)(ii)
6.8.10	ROTATION	Not Permitted	Permitted
6.8.11	SIGN PERMITS	A SIGN PERMIT is required for each PROJECTING WALL SIGN.	
6.8.12	Sign Restrictions:	<p>No part of any PROJECTING WALL SIGN shall:</p> <ul style="list-style-type: none"> i. Be permitted for GROUP 1 and GROUP 2 USE; ii. Have a CLEARANCE of less than 2.4 m above GRADE; iii. Be ERECTED less than 6.0 m from another PROJECTING WALL SIGN; iv. Be ERECTED closer than 1.0 m to a vertical plane extending from the PUBLIC ROAD ALLOWANCE curb or edge of pavement to the outward edge of the SIGN. v. Be ERECTED above the WALL or PARAPET WALL or beyond either end of the WALL to which it is attached. 	
6.8.13	Special Provisions	<ul style="list-style-type: none"> i. A PROJECTING WALL SIGN may project over the PUBLIC ROAD ALLOWANCE and shall be subject to and conform to an ENCROACHMENT AGREEMENT, as set out in Section 4.7. ii. FLASHING ILLUMINATION is permitted for the following GROUP 4 USES: Place of Entertainment or Recreation; Hotel or Motel; Restaurant; and Theatre. iii. A MOBILE SIGN shall not be permitted for an OCCUPANCY that has a PROJECTING WALL SIGN with ELECTRONIC or ROTATING CHANGING COPY. 	

SECTION 7.0 REGULATIONS FOR TEMPORARY SIGNS ON PRIVATE PROPERTY

7.1 General Provisions

NO PERSON shall ERECT or cause to be ERECTED a SIGN, ADVERTISING DEVICE or SIGN STRUCTURE on PRIVATE PROPERTY unless it complies with the following:

7.1.1 Each OCCUPANCY is permitted any of the following TEMPORARY SIGN TYPES; subject to the regulations herein:

- (a) an **A-FRAME SIGN**, in accordance with the provisions of subsection **7.2** of this Section;
- (b) a **BANNER SIGN** and/or **BANNER FLAG SIGN**, in accordance with the provisions of subsection **7.3** of this Section;
- (c) a **COMMUNITY EVENT SIGN**, in accordance with the provisions of subsection **7.4** of this Section;
- (d) a **CONGRATULATORY SIGN**, in accordance with the provisions of subsection **7.5** of this Section;
- (e) a **CONSTRUCTION SITE SIGN**, in accordance with the provisions of subsection **7.6** of this Section;
- (f) a **DEVELOPMENT PROJECT SIGN**, in accordance with the provisions of subsection **7.7** of this Section;
- (g) an **ELECTION SIGN**, in accordance with the provisions of subsection **7.8** of this Section;
- (h) an **INFLATABLE SIGN**, in accordance with the provisions of subsection **7.9** of this Section;
- (i) a **MOBILE SIGN**, in accordance with the provisions of subsection **7.10** of this Section;
- (j) a **REAL ESTATE SIGN**, in accordance with the provisions of subsection **7.11** of this Section;

7.2 Regulations for TEMPORARY A-FRAME SIGNS

subsection		(a)
	SIGN TYPE Permitted	A-FRAME SIGNS on PRIVATE PROPERTY
7.2.1	GROUP USE	GROUP 2, GROUP 3 and GROUP 4 Commercial USES
7.2.2	Sign Classifications	ADVERTISING, BUSINESS or INFORMATION SIGN related to a specific BUILDING or OCCUPANCY located on the same LOT
7.2.3	Number of Signs	1 per OCCUPANCY
7.2.4	Number of SIGN FACES	SINGLE and/or DOUBLE SIGN FACES
7.2.5	MAXIMUM TOTAL SIGN FACE AREA	1.0 m ² per SIGN FACE
7.2.6	MAXIMUM SIGN HEIGHT	1.2 m
7.2.7	ANIMATION	Not Permitted
7.2.8	ILLUMINATION	Not Permitted
7.2.9	ROTATION	Not Permitted
7.2.10	Time Limitations	Shall be DISPLAYED only during hours of business operation and shall be removed and stored at all other times.
7.2.11	SIGN PERMITS	A SIGN PERMIT is required for an A-FRAME SIGN.
7.2.12	SIGN Restrictions	<p>No part of any A-FRAME SIGN shall:</p> <ul style="list-style-type: none"> i. Be on PUBLIC PROPERTY or PUBLIC ROAD ALLOWANCE, unless otherwise specifically provided in Section 8.3.3.9 (a). ii. Be DISPLAYED within 2.0 m of a driveway entrance; iii. Be permitted for an OCCUPANCY that has a PERMANENT ELECTRONIC CHANGING COPY SIGN or a MOBILE SIGN. iv. Be PERMANENTLY anchored to the ground or other STRUCTURE.
7.2.13	Special Provisions	<ul style="list-style-type: none"> i. An A-FRAME SIGN may be placed within the PUBLIC ROAD ALLOWANCE but shall be subject to and conform to an ENCROACHMENT AGREEMENT. ii. For GROUP 1 or GROUP 2 USES, see Section 7.5 for regulations for CONGRATULATORY SIGNS.

7.3 Regulations for TEMPORARY BANNER SIGNS and BANNER FLAGS

subsection	SIGN TYPE Permitted	(a)	(b)
		BANNER SIGNS and BANNER FLAGS on PRIVATE PROPERTY	
		WALL BANNER SIGN	BANNER FLAG attached to a BUILDING or STRUCTURE
7.3.1	GROUP USE	GROUP 3 and GROUP 4 USES	
7.3.2	SIGN Classifications	ADVERTISING, BUSINESS or INFORMATION SIGN related to a specific BUILDING or OCCUPANCY located on the same LOT	
7.3.3	Number of SIGNS	1 per OCCUPANCY	3 per BUILDING 1 per Support STRUCTURE
7.3.4	Number of SIGN FACES	SINGLE SIGN FACE	SINGLE and/or DOUBLE SIGN FACES
7.3.5	MAXIMUM TOTAL SIGN FACE AREA	3.0 m ²	2.0 m ²
7.3.6	Maximum SIGN HEIGHT	Not Limited	
7.3.7	ANIMATION	Not Permitted	
7.3.8	ILLUMINATION	Not Permitted	
7.3.9	ROTATION	Not Permitted	
7.3.10	Time Limits	A maximum of 14 consecutive days per SIGN PERMIT and not more than 5 SIGN PERMITS for the same OCCUPANCY in the same calendar year.	Not Applicable
7.3.11	SIGN PERMITS	A SIGN PERMIT is required for all BANNER and BANNER FLAG SIGNS	
7.3.12	SIGN Restrictions	<p>No part of any BANNER WALL or BANNER FLAG SIGN shall:</p> <ul style="list-style-type: none"> i. Be permitted for a GROUP 1 or GROUP 2 USE; ii. Be permitted on a STRUCTURE that is not designed to support this SIGN TYPE. 	
7.3.13	Special Provisions	<ul style="list-style-type: none"> i. For GROUP 1 or GROUP 2 USES, see Section 7.4 for regulations for COMMUNITY EVENT SIGNS and Section 7.5 for regulations for CONGRATULATORY SIGNS. 	

7.4 Regulations for TEMPORARY COMMUNITY EVENT SIGNS

subsection	(a)	
	SIGN TYPE Permitted	COMMUNITY EVENT SIGNS on PRIVATE PROPERTY A-FRAME, BANNER, GROUND, INFLATABLE AND MOBILE SIGNS
7.4.1	GROUP USE	GROUP 3 Institutional USES
7.4.2	SIGN Classifications	ADVERTISING, IDENTIFICATION or INFORMATION SIGN for the COMMUNITY EVENT located on the LOT to which the SIGN relates
7.4.3	Number of SIGNS	1 per OCCUPANCY
7.4.4	Number of SIGN FACES	SINGLE and/or DOUBLE SIGN FACES
7.4.5	MAXIMUM TOTAL SIGN FACE AREA	A-FRAME SIGN; 1.0 m² per SIGN FACE BANNER SIGN; 3.0 m² per SIGN FACE GROUND SIGN; 2.0 m² per SIGN FACE MOBILE SIGN; 3.5 m² per SIGN FACE INFLATABLE SIGN; Not Limited
7.4.6	Maximum SIGN HEIGHT	A-FRAME SIGN; 1.2 m BANNER SIGN; Not Limited GROUND SIGN; 2.0 m MOBILE SIGN; 2.6 m INFLATABLE SIGN; 12 m
7.4.7	ANIMATION	Not Permitted
7.4.8	ILLUMINATION	Not Permitted
7.4.9	ROTATION	Not Permitted
7.4.10	Time Limits	A maximum of 14 consecutive days per permit, and not more than 3 SIGN PERMITS for the same OCCUPANCY in the same calendar year.
7.4.11	SIGN PERMITS	A SIGN PERMIT is required for all COMMUNITY EVENT SIGNS
7.4.12	SIGN Restrictions	No part of any COMMUNITY EVENT SIGN shall: i. Be DISPLAYED on a vacant LOT. ii. Be DISPLAYED within 1.0 m of a FRONT LOT LINE. iii. Be DISPLAYED within 3.0 m of a SIDE LOT LINE, REAR LOT LINE and driveway. iv. Be DISPLAYED within 10.0 m of any other TEMPORARY SIGN on the same LOT. v. Be DISPLAYED on PUBLIC PROPERTY or PUBLIC ROAD ALLOWANCE, unless otherwise specifically provided in Section 8.3.4.
7.4.13	Special Provisions	i. A COMMUNITY EVENT SIGN DISPLAYED on PUBLIC PROPERTY or the PUBLIC ROAD ALLOWANCE shall be subject to a PERFORMANCE BOND as outlined in Section 8.3.4. ii. No part of any INFLATABLE SIGN shall be DISPLAYED within a SPECIAL DISTRICT, unless otherwise specified in Section 9.0 of this By-law.

7.5 Regulations for TEMPORARY CONGRATULATORY SIGNS

subsection	(a)	
	SIGN TYPE Permitted	CONGRATULATORY SIGNS on PRIVATE PROPERTY A-FRAME, BANNER, GROUND, INFLATABLE and MOBILE SIGNS
7.5.1	GROUP USE	GROUP 1 and GROUP 2 Residential USES
7.5.2	SIGN Classifications	INFORMATION SIGN for the specific occasion located on the same LOT to which the SIGN relates
7.5.3	Number of SIGNS	1 per OCCUPANCY
7.5.4	Number of SIGN FACES	SINGLE and/or DOUBLE SIGN FACES
7.5.5	MAXIMUM TOTAL SIGN FACE AREA	A-FRAME SIGN; 1.0 m² per SIGN FACE BANNER SIGN; 3.0 m² per SIGN FACE GROUND SIGN; 2.0 m² per SIGN FACE MOBILE SIGN; 3.5 m² per SIGN FACE INFLATABLE SIGN; Not Limited
7.5.6	Maximum SIGN HEIGHT	A-FRAME SIGN; 1.2 m BANNER SIGN; Not Limited GROUND SIGN; 2.0 m MOBILE SIGN; 2.6 m INFLATABLE SIGN; 3 m
7.5.7	ANIMATION	Not Permitted
7.5.8	ILLUMINATION	Not Permitted
7.5.9	ROTATION	Not Permitted
7.5.10	Time Limits	A maximum of 72 hours per OCCUPANCY in any calendar year.
7.5.11	SIGN PERMITS	No SIGN PERMIT is required if the SIGN is erected for a maximum period of 72 hours.
7.5.12	SIGN Restrictions	No part of any CONGRATULATORY SIGN shall: i. Be DISPLAYED on a vacant LOT. ii. Be DISPLAYED within 1.0 m of a FRONT LOT LINE. iii. Be DISPLAYED within 3.0 m of a SIDE LOT LINE and REAR LOT LINE. iv. Be DISPLAYED within 10.0 m of any other TEMPORARY SIGN on the same LOT. v. Be DISPLAYED on or overhanging PUBLIC PROPERTY or the PUBLIC ROAD ALLOWANCE.
7.5.13	Special Provisions	i. No part of any INFLATABLE SIGN shall be DISPLAYED within a SPECIAL DISTRICT, unless otherwise specified in Section 9.0 of this By-law.

