

## THE CORPORATION OF THE TOWN OF MILTON

### BY-LAW NO. 120-2017

A BY-LAW TO REGULATE THE SIZE, USE, LOCATION AND MAINTENANCE OF SIGNS AND ADVERTISING DEVICES ON PRIVATE PROPERTY WITHIN THE CORPORATION OF THE TOWN OF MILTON, AND TO REPEAL BY-LAW NO. 086-2009

**WHEREAS** Section 11(3)7 of the Municipal Act, S.O. 2001, c.25 as amended, provides that a municipality may pass by-laws respecting signs;

**AND WHEREAS** the Council of the Corporation of the Town of Milton adopted By-law No. 086-2009 on June 29th, 2009, and is now desirous of repealing said By-law and replacing it with By-law No. 120-2017;

**NOW THEREFORE** the Council of the Corporation of the Town or Milton hereby enacts as follows:

#### 1. TITLE

1.1 This By-law shall be cited as the "Milton Sign By-law".

#### 2. DEFINITIONS

In this By-law:

2.1 **"Advertising Device"** means any device or object erected, located or displayed so as to attract public attention to any goods, services, facilities or events and includes flags, banners, pennants and lights;

2.2 **"Agricultural Related Sales"** means the sale of produce, trees, or plants from the property on which they were grown;

2.3 **"Alter" or "Alteration"** means, when used in reference to a Sign or Sign structure, to change any one or more external dimensions and/or construction material but shall not include the rearrangement of numerals, letters or copy applied directly to the face of a Sign which has been specifically designed and intended to be periodically rearranged, the replacement of a plastic face, or the painting, repainting, cleaning or other normal maintenance and repair of a Sign not involving structural changes;

2.4 **"Animated" or "Animation"** means action, motion, fading, dissolving, blinking, colour change, intermittent or flashing light, or the illusion of such effects by way of electronic or mechanical means;

- 2.5 **“Awning”** means an ornamental roof-like structure that is either retractable or fixed to a building or structure, but not forming an integral part thereof and includes structures commonly known as a marquee or canopy;
- 2.6 **“Banner Sign”** means a Sign composed of lightweight, flexible material such as cloth, plastic, canvas or other similar material and which may be mounted so as to allow movement by atmospheric conditions;
- 2.7 **“Billboard Sign”** means a Sign that is solely dedicated to the advertising of a business, activity, goods, products, services or facilities not located or offered on the premises;
- 2.8 **“Business Identification Sign”** means a sign which identifies a building, business, ownership, activity, or service offered as the principal non-residential use or uses upon the property where such sign is located;
- 2.9 **“Character Area”** means the lands outlined on Schedule “A” of this By-law;
- 2.10 **“Chief Building Official”** means the Chief Building Official for the Town of Milton or authorized designate;
- 2.11 **“Commissioner”** means the Commissioner of Planning and Development for the Town of Milton or authorized designate;
- 2.12 **“Contractor’s Identification Sign”** means a Sign not permanently constructed at one place in the ground or affixed to any other Sign structure identifying the contractor involved in the renovation, construction or demolition of a building or structure on the same property;
- 2.13 **“Council”** means the Council of the Corporation of The Town of Milton;
- 2.14 **“Daylight Radius”** means an irregular area of land on a corner lot that is reserved for the maintenance of sight lines at the intersection of two streets. The daylight radius is formed by measuring a prescribed distance along each street line from the point where the two street lines intersect and by connecting those points with an arc having a center point that is equidistant to each point on the street lines by the distance of the prescribed radius and measured perpendicular to the street lines;
- 2.15 **“Daylight Triangle”** means a triangular area of land on a corner lot that is reserved for the maintenance of sight lines at the intersection of two streets. The Daylight Triangle is formed by measuring a prescribed distance along each street line from the point where the two street lines intersect and by connecting those points with a straight line;
- 2.16 **“Digital Fuel Pump Sign”** means a digital sign that is erected or displayed on or attached to a fuel pump authorized by law;

- 2.17 **“Digital Sign”** means a Sign, or a portion thereof, displayed utilizing electronic screens, televisions, computer video monitors, liquid crystal displays, light emitting diode displays, or any other similar electronic technology which is capable of displaying dynamic or automatically changing content, and shall include Electronic Message Centres but shall not include a Projected Image Sign;
- 2.18 **“Driver Visibility Triangle”** means a 5 m triangular area formed on both sides of a driveway projected from where the property line meets the edge of the driveway or the projection thereof;
- 2.19 **“Election Sign”** means any Sign promoting, opposing or taking a position with respect to:
- i) a question, law or by-law submitted to the electors under the Canada Elections Act, the Election Act or the Municipal Elections Act, 1996;
  - ii) an issue associated with a person or political party participating in an election under the Canada Elections Act, the Election Act, or the Municipal Elections Act, 1996; or
  - iii) a candidate or political party participating in an election under the Canada Elections Act, the Election Act, or the Municipal Elections Act, 1996.

Such signs are subject to the Town of Milton Election Sign By-law, as may be amended from time to time;

- 2.20 **“Electronic Message Centre”** means a digital sign that displays alphanumeric text only;
- 2.21 **“Erect”** includes the placing of, the installation of, or arranging for the placing or installation of, the renting of, or the leasing of a Sign;
- 2.22 **“First Storey”** means the storey with its floor closest to grade and having its ceiling more than 1.8 m above grade;
- 2.23 **“Frame”** when used in reference to a digital sign, means a single complete, static advertisement on a digital sign;
- 2.24 **“Frame Duration”** means the length of time that a static advertisement, image, or message is displayed on a sign;
- 2.25 **“Frontage”** means the length of the property line(s) of a lot that directly abuts a street or highway;
- 2.26 **“Gas Bar Canopy”** means any open and permanent roof structure, free standing or attached to a building, erected for the purpose of sheltering gasoline pumps;

- 2.27 **“Gateway Sign”** means a sign erected on land owned by the Town of Milton or the Region of Halton that identifies and enhances perceptual entry points into the Town or into a particular area of the Town, such as, but not limited to, a subdivision or secondary plan area;
- 2.28 **“Grade”** means the average elevation of the finished surface of the ground at the base of a building, Sign or Sign structure but does not include any embankment specifically installed for a Sign, planter box or other structure;
- 2.29 **“Ground Sign”** means a freestanding Sign directly supported by uprights or braces, which are embedded in the ground and is designed and intended not to be readily moved and which is not attached to any other building or structure;
- 2.30 **“Height”** means the vertical distance from grade to the highest point of the Sign including the border or frame. In the case of a Sign without a border or frame, it shall mean the vertical distance from grade to the highest point of a letter, symbol or insignia;
- 2.31 **“Improved Land”** means a property on which buildings or structures are erected and includes private or public parking lots;
- 2.32 **“Illumination”** or **“Illuminated”** means the use of artificial light, either projecting through a sign’s surface, in the case of internal illumination, or reflecting off a sign’s surface, in the case of external illumination;
- 2.33 **“Incidental Sign”** means a Sign of minor consequence that is accessory in nature to principal identification signage. Notwithstanding and without limiting the foregoing, Incidental Signs shall include any Sign which typically identifies the manufacturer of a piece of equipment or product, any Sign affixed to or painted on hoarding around a construction site, flags, garage sale signs, bench advertising, public safety Sign, bus stop signs, bus shelter advertising, corner stone, holiday decorations, and historical designation plaque;
- 2.34 **“Interactive Device”** means a sensor that automatically changes the sign copy on a digital sign so as to communicate with a particular observer;
- 2.35 **“Lane”** means a public thoroughfare which affords only secondary means of access to abutting lots and is not intended for general traffic circulation;
- 2.36 **“Menu Board Sign”** means a Sign erected in conjunction with a drive-through service facility and used to display and order a service or product provided or sold from the business associated with the drive-through service facility;
- 2.37 **“Merchandise Poster Panel”** means an advertising device that is generally made of cardboard, plastic, fibreboard, paper or similar flexible material designed to be attached to a building or light standard which is intended to

- market or promote products, services or merchandise offered for sale at a Motor Vehicle Service Station or Motor Vehicle Gas Bar;
- 2.38 **“Message Sequencing”** means the use of sequential frames on a digital sign that form one continual advertisement;
- 2.39 **“Motor Vehicle Service Station”** means a retail place of business where all activities are related or accessory to the prime function of selling automotive fuels and accessory products with or without facilities for minor mechanical or running repairs essential to the operation of a motor vehicle but shall not include a motor vehicle dealership or motor vehicle repair facility. Where permitted, this shall also include a convenience store, car wash or kiosk accessory thereto provided all fuel pump control equipment is located within the store or kiosk;
- 2.40 **“Municipal Law Enforcement Officer”** means a person appointed by Council as a Municipal Law Enforcement Officer and shall also include an officer of the Halton Regional Police Service;
- 2.41 **“Mural”** means a type of display or artistic endeavour that is applied as paint or film to any external wall or other part of a building or structure and which does not include any advertisement or any other promotional message or content including logos and trademarks;
- 2.42 **“New Home Development Sign”** means a temporary ground sign which displays the name of a development and/or builder or developer and advertises the sale or rental of new homes within a proposed plan of subdivision within the Urban Expansion Areas as shown on Schedule B to this by-law;
- 2.43 **“Non-Profit/Charitable Organization”** means an organization constituted exclusively for charitable or benevolent purposes where no part of the income is payable to or otherwise available for the personal benefit of any proprietor, member or shareholder;
- 2.44 **“Official Plan”** means the Official Plan for the Town of Milton, as may be amended from time to time;
- 2.45 **“Off-Premise Advertising”** means advertising for a business, profession, product, service, or activity that is not sold, offered, or conducted on the same property where the sign is located and **“Third Party Advertising”** shall have a corresponding meaning;
- 2.46 **“On-Premise Advertising”** means advertising for a business, profession, product, service, or activity that is sold, offered, or conducted on the same property where the sign is located and **“First Party Advertising”** shall have a corresponding meaning;

- 2.47 **“Ontario Heritage Act”** means the Ontario Heritage Act, R.S.O. 1990 c. O. 18, as amended and includes any Regulations passed under the Act;
- 2.48 **“Person”** means an individual, partnership, limited partnership, corporation, firm or association;
- 2.49 **“Portable Sign”** means any Sign which is specifically designed or intended to be readily moved from one location to another and is not permanently attached to a building, the ground, or any other structure, but does not include a Sidewalk Sign or a Sign painted on or attached to a vehicle where the principal sole function of the vehicle is the transportation of people, goods or other materials on a daily basis.  
Portable Signs are subject to the Town of Milton Portable Sign By-law, as may be amended from time to time;
- 2.50 **“Pre-Menu Board”** means a sign erected as part of a drive-through service facility which is only used to display products and services available from the business associated with the drive-through service facility;
- 2.51 **“Premises”** means the area of a building and/or lot occupied or used by a business, enterprise, or persons. In a multiple tenancy building occupied by more than one business, each business area shall be considered a separate premises;
- 2.52 **“Projected Image Sign”** means a digital sign that is projected onto a surface by a source that is external to the sign;
- 2.53 **“Property”** means a parcel of land which is capable of being legally conveyed pursuant to the Planning Act and **“Lot”** shall have a corresponding meaning;
- 2.54 **“Property Line”** means the legal boundary of a property and **“Lot Line”** shall have a corresponding meaning;
- 2.55 **“Public Art”** means a broad range of artworks in publicly accessible and visible locations such as parks, streets and private property. This may include but is not limited to artworks such as a mural, sculpture or fountains but does not include graffiti. For the purposes of this By-law, Public art is not a Sign;
- 2.56 **“Public Information Sign”** means any of the following signs:
- a) Signs required to be erected by a public authority pursuant to a subdivision agreement or in connection with an application made pursuant to the Planning Act; or,
  - b) Identification, regulatory, or sponsorship signs erected in public parks, trails, or storm water management facilities subject to Corporate guidelines;

- 2.57 **“Read-o-graph”** means any part of a Sign which is designed so that any identification or advertisement affixed thereto can be manually changed by means of interchangeable letters or symbols;
- 2.58 **“Real Estate Sign”** means a sign that is not permanently installed or affixed to the ground or any structure or building, utilized for the sole purpose of advertising the sale, rent or lease of the premises, in whole or in part, upon which the sign is located;
- 2.59 **“Residential”** means any land zoned and/or used for residential purposes in compliance with the Zoning By-law;
- 2.60 **“Roof Sign”** means any Sign which is located entirely on or above a roof of a building or located entirely on the top of or above the parapet of a building;
- 2.61 **“Setback”** means the minimum (unless specified otherwise herein) horizontal distance measured perpendicular to a property line, use, or another Sign;
- 2.62 **“Shopping Centre, Plaza or Mall”** means a group of commercial and/or industrial establishments planned and developed as a single entity on the same lot with or without off-street parking;
- 2.63 **“Sidewalk Sign”** means a Sign, intended for temporary use during business hours, constructed in a manner and of materials such that it can be placed or repositioned by an individual without mechanical aid and means. Such signage shall include Signs commonly referred to as “A” frame Sign, T-frame, and sandwich boards;
- 2.64 **“Sign”** means any advertising device located outside of a building, including vacant land, which is used for the purpose of identifying, advertising or attracting attention to a business, enterprise, organization or project, product, service or cause by means of painting on or attaching bills, letters, numerals, pictorial matter or electronic or other devices in such a way as to be visible to the public. A Sign shall include all parts of such device including frames but does not include the supporting Sign structure members. A Sign shall also include a Window Sign and any inflatable device tethered to any building, structure, vehicle or other anchor and an announcement, notice, directional matter, name, display, illustration or insignia;
- 2.65 **“Sign Area”** means the area within the entire outer perimeter including frames and cut-outs, if any. It includes all visible faces used for Sign purposes, including backer panels and areas painted on walls that provide the illusion of a backer panel, but does not include the thickness of the Sign where thickness is 400mm (16in.) or less and is not used for message purposes. Where a Sign is not bounded or enclosed within a distinct area and or frame, the area shall be that of a rectangle, circle or other simple geometric shape that encloses the grouping of all letters, numerals or shapes;

- 2.66 **“Sign Copy”** means the letters, numerals, figures, symbols, logos, and graphic elements comprising the content or message of a sign;
- 2.67 **“Sign Structure”** means the supports, uprights, bracing and/or framework of a Sign;
- 2.68 **“Static Copy”** means sign copy that is fixed and does not move or have the illusion of movement or any other effect that would be classified as animation under this by-law;
- 2.69 **“Storey”** means the portion of a building situated between the top of any floor and the top of the floor next above it, or where there is no such floor, the roof next above it;
- 2.70 **“Street”** means a street, highway, road or other public right-of-way but does not include a private lane or unopened road allowance;
- 2.71 **“Street Line”** means the boundary between a lane, public or private street and a lot;
- 2.72 **“Temporary Personal Sign”** means a Sign located on a property used for residential use and which is used for a temporary personal announcement or congratulatory message;
- 2.73 **“Town”** means the Corporation of The Town of Milton;
- 2.74 **“Town Clerk”** means Town Clerk for the Town of Milton or authorized designate;
- 2.75 **“Traffic Directional Sign”** means a Sign confined to directing motor vehicle, bicycle, or pedestrian traffic including such Signs indicating “entrance” and “exit” or motor vehicle “parking” signage;
- 2.76 **“Transition Time”** means the time it takes to change frames on a digital sign;
- 2.77 **“Unsafe”** means a Sign or Sign structure which is structurally inadequate or faulty, or in a condition or location that could be hazardous to any person or property;
- 2.78 **“Use”** when used in conjunction with the words “residential”, “employment”, “industrial”, “commercial”, “institutional”, “rural”, “greenlands”, “future development” or similar words, shall mean such uses as may be permitted in the Zoning By-law;
- 2.79 **“Vacant Land”** means a parcel of land separately assessed that has no building thereon, but does not include any improved land;



- 2.80 **“Vehicle”** means any conveyance used in transporting passengers or things by land, water or air;
- 2.81 **“Wall Sign”** means a Sign attached to, marked or inscribed on, erected or placed against a wall forming part of a building, or supported by or through a wall of a building, including a painted wall sign, swinging sign, marquee sign, awning sign, banner sign, and window sign. A Wall Sign shall not include any other sign defined in this By-law unless otherwise stated;
- 2.82 **“Window Sign”** means a sign that is posted, painted, attached, etched, or inscribed on the inside or outside surface of any part of a window exposed to public view and shall include an interior sign that faces a window exposed to public view and located within 1 m of the window, but shall not include “open/closed” or “vacancy/no vacancy” signs;
- 2.83 **“Zone”** means an area designated for a particular land use as established by the Town’s Zoning By-law, and/or any land use regulations as may be applicable in the Town;
- 2.84 **“Zoning By-law”** means the Zoning By-law for the Town of Milton, as may be amended from time to time.

### **3. INTERPRETATION**

- 3.1 Unless specifically expressed elsewhere in this by-law, the provisions of this By-law shall apply to all signs, with the exception of Portable Signs and Election Signs, on any land within the municipal limits of the Town of Milton, save and except lands within road allowances.
- 3.2 Notwithstanding Section 3.1, the following signs are not subject to this by-law:
- a) Signs erected by or for any federal or provincial government agency which are located on its own lands and which are used solely for identification of that agency or other Signs erected within its mandate;
  - b) Public Information Signs;
  - c) Incidental Signs;
  - d) Signs prescribed under the Manual of Uniform Traffic Control Devices for Canada or the Ontario Traffic Manual, as may be amended from time to time, for regulatory, traffic control, or warning purposes;
  - e) Signs consisting of plants, shrubbery, or landscaping material designed as a decorative feature;
  - f) Public Art;

- g) Signs or lettering applied directly or attached to the body of a car, bus, trailer, or other vehicle provided such vehicle has a valid and current registration, is utilized in the normal course of business or usual routine of activities, and such vehicle is not used primarily for display or advertising purposes;
  - h) Signs and advertising devices, other than Window Signs, erected in the interior of a building; and,
  - i) Gateway Signs.
- 3.3 All Zones and uses referenced in this by-law that are not specifically defined in this by-law, are as defined in the Zoning By-law;
- 3.4 All schedules attached to this By-law form part of this By-law;
- 3.5 This By-law shall be read with such changes of gender and number as the context may require;
- 3.6 The word “shall” is mandatory and the word “may” is permissive;
- 3.7 Where a sign is located within a Natural Heritage System Zone (NHS) or Greenlands A Zone (GA) and the regulations applicable to the sign are zone-dependent and the Conservation Authority having jurisdiction has:
- a) determined that a lot or a portion thereof is located outside of any area regulated by the Conservation Authority; or,
  - b) has determined that a lot or portion thereof is located within an area regulated by the Conservation Authority and has issued a Permit or Clearance for the sign;
- the sign regulations applicable to the adjacent Zone designation on the same lot shall apply; or where a lot is wholly zoned NHS or GA, the sign regulations applicable to the zone indicated in Section 2.5 Table 2A of Zoning By-law 016-2014 or Section 2.4 Table 2A of Zoning By-law 144-2003 shall apply; and,
- 3.8 Where this by-law provides both metric and imperial measurements for the same regulation, the imperial measurement is provided for convenience only and is approximate.
- 4. INTENT**
- 4.1 The purpose of this By-law is to regulate signs in the Town of Milton with the intent of authorizing signs that:

- (a) are appropriate in size, number and location to the type of activity or use to which they pertain;
- (b) provide reasonable and appropriate means for the public to locate and identify facilities, businesses and services without difficulty or confusion;
- (c) are compatible with their surroundings;
- (d) protect and enhance the aesthetic and visual character of the Town of Milton;
- (e) are consistent with the planning, urban design and heritage objectives of The Town of Milton;
- (f) do not create a distraction or safety hazard for pedestrians, motorists, and/or bicyclists;
- (g) do not adversely affect adjacent properties or the surrounding area; and
- (h) are regulated in a manner that balances the public's right to expression with the purpose of the By-law.