7.6 Regulations for TEMPORARY CONSTRUCTION SITE SIGNS

subsection		(a)	(b)	(c)	(d)
	SIGN TYPE Permitted	CONSTRUCTION SITE GROUND SIGNS on PRIVATE PROPERTY			
7.6.1	GROUP USE	GROUP 1	GROUP 2	GROUP 3	GROUP 4
7.6.2	SIGN Classifications	ADVERTISING or INFORMATION SIGN related specifically to construction on the LOT on which the SIGN is located			
7.6.3	Number of SIGNS	1 per STREET FRONTAGE		LOT AREA less than or equal to 3 HA: 1 per STREET FRONTAGE LOT AREA greater than 3 HA: 2 per STREET FRONTAGE	
7.6.4	Number of SIGN FACES	SINGLE and/or DOUBLE SIGN FACES			
7.6.5	MAXIMUM TOTAL SIGN FACE AREA	LOT AREA less than or equal to 0.5 HA: 1.0 m² per SIGN FACE LOT AREA greater than 0.5 HA: 1.5 m² per SIGN FACE		LOT AREA less than or equal to 0.5 HA: 3.5 m² per SIGN FACE LOT AREA between 0.5 HA and less than 3 HA: 6.0 m² per SIGN FACE LOT AREA between 3 HA and less than 6 HA: 12.0 m² per SIGN FACE LOT AREA greater than 6 HA: 20.0 m² per SIGN FACE	
7.6.6	MAXIMUM SIGN HEIGHT	3.0 m	7.5 m	7.5 m	
7.6.7	ANIMATION	Not Permitted			
7.6.8	ILLUMINATION	NON-ILLUMIN.	NON-ILLUMINATED and EXTERNAL ILLUMINATION		
7.6.9	ROTATION	Not Permitted			
7.6.10	Time Limits	The SIGN shall be removed not later than 30 days after the construction is completed, or within 2 years from the date of issuance of the SIGN PERMIT, whichever is the lesser. A SIGN PERMIT may be renewed for an additional 2 years provided a renewal application is submitted and APPROVED prior to the expiration of the original SIGN PERMIT.			
7.6.11	SIGN PERMITS	A SIGN PERMIT is required for each CONSTRUCTION SITE GROUND SIGN.			
7.6.12	SIGN Restrictions	No part of any CONSTRUCTION SITE GROUND SIGN shall: i. Be DISPLAYED within 3.0 m of a SIDE LOT LINE; ii. Be DISPLAYED within a DAYLIGHT CORNER; iii. Be DISPLAYED on or overhanging PUBLIC PROPERTY or the PUBLIC ROAD ALLOWANCE, unless otherwise specifically provided in Section 8.3.4.			
7.6.13	Special Provisions	i. SIGNS DISPLAYED for the construction of GROUP 2 Residential USES consisting of a Multiple Dwelling (minimum of 5 units), Residential Care Facility, and/or Student Residence may adhere to the regulations for GROUP 3 and GROUP 4 USES.			

7.7 Regulations for TEMPORARY DEVELOPMENT PROJECT GROUND SIGNS

subsection		(a)	(b)	(c)	(d)
	SIGN TYPE Permitted	DEVELOPMENT PROJECT GROUND SIGNS on PRIVATE PROPERTY			
7.7.1	GROUP USE	GROUP 1	GROUP 2	GROUP 3	GROUP 4
7.7.2	SIGN Classifications	ADVERTISING or INFORMATION SIGN related specifically to the development on the LOT on which the SIGN is located			
7.7.3	Number of SIGNS	1 per STREET FRONTAGE		LOT AREA less than or equal to 3 HA: 1 per STREET FRONTAGE LOT AREA greater than 3 HA: 2 per STREET FRONTAGE	
7.7.4	Number of SIGN FACES	SINGLE and/or DOUBLE SIGN FACES			
7.7.5	MAXIMUM TOTAL SIGN FACE AREA	LOT AREA less than or equal to 0.5 HA: 1.0 m² per SIGN FACE LOT AREA greater than 0.5 HA: 1.5 m² per SIGN FACE		MINOR DEVELOPMENT: 15.0 m² per SIGN FACE MAJOR DEVELOPMENT: 30.0 m² per SIGN FACE	
7.7.6	MAXIMUM SIGN HEIGHT	3.0 m	7.5 m	7.5 m	
7.7.7	ANIMATION	Not Permitted			
7.7.8	ILLUMINATION	NON-ILLUMIN.	NON-ILLUMINATED and EXTERNAL ILLUMINATION		
7.7.9	ROTATION	Not Permitted			
7.7.10	Time Limits	The SIGN shall be removed not later than 30 days after the development is completed or occupied, or within 2 years from the date of issuance of the SIGN PERMIT, whichever is the lesser. A SIGN PERMIT may be renewed for an additional 2 years provided a renewal application is submitted and APPROVED prior to the expiration of the original SIGN PERMIT.			
7.7.11	SIGN PERMITS	A SIGN PERMIT is required for each DEVELOPMENT PROJECT GROUND SIGN.			
7.7.12	SIGN Restrictions	No part of any DEVELOPMENT PROJECT GROUND SIGN shall: i. Be DISPLAYED within 3.0 m of a SIDE LOT LINE; ii. Be DISPLAYED within a DAYLIGHT CORNER.			
7.7.13	Special Provisions	i. SIGNS DISPLAYED on an APPROVED Sales Trailer/Temporary Office STRUCTURE shall be permitted under the regulations for FACIA WALL SIGNS, with the MAXIMUM TOTAL SIGN FACE AREA for all SIGNS as 30% of the WALL AREA of the BUILDING STOREY on which the SIGNS are ERECTED. ii. SIGNS DISPLAYED for the development of GROUP 1 Residential USES for a subdivision consisting of a minimum of 20 Dwelling units or more may adhere to the regulations for GROUP 3 and GROUP 4 USES. iii. SIGNS DISPLAYED for the development of GROUP 2 Residential USES consisting of a Multiple Dwelling (minimum of 5 units), Residential Care Facility, and/or Student Residence may adhere to the regulations for GROUP 3 and GROUP 4 USES.			

7.8 Regulations for TEMPORARY ELECTION SIGNS

subsection	SIGN TYPE Permitted	(a)	(b)	(c)
		ELECTION SIGNS on PRIVATE PROPERTY		
		GROUND SIGNS	FASCIA WALL SIGNS	POSTERS
7.8.1	GROUP USE	GROUP 1, GROUP 2, GROUP 3 and GROUP 4 USES		
7.8.2	SIGN Classification	ADVERTISING SIGNS related to a specific candidate or party.		
7.8.3	Number of SIGNS	Not Limited		
7.8.4	Number of SIGN FACES	SINGLE and/or DOUBLE SIGN FACES	SINGLE SIGN FACE	SINGLE and/or DOUBLE SIGN FACES
7.8.5	MAXIMUM SIGN FACE AREA	Not Limited		
7.8.6	Maximum SIGN HEIGHT	Not Limited		
7.8.7	ANIMATION	Not Permitted		
7.8.8	ILLUMINATION	Not Permitted		
7.8.9	ROTATION	Not Permitted		
7.8.10	Time Limitations	i. Not DISPLAYED before the issuance of writs for a provincial or federal election. ii. Not DISPLAYED before January 1 st of an election year for a municipal election. iii. Shall be removed within seventy-two (72) hours immediately following 11:59 p.m. of the day of the election.		
7.8.11	SIGN PERMITS	Not Required		
7.8.12	SIGN Restrictions	<p>No part of any Election Sign shall:</p> i. Be within 10.0 m of the polling place, as defined as the LOT where the poll and/or BUILDING is situated upon and up to and including the PUBLIC ROAD ALLOWANCE and any parking facilities associated with the poll. ii. Be DISPLAYED on any PUBLIC ROAD ALLOWANCE in a location that would create dangerous and undesirable situations, such as a distraction to motorists; interfere with vehicular traffic sight lines and maintenance activities; or obstruction of pedestrian traffic as determined by the AUTHORITY HAVING JURISDICTION. iii. Be DISPLAYED on any PUBLIC PROPERTY in a location that would create dangerous and undesirable situations, such as a distraction to motorists; interfere with vehicular traffic sight lines and maintenance activities; obstruction of pedestrian traffic; or litter as determined by the AUTHORITY HAVING JURISDICTION. iv. Be DISPLAYED within a DAYLIGHT CORNER.		
7.8.13	Special Provisions	Not Applicable		

7.9 Regulations for TEMPORARY INFLATABLE SIGNS

subsection		(a)	(b)	(c)
	SIGN TYPE Permitted	INFLATABLE SIGNS on PRIVATE PROPERTY		
7.9.1	GROUP USE	GROUP 1 and GROUP 2 Residential USES for a CONGRATULATORY SIGN	GROUP 3 and GROUP 4 Institutional USES for a COMMUNITY EVENT SIGN	GROUP 3 and GROUP 4 Commercial USES
7.9.2	Sign Classifications	ADVERTISING or INFORMATION SIGN for the specific occasion to which the SIGN relates and located on the same LOT		
7.9.3	Number of Signs	1 per LOT		
7.9.4	Number of SIGN FACES	Not Applicable		
7.9.5	MAXIMUM TOTAL SIGN FACE AREA	Not Applicable		
7.9.6	MAXIMUM SIGN HEIGHT	3.0 m	12.0 m	12.0 m
7.9.7	ANIMATION	Not Permitted		
7.9.8	ILLUMINATION	Not Permitted		
7.9.9	ROTATION	Not Permitted		
7.9.10	Time Limitations	A maximum of 72 hours per OCCUPANCY in any calendar year.	A maximum of 3 consecutive days per permit, and not more than 24 SIGN PERMITS for the same OCCUPANCY in the same calendar year.	
7.9.11	SIGN PERMITS	No SIGN PERMIT required if the SIGN is DISPLAYED for a maximum of 72 hours	A SIGN PERMIT is required for each INFLATABLE SIGN	
7.9.12	SIGN Restrictions	<p>No part of any INFLATABLE SIGN shall:</p> <ul style="list-style-type: none"> i. Be on or overhanging PUBLIC PROPERTY or the PUBLIC ROAD ALLOWANCE. ii. Be PERMANENTLY anchored to the ground or other STRUCTURE. iii. Be tethered to the ground or other STRUCTURE without the use of APPROVED STRUCTURAL SUPPORTS. 		
7.9.13	Special Provisions	<ul style="list-style-type: none"> i. A COMMUNITY EVENT SIGN DISPLAYED on PUBLIC PROPERTY, including the PUBLIC ROAD ALLOWANCE, shall be subject to a PERFORMANCE BOND. 		

7.10 Regulations for TEMPORARY MOBILE SIGNS

subsection	(a)
SIGN TYPE Permitted	MOBILE SIGNS on PRIVATE PROPERTY
7.10.1	GROUP USE GROUP 2 Commercial and all GROUP 3 and GROUP 4 USES
7.10.2	SIGN Classifications ADVERTISING, BUSINESS or INFORMATION SIGN related to a specific BUILDING or OCCUPANCY located on the same LOT
7.10.3	Number of SIGNS 1 per LOT or for LOTS having 4 or more OCCUPANCIES, 1 for each group of 4 OCCUPANCIES to a maximum of 3 SIGNS per LOT concurrently
7.10.4	Number of SIGN FACES SINGLE and/or DOUBLE SIGN FACES
7.10.5	MAXIMUM TOTAL SIGN FACE AREA 3.5 m ² per SIGN FACE
7.10.6	MAXIMUM SIGN HEIGHT 2.6 m
7.10.7	ANIMATION Not Permitted
7.10.8	ILLUMINATION NON-ILLUMINATED and INTERNALLY ILLUMINATED
7.10.9	ROTATION Not Permitted
7.10.10	Time Limitations A maximum of 45 consecutive days per SIGN PERMIT and not DISPLAYED for more than 180 days for the same OCCUPANCY in the same calendar year with a minimum of a 14 consecutive days <u>break</u> between the issue of another MOBILE SIGN PERMIT for the same OCCUPANCY
7.10.11	SIGN PERMITS A SIGN PERMIT is required for each MOBILE SIGN.
7.10.12	SIGN Restrictions No part of any MOBILE SIGN shall: i. Be DISPLAYED on a vacant LOT. ii. Be DISPLAYED within 10.0 m of a Residential District, Agricultural District, Green District or SPECIAL DISTRICT. iii. Be DISPLAYED within 1.0 m of a FRONT LOT LINE. iv. Be DISPLAYED within 2.0 m of a SIDE LOT LINE, REAR LOT LINE and/or driveway. v. Be DISPLAYED within a DAYLIGHT CORNER. vi. Be permitted within a PUBLIC ROAD ALLOWANCE. vii. Be DISPLAYED within 25.0 m of any other MOBILE SIGN on the same lot. viii. Be DISPLAYED within 10.0 m of any PERMANENT GROUND SIGN, with a SIGN FACE less than 2.6 m CLEARANCE or BILLBOARD SIGN on the same LOT. ix. Be permitted for an OCCUPANCY that has a PERMANENT GROUND SIGN and/or PROJECTING WALL SIGN with ELECTRONIC, MANUAL and/or ROTATING CHANGING COPY on the same STREET FRONTAGE. x. Be DISPLAYED with FLASHING ILLUMINATION.
7.10.13	Special Provisions i. For GROUP 1 and 2 USES, a MOBILE SIGN is permitted as a CONGRATULATORY SIGN for a maximum period of 72 hours and does not require a SIGN PERMIT. ii. For GROUP 3 Institutional USES, a MOBILE SIGN is permitted as a COMMUNITY EVENT SIGN on PUBLIC PROPERTY, including the PUBLIC ROAD ALLOWANCE, with a PERFORMANCE BOND as set out in Section 8.3.4.

7.11 Regulations for TEMPORARY REAL ESTATE SIGNS

subsection	SIGN TYPE Permitted	(a)	(b)	(c)	(d)
		REAL ESTATE SIGNS on PRIVATE PROPERTY			
		GROUND SIGNS		FASCIA WALL SIGNS	
7.11.1	GROUP USE	GROUP 1 and GROUP 2	GROUP 3 and GROUP 4	GROUP 1 and GROUP 2	GROUP 3 and GROUP 4
7.11.2	SIGN Classifications	ADVERTISING, DIRECTIONAL and INFORMATION SIGNS devoted exclusively to the sale, lease or rental of the specific PROPERTY to which the SIGN relates			
7.11.3	Number of SIGNS	1 per STREET FRONTAGE	2 per STREET FRONTAGE	1 per STREET FRONTAGE	2 per STREET FRONTAGE
7.11.4	Number of SIGN FACES	SINGLE and/or DOUBLE SIGN FACES		SINGLE SIGN FACE	
7.11.5	MAXIMUM TOTAL SIGN FACE AREA	1.0 m ² per SIGN FACE	LOT AREA less than or equal to 0.5 HA: 2.0 m ² per SIGN FACE LOT AREA greater than 0.5 HA: 4.0 m ² per SIGN FACE	1.0 m ²	LOT AREA less than or equal to 0.5 HA: 2.0 m ² per SIGN FACE LOT AREA greater than 0.5 HA: 4.0 m ² per SIGN FACE
7.11.6	Maximum SIGN HEIGHT	1.0 m	3.0 m	Not Applicable	Not Applicable
7.11.7	ANIMATION	Not Permitted			
7.11.8	ILLUMINATION	Not Permitted			
7.11.9	ROTATION	Not Permitted			
7.11.10	Time Limits	All REAL ESTATE SIGNS shall be removed not later than thirty (30) days after the sale, lease or rental of the PROPERTY.			
7.11.11	SIGN PERMITS	i. No SIGN PERMIT required for a SIGN having a SIGN FACE AREA of 1.0 m ² per SIGN FACE or less. ii. Permit required for each REAL ESTATE SIGN exceeding a SIGN FACE AREA of 1.0 m ² per SIGN FACE or greater.			
7.11.12	SIGN Restrictions	No part of any REAL ESTATE GROUND SIGN shall: i. Be DISPLAYED within 1.0 m of the FRONT LOT LINE. ii. Be DISPLAYED within 3.0 m of any SIDE LOT LINE abutting another LOT. iii. Be DISPLAYED within a DAYLIGHT CORNER. iv. Be DISPLAYED within 6.0 m of the intersection of any PUBLIC ROAD ALLOWANCE.		No part of any REAL ESTATE FASCIA WALL SIGN shall: i. Project more than 0.05 m outward from the WALL to which it is attached. ii. Project above the WALL or beyond the end of the WALL to which it is attached.	
7.11.13	Special Provisions	Not Applicable			

SECTION 8.0 REGULATIONS FOR SIGNS ON PUBLIC PROPERTY

8.1 SIGNS Prohibited On PUBLIC PROPERTY

8.1.1 Unless specifically provided by this By-law or authorized by COUNCIL, no PERSON shall ERECT, cause to be ERECTED, DISPLAY or cause to DISPLAY anywhere within the limits of the CITY, a SIGN, SIGN STRUCTURE or ADVERTISING DEVICE located on or overhanging any PUBLIC PROPERTY managed and controlled by the CITY, PUBLIC utility or other PUBLIC AUTHORITY, unless it complies with the regulations in Section 8.0 hereof.

8.2 SIGNS Permitted on PUBLIC PROPERTY which are ERECTED or DISPLAYED by the CITY or a PUBLIC AUTHORITY

8.2.1 SIGNS may be ERECTED or DISPLAYED, or cause to be ERECTED or DISPLAYED, by the CITY or a PUBLIC AUTHORITY on or overhanging PUBLIC PROPERTY without a permit.

8.3 SIGNS Permitted on PUBLIC PROPERTY which are ERECTED or DISPLAYED by a PERSON

8.3.1 Notwithstanding Section 8.1, but in accordance with all other applicable provisions of this By-law, the following PERMANENT SIGNS may be ERECTED with a SIGN PERMIT overhanging the PUBLIC ROAD ALLOWANCE and shall be subject to and conform to an ENCROACHMENT AGREEMENT, as set out in Section 4.8:

(b) A PERMANENT DIRECTIONAL SIGN for institutions, public facilities, major shopping areas and recreational facilities.

(c) A PERMANENT SIGN projecting more than 0.3 m over PUBLIC PROPERTY; including the following:

- (i) PERMANENT AWNING SIGN
- (ii) PERMANENT CANOPY SIGN
- (iii) PERMANENT GROUND SIGN
- (iv) PERMANENT PROJECTING WALL SIGN

8.3.2 Notwithstanding Section 8.1, but in accordance with all other applicable provisions of this By-law, the following TEMPORARY SIGNS may be ERECTED with an annual SIGN PERMIT on the PUBLIC ROAD ALLOWANCE:

(a) A TEMPORARY REAL ESTATE OPEN HOUSE DIRECTIONAL GROUND SIGN that has a MAXIMUM SIGN FACE AREA of 0.28 m² (approx. 18" x 24") per SIGN FACE, DISPLAYED only during the hours of 8 a.m. to 8 p.m. on the days of the open house to which the SIGN relates, and not DISPLAYED within a SCENIC DRIVE or CONTROLLED ACCESS HIGHWAY SPECIAL DISTRICT.

8.3.3 Notwithstanding Section 8.1, but in accordance with all other applicable provisions of this By-law, the following TEMPORARY SIGNS may be ERECTED or DISPLAYED with a SIGN PERMIT on or overhanging the PUBLIC ROAD ALLOWANCE provided an ENCROACHMENT AGREEMENT has been obtained:

subsection		(a)	(b)	(c)			
	SIGN TYPE Permitted	TEMPORARY SIGNS on PUBLIC PROPERTY with a SIGN PERMIT and ENCROACHMENT AGREEMENT					
		A-FRAME SIGN	BANNER FLAG SIGN	HOARDING SIGN			
8.3.3.1	Number of SIGNS	1 SIGN per OCCUPANCY	1 SIGN per APPROVED SUPPORT STRUCTURE	Not Limited			
8.3.3.2	Number of SIGN FACES	SINGLE and/or DOUBLE SIGN FACES					
8.3.3.3	Maximum SIGN FACE AREA	1.0 m ² per SIGN FACE	Not Limited	Not Limited			
8.3.3.4	Maximum SIGN HEIGHT	1.2 m	Not Limited	Not to extend horizontally or vertically beyond the hoarding panels			
8.3.3.5	ANIMATION	Not Permitted					
8.3.3.6	ILLUMINATION	Not Permitted					
8.3.3.7	ROTATION	Not Permitted					
8.3.3.8	Time Limitations	DISPLAYED only during hours of business operation. Shall be removed at all other times.	Not Limited	DISPLAYED only while the hoarding panels are in place surrounding a construction project.			
8.3.3.9	SIGN Restrictions	<p>No part of any abovementioned SIGN shall:</p> <ul style="list-style-type: none"> i. Be attached to any fence, tree or street furniture. ii. Be DISPLAYED on a road shoulder or the travelled portion of the PUBLIC ROAD ALLOWANCE. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; vertical-align: top;"> <p>An A-FRAME SIGN shall:</p> <ul style="list-style-type: none"> iii. Be DISPLAYED in keeping with the provisions of the ENCROACHMENT AGREEMENT </td> <td style="width: 33%; vertical-align: top;"> <p>No part of any BANNER FLAG SIGN shall:</p> <ul style="list-style-type: none"> iii. Be attached to any STRUCTURE without APPROVED mounting components and the expressed permission of the CITY and OWNER of the STRUCTURE; iv. Be DISPLAYED at a minimum CLEARANCE of less than 2.4 m over pedestrian traffic and less than 4.3 m over vehicular traffic. </td> <td style="width: 33%; vertical-align: top;"> <p>A HOARDING SIGN shall:</p> <ul style="list-style-type: none"> iii. Relate to existing and/or proposed activities/USES on the LOT; iv. Be arranged in an orderly fashion; v. Contain the name, address and/or telephone number of the OWNER or erector of the SIGN included on the SIGN FACE; vi. Conform to all regulations of Section 10.3: Traffic Safety. </td> </tr> </table>			<p>An A-FRAME SIGN shall:</p> <ul style="list-style-type: none"> iii. Be DISPLAYED in keeping with the provisions of the ENCROACHMENT AGREEMENT 	<p>No part of any BANNER FLAG SIGN shall:</p> <ul style="list-style-type: none"> iii. Be attached to any STRUCTURE without APPROVED mounting components and the expressed permission of the CITY and OWNER of the STRUCTURE; iv. Be DISPLAYED at a minimum CLEARANCE of less than 2.4 m over pedestrian traffic and less than 4.3 m over vehicular traffic. 	<p>A HOARDING SIGN shall:</p> <ul style="list-style-type: none"> iii. Relate to existing and/or proposed activities/USES on the LOT; iv. Be arranged in an orderly fashion; v. Contain the name, address and/or telephone number of the OWNER or erector of the SIGN included on the SIGN FACE; vi. Conform to all regulations of Section 10.3: Traffic Safety.
<p>An A-FRAME SIGN shall:</p> <ul style="list-style-type: none"> iii. Be DISPLAYED in keeping with the provisions of the ENCROACHMENT AGREEMENT 	<p>No part of any BANNER FLAG SIGN shall:</p> <ul style="list-style-type: none"> iii. Be attached to any STRUCTURE without APPROVED mounting components and the expressed permission of the CITY and OWNER of the STRUCTURE; iv. Be DISPLAYED at a minimum CLEARANCE of less than 2.4 m over pedestrian traffic and less than 4.3 m over vehicular traffic. 	<p>A HOARDING SIGN shall:</p> <ul style="list-style-type: none"> iii. Relate to existing and/or proposed activities/USES on the LOT; iv. Be arranged in an orderly fashion; v. Contain the name, address and/or telephone number of the OWNER or erector of the SIGN included on the SIGN FACE; vi. Conform to all regulations of Section 10.3: Traffic Safety. 					