## **5. ADMINISTRATION, SCOPE, AND APPROVALS**

- 5.1 This By-law shall be administered by the Chief Building Official of the Town of Milton or authorized designate.
- 5.2 No person shall place, display, paint, erect, repair, or alter or permit to be placed, displayed, painted, erected, repaired, or altered, or allow to remain on lands or buildings owned, rented or leased or occupied by them, any Sign in the Town other than in accordance with the provisions of this By-law.
- 5.3 Any Sign not expressly permitted by this by-law is prohibited.
- 5.4 Where it is determined that the Ontario Building Code applies to a Sign, no person shall place, display, erect, repair, or alter the Sign without first obtaining a building permit issued by the Chief Building Official.
- 5.5 The Chief Building Official shall issue a building permit except where the proposed sign will not comply with this by-law and/or the Ontario Building Code or where a Certificate of Occupancy (Zoning) has not been obtained in accordance with the provisions of the Zoning By-law.
- 5.6 This By-law does not apply to a Sign lawfully erected or displayed on or before the day this By-law comes into force if the Sign is not removed, enlarged or substantially altered. The maintenance and/or repair of a Sign,

not involving structural changes, or a change in the message or contents displayed shall be deemed not in itself to constitute a substantial alteration.

5.7 Notwithstanding Section 5.6 to the contrary:

- a) Sections 8, 9, and 10 of this by-law shall apply to all signs that would be governed by the provisions of this by-law regardless of the date that they were displayed or erected; and,
- b) To address potential road safety impacts, digital signs that were lawfully erected or displayed on or before the day this By-law comes into force, shall comply with the digital display requirements of Section 7.8.1 b) – i) and o), with the exception of those signs that are exempted by Section 7.8.1 p), within 3 years of the date of passing of this by-law. The upgrading or replacement of a legally existing digital sign shall not be deemed a substantial alteration provided that the sign location and type of sign copy remain the same, and the height and dimensions of the sign are not altered.

5.8 Nothing in this By-law limits or prohibits a person from requiring a permit or approval for any Sign under any other applicable legislation, regulation, or by-law. In the case of a conflict between the provisions of this By-law and the provisions of another by-law or regulation, the most restrictive provision shall apply.

5.9 Any sign proposed within the 400 m permit control area adjacent to a Provincial Highway are subject to review and approval by the Ministry of Transportation of Ontario.

5.10 Any person erecting or maintaining any Sign or Sign structure or on whose property a Sign or Sign structure is located, shall be liable for such Sign or Sign structure. The Town is hereby indemnified from and against all manner of claims for damages, loss, expense or otherwise arising from the approval, erection, maintenance, removal or falling of such Sign, Sign structure, or part thereof.

5.11 The Chief Building Official, Municipal Law Enforcement Officer, Town staff or its agent may enter lands at any reasonable time without a warrant for the purpose of:

- (a) determining if a permit is required to be issued under the Ontario Building Code;
- (b) determining if a sign is in compliance with this by-law; or,
- (c) removing a Sign found to be in contravention of this by-law.

5.12 Neither the granting of a permit nor the approval of drawings and specifications, nor inspection made by the authority having jurisdiction during the placing, displaying, painting, erection, repairing, or altering of a Sign shall in any way relieve the owner of such Sign, tenant or the owner of the property on which the Sign is located, from full responsibility for carrying out the placing, displaying, painting, erection, repairing, or altering in accordance with the provisions of this By-law.

## 6. UNAUTHORIZED SIGNS

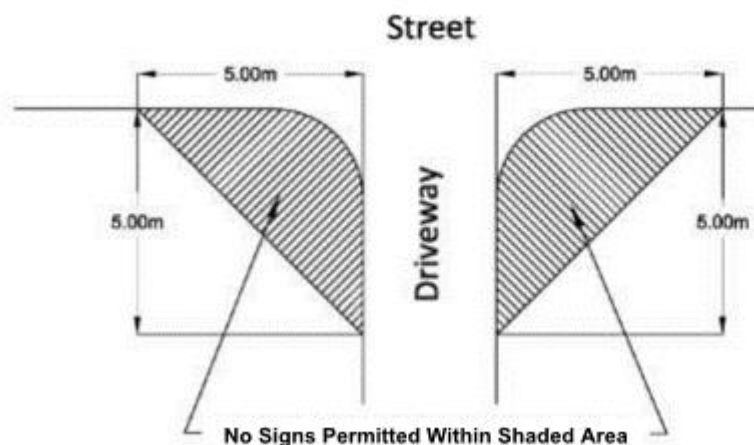
6.1 No Sign or Sign structure shall be located so as to obstruct or impede any fire escape, fire exit, door, window, scuttle, skylight, flue or air intake or exhaust so as to prevent or impede the free access of emergency personnel to any part of a building including siamese connections and/or fire hydrants.

6.2 No Sign or advertising device shall obstruct the view of any pedestrian, bicyclist, or driver of a motor vehicle, obstruct the visibility of any traffic sign or traffic control device, interfere with vehicular traffic in a manner that could endanger any person, nor shall any Sign resemble any traffic Sign.

6.3 No Sign shall be located within a daylight triangle or radius.

6.4 No Sign shall be located within a driveway visibility triangle.

Figure 1: Driver Visibility Triangle



6.5 Except as otherwise expressly permitted by this by-law, Roof Signs are not permitted.

6.6 No person shall allow a Public Information Sign to remain on lands or buildings owned, rented, leased or occupied by them after the application for rezoning, minor variance, severance or other similar application has been finally disposed of and after all relevant appeal periods have lapsed.

- 6.7 No Sign, light fixture, or other device used for advertising purposes, including an awning, which projects more than 75 mm (3in.) over a sidewalk or other pedestrian walkway is permitted unless it is located a minimum of 2.44m (8ft.) above the surface of the sidewalk or pedestrian walkway.
- 6.8 No Sign, light fixture, or other device used for advertising purposes, including an awning, shall be located within 600 mm of the vehicular travelled portion of a private lane or roadway, driveway, or any portion of a motor vehicle parking area unless the bottom of the sign, light fixture, or other device used for advertising purposes is located a minimum of 4.25 m (14 ft.) above grade.
- 6.9 No person shall erect or maintain any Sign, awning, light fixture, or other device used for advertising purposes which projects over a road allowance unless an encroachment agreement has been provided by the authority having jurisdiction.
- 6.10 No Sign shall be affixed to a fence on private property adjacent to any street. This regulation shall not apply to:
- a) Signs affixed or painted on hoarding erected around a construction site;
  - b) Banners erected by a Non-profit/Charitable organization as defined in Section 2.43 and erected in accordance with Section 7.15.
- 6.11 No sign shall contain flashing, blinking, or intermittent illumination, a strobe or a rotating or changing light beam or beacon.
- 6.12 Flashing, blinking, or intermittent illumination, a strobe or a rotating or changing light beam or beacon shall not be used to draw attention to any sign.
- 6.13 Unless specifically expressed elsewhere in this by-law, no sign shall contain animation.
- 6.14 No Sign or Sign structure shall be in a state of disrepair nor be located where it will interfere with the safe movement or visibility of any bicycle, vehicle, and/or pedestrian traffic or where it is a general hazard to public safety.
- 6.15 No person shall attach, affix or display a hot or cold air balloon or other inflatable Sign or advertising device to a building, motor vehicle, trailer or other permanent structure.
- 6.16 No person shall attach, affix or display a Sign to a motor vehicle, trailer, or shipping container which is parked or located for the primary purpose of displaying said Sign except with respect to the sale, lease or rental of that motor vehicle, trailer, or shipping container.

- 6.17 No Sign, pennants, streamers or light strings, with the exception of light strings that are used for holiday purposes, shall be affixed to a tree, vent pipe, light standard, fence, or accessory building or structure unless otherwise specifically permitted by this By-law.
- 6.18 Except as otherwise expressly permitted by the provisions of this by-law, no person shall erect or maintain a Sign on Vacant Land.
- 6.19 Except as otherwise expressly permitted by the provisions of this by-law, no sign shall have more than 2 faces.
- 6.20 Except as otherwise expressly permitted by the provisions of this by-law, no sign shall contain off-premise advertising.
- 6.21 Notwithstanding any other regulations in the By-law, the following provisions shall apply to Signs in the Milton Downtown Business Improvement Area and Character Area as shown on Schedule "A" and Downtown Campbellville as shown on Schedule "C" of this By-law:
- a) The following Signs are not permitted:
    - (i) internally illuminated box wall and awning type Signs;
    - (ii) Billboard Signs; and,
    - (iii) pennants, spinners, streamers and light strings; except light strings may be used on outdoor patios and for holiday purposes.
  - b) No Sign shall obstruct a building's significant architectural features, including, but not limited to, windows, brackets, sills, decorative masonry and cornice;
  - c) When a new Sign is being erected in place of an existing Sign, the new Sign shall conform to the provisions of this By-law;
  - d) No illuminated window or exterior wall Sign shall be permitted above the second storey of any building;

## **7. REGULATIONS RESPECTING SIZE, TYPE, AND LOCATION OF SIGNS**

- 7.1 Except as otherwise expressly permitted by the provisions of this By-law, signs are permitted only on lands within Commercial, Employment, and Institutional Zones.