8.3.4 Notwithstanding Section 8.1, but in accordance with all other applicable provisions of this By-law, the following TEMPORARY COMMUNITY EVENT SIGNS, advertising a major community event, may be ERECTED or DISPLAYED with a PERFORMANCE BOND on or overhanging the PUBLIC ROAD ALLOWANCE:

Sub-section		(a)	(b)	(c)	(d)	(e)	(f)
	SIGN TYPE Permitted	TEMPORARY COMMUNITY EVENT SIGNS on PUBLIC PROPERTY <u>with</u> a PERFORMANCE BOND					
		BANNER SIGN	INFLATABLE SIGN	MOBILE SIGN	GROUND SIGN	POSTER SIGN	DIRECTIONAL SIGN
8.3.4.1	Number of SIGNS	Limit indicated on PERFORMANCE BOND Agreement					
8.3.4.2	Number of SIGN FACES	SINGLE and/or DOUBLE SIGN FACES					
8.3.4.3	Maximum SIGN FACE AREA	Limit indicated on PERFORM. BOND Agreement		3.5 m ² per SIGN FACE		0.28 m ² per SIGN FACE (18" x 24")	
8.3.4.4	Maximum SIGN HEIGHT	Not Limited		2.6 m		1.0 m	
8.3.4.5	ANIMATION	Not Permitted					
8.3.4.6	ILLUMINATION	Not Permitted					
8.3.4.7	ROTATION	Not Permitted					
8.3.4.8	SIGN Identification	Each SIGN shall have the name, address and/or telephone number of the OWNER or erector of the SIGN included on the SIGN FACE					
8.3.4.9	Time Limitations	Limit indicated on PERFORM. BOND Agreement			Not to be DISPLAYED four weeks preceding the day, or starting day, of the event		Not to be DISPL. 48 hours before the start day of the event.
		Shall be removed within 48 hours following 11:59 p.m. on the final day of the event					
8.3.4.10	SIGN Restrictions	<p>No part of any abovementioned SIGN shall:</p> <ul style="list-style-type: none"> i. Be attached to any fence, tree or street furniture. ii. Be DISPLAYED on a road shoulder or the travelled portion of the PUBLIC ROAD ALLOWANCE. iii. Be DISPLAYED within a DAYLIGHT CORNER. iv. Be DISPLAYED on a STRUCTURE not designed to support the SIGN TYPE. v. Be used to ADVERTISE a commercial enterprise or activity, with the exception of sponsorship for the COMMUNITY EVENT; <p>No part of any BANNER SIGN shall:</p> <ul style="list-style-type: none"> vi. Be DISPLAYED on a utility pole; vii. Be DISPLAYED at a CLEARANCE of less than 2.4 m above pedestrian traffic, and less than 4.5m above vehicular traffic. <p>No part of any MOBILE or INFLATABLE SIGN shall:</p> <ul style="list-style-type: none"> viii. Be DISPLAYED on the travelled portion of a PUBLIC ROAD ALLOWANCE. <p>No part of any GROUND SIGN or DIRECTIONAL SIGN shall:</p> <ul style="list-style-type: none"> ix. Be DISPLAYED on a public sidewalk; x. Be displayed within 10.0 m of another Community Event GROUND or DIRECTIONAL SIGN. 					

SECTION 9.0 REGULATIONS FOR SIGNS ON PRIVATE PROPERTY WITHIN SPECIAL DISTRICTS

9.1 Regulations for SIGNS in SPECIAL DISTRICTS

- 9.1.1 Under the Civic Image section of the Official Plan, certain parts of Windsor are identified and designated as areas where the overall character and appearance should be retained and enhanced. In keeping with and enriching these designations, additional districts were also identified as parts of the City that have characteristics which warrant exemptions, limitations and experimentation with SIGNS and ADVERTISING DEVICES in order to improve upon the visual quality of the overall community image.
- 9.1.2 Additional locations may be added to the listings of SPECIAL DISTRICTS or new SPECIAL DISTRICT categories may be created when necessary and designated by the CITY.
- 9.1.3 Overlay Signage Plans may be created and APPROVED for SPECIAL DISTRICTS in keeping with the desired character and image for that district. The provisions and guidelines outlined in an Overlay Signage Plan shall be APPROVED by the CITY and to be referenced within Section 9.0 of the By-law.

9.2 Regulations for SIGNS in SPECIAL DISTRICTS: BUSINESS IMPROVEMENT AREA

- 9.2.1 The designated BUSINESS IMPROVEMENT AREAS are as follows (refer to Schedule "C" for BUSINESS IMPROVEMENT AREA boundary maps):
- (a) City Centre;
 - (b) Erie Street / Via Italia;
 - (c) Ford City;
 - (d) Ottawa Street;
 - (e) Pillette Street;
 - (f) Riverside;
 - (g) Sandwich;
 - (h) Walkerville; and
 - (i) Wyandotte Towne Centre.
- 9.2.2 No PERSON shall ERECT, cause to ERECT, DISPLAY or cause to DISPLAY any of the following SIGNS within the boundaries of any BUSINESS IMPROVEMENT AREA:
- (a) BILLBOARD GROUND or WALL SIGN;
 - (b) FLASHING ILLUMINATION SIGN, with the exception of PERMANENT SIGNS for the following GROUP 4 Commercial USES: Place of Entertainment or Recreation; Hotel or Motel; Restaurant; and Theatre;
 - (c) INFLATABLE SIGN; and
 - (d) MOBILE SIGN, with the exception of COMMUNITY EVENT SIGNS for GROUP 3 Institutional USES.

9.3 Regulations for SIGNS in SPECIAL DISTRICTS: GATEWAY

- 9.3.1 The designated GATEWAYS are as follows (refer to Schedule "C" for GATEWAY map):
- All LOTS within a **300.0 m** radius of:
- (a) Intersection of Banwell Road and E.C. Row Expressway;
 - (b) Intersection of Walker Road and Provincial Roads;
 - (c) Intersection of Walker Road and Division Road;
 - (d) Northwest intersection of Howard Avenue and Dougall Parkway;
 - (e) Intersection of Huron Church Road and Cabana Road;
 - (f) Intersection of Ojibway Parkway and City boundary;
 - (g) Ambassador Bridge International Crossing Plaza;
 - (h) Tunnel International Crossing Plaza at Park and Goyeau Streets;
 - (i) North side of Riverside Drive East between Ouellette Avenue and Goyeau

- Street;
- (j) North side of Wyandotte Avenue between Walker Road and Drouillard Road;
 - (k) North side of Riverside Drive East at Mountbatten Crescent; and
 - (l) Intersection of Riverside Drive East and City boundary.
- 9.3.2 No PERSON shall ERECT, cause to ERECT, DISPLAY or cause to DISPLAY any of the following SIGNS within the boundaries of any GATEWAY:
- (a) ANIMATED SIGN;
 - (b) BILLBOARD GROUND or WALL SIGN;
 - (c) FLASHING ILLUMINATION SIGN, with the exception of PERMANENT SIGNS for the following GROUP 4 Commercial USES: Place of Entertainment or Recreation; Hotel or Motel; Restaurant; and Theatre;
 - (d) INFLATABLE SIGN; and
 - (e) MOBILE SIGN, with the exception of a MOBILE SIGN DISPLAYED with a SIGN PERMIT for a maximum of 14 consecutive days, with a minimum of 14 consecutive days break between PERMITS and a maximum of 6 SIGN PERMITS issued per OCCUPANCY in the same calendar year.

9.4 Regulations for SIGNS in SPECIAL DISTRICTS: THEME STREET

- 9.4.1 The designated THEME STREETS are as follows (refer to Schedule “C” for THEME STREETS map):

All LOTS abutting both sides of the following STREETS:

- (a) Sandwich Street between Detroit Street and South Street;
 - (b) Riverside Drive between Caron Avenue and Brant Street;
 - (c) Pitt Street between Caron Avenue and McDougall Avenue;
 - (d) Chatham Street between Caron Avenue and Glengarry Avenue;
 - (e) University Avenue between Huron Church Road and Glengarry Avenue;
 - (f) Park Street between Ouellette Avenue and McDougall Avenue;
 - (g) Wyandotte Street West between Huron Church Road and Wellington Avenue;
 - (h) Wyandotte Street between Caron Avenue and Walker Road;
 - (i) Wyandotte Street East between Rossini Boulevard and Buckingham Road;
 - (j) Wyandotte Street East between Esdras Avenue and Patrice Drive;
 - (k) Wyandotte Street East between St. Paul Avenue and Isack Drive;
 - (l) Erie Street between Howard Avenue and Lincoln Avenue;
 - (m) Ottawa Street between Howard Avenue and Walker Road;
 - (n) Tecumseh Road East between Benjamin Avenue and Gladstone Avenue;
 - (o) Tecumseh Road East between Alexis Road and George Avenue;
 - (p) Pelissier Street between Wyandotte Street East and Chatham Street;
 - (q) Ouellette Avenue between Tecumseh Road and Riverside Drive; and
 - (r) McDougall Avenue between Wyandotte Avenue East and Riverside Drive.
- 9.4.2 No PERSON shall ERECT, cause to ERECT, DISPLAY or cause to DISPLAY any of the following SIGNS along any THEME STREET:
- (a) BILLBOARD GROUND or WALL SIGN;
 - (b) FLASHING ILLUMINATION SIGN, with the exception of PERMANENT SIGNS for the following GROUP 4 Commercial USES: Place of Entertainment or Recreation; Hotel or Motel; Restaurant; and Theatre;
 - (c) INFLATABLE SIGN; and
 - (d) MOBILE SIGN, with the exception of COMMUNITY EVENT SIGNS for GROUP 3 Institutional USES.
- 9.4.3 No PERSON shall ERECT, cause to ERECT, DISPLAY or cause to DISPLAY any of the following SIGNS along the THEME STREET identified as Ouellette Avenue between Tecumseh Road and Riverside Drive (Section 9.4.1(q)):
- (a) PERMANENT GROUND SIGN with a SIGN HEIGHT in excess of 1.5 m or

a SIGN FACE AREA in excess of 2.2 m².

9.5 Regulations for SIGNS in SPECIAL DISTRICTS: SCENIC DRIVE

9.5.1 The designated SCENIC DRIVE is as follows (refer to Schedule “C” for SCENIC DRIVE map):

(a) All LOTS abutting the north and south sides of **Riverside Drive** between Huron Church Road and the eastern limit of the CITY.