7.2 Notwithstanding Section 7.1, the following Signs shall be permitted subject to the setback provisions noted in Section 7.4.3 Table 7A of this By-law where applicable:

- a) One non-illuminated wall Sign or Sign painted on the roof of an agricultural building identifying the name and/or proprietor of an Agricultural Operation on the same lot;
- b) One non-illuminated ground Sign having a maximum Sign area of  $3.0\text{m}^2$  (32sq.ft.) per face and a maximum height of 3.0 m (10 ft.) advertising the sale of seasonal produce from the agricultural lands on which they were grown, during the appropriate growing season for the produce advertised;
- c) One non-illuminated ground Sign not exceeding  $3.0\text{m}^2$  (32sq.ft.) per face and 3.0 m (10ft.) in height identifying the name and/or proprietor of an Agricultural Operation located on the same lot;
- d) One non-internally illuminated wall or ground Sign not exceeding  $0.2\text{m}^2$  (2sq.ft.) in area per face and 1 m (3 ft. 3 in.) in height, which identifies a home occupation that has been approved under the Zoning By-law and is located on the same lot;
- e) One non-internally illuminated wall or ground Sign not exceeding  $0.83\text{m}^2$  (9sq.ft.) per face and 1 m (3ft. 3in.) in height, identifying a Bed and Breakfast Establishment which has been approved under the Zoning By-law and is located on the same lot;
- f) One non-internally illuminated wall or ground Sign not exceeding  $2.2\text{m}^2$  (24sq.ft.) per face and 1 m (3ft. 3 in.) in height, identifying a Home/Cottage Industry which has been approved under the Zoning By-law and is located on the same lot;
- g) Non-illuminated Signs not exceeding  $15.3\text{m}^2$  (165 sq.ft.) per face located on a property proposed or under development which advertises the name of the development, the owner/occupant, builder, consultant and/or real estate agent. Such Signs shall be removed within thirty (30) days of occupancy and where located in a Residential Zone, shall only be permitted in developments where a minimum of 5 dwelling units are proposed. This section shall not apply to New Home Development Signs erected within the residential Urban Expansion Areas identified on Schedule B to this by-law (Refer to Section 7.9);
- h) One non-illuminated Sign, not exceeding  $0.5\text{m}^2$  (5sq.ft.) in area per face indicating; no trespassing, private property, safety or hunting Signs, or other regulatory Signs;



- i) Non-internally illuminated Residential street numbering, home identification and mailbox Signs not exceeding  $0.3\text{m}^2$  (3.2sq.ft.) in area per face;
  - j) One non-internally illuminated ground Sign identifying an apartment, townhouse or other approved residential complex in a Residential Zone not exceeding  $3.0\text{m}^2$  (32sq.ft.) per face and 3 m (10 ft.) in height including a portion designated as “apartment for rent”;
  - k) One non-internally illuminated Sign erected on a temporary sales office or trailer used for Non-profit/Charitable organization purposes. Such Sign shall not be located on the roof of such office or trailer and shall comply with the requirements for Wall Signs in this by-law;
  - l) A non-internally illuminated, freestanding single faced Sign located on a decorative entrance wall, landscape feature or other like marker in front of any multi-tenant or multi-building commercial, industrial or residential development shall not exceed a total Sign area of  $1.9\text{m}^2$  (20sq.ft.) and shall carry no advertising other than the name, address and/or logo of the development or complex. Such Sign shall not exceed a height of 1.5m (5ft.) from grade and shall not be subject to setback requirements as set out in Section 7.4.3 Table 7A of this By-law; and,
  - m) Signs required by the Town of Milton Fire Department for prompt identification of property by emergency service personnel.
- 7.3 In the case of a shopping centre, plaza or mall or any other multi-tenant user property, it is the responsibility of the owner and/or the owner’s agent, if any, to allocate an appropriate Sign area for each store, office or other floor area in accordance with this by-law.

**7.4 GENERAL REGULATIONS APPLICABLE TO ALL GROUND SIGNS**

Unless specifically expressed elsewhere in this By-law, the following regulations shall apply to all ground Signs:

- 7.4.1 The total area of all ground Signs on any property shall not exceed 70% of the frontage for the property. A 0.30m reserve shall be considered frontage for the purposes of this calculation;
- 7.4.2 Ground signs shall be separated from each other by a distance of not less than 30 m (100ft.) and no more than two (2) ground signs shall be located on the same street frontage;
- 7.4.3 Ground Sign Size, Height and Setback Criteria:

**TABLE 7A**

SIGN LOCATION (Refer to Schedules A & C to this By-law)	SIGN AREA PER FACE (m <sup>2</sup> )	MAXIMUM HEIGHT (m)	MINIMUM SETBACK (m)		
			Street Line	Property Line abutting Commercial or Industrial Zone	Property Line abutting any Other Zone
Outside of the Central Business District, Business Improvement Area, or Character Area	Less than 3.0	4.57	1.0	3.0	6.0
	Equal to 3.0 and less than 7.4	7.6	3.0	3.0	6.0
	Equal to 7.4 to a maximum of 15.3	10.7	3.0	3.0	6.0
Within the Central Business District and outside of the Business Improvement Area and Character Area	Less than 3.0	3.0	1.0	1.0	3.0
	Equal to 3.0 to a maximum of 14.9	7.6	3.0	1.0	3.0
Within the Business Improvement Area, Character Area or Downtown Campbellville	Up to a maximum of 4.6	3.0	1.0	1.0	3.0

7.4.4 Notwithstanding Section 7.4.3 Table 7A herein, a legally existing Sign located on lands expropriated or acquired by the Town, the Regional Municipality of Halton, or the Ministry of Transportation for the purpose of establishing, laying out, widening, altering or diverting any highway, or for the purpose of storm, sanitary or water services may be relocated with a setback from the abutting expropriation line or acquisition line, a minimum of 1.5m. (5ft.); and,

7.4.5 For the purpose of applying a minimum setback from the street line, a “V” shaped Sign having two (2) faces shall be considered as having one (1) face should the interior angle of the “V” exceed 90 degrees (90<sup>o</sup>). Should the interior angle exceed 90 degrees (90<sup>o</sup>) the setback will be determined by using the total Sign area of both faces of the Sign.

## 7.5 GENERAL REGULATIONS APPLICABLE TO ALL WALL SIGNS

Unless specifically expressed elsewhere in this By-law, the following regulations shall apply to all wall Signs:

7.5.1 In a single occupancy building, the total Sign area of all wall Signs, including Window Signs, on any one architectural elevation shall not exceed twenty percent (20%) of the area of the architectural elevation on which they are erected. Roof structures as shown on architectural elevations are not included in the elevation area;

- 7.5.2 In a multi-unit building, the total Sign area of all wall Signs, including Window Signs, on any one architectural elevation of a single unit shall not exceed twenty percent (20%) of the area of that unit elevation;
- 7.5.3 No part of any wall Sign shall project more than 0.76 m (2 ft. 6 in.) from the face of the wall except in the case of a Sign painted or affixed flat to the surface of an awning. Such awning shall comply with the provisions of the Zoning By-law and where located above the surface of a sidewalk or pedestrian walkway, the awning shall be located at least 2.44m (8ft.) above the surface of the sidewalk or pedestrian walkway. In the case of an awning projecting over a driveway or any portion of a parking area, the clearance between the lowest part of the Sign and the driveway shall be a minimum of 4.25m (14ft.);
- 7.5.4 The maximum Sign area per face of a projecting banner or swinging wall mounted Sign shall be  $0.46\text{m}^2$  (5sq.ft.);
- 7.5.5 A swinging wall Sign is only permitted in the Business Improvement Area and Character Area; and,
- 7.5.6 A non-internally illuminated apartment identification Sign, including a Sign identifying the residential component of a Mixed-Use building, shall not exceed  $4.64\text{m}^2$  (50sq.ft.).

## **7.6 BUSINESS IDENTIFICATION SIGNS**

- 7.6.1 Business Identification Signs shall be permitted in any zone where a principal non-residential use is permitted by the Zoning By-law.
- 7.6.2 Such signs shall comply with the requirements of Sections 7.4 and 7.5, where applicable.
- 7.6.3 Notwithstanding Section 7.6.2 to the contrary, Business Identification Signs located in a Residential Zone, the Future Development Zone, or in a Rural or Greenlands Zone within the Rural Area are restricted to the lesser of a maximum sign area per face of  $3\text{ m}^2$  and a maximum height of 3 m or the applicable sign provisions of Table 7A.
- 7.6.4 Business Identification Signs may be internally or externally illuminated, with the exception of signs located outside of the current urban boundary or hamlet boundaries as defined by the Official Plan, in which case only external illumination shall be permitted.
- 7.6.5 Notwithstanding any provision of the by-law to the contrary, read-o-graph signage that is contained on a sign that is owned and operated by the Town

of Milton or Region of Halton shall be permitted to contain off-premise advertising.

7.6.6 Digital Business Identification Signs shall be permitted in accordance with the provisions of Section 7.8.

## **7.7 REAL ESTATE SIGNS**

7.7.1 Non-illuminated Real Estate Signs shall be permitted on any property, including vacant land, where the property, building, or a portion thereof, is currently available for sale, rent, or lease.

7.7.2 Within a residential zone, excluding the RHD, RO, and MU zones, a real estate sign shall not exceed a maximum sign area per face of 1.1 m<sup>2</sup> (12 sq.ft.) or a maximum height of 1.2 m (4 feet).

7.7.3 Within a non-residential, RHD, RO, or MU zone, a real estate sign shall not exceed a maximum sign area per face of 6 m<sup>2</sup> (64 sq.ft.) or a maximum height of 4 m (13.12 feet).

7.7.4 Real estate signs shall comply with the setback requirements in Table 7A but shall not be subject to any other provision in Sections 7.4 or 7.5.