9.5.2 No PERSON shall ERECT, cause to ERECT, DISPLAY or cause to DISPLAY any of the following SIGNS along any SCENIC DRIVE:

(a) ANIMATED SIGN;

(b) BILLBOARD GROUND or WALL SIGN;

(c) ELECTRONIC CHANGING COPY SIGN;

(d) FLASHING ILLUMINATION SIGN;

(e) INFLATABLE SIGN, with the exception of CONGRATULATORY SIGNS for GROUP 1 and GROUP 2 residential USES; and

(f) MOBILE SIGN, with the exception of COMMUNITY EVENT SIGNS for GROUP 3 Institutional USES.

9.6 Regulations for SIGNS in SPECIAL DISTRICTS: CONTROLLED ACCESS HIGHWAY

9.6.1 The designated CONTROLLED ACCESS HIGHWAY is as follows (refer to Schedule “C” for CONTROLLED ACCESS HIGHWAY map):

(a) The **E C Row Expressway** and **Ojibway Parkway** PUBLIC ROAD ALLOWANCE.

9.6.2 Every SIGN OWNER shall ensure that all parts of all SIGNS must be ERECTED or DISPLAYED at a minimum distance of 20.0 m from the limits of the CONTROLLED ACCESS HIGHWAY PUBLIC ROAD ALLOWANCE.

9.7 Regulations for SIGNS in SPECIAL DISTRICTS: NATURAL HERITAGE and HERITAGE AREA

9.7.1 The designated NATURAL HERITAGE AREAS are as follows (refer to Schedule “C” for NATURAL HERITAGE AREAS map):

(a) All LOTS within Zoning District GD1.4.

9.7.2 No PERSON shall ERECT, cause to ERECT, DISPLAY or cause to DISPLAY any of the following SIGNS within any NATURAL HERITAGE AREA:

(a) Any ILLUMINATED SIGN;

(b) Any electric SIGN;

(c) Any TEMPORARY SIGN;

9.7.3 The identified HERITAGE AREAS are as follows (refer to Schedule “C” for HERITAGE AREAS map):

All LOTS located within the following identified Heritage Areas:

(a) Sandwich Street Area;

(b) Victoria Avenue; and

(c) Walkerville.

9.7.4 No PERSON shall ERECT, cause to ERECT, DISPLAY or cause to DISPLAY any of the following SIGNS within any HERITAGE AREA:

(a) ANIMATED SIGN;

- (b) BILLBOARD GROUND or WALL SIGN;
- (c) ELECTRONIC CHANGING COPY SIGN;
- (d) FLASHING ILLUMINATION SIGN;
- (e) INFLATABLE SIGN, with the exception of CONGRATULATORY SIGNS for GROUP 1 and GROUP 2 residential USES; and
- (f) MOBILE SIGN, with the exception of COMMUNITY EVENT SIGNS for GROUP 3 Institutional USES and CONGRATULATORY SIGNS for GROUP 1 and GROUP 2 residential USES.

9.8 Regulations for SIGNS in SPECIAL DISTRICTS: AIRPORT AREA

9.8.1 The identified AIRPORT AREA is outlined on Schedule “C”.

9.8.2 The following SIGNS are not permitted within the AIRPORT AREA:

- (a) Any TEMPORARY SIGN

SECTION 10.0 PROHIBITIONS AND RESTRICTIONS

10.1 SIGNS Prohibited throughout the CITY of Windsor

10.1.1 Unless otherwise specifically provided by this By-law, no PERSON shall ERECT, cause to ERECT, DISPLAY or cause to DISPLAY any of the following SIGNS:

- (a) Any SIGN ERECTED, painted on or DISPLAYED against a fence or noise attenuation wall, with the exception of an APPROVED INFORMATION SIGN.
- (b) Any SIGN ERECTED on, hanging from or DISPLAYED against a tree;
- (c) Any SIGN ERECTED, DISPLAYED or painted on a vehicle or trailer so as to serve as a BUSINESS and/or ADVERTISING SIGN or DEVICE, if such vehicle or trailer is not used in daily service as a means of transport;
- (d) Any SIGN ERECTED or DISPLAYED without the express permission of the property owner on which the SIGN is located or any SIGN on lands, facilities or other PROPERTY owned by or controlled by the CITY, PUBLIC UTILITY or other PUBLIC AUTHORITY;
- (e) Any SIGN, the content of which contravenes any other By-law, statute or regulation in force in the CITY, or which identifies, advertises or provides information in relation to a USE or OCCUPANCY not permitted by the ZONING BY-LAW applicable to the LOT on which the SIGN is ERECTED or DISPLAYED;
- (f) An ABANDONED SIGN;
- (g) An OFF SITE SIGN; with the exception of an APPROVED BILLBOARD SIGN, an APPROVED TEMPORARY COMMUNITY EVENT SIGN, and an APPROVED TEMPORARY REAL ESTATE OPEN HOUSE DIRECTIONAL GROUND SIGN;
- (h) A PROGRESSIVE SIGN;
- (i) A ROOF SIGN;
- (j) Any SIGN STRUCTURE, except in combination with a SIGN FACE;
- (k) An UNLAWFUL SIGN.

10.2 General Safety

10.2 No PERSON shall ERECT, cause to ERECT, DISPLAY, cause to DISPLAY, USE or MAINTAIN any SIGN, ADVERTISING DEVICE or SIGN STRUCTURE which is in the opinion of the AUTHORITY HAVING JURISDICTION:

- (a) Will interfere with any above or below ground municipal or utility service, physical plant, corridor or easement;
- (b) Will project over any area to which pedestrians have access, unless it has a CLEARANCE of 2.4 m from GRADE LEVEL;
- (c) Will project over any area to which vehicles have access, unless it has a CLEARANCE of 4.5 m from GRADE LEVEL;
- (d) Will block or otherwise or encroach upon on a DAYLIGHT CORNER;
- (e) Will impede or block any fire escape, fire exit, door, scuttle, skylight, flue or air intake or exhaust, or standpipe or access of emergency personnel to any part of a BUILDING, its safety equipment or facilities;
- (f) Is structurally unstable or insecure;
- (g) Has corroded parts; or

(h) Is dangerous to the public.

10.3 Traffic Safety

10.3.1 No SIGN, SIGN STRUCTURE or its other component parts shall:

- (a) Obstruct the view of or distract any pedestrian or motor vehicle driver so as to cause an unsafe condition;
- (b) Hinder clear visibility of an approaching pedestrian or motor vehicle;
- (c) By nature of its size, shape, location, content, colouring or manner of ILLUMINATION, be confused with or reduce the effectiveness of any traffic control SIGN, signal or device;
- (d) Block or reduce the visibility of a traffic signal, traffic SIGN or other official SIGN erected by the CITY or other authorized PERSON;
- (e) Contain the words or phrases "Stop", "Go Slow", "Caution", "Danger", "Warning", "Emergency", "Yield" or "Detour", unless such word or phrase is part of the name of a business or product and is displayed solely to identify such business or product;
- (f) Be erected on a median or traffic island located within a parking area on PRIVATE PROPERTY; or
- (g) Obstruct or inhibit the utilization of a parking space, loading space, driveway or aisle required by the ZONING BY-LAW.

10.3.2 No CHANGING COPY AREA of any ELECTRONIC CHANGING MESSAGE SIGN shall be red in colour or be confused with, conflict with or reduce the effectiveness of any traffic control SIGN, signal or device.

10.4 SIGN Restrictions for ADULT ENTERTAINMENT PARLOURS

10.4.1 Section 99 (2) of the Municipal Act, S.O. 2001, Chapter 25, provides that municipalities may pass By-laws respecting the regulation, placement, construction, size, nature and character of SIGNS and ADVERTISING DEVICES, including regulation of any printed matter posted or used for the purpose of promoting ADULT ENTERTAINMENT PARLOURS.

10.4.2 No ADULT ENTERTAINMENT PARLOUR SIGN shall be ERECTED or DISPLAYED or cause to be ERECTED or DISPLAYED unless the SIGN complies with the provisions of Section 10.4 of this by-law.

10.4.3 Notwithstanding any the provisions of this Section, all ADULT ENTERTAINMENT PARLOUR SIGNS shall conform to all applicable provisions and regulations of this By-law.

10.4.4 No ADULT ENTERTAINMENT PARLOUR SIGN shall be erected or displayed except on a LOT where an ADULT ENTERTAINMENT PARLOUR is lawfully conducting its business.

10.4.5 No PERMANENT SIGN other than a FASCIA WALL SIGN, CANOPY SIGN, or GROUND SIGN shall be ERECTED to IDENTIFY and/or ADVERTISE an ADULT ENTERTAINMENT PARLOUR.

10.4.6 No more than one FASCIA SIGN, or CANOPY SIGN or GROUND SIGN, having any advertising related to an ADULT ENTERTAINMENT PARLOUR, shall be permitted per STREET LINE.

10.4.7 No ADULT ENTERTAINMENT PARLOUR SIGN shall contain advertising other than the words "Adult Entertainment", ADULT ENTERTAINMENT PARLOUR, "Adult Video", "Adult Magazines", "Adult Pictures", "Adult Books", "Adult Film", "Adult Recordings", and the name under which the business is operated.

- 10.4.7 No ADULT ENTERTAINMENT PARLOUR SIGN shall include any of the following words: “naked”, “nude”, “topless”, “bottomless”, “sexy”, or any other word or picture, symbol or representation having like meaning or implication.
- 10.4.8 No FASCIA WALL SIGN or CANOPY SIGN used or intended to be used to advertise an ADULT ENTERTAINMENT PARLOUR shall be ERECTED on a façade above the GROUND STOREY of any BUILDING, and shall not exceed a maximum sign face area of 15.0 m².

SECTION 11.0 ENFORCEMENT AND REMOVAL OF UNLAWFUL SIGNS

11.1 UNLAWFUL SIGNS

11.1.1 The AUTHORITY HAVING JURISDICTION may enter onto PROPERTY and pull down or remove a SIGN, SIGN STRUCTURE or ADVERTISING DEVICE, at the expense of the SIGN OWNER, that is:

- (a) An ABANDONED SIGN; or
- (b) ERECTED or DISPLAYED after the date of passage of this By-law and not in full compliance with this By-law; or
- (c) ERECTED or DISPLAYED without a SIGN PERMIT, if such PERMIT is required by this By-law; or
- (d) ERECTED or DISPLAYED contrary to the plans approved by the AUTHORITY HAVING JURISDICTION prior to the issuance of the SIGN PERMIT; or
- (e) Not in compliance with all applicable provisions of this By-law, irrespective of whether or not a SIGN PERMIT is required; or
- (f) Determined by the AUTHORITY HAVING JURISDICTION to be unsafe and a potential or probable danger to any PERSON or PROPERTY; or
- (g) ERECTED or DISPLAYED in whole or in part on or partly over lands owned by or under the jurisdiction of the CITY, without the prior authorization of the CITY.

11.2 Penalties

11.2.1 No PERSON shall ERECT, cause to be ERECTED, DISPLAY or cause to DISPLAY a SIGN, SIGN STRUCTURE or ADVERTISING DEVICE except in accordance with this By-law.

11.2.2 Every PERSON who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction, is liable to a fine pursuant to the provisions of the *Provincial Offences Act*, R.S.O. 1990, c.P.33, as amended, or any successor thereof.

11.3 Notification and Removal of UNLAWFUL SIGNS

11.3.1 The AUTHORITY HAVING JURISDICTION may serve written notice, by regular first class mail or personal service, to the SIGN OWNER for any UNLAWFUL SIGN identified under the provisions of subsection 11.1.1 of this By-law that was ERECTED or DISPLAYED in contravention of this By-law.

11.3.2 The written notice shall contain the particulars of the non-compliance with this By-law, a specified time limit in which to effect compliance and either an Order to comply with the By-law within the time limit specified in the Order, or an Order to remove the sign within the time limit specified in the Order.