## **7.8 DIGITAL SIGNS**

7.8.1 Unless specifically expressed elsewhere in this by-law, the following regulations shall apply to all digital signs, including electronic message centres:

- a) A digital sign shall be permitted within the urban boundary or hamlet boundaries only, as defined by the Official Plan;
- b) A digital sign shall display static images only;
- c) No digital sign shall display or use animation, video, audio, movement, flashing effects, odours, gases, pyrotechnics, or interactive devices;
- d) The minimum frame duration shall be 30 seconds for on-premise advertising signs and 8 seconds for off-premise advertising on billboard signs;
- e) Time and temperature displays may be updated as required;
- f) The maximum transition time between frames shall be one (1) second with no transition effects permitted between frames;
- g) Message sequencing is not permitted;

- h) The brightness of a digital sign shall not exceed a maximum luminance of 5000 cd/ m<sup>2</sup> between sunrise and sunset, and 200 cd/m<sup>2</sup> between sunset and sunrise, with sunrise and sunset times being determined according to the National Research Council of Canada Sunrise/Sunset Calculator;
- i) Digital signs shall be equipped with an ambient light sensor that automatically adjusts the brightness level to a maximum of 3 lux (0.3 fc) above ambient light conditions;
- j) The minimum separation distance between digital signs that are visible to the same direction of oncoming traffic shall not be less than 80 m when measured along the centerline of the street. For digital signs that are visible to oncoming traffic from more than one street, the minimum setback between digital signs shall apply on each street;
- k) Digital signs shall be permitted as ground signs only;
- l) No digital sign shall be located closer than 30 m to a Residential Zone or any property containing a residential dwelling unit, Retirement Dwelling, or Long-Term Care Facility;
- m) A digital sign shall not be situated:
  - i) Within 100 m of the beginning of an on or off-ramp associated with a controlled access highway interchange;
  - ii) Within 100 m of the nearest part of the internal circulatory roadway of a roundabout; or,
  - iii) Within the prohibited area at signalized intersections and pedestrian and railway crossings with flashing beacons as shown in Figure 2 below:

Figure 2: Prohibited area for digital signs

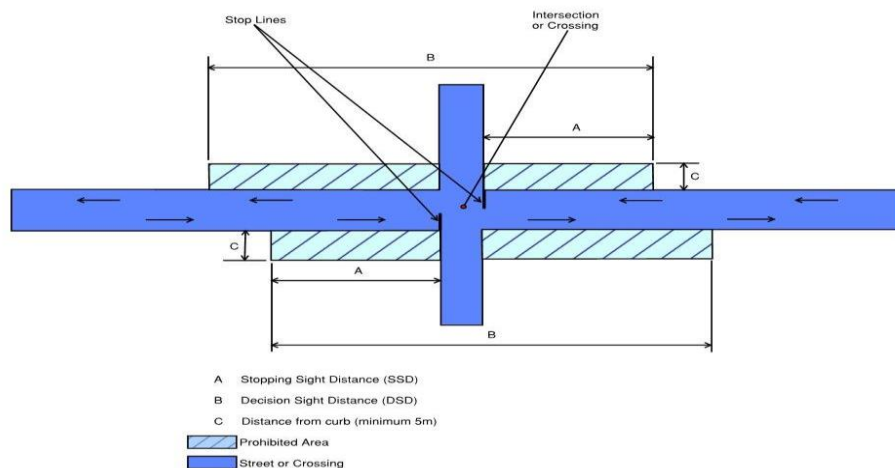


Table 7B: TAC Geometric Design Guide Values for Decision Sight Distance (DSD) and Stopping Sight Distance (SSD)

Posted Speed Limit (km/h)	A Stopping Sight Distance (m)	B Decision Sight Distance (m)
50	65	200
60	85	235
70	110	275
80 or more	140	315

- n) No digital sign shall be erected on a property containing a building or structure that has been designated under Part IV or V of the Ontario Heritage Act;
- o) If any digital sign malfunctions so as to create a danger or distraction to the public, the sign shall be turned off immediately until the malfunction has been rectified; and,
- p) The above provisions shall not apply to the portion of a ground sign erected in association with a Motor Vehicle Service Station or Gas Bar that is dedicated to displaying the current price of fuel, nor shall they apply to an order confirmation screen which forms part of a Menu Board Sign associated with a Drive-Through Restaurant provided that these digital signs are used solely for that purpose.

7.8.2 Digital billboards are permitted subject to the following additional requirements:

- a) A maximum of 100% of the sign face is permitted to be digital.

7.8.3 Digital business identification signs are permitted subject to the following additional requirements:

- a) A maximum of 50% of the sign face is permitted to be digital;
- b) Notwithstanding any provision of this by-law to the contrary, a maximum of 50% of the advertising contained on a digital business identification sign may be used for off-premise advertising;
- c) Notwithstanding any other provision of the by-law to the contrary, advertisements related to public services that are provided under the jurisdiction of local or regional government that are contained on a digital

sign that is owned and operated by the Town of Milton or Region of Halton shall not be considered to be off-premise advertising for the purposes of Section 7.8.3 b);

- d) The minimum frame duration for permitted off-premise advertisements shall be 30 seconds; and,
- e) Notwithstanding Section 7.8.3 d), digital signs that were legally in existence on the date of passing of this by-law that were previously approved for third-party advertising shall be subject to a minimum frame duration of 8 seconds.

7.8.4 Digital Fuel Pump Signs are permitted subject to the following additional requirements:

- a) There is only one screen permitted on each fuel pump;
- b) The maximum area of the screen shall not exceed 0.2 m<sup>2</sup>;
- c) The height of the screen shall not exceed 2.5 m above grade;
- d) Notwithstanding any provision of this by-law to the contrary, the screen may display images that are static or animated; and,
- e) The screen must be located perpendicular to the street except where it is not visible from the street or if it is setback a minimum of 12 m from the street.

7.8.5 Digital Pre-Menu and Menu Board Signs are permitted subject to the following additional requirements:

- a) The signs shall comply with the provisions of Section 7.8.1 with the exception of subsections j), l), and m);
- b) Notwithstanding any provisions of the by-law to the contrary, audio voice communication shall be permitted for Menu Board signs associated with a drive-through restaurant;

## **7.9 NEW HOME DEVELOPMENT SIGNS**

Notwithstanding any provisions of this by-law to the contrary, the following regulations shall apply to New Home Development Signs:

7.9.1 Non-illuminated New Home Development Signs are permitted on lands within the residential urban expansion areas as shown on Schedule B to this by-law where an application for a draft plan of subdivision has been deemed a complete application by the Commissioner;

- 7.9.2 The signs shall contain on-premise advertising only;
- 7.9.3 The maximum number of signs permitted per subdivision shall be 5, including any portion of the subdivision being used as a temporary sales office. For the purposes of this provision, a subdivision refers to all of the lands included under a single 24T draft plan number;
- 7.9.4 No New Home Development Sign shall be located closer than 200 m to any other New Home Development Sign that is located on the same side of a street;
- 7.9.5 The maximum sign area permitted per face is 15.3 m<sup>2</sup>;
- 7.9.6 The maximum height permitted is 8 m; and,
- 7.9.7 New Home Development Signs shall be removed within 60 days of the firm sale of the last remaining lot within the plan of subdivision.

#### **7.10 TRAFFIC DIRECTIONAL SIGNS**

Notwithstanding any provisions of Sections 7.4 and 7.5 to the contrary, the following regulations shall apply to Traffic Directional Signs:

- 7.10.1 There shall be no limit to the number of traffic directional Signs on a property. However, there shall not be more than two such Signs per point of ingress/egress of the property;
- 7.10.2 A traffic directional Sign shall be confined to directing motor vehicle, bicycle, and/or pedestrian traffic and shall include, but not be limited to, such Signs as “entrance”, “exit”, “parking” or “loading”;
- 7.10.3 No traffic directional Sign shall exceed an area of 0.74m<sup>2</sup> (8sq.ft.) per face in a Commercial, Institutional, RO, or MU Zone and a maximum area of 1.49 m<sup>2</sup> (16 sq.ft.) per face in an Employment Zone;
- 7.10.4 A traffic directional Sign shall have a maximum height of 1.5m (5ft.) in a Commercial, Institutional, RO, or MU Zone and 2.44 m (8 ft.) in an Employment Zone;
- 7.10.5 No traffic directional Sign shall be located closer than 1.0 m to a street line or 3 m to any other lot line; and,
- 7.10.6 Traffic directional signs may be internally or externally illuminated.



## **7.11 MERCHANDISE POSTER PANELS**

7.11.1 The following regulations shall apply to Merchandise Poster Panels erected on a motor vehicle service station:

- a) Merchandise Poster Panels erected on a building shall be erected in accordance with the following:
  - i) The Sign area of the Sign shall not be greater than  $0.84\text{m}^2$  (9sq.ft.) per face with no one dimension greater than 0.88m. (2ft.8in.);
  - ii) Shall not be internally illuminated; and
  - iii) Shall comply with Wall Sign regulations as set out in Section 7.5 of this by-law.
- (b) In addition to (a)(i)(ii) and (iii) of this section, one ground mounted Merchandise Poster Panel may be erected per property frontage on a motor vehicle service station or motor vehicle gas bar in accordance with the following:
  - i) Shall not have an area greater than  $1.9\text{m}^2$  (20.5sq.ft.) per face with no one dimension greater than 1.7m. (5.5ft.);
  - ii) Shall not be internally illuminated;
  - iii) Shall be constructed permanently at one place in the ground;
  - iv) Shall not exceed a maximum overall height of 1.75m (5'9") above grade; and,
  - v) Shall not be located closer to the street property line than 1m. (3ft.)

## **7.12 SIDEWALK SIGNS**

7.12.1 A Sidewalk Sign shall comply with the following:

- a) Maximum Sign area per face -  $0.93\text{m}^2$  (10sq.ft.);
- b) Maximum height – 1.37m (4ft.6in.);
- c) Maximum length of Sign – 1.2m (4ft.);
- d) Maximum width of Sign – 0.76m (2ft.6.in.);
- e) Maximum one (1) Sign per business;

- f) Located not more than 1 m from the face of a building, except in the Character Area;
- g) Maximum of two (2) faces per Sign;
- h) Shall not be illuminated;
- i) Shall not obstruct sightlines for bicyclists, pedestrians, and/or motorists; and,
- j) Where the sign is erected on a sidewalk, a minimum 1.5 m unobstructed access route must be maintained around the sign at all times.