11.3.3 When a SIGN is not brought into compliance within the specified time limit or where the SIGN is not removed in accordance with the Order, the AUTHORITY HAVING JURISDICTION may otherwise direct removal of the SIGN further notice and at the entire expense of the SIGN OWNER.

11.4 Storage and Disposal of UNLAWFUL SIGNS Removed by the CITY

11.4.1 Any SIGN removed by the CITY will be stored for a period of not less than thirty (30) days. During this time, the SIGN OWNER or agent may claim the SIGN upon:

- (a) Completing a signed release form;
- (b) Making payment to the CITY of \$200.00 or the CITY'S actual cost of removing the SIGN, whichever is the greater; and

- (c) Making payment to the CITY of a storage charge of \$20.00 per day or part thereof, or \$2.00 per square metre of SIGN FACE AREA per day or part thereof, whichever is the greater.

11.4.2 A PERMANENT SIGN, which has not been claimed by the SIGN OWNER before the end of the thirty (30) day period, may be disposed of by the CITY, without prior notice to the OWNER of the SIGN and the CITY will recover the disposal costs in like manner as municipal taxes.

11.4.3 At the discretion of the AUTHORITY HAVING JURISDICTION, any SIGN ERECTED or DISPLAYED on PUBLIC PROPERTY and PUBLIC ROAD ALLOWANCE without prior APPROVAL of the CITY may be removed and disposed of at any time by the CITY without notice to the SIGN OWNER.

11.5 Recovery of Removal, Storage and Disposal Costs of Unlawful Signs

11.5.1 When the CITY has removed, stored or disposed of a SIGN, a copy of the unpaid invoice for the costs of removal, storage or disposal, together with a statement from the Treasurer, will be sufficient authority to enter the amount of the unpaid balance on the Collector's Roll and to be collected in the same manner as municipal taxes. The statement by the Treasurer shall include information that:

- (a) The invoice has been sent to the OWNER of the PROPERTY and/or OWNER of the SIGN, according to the information contained in the assessment roll, pursuant to the provisions of the *Municipal Act* or the SIGN PERMIT; or
- (b) No payment or insufficient payment has been received; or
- (c) Payment of the invoice is overdue.

SECTION 12.0 ADMINISTRATION OF THE BY-LAW

12.1 General Administration

- 12.1.1 The AUTHORITY HAVING JURISDICTION will be responsible for the administration and enforcement of this By-law on all PUBLIC and PRIVATE PROPERTY within the limits of the CITY. Every SIGN may be subject to inspection by the AUTHORITY HAVING JURISDICTION.
- 12.1.2 For any PERSON who OWNS, ERECTS or DISPLAYS a SIGN, the provisions of this By-law do not relieve or limit the responsibility or liability of that PERSON from penalties resulting from personal injury or PROPERTY damage caused by the placement, DISPLAY, ERECTION, REPAIR, removal or relocation of any SIGN.
- 12.1.3 The AUTHORITY HAVING JURISDICTION may enter upon any PROPERTY at any reasonable time to inspect a SIGN for the purposes of determining or effecting its compliance with this By-law.
- 12.1.4 No PERSON shall obstruct an AUTHORITY HAVING JURISDICTION or any agent of the CITY while they are carrying out their duties under this By-law.
- 12.1.5 No provision of this subsection shall limit the enforcement by the CITY of the provisions of this By-law by any other action or remedy permitted in law.

12.2 Validity and Severability of the By-Law

- 12.2.1 If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced COUNCIL to pass the remainder of the By-law, and it is hereby declared that the remainder of the By-law shall be valid and shall remain in force.
- 12.2.2 Where a provision of this By-law conflicts with the provision of another By-law in force within the CITY, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall prevail.

12.3 Repeal and Transition of the By-Law

- 12.3.1 Except as provided by Section 13.3.2 hereof, By-law Number 7750, as amended, is hereby repealed.
- 12.3.2 Notwithstanding Section 13.3.1 hereof, the provisions of By-law Number 7750, as amended, shall continue to apply to any PROPERTIES in respect to which a SIGN PERMIT has been issued under the said By-law until such SIGN PERMIT has been completed or any enforcement proceeding in respect of a violation under the said By-law has been concluded.

12.4 Effective Date of the By-law

- 12.4.1 This By-law shall come into force on the day of the final passing thereof.

EDDIE FRANCIS, MAYOR

DEPUTY CLERK

First Reading - July 26, 2004
 Second Reading - July 26, 2004
 Third Reading - July 26, 2004

SCHEDULE “A”

INTENT OF SIGN BY-LAW

A.1 In the **City of Windsor Official Plan Vol. 1 (2000)**, Council adopted **Urban Design and Civic Image Goals** to guide long-range decision-making as a means to create the following:

- (a) A memorable image of Windsor as an attractive and livable city. (OP 8.1.1)
- (b) Human scale development throughout Windsor. (OP 8.1.2)
- (c) Pedestrian access to all developments. (OP 8.1.3)
- (d) Balance between human activities and natural systems. (OP 8.1.4)
- (e) Comfortable conditions along roads and in public spaces. (OP 8.1.5)
- (f) A high standard of design throughout Windsor. (OP 8.1.6)
- (g) An attractive network of public spaces. (OP 8.1.7)
- (h) Views and vistas of significant built and natural features. (OP 8.1.8)
- (i) Art in public spaces. (OP 8.1.9)
- (j) A functional and attractive streetscape. (OP 8.1.10)
- (k) Public safety throughout Windsor. (OP 8.1.11)

A.2 In support of the **Urban Design and Civic Image Goals**, the following **Built Form Objectives** were adopted to guide development and redevelopment activity:

- (a) To achieve a varied development pattern, which support and enhance the urban experience. (OP 8.7.1.1)
- (b) To achieve a complementary design relationship between new and existing development, while accommodating an evolution of urban design styles. (OP 8.7.1.2)
- (c) To maximize the variety and visual appeal of building architecture. (OP 8.7.1.3)
- (d) To integrate art and landscaping with the built form. (OP 8.7.1.4)
- (e) To enhance the unique character of a district, neighbourhood, prominent building or grouping of buildings. (OP 8.7.1.5)
- (f) To ensure that signs respect and enhance the character of the area in which they are located. (OP 8.7.1.6)

A.3 In support of the **Built Form Objectives**, the following **Policies** were adopted by City Council to guide decisions on the placement and appearance of SIGNS and ADVERTISING DEVICES throughout Windsor:

- (a) Council will regulate the use of exterior signs and other exterior advertising devices within the city according to a sign by-law that addresses, but is not limited to, the following:
 - (i) location;
 - (ii) size;
 - (iii) number; and

(iv) construction, alteration, repair and maintenance. (OP 8.7.2.11)

- (b) Council will ensure that signs do not compromise the safety of motorists by blocking sight lines or distracting the motorist's attention away from the road. (OP 8.7.2.12)
- (c) Council will ensure that signs are designed as an integral part of the development they are intended to serve and are compatible with the architectural style of the building and the activities, which occur on the site and the character of the surrounding area. (OP 8.7.2.13)
- (d) Council will ensure that the character of residential areas is maintained by minimizing the use of exterior signs and other exterior advertising devices. (OP 8.7.2.14)
- (e) Council will ensure that signs, especially along Civic ways and Theme Streets, are a positive reflection on the city for residents and visitors and especially commensurate with the Windsor's role as a point of entry for visitors to Canada. (OP 8.7.2.15)
- (f) To provide some flexibility in special situations, Council may empower the Committee of Adjustment to grant minor variances to the sign control by-law in accordance with the Procedures chapter of this Plan. (OP 8.7.2.16)

A.4 At the outset and throughout the comprehensive Sign By-Law Review Process (2002-2003), the following statements were drafted as **Guiding Principles** for creating a new Sign By-Law:

- (a) The Corporation of the City of Windsor should **lead by example**.
- (b) The **visual quality** of signs matter to the overall community image.
- (c) Proactive **enforcement** makes the Sign By-Law fair.
- (d) The cumulative effects of signage matter – **sign clutter is a civic liability**.
- (e) Signage should be **proportionate** to the property it identifies and advertises.
- (f) Signage should **supplement** the land use and not dominate the landscape.
- (g) Signage has **direct economic value** to their owners and users.
- (h) One size does not fit all – some parts of the City have characteristics that warrant **exemptions, limitations, experimentation**, etc.
- (i) The Sign By-Law and its regulatory processes must be **easy to understand** and must have monitoring and educational tools built into the process.
- (j) Signage and art is not the same thing. Understanding the **message being communicated** will assist in differentiating.

SCHEDULE “B” FEES

Table B.1

Permits for Permanent Signs Erected on Private Property		Fee per sign and per permit
6.2	Awning Sign	\$4.00/m² or part thereof of total sign area, but not less than \$75.00
6.3	Billboard Ground Sign	
6.3	Billboard Wall Sign	
6.4	Canopy Sign	
6.5	Fascia Wall Sign	
6.6	Ground Sign	
6.8	Projecting Wall Sign	
6.5	Window Sign	\$20.00 for each illuminated / electric sign
		Not Required for a non-illuminated sign
6.7	Light Standard Sign	\$20.00
4.5.2	Sign Permit Renewal for an additional 6 months	\$50.00
	Reconstruction of an Existing Permanent Sign	\$75.00

Table B.2

Permits for Temporary Signs Displayed on Private Property		Fee per sign and per permit
7.2	A-Frame Sign	\$40.00
7.3	Banner Sign	\$20.00
	Banner Flag Sign	\$20.00
7.4	Community Event Sign	A-Frame Sign: \$10.00
		Banner Sign: \$10.00
		Ground Sign: \$10.00
		Inflatable Sign: \$20.00
		Mobile Sign: \$20.00
7.5	Congratulatory Sign	Not Required when displayed for less than 72 hours
7.6	Construction Site Sign	\$4.00/m² or part thereof of total sign area, but not less than \$75.00
7.7	Development Project Sign	\$4.00/m² or part thereof of total sign area, but not less than \$75.00
		\$50.00 for Sign Permit Renewal for an additional 2 years
7.8	Election Sign	Not Required
7.9	Inflatable Sign	Not Required when displayed less than 72 hours for Group 1 and 2 Residential Uses
		\$50.00 for Group 3 and 4 Institutional and Commercial Uses

7.10	Mobile Sign	\$2.00 per calendar day for the first 10 days. \$1.00 per calendar day for subsequent days – minimum \$20.00
7.11	Real Estate Sign	\$20.00 for each sign with sign face area of 1.0m ² or greater

Table B.3

Permits for Signs Erected or Displayed Prior to Obtaining a Sign Permit		Fee per sign and per permit
	Permanent Sign	Triple the fee set out in Table B1
	Temporary Sign	Triple the fee set out in Table B2

Table B.4

Permits for Signs Encroaching on Public Property		Fee per sign and per permit
	Permanent Sign	Double the fee set out in Table B1
	Temporary Sign	Double the fee set out in Table B2

Table B.5

Encroachment Agreements		Fee per sign
6.0	Permanent Sign	Fee determined on a sign by sign basis, plus annual fee to maintain sign on public property
8.3.3 (a)	Temporary A-Frame Sign	\$50.00 fee, plus an annual fee of \$10.00 to maintain sign on public property
8.3.3 (b)	Temporary Banner Sign	\$20.00
8.3.3 (c)	Temporary Construction Site (Hoarding) Sign	\$20.00

Table B.6

Performance Bonds for Temporary Community Event Signs Displayed on Public Property		Fee per Bond
8.3.4 (a)	Community Event Temporary Banner Sign	\$250.00 bond for all temporary Community Events signs related to a single event. The bond is completely refundable provided the conditions of the bond agreement are met.
8.3.4 (b)	Community Event Temporary Inflatable Sign	
8.3.4 (c)	Community Event Temporary Mobile Sign	
8.3.4 (d)	Community Event Temporary Ground Sign	
8.3.4 (e)	Community Event Temporary Poster Sign	
8.3.4 (f)	Community Event Temporary Directional Sign	