### **7.13 CONTRACTOR'S IDENTIFICATION SIGN**

7.13.1 A Contractor's identification Sign shall comply with the following:

- a) Maximum Sign area per face –  $1.1\text{m}^2$  (12sq.ft.);
- b) Maximum height – 1.24m (4ft.);
- c) Shall not be illuminated; and,
- d) Shall be located upon the property where the work is being performed and shall be removed within 30 days of the completion of the renovation, construction or demolition.

### **7.14 TEMPORARY PERSONAL SIGN**

7.14.1 A Temporary personal Sign shall comply with the following:

- a) Maximum Sign area per face –  $3\text{m}^2$  (32sq.ft.);
- b) Maximum height – 2.44m (8ft.);
- c) Shall not be illuminated;
- d) Shall be located upon the property for which the personal announcement or congratulatory message applies;
- e) Shall not be located on the property longer than three (3) days; and,
- f) There shall not be more than one (1) Sign of this type on a property at the same time.

## **7.15 BANNER SIGN**

Notwithstanding any provisions of the by-law to the contrary, Banner Signs shall be permitted subject to the following:

7.15.1 As a Business Identification Sign attached to the wall of a building in accordance with Section 7.5; or,

7.15.2 To advertise a special event for a Non-profit/Charitable organization in accordance with the following:

- a) The Banner Sign shall have a maximum material dimension of 5m x 1m (16ft.x3ft.);
- b) Be located with permission of the property owner on fencing adjacent to a street; and,
- c) Shall not be illuminated.

## **7.16 WINDOW SIGNS**

7.16.1 Window signs shall not cover more than 25% of any single window or 25% of the entire surface area of a group of windows and shall not block the clear view of exits or entrances.

7.16.2 Window signs shall be included in the calculation of the maximum permitted sign area permitted on any one architectural elevation specified in Section 7.5.

7.16.3 Window signs shall only be located on the first storey of a building.

7.16.4 Window signs may be externally or internally illuminated.

## **7.17 PRE-MENU AND MENU BOARD SIGNS**

The following regulations shall apply to Pre-Menu and Menu Board Signs associated with a drive-through service facility:

7.17.1 A maximum of one Pre-Menu Board shall be permitted per drive-through queuing lane in accordance with the following:

- a) Maximum sign area permitted shall be 2 m<sup>2</sup>;
- b) Maximum height permitted shall be 3 m;
- c) The sign may be internally or externally illuminated; and,

- d) Digital Pre-Menu Boards shall be permitted in accordance with the provisions of Section 7.8.

7.17.2 A maximum of one Menu Board shall be permitted per drive-through queuing lane in accordance with the following:

- a) Maximum sign area permitted shall be  $4.1 \text{ m}^2$ ;
- b) Maximum height permitted shall be 3 m;
- c) The sign may be internally or externally illuminated; and,
- d) Digital Menu Boards shall be permitted in accordance with the provisions of Section 7.8.

## **7.18 BILLBOARD SIGNS**

7.18.1 Billboard signs shall be permitted as ground signs only within the current urban boundary as defined by the Official Plan within Commercial Zones, Employment Zones, and on railway corridors.

7.18.2 Notwithstanding Section 7.18.1, billboard signs shall not be permitted at any of the following locations:

- a) Any property located within the Milton Downtown Business Improvement Area, Central Business District or Character Area as identified on Schedule A to this by-law;
- b) Within the Gateways identified on Schedule D to this by-law;
- c) On any property with frontage on Tremaine Road, existing and the future realignment, south of Highway 401; or
- d) On properties with frontage on Martin Street between Highway 401 and Steeles Avenue.

7.18.3 Notwithstanding any provisions of the by-law to the contrary, where a billboard sign is permitted, it shall comply with the following requirements:

- a) The maximum sign area per face is  $18.58 \text{ m}^2$  (200 sq.ft.) with no one dimension greater than 7.3 m (24 feet);
- b) The sign shall not exceed a height of 8 m (26 ft. 3 in.);
- c) The billboard shall not be erected on vacant land;
- d) The billboard shall not be located any closer than 300 m to any other billboard except that this provision shall not apply to billboard signs that are located on opposite sides of a grade separated railway corridor;

- e) The billboard shall not be located any closer than 300 m to any Open Space Zone, Residential Zone, Retirement Dwelling, Long-Term Care Facility, or any other building containing residential dwelling units;
- f) A static billboard may only be externally illuminated; and,
- g) Digital billboards shall be permitted in accordance with the provisions of Section 7.8.

7.18.4 Where located on a railway corridor, the billboard sign shall also comply with the following requirements:

- a) The billboard shall only be permitted at locations where a grade separated railway overpass traverses a street;
- b) A maximum of two billboard signs shall be permitted where a railway overpass traverses a street, with no more than one billboard sign permitted on each side of the railway track;
- c) The sign shall not be located closer than 10.7 m (35 feet) and not further than 45.7 m (150 feet) from the intersecting street property line;
- d) The sign shall not be located any closer than 3 m (10 feet) to any other property line;
- e) When reviewed in elevation, no part of the billboard sign shall extend above the elevation of the railway track;
- f) Written confirmation and an approved site plan from the proprietor of the corridor shall be submitted to the Chief Building Official prior to the issuance of a building permit; and,
- g) Notwithstanding any provisions of the by-law to the contrary, the existing billboard sign located on the Ontario Street railway overpass immediately north of Main Street is permitted until such time as the sign is removed or substantially altered in accordance with the by-law.

## **7.19 ILLUMINATION**

The following regulations shall apply to all illuminated signs:

7.19.1 Unless expressly permitted elsewhere in this by-law, signs located in the Rural Area, with the exception of the Hamlets as defined in the Official Plan, shall be non-illuminated.

7.19.2 Where signs are externally illuminated, the lighting fixtures shall be provided in accordance with the following provisions:

- a) all light emitted shall be directed downward, below the lamp or diffusing element, and away from abutting properties and road allowances;
- b) No light dispersion shall project above the horizontal plane from the base of the lighting fixture; and,
- c) No lighting fixture shall exceed a maximum height of 9.5 m above grade.

7.19.3 Where signs are internally illuminated, the illumination shall comply with the following:

- a) The brightness of the sign shall not exceed a maximum luminance of 5000 cd/ m<sup>2</sup> between sunrise and sunset, and 200 cd/m<sup>2</sup> between sunset and sunrise, with sunrise and sunset times being determined according to the National Research Council of Canada Sunrise/Sunset Calculator; and,
- b) Where the sign is located on a property abutting a Residential Zone or use, the light levels along the abutting mutual lot line shall not exceed a maximum of 5 Lux (0.5 footcandles) above ambient light conditions.

## **8. CONSTRUCTION DETAIL**

- 8.1 All Signs shall be designed, constructed, erected and maintained in accordance with the requirements of the regulations made under the Ontario Building Code, as amended from time to time.
- 8.2 No Sign, illuminated or electrically operated, shall be erected, maintained or altered unless such electrical work is in conformity with all regulations of the Ontario Electrical Safety Code, as amended from time to time and all electrical equipment bears the appropriate approval of the Canadian Standards Association. Any equipment that has not been approved by CSA will require certification by the Special Inspections Department of the Electrical Safety Authority prior to the connection to an electrical supply source.

## **9. MAINTENANCE OF SIGNS**

- 9.1 Any Sign or advertising device shall be maintained and kept in a proper and continuous state of repair so that such Sign or advertising device does not become unsafe, defective or unsightly. Such Sign shall be completely operative and serve the function of advertising or identifying at all times.
- 9.2 Where any Sign or advertising device is deemed by the Chief Building Official or Municipal Law Enforcement Officer to be in a state of disrepair, defective, in an unsafe condition or in a dangerous location, the Chief Building Official or Municipal Law Enforcement Officer may, in his/her discretion, either serve

written notice to the owner and/or tenant of the property on which, or in front of which, such Sign is located or to the erector of the Sign, to remove such Sign or make the same safe in a specified time frame, or without giving notice to the owner and tenant of the property on which the Sign is located or to the erector of the Sign, cause such Sign or structure to be removed.

- 9.3 The area around the base of any Sign shall be kept free and clear of any weeds, Sign material, debris, trash and other refuse.

## **10. ENFORCEMENT AND PENALTIES**

### **10.1 REMOVAL AND NOTICE TO REMOVE**

10.1.1 A Municipal Law Enforcement Officer, the Chief Building Official or any person authorized by them is authorized to take down or remove any Sign or other advertising device or to arrange with an independent agent for the taking down or removal of any Sign or advertising device that is erected or displayed in contravention of this By-law or exists in an unsafe condition.

10.1.2 A Municipal Law Enforcement Officer or the Chief Building Official may direct any person:

- (a) who has caused or arranged for a Sign or other advertising device to be erected, displayed, altered or repaired without first having obtained a permit under this By-law, to obtain such permit forthwith;
- (b) who having obtained a permit, has caused a Sign or other advertising device to be erected, displayed, altered or repaired contrary to the approved permit plans in respect of which the permit was issued, to make such Sign or other advertising device comply with this By-law and/or the permit granted under this By-law; or,
- (c) to remove such Sign or other advertising device within any period as directed; and,
- (d) who has contravened this By-law, to rectify such contravention.

10.1.3 Notice of contravention given under this By-law may be given by personal service or ordinary mail to the person making application for a permit to erect a Sign, or where such Sign is existing, by personal service or ordinary mail to the owner of the Sign or property or tenant according to the last revised assessment records pertaining to the Town.

10.1.4 None of the forgoing shall limit the Town from enforcing the provisions of this By-law by any other action or remedy permitted at law.

## **10.2 RECOVERY OF COSTS**

10.2.1 Where any person is directed or required to do any matter or thing, and in default of it being done by the person directed or required to do it, such matter or thing may be done at the said person's expense and the costs incurred may be recovered by action or in accordance with Section 398 of the *Municipal Act*, 2001 as amended from time to time.