Table B.7

Enforcement Fees		Fee per sign
11.3	Removal of Unlawful Permanent Sign	\$200.00 or actual cost of removing the sign, whichever is greater
11.3	Removal of Unlawful Temporary Sign	\$50.00 or actual cost of removing the sign, whichever is greater
11.4	Storage Charge for Unlawful Permanent Sign	\$20.00/day or \$2.00/m² of sign face area per day, whichever is greater
11.4	Storage Charge for Unlawful Temporary Sign	\$5.00/day or \$0.50/m² of sign face area per day, whichever is greater
11.4	Disposal Charge for Unlawful Permanent Sign	Actual disposal cost
11.4	Disposal Charge of Unlawful Temporary Sign	Actual disposal cost

Table B.8

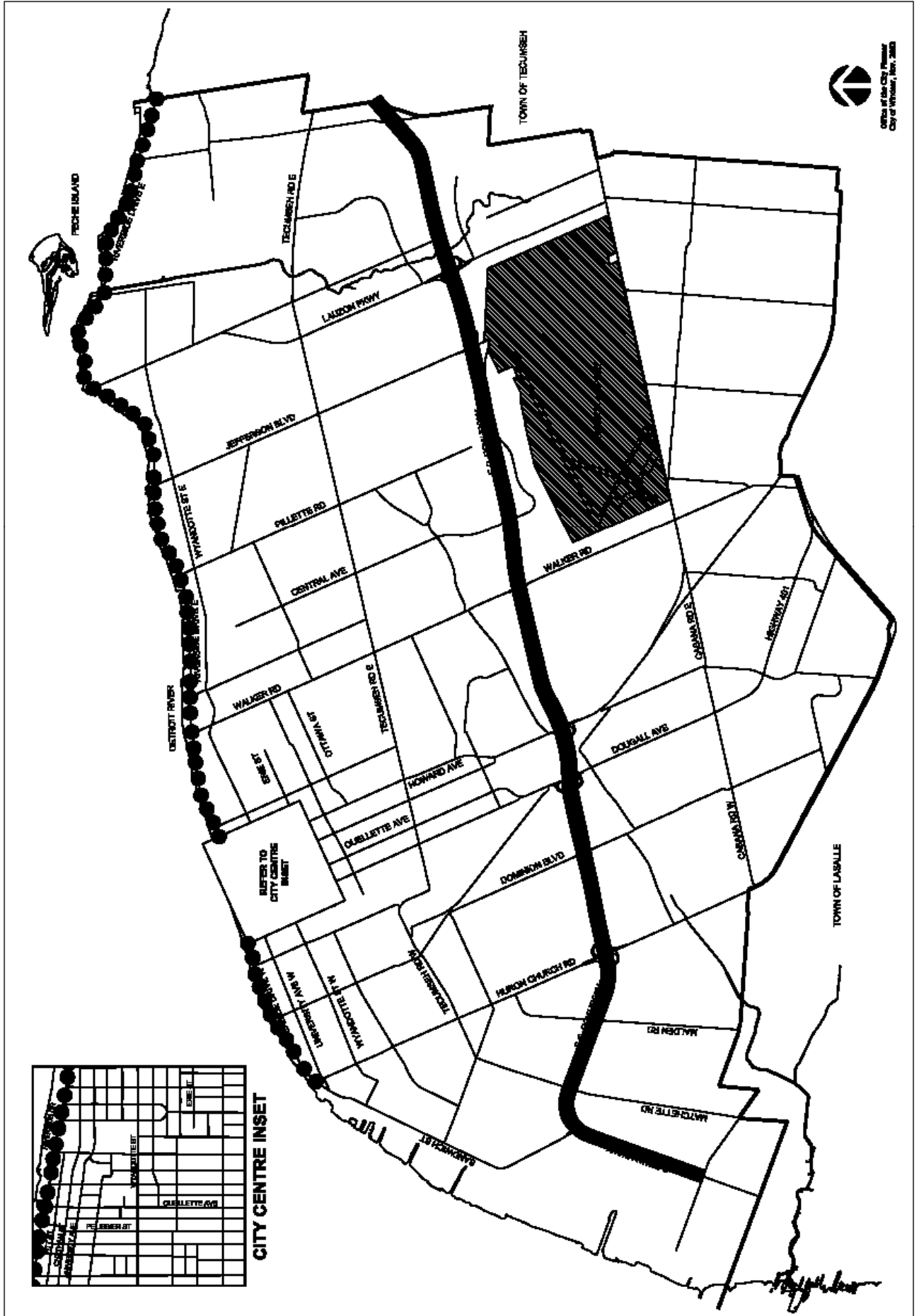
Variance / Amendment Fees	per Application
Committee of Adjustment Minor Variance Application for a Permanent Sign	\$350.00 for a Proposed Sign
	\$1,000.00 or an Existing Sign Erected Without a Sign Permit
Committee of Adjustment Minor Variance Application for a Temporary Sign	\$350.00 for a Proposed Sign
	\$500.00 for an Existing Sign Displayed Without a Sign Permit
Sign By-Law Amendment Application for a Permanent Sign	\$420.00 for a Proposed Sign
	\$1,000.00 or an Existing Sign Erected Without a Sign Permit
Sign By-Law Amendment Application for a Temporary Sign	\$420.00 for a Proposed Sign
	\$500.00 for an Existing Sign Displayed Without a Sign Permit

Table B.9

Notes	
B.9.1	All Sign Permit, Sign Variance and Sign By-Law Amendment fees are due at the time of application and are non-refundable.
B.9.2	No refund shall be payable by the Corporation where an application has been withdrawn, abandoned, refused or cancelled.
B.9.3	The Variance and/or By-Law Amendment Application fee does not include the sign permit fee if the variance or amendment is granted. A sign permit must also be obtained to erect or display the sign.

SCHEDULE C: SPECIAL DISTRICTS

- SCENIC DRIVE ●●●
- CONTROLLED ACCESS HIGHWAY —
- ▨ AIRPORT DISTRICT ▨



SCHEDULE “D” ENCROACHMENT AGREEMENTS

ENCROACHMENT AGREEMENT FOR A PERMANENT SIGN

BETWEEN: THIS AGREEMENT made in triplicate, this **XX** day of **Month, Year**

THE CORPORTION OF THE CITY OF WINDSOR

Hereinafter called the CORPORATION of the FIRST PART;

- and -

NAME OF PROPERTY OWNER

Hereinafter called the LICENSEE of the SECOND PART;

WHEREAS the Licensee is the registered owner of certain lands in the City of Windsor, municipally known as **XXXX PROPERTY ADDRESS** and has applied to erect and/or display and maintain the sign, the dimensions and characteristics of which are:

Characteristics/Dimensions	Sign
Group Use	
Sign Type	
Sign Classification	
Height of Sign above grade	
Width of Sign	
Depth of Sign	
Clearance of bottom of Sign	
Number of Sign Faces	
Total Sign Face Area	
Illumination	
Location of Sign	(Map Attached)

AND WHEREAS By-law Number **XXXX** of the Corporation permits the erection and maintenance of signs which encroach over public property upon the terms and conditions hereinafter contained:

NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of the granting of permission for the said sign to encroach upon or over public property:

1. The Licensee hereby undertakes and agrees with the Corporation to:
 - (a) Erect a sign or signs that conform to all applicable provisions of the by-law;
 - (b) Maintain the said encroachment in good order and repair at all times;
 - (c) Pay to the Corporation an annual encroachment fee of \$ **XXX.XX** (plus an annual billing fee and/or inspection fee of \$25.00) the first of which payments shall become due and payable on the execution of this agreement and subsequent payments to become due and payable in advance on or before the first day of January in each year while the said encroachment exists, provided the encroachment fee and annual billing fee may be varied in accordance with the rate fixed by the Council of the Corporation from time to time for encroachments over public property by signs throughout the City of Windsor;
 - (d) Remove the said encroachment upon ten (10) days written notice if, in the opinion of the Authority Having Jurisdiction, it constitutes a danger to the public, or upon sixty (60) days written notice for any other reason, provided that if the Licensee fails to remove the said encroachment the Corporation may do so and the expense of such removal shall be paid by the Licensee forthwith on demand;
 - (e) Restore public property to the condition of the surrounding area at its own expense upon the removal of the encroachment, provided that if the Licensee

fails to restore as aforesaid, the Corporation may enter upon the said lands and premises and the Licensee and restore the lands encroached upon and the expense of such restoration shall be paid by the Licensee forthwith on demand;

- (f) Indemnify and save harmless the Corporation from and against all loss, costs or damages which it may suffer or be put to and from and against all claims or actions which may be made or brought against the Corporation by reason of the said encroachment, its construction, existence, repair or resulting therefrom in any way whatsoever;
- (g) Release the Corporation from any and all liabilities, suits, claims and demands (whether for property damage or for personal injury or death and whether founded in tort, contract or quasicontract) which at any time might be exerted by the licensee arising out of the existence of the encroachment in the public property or out of any act or omission of the Corporation;
- (h) Provide and maintain public liability and property damage insurance in a form (containing endorsements naming the Corporation as an additional insured and providing a cross-liability clause) and amount satisfactory to the City Solicitor and to file a certified copy of the said insurance policy with the City Clerk; and
- (i) Payment of any fees or expenses under this agreement may, at the option of the Corporation, be enforced in a like manner as taxes that are due and payable in respect of land owned by the Licensee hereinbefore recited.

2. All notices required to be given by the Corporation to the Licensee or by the Licensee to the Corporation under the provisions of this Agreement, or By-law Number XXXX shall be addressed in the case of the Licensee to the Licensee at XXXX PROPERTY ADDRESS and in the case of the Corporation, to the City Clerk, City Hall, P. O. Box 1607, Windsor, Ontario, N9A 6S1 or to such other address as either may from time to time designate.

3. This Agreement shall be binding upon and enure to the benefit of the Licensee and heirs, administrators, executors, successors and assigns of the Licensee.