## **10.3 PENALTY FOR NON-COMPLIANCE**

10.3.1 Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine not exceeding \$5,000.00, for each offence exclusive of costs. Each day such violation is committed, or permitted to continue, shall constitute a separate offence and may be punishable as such there under. Such fine shall be recoverable under the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended from time to time.

10.3.2 Where a person has been convicted of an offence under this By-law the Court may, in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted, directed toward the continuation or repetition of the offence.

## **11. MINOR VARIANCE**

11.1 The Council of the Town may grant minor variances to this By-law. Council has deemed it appropriate to delegate authority to grant such variances to the Commissioner or his or her delegate ("Commissioner") in accordance with subsections (a), (b) and (c) hereof.

(a) An application for a variance to this By-law shall only be granted by the Commissioner if the Commissioner determines the variance

(i) to be minor;

(ii) to be within the general intent and purpose of this By-law.

(b) The Council of the Corporation of the Town of Milton also hereby authorizes the Commissioner to impose such reasonable conditions on the approval of the application for variance as the Commissioner deems reasonable and appropriate, and to prepare and register any required agreement implementing the approval of an application for variance, and further authorizes the Mayor and Town Clerk to execute such agreements.



- (c) If there is any objection to the variance sought or the conditions that the Commissioner seeks to impose upon the granting of the variance or the Commissioner's decision not to grant the variance, the application for variance shall be referred to Council, or a Committee thereof, for a decision on the application.
- (d) The decision of Council in this regard is final.
- (e) Upon application to the Planning and Development Department a fee shall be paid pursuant to Town of Milton Rates, Fees and Charges By-law as may be amended from time to time.

**12. SPECIAL PROVISIONS (amended by by-law 034-2018)**

**12.1 9430 Guelph Line (Woodbine-Mohawk Park)**

Notwithstanding any provisions of this by-law to the contrary, one (1) digital wall sign with a maximum area of 43.7 m<sup>2</sup> shall be permitted on the north face of the entrance canopy and is permitted to display flashing, blinking, intermittent illumination, animation, and video.

**13. SEVERABILITY**

- 13.1 Should any section, clause or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or any part thereof, other than the part declared to be invalid.

**14. REPEAL**

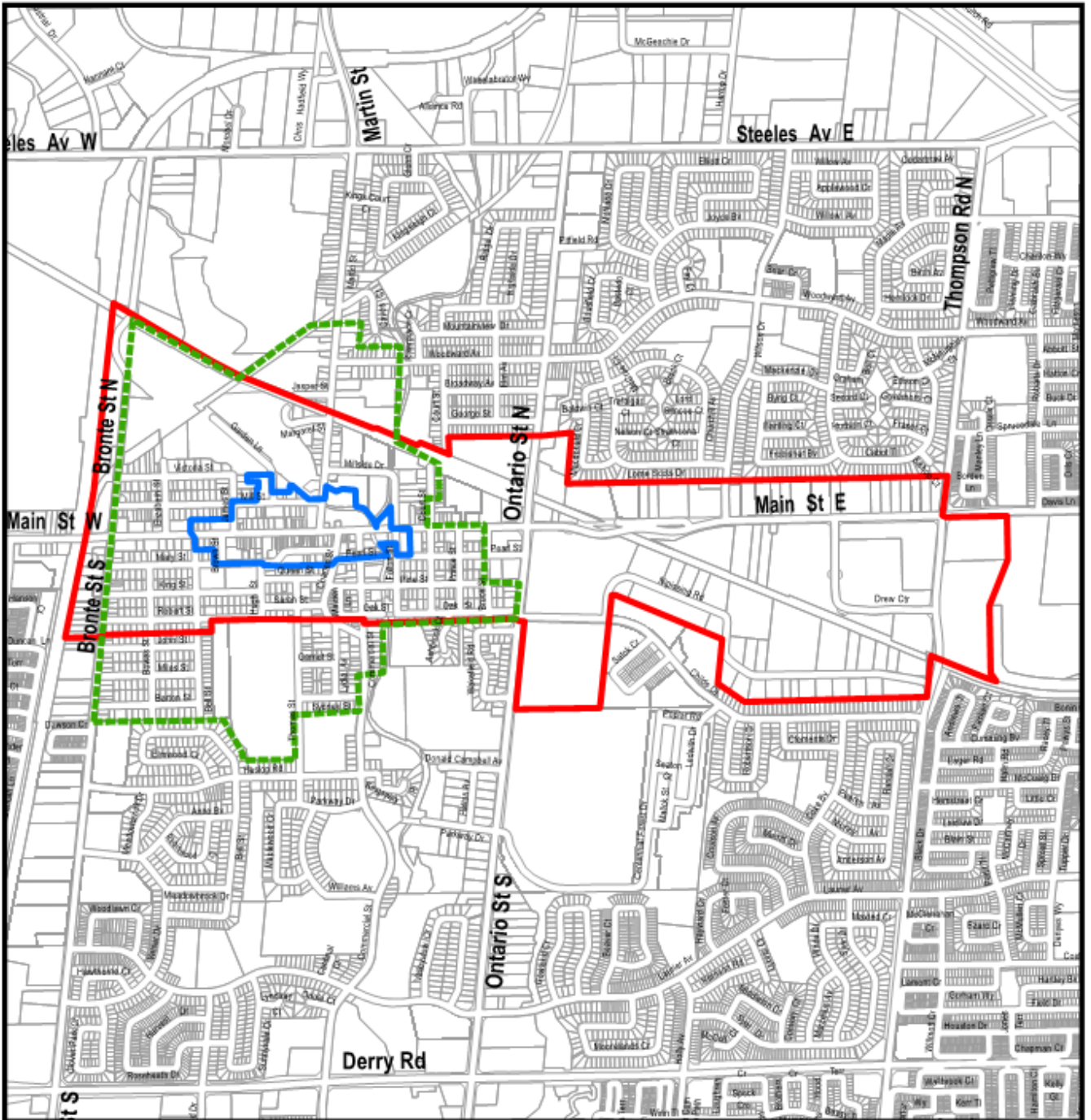
- 14.1 **THAT** By-law No. 086-2009 is hereby repealed in its entirety.

**PASSED IN OPEN COUNCIL ON DECEMBER 11, 2017.**




\_\_\_\_\_ Mayor  
Gordon A. Krantz

\_\_\_\_\_ Town Clerk  
Troy McHarg

SCHEDULE A TO BY-LAW NO. 120-2017



THIS IS SCHEDULE A  
TO BY-LAW NO. \_\_\_\_\_ -2017 PASSED  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2017.

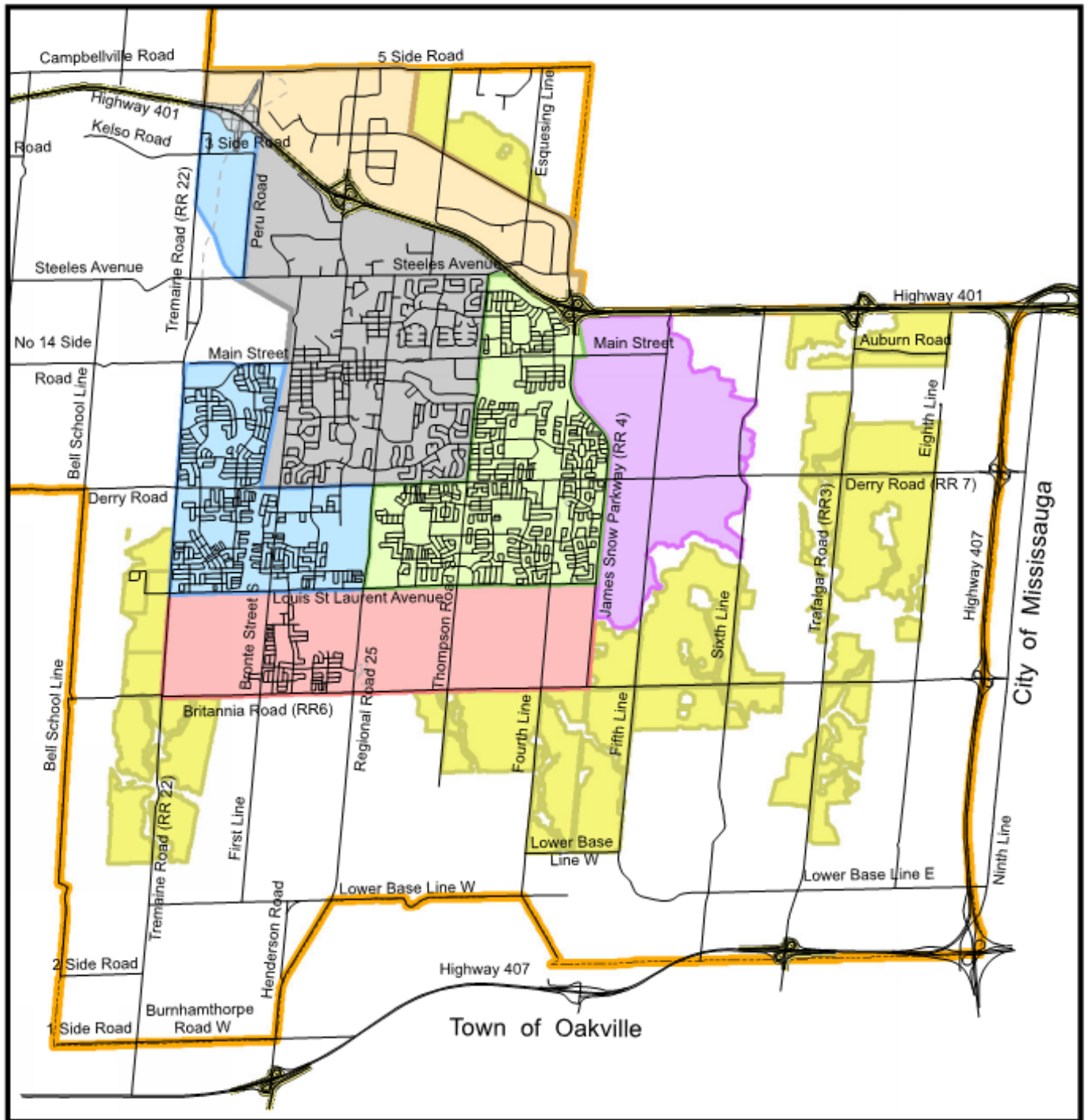
-  Character Area
-  Downtown Business Improvement Area
-  Central Business District

\_\_\_\_\_  
MAYOR - Gordon A. Krantz

\_\_\_\_\_  
CLERK - Troy McHarg



**SCHEDULE B TO BY-LAW NO. 120-2017**



THIS IS SCHEDULE B  
TO BY-LAW NO. 120-2017 PASSED  
THIS \_\_\_ DAY OF \_\_\_\_\_, 2017.

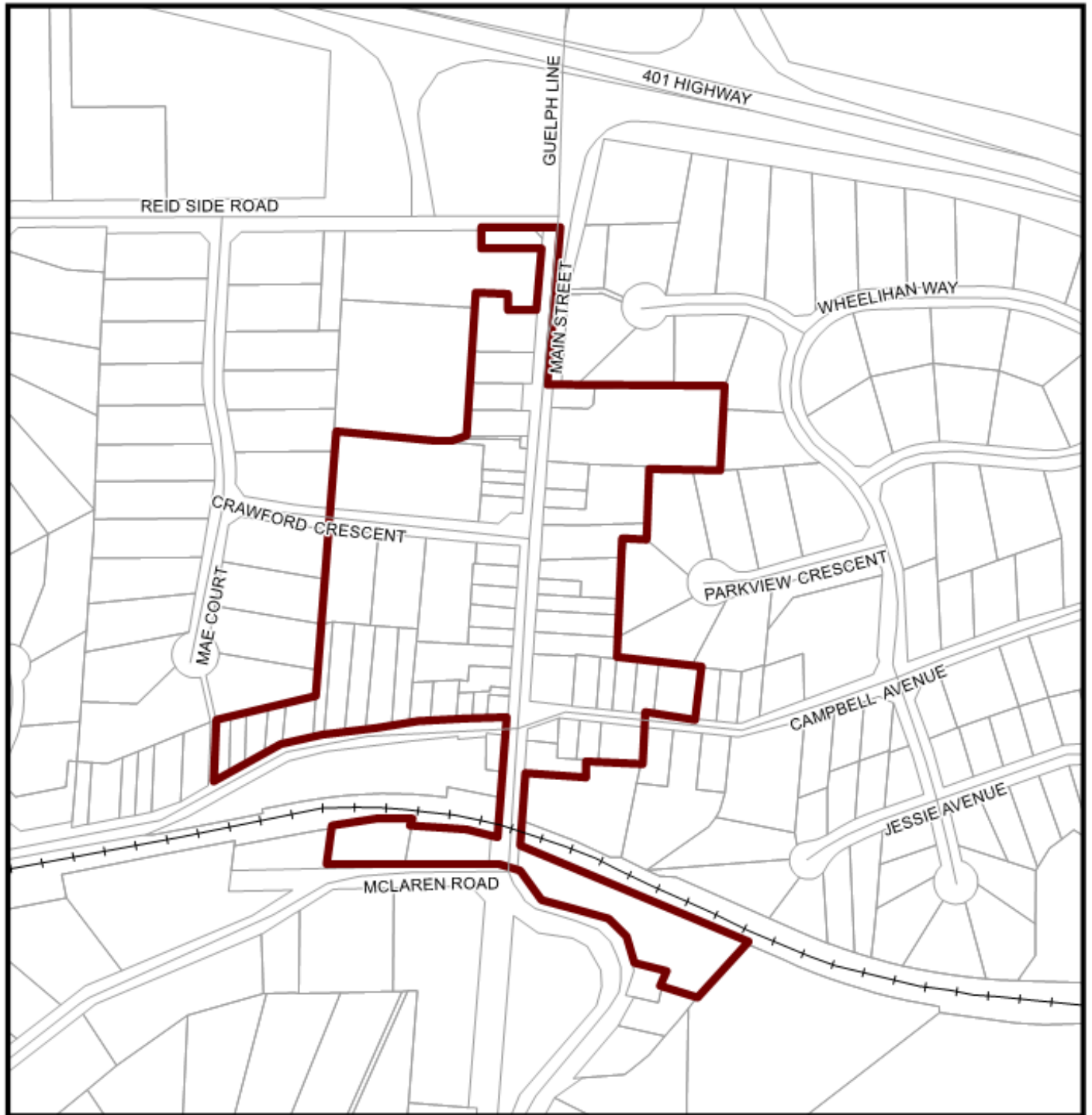
- ESTABLISHED URBAN AREA
- 401 BUSINESS PARK - INDUSTRIAL/COMMERCIAL PHASE 1
- BRISTOL SURVEY - RESIDENTIAL PHASE 1
- DERRY GREEN BUSINESS PARK - INDUSTRIAL/COMMERCIAL PHASE 2
- SHERWOOD SURVEY - RESIDENTIAL SURVEY 2
- BOYNE SURVEY - RESIDENTIAL PHASE 3
- SUSTAINABLE HALTON LANDS

\_\_\_\_\_  
MAYOR - Gordon A. Krantz


\_\_\_\_\_  
CLERK - Troy McHarg



SCHEDULE C TO BY-LAW NO. 120-2017



THIS IS SCHEDULE C  
TO BY-LAW NO. -2017 PASSED  
THIS \_\_\_ DAY OF \_\_\_\_\_, 2017.

 Downtown Campbellville

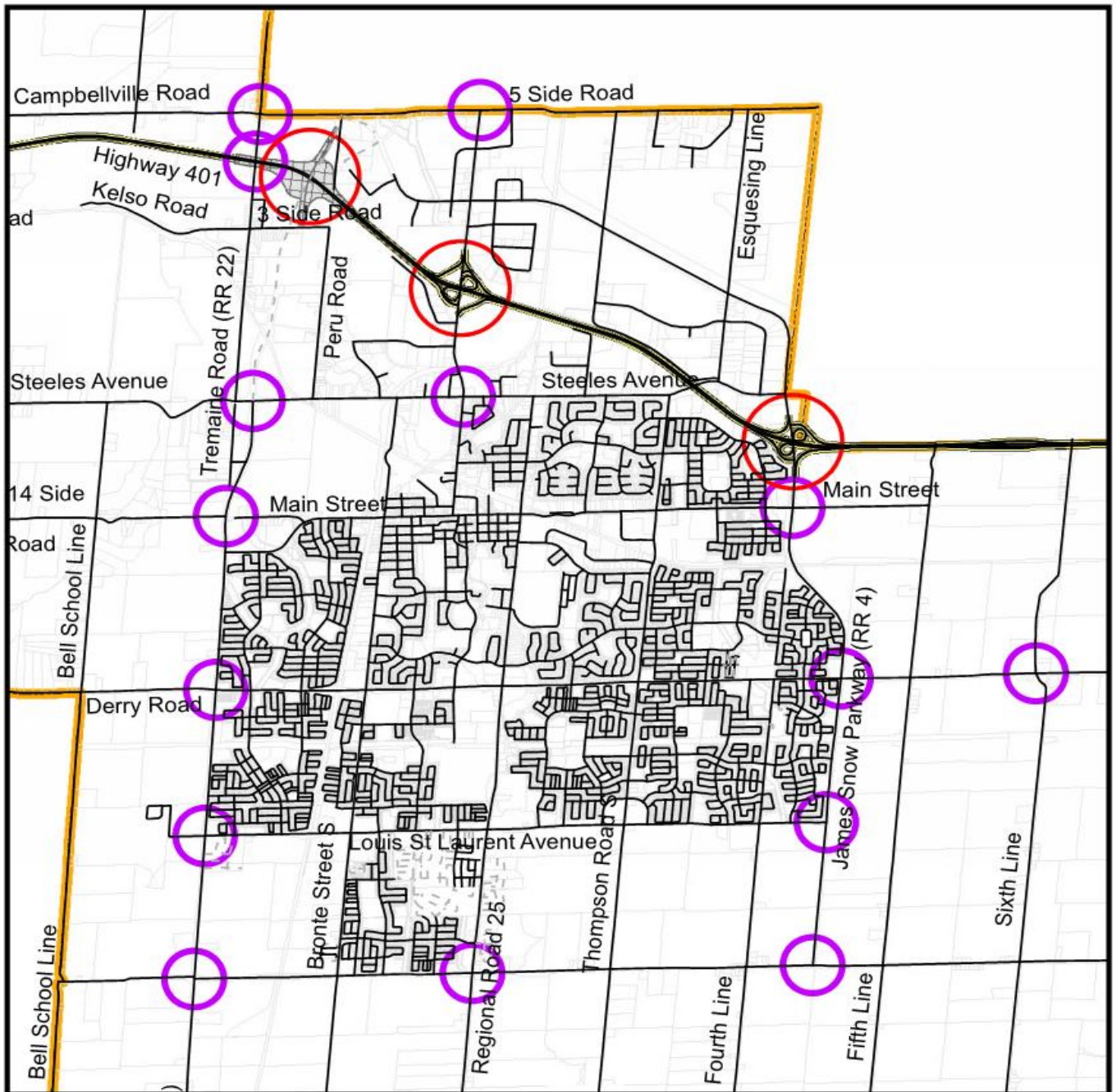
\_\_\_\_\_  
MAYOR - Gordon A. Krantz

\_\_\_\_\_  
CLERK - Troy McHarg





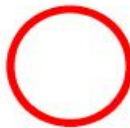
SCHEDULE D TO BY-LAW NO. 120-2017



THIS IS SCHEDULE D  
TO BY-LAW NO. -2017 PASSED  
THIS \_\_\_ DAY OF \_\_\_\_\_, 2017.



Gateways with 300 m buffer



Interchange Gateways with 500 m buffer

\_\_\_\_\_  
MAYOR