SIGNED, SEALED AND DELIVERED

LICENSEE (owner)

LICENSEE (owner)

in the presence of

(witness)

(date)

ENCROACHMENT AGREEMENT FOR A TEMPORARY SIGN

THIS AGREEMENT made in triplicate, this **XX** day of **Month, Year**
 BETWEEN:

THE CORPORATION OF THE CITY OF WINDSOR

Hereinafter called the CORPORATION of the FIRST PART;

- and -

NAME OF PROPERTY OWNER OR BUSINESS OWNER OR SIGN OWNER OR CHARITABLE ORGANIZATION

Hereinafter called the LICENSEE of the SECOND PART;

WHEREAS the Licensee is the registered owner of certain lands in the City of Windsor, municipally known as **XXXX PROPERTY ADDRESS** and has applied to erect and/or maintain the sign, the dimensions of which are:

Characteristics/Dimensions	Sign
Group Use	
Sign Type	
Sign Classification	
Height of Sign above grade	
Width of Sign	
Depth of Sign	
Clearance of bottom of Sign	
Number of Sign Faces	
Total Sign Face Area	
Location of Sign	(Map Attached)

AND WHEREAS By-law Number **XXXX** of the Corporation permits the erection and maintenance of signs which encroach over public property upon the terms and conditions hereinafter contained:

NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of the granting of permission for the said sign to encroach upon or over public property:

1. The Licensee hereby undertakes and agrees with the Corporation to:
 - (a) Erect a sign or signs that conform to all applicable provisions of the by-law;
 - (b) Maintain the said encroachment in good order and repair at all times;
 - (c) Pay to the Corporation an annual encroachment fee of \$ **XXX.XX** (plus an annual billing fee and/or inspection fee of \$25.00 where applicable) the first of which payments shall become due and payable on the execution of this agreement and subsequent payments to become due and payable in advance on or before the first day of January in each year while the said encroachment exists, provided the encroachment fee and annual billing fee may be varied in accordance with the rate fixed by the Council of the Corporation from time to time for encroachments over public property by signs throughout the City of Windsor;
 - (d) Remove the said encroachment upon ten (10) days written notice if, in the opinion of the Authority Having Jurisdiction, it constitutes a danger to the public, or upon sixty (60) days written notice for any other reason, provided that if the Licensee fails to remove the said encroachment the Corporation may do so and the expense of such removal shall be paid by the Licensee forthwith on demand;
 - (e) Restore public property to the condition of the surrounding area at its own expense upon the removal of the encroachment, provided that if the Licensee fails to restore as aforesaid, the Corporation may enter upon the said lands and premises and the Licensee and restore the lands encroached upon and the expense of such restoration shall be paid by the Licensee forthwith on demand;

- (f) Indemnify and save harmless the Corporation from and against all loss, costs or damages which it may suffer or be put to and from and against all claims or actions which may be made or brought against the Corporation by reason of the said encroachment, its construction, existence, repair or resulting therefrom in any way whatsoever;
 - (g) Release the Corporation from any and all liabilities, suits, claims and demands (whether for property damage or for personal injury or death and whether founded in tort, contract or quasicontract) which at any time might be exerted by the licensee arising out of the existence of the encroachment in the public property or out of any act or omission of the Corporation;
 - (h) Provide and maintain public liability and property damage insurance in a form (containing endorsements naming the Corporation as an additional insured and providing a cross-liability clause) and amount satisfactory to the City Solicitor and to file a certified copy of the said insurance policy with the City Clerk; and
 - (j) Payment of any fees or expenses under this agreement may, at the option of the Corporation, be enforced in a like manner as taxes that are due and payable in respect of land owned by the Licensee hereinbefore recited.
2. All notices required to be given by the Corporation to the Licensee or by the Licensee to the Corporation under the provisions of this Agreement, or By-law Number XXXX shall be addressed in the case of the Licensee to the Licensee at XXXX PROPERTY ADDRESS and in the case of the Corporation, to the City Clerk, City Hall, P. O. Box 1607, Windsor, Ontario, N9A 6S1 or to such other address as either may from time to time designate.
3. This Agreement shall be binding upon and enure to the benefit of the Licensee and heirs, administrators, executors, successors and assigns of the Licensee.

SIGNED, SEALED AND DELIVERED

LICENSEE (owner)

LICENSEE (owner)

in the presence of

(witness)

(date)

SCHEDULE “E”

SPECIAL PROVISIONS FOR INDIVIDUAL SIGNS

Attached as Schedule "E" to this by-law, and forming part hereof, are individual SIGNS approved by the Council of the Corporation of the City of Windsor."

On certain parcels of land or on certain PROPERTIES, special SIGN provisions may be in force. In the event of a conflict between the specific provisions of this Schedule and the specific applicable provisions of this By-law, the provisions of this Schedule shall apply.

E.1

Notwithstanding the provisions of Section 6.6.7 of this by-law regarding maximum height for permanent ground signs, two (2) painted and indirectly illuminated sign faces may be applied directly to the tank of an existing water tower structure located at 700 Wellington Avenue (legally known as Concession 1 Part of Lot 74; Part 2 of Registered Plan 12R18441; Roll No. 040-240-08500), in general accordance with Schedule “A”, attached to By-law 318-2004. **(added by By-law 318-2004, September 20, 2004)**

E.2

Notwithstanding the provisions of subsections 6.3.6, 6.3.7, 6.3.10, 6.3.14(i) and (v), 9.2.2, 9.3.2, 9.4.2 and table 6.3.1 of this by-law and Council Resolution Cr632-2004 and CR533-2004, one (1) electronic-media billboard wall sign with streaming recorded and live media to advertise businesses and products not located on the site may be erected on the south wall of 364 Ouellette Avenue (Canada Building), (legally known as Lot 7 N and Part of Lot 8 of Registered Plan 333; Roll No. 4-03-059), provided that not-for-profit groups are permitted to promote community activities on the sign display at a minimum equivalent of three (3) minutes every hour inclusive of public service announcements, that advertising complies with Section 10.4 of this By-law, that all advertising on the sign complies with the Canadian Code of Advertising Standards, and that the sign complies with Section 11.0 of this By-law, all in general accordance with Schedule “A”, attached to By-law 21-2005. **(added by By-law 21-2005, February 7, 2005)**

E.3

Notwithstanding the provisions of paragraph 3 of subsection 2 of Section 6 of this by-law, 12 on-site advertising ground signs may be erected on the Ivanhoe Cambridge property located at 3060 Howard Avenue (Devonshire Mall) and known legally as part of Part of Lots 86 to 88, Concession 3; Roll No. 7-8-55, in general accordance with Schedule ‘A’ & ‘B’, attached to By-law No. 220-2006. **(added by By-law 220-2006, November 20, 2006)**

E.4

Notwithstanding the provisions of paragraph 3 of subsection 2 of Section 6 of this by-law, 7 on-site advertising ground signs may be erected on the Ivanhoe Cambridge property located at 7650 Tecumseh Road East (Tecumseh Mall) and known legally as Part of Lots 126 and 127, Concession 1; Roll No. 7-68-32, in general accordance with Schedule ‘A’ and ‘B’, attached to By-law No. 221-2006. **(added By-law 221-2006, November 20, 2006)**

E.5

Notwithstanding the provisions of paragraph 1(a) of subsection 1 of Section 10, and paragraph 2 of subsection 8 of Section 9 of this by-law fence signs and temporary signs in the airport area may be located on the property described as Part of Lot 97, Concession 3, Windsor Airport, known municipally as 3200 County Road 42, shown on Schedule ‘A’, in general accordance with Schedule ‘B’, attached to By-law Number 110-2007. **(added By-law 110-2007, June 11, 2007)**

E.6

Notwithstanding the provisions of paragraph 1(i) of subsection 1 of Section 10, roof signs may be located on the property described as Part of Lots 132 and 133, Concession 1 (9250 Tecumseh Road East), as shown on Schedule ‘A’ in general accordance with Schedule ‘B’, attached to By-law Number 6-2008. **(added By-law 6-2008, January 14, 2008)**

E.7

Notwithstanding the provisions of paragraph 1(g) of subsection 1 of Section 10, one off-site sign may be located on the property known municipally as 4115 Walker Road and one off-site sign may be permitted on the property known municipally as 1925 Division road, as shown on Schedule ‘A’ in accordance with ‘Schedule B’, attached to By-law Number 53-2008. **(added B/L53-2008, March 31/08)**

E.8

Notwithstanding the provisions of paragraph 1(s) of the subsection 1 of Section 10, of this by-law a fence sign may be located on the property described as Lot 100, Part 2, Registered Plan 12R-20922 (4909 Riverside Drive East), in general accordance with Schedule "A" and "B", attached to By-law No. 99-2008, subject to the provisions of Section 7.6.10 of the Sign By-law regarding Time Limits for Temporary Construction Signs. **(added B/L 99-2008, June 9/08)**

E.9

Notwithstanding the provisions of paragraph 1(a) of subsection 1 of Section 10, and paragraph 2 of subsection 8 of Section 9 of this by-law, fence signs and temporary signs may be located on the property described as Part of Lots 125 and 126, Concession 2, known municipally as 7911 Forest Glade Drive from August 15, 2008 to October 1, 2008. **(added B/L 114-2008, June 30/08)**

E.10

Notwithstanding the provisions of paragraph 1(a) of subsection 1 of Section 10, and paragraph 2 of subsection 8 of Section 9 of this by-law, two roof signs may be located on the property described as Parts 3, 4, 6 and 7, Registered Plan 13958, known municipally as 377 Riverside Drive East (Caesar's Windsor) as shown on Schedules 'A' and 'B', attached to By-law No. 115-2008. **(added B/L 115-2008, June 30/08)**

E.11

Notwithstanding the provisions of subsections 3, 5, and 12 of Table 6.6 of Section 6, a third ground sign may be permitted on the property known municipally as 3090 Dougall Avenue, as shown on Schedule 'A' in accordance with Schedule 'B', attached to By-law Number 5-2009 and further said sign may be permitted within 1.5 metres of the north property line, and the electronic message portion of the sign may exceed 30 percent of the total allowable face area." **(added B/L 5-2009, January 5/09)**

E. 12

Notwithstanding the provisions of paragraph 1(a) of subsection 1 of Section 10, of this by-law, a fence sign may be located on the property described as Part of Lot 14, Concession 6, known municipally as 1848 Provincial Road, in general accordance with Schedules 'A' and 'B', attached to By-law 34-2009. **(added B/L 34-2009, February 9/09)**

E.13

Notwithstanding the provisions of paragraph 1(i) of subsection 1 of Section 10, a roof sign may be located on the property described as Part of Block 'A', Plan 195, known municipally as 430 Ouellette Avenue, as shown on Schedule 'A' in general accordance with Schedule 'B', attached to By-law Number 48-2009. **(added B/L 48-2009, March 23/09)**

E. 14 Notwithstanding the provisions of Section 9.3.2 of this by-law regarding erecting, or displaying animated signs in Special Districts: Gateway, part of the one (1) existing ground sign may be converted to one (1) animated sign, 66" inches high by 112" inches high, on the property located at 2250 Division Road (legally known as Lots 623 and 624, Part Lots 1029 to 1032, 620 to 622, and 1028 of Plan 1126; Roll No. 070-260-02600-0000) as shown on Appendix "A" and in general accordance with Appendix "B", attached to this By-Law. **(added B/L 77-2011, April 18/11)**

E.15 Notwithstanding the provisions of subsections 5 and 7 of Table 6.6 of Section 6 of this by-law, one permanent ground sign, may be erected on the property known municipally as 9855 McHugh Street (legally known as Part Lot 136, concession 1; Assessment Roll No. 070 730 09204 0000) as shown on Appendix 'A' in accordance with Appendix 'B', attached to By-Law Number 187-2011 and further said sign may not be permitted within 2.0 metres of the McHugh Street property line, and shall not exceed the maximum dimensions of 1.4 meters (4.6 ft.) by 3 meters (10ft.) for an area of approximately 4.3 square meters (46.3 square ft.). **(added B/L 187-2011, Nov. 7/11)**

E.16 Despite the provisions of sections 9.2, 6.5.5 (d) and 6.5.6 (d) of this by-law, two Windsor Star wall sign sets may be installed at 300 Ouellette Avenue on the northwest corner facades as depicted in Appendix “A” attached to By-law Number __-2012, for a period of three (3) years as a pilot project subject to the following conditions:

- 1) Full-motion video that is longer than one (1) minute in duration will be permitted only when the roads in the vicinity of the signs are closed to traffic as part of an approved special event and/or street festival;
- 2) The large LED screens shall be located no less than 8 meters above grade, measured from the road surface to the underside of the LED screen, so as not to interfere with traffic signals; and
- 3) Windsor Star will control the content and operations of the signs and not assign this responsibility to a third party.

(Section E.16 - added B/L 143-2012, Oct. 1/12)

E.17 Despite the provisions of sections 9.5.2(a), 6.5.5 (c) and 6.6.8 (c) of this by-law, the existing ground sign at 1671 Riverside Drive East may be changed by replacing the existing electronic changing copy LED board with a new animated LED board, and the new wall sign may be installed on the north facade of the building, as depicted in Appendix “A” attached to By-law Number 160-2012. **(Section E.17 - added B/L 160-2012, Nov. 5/12)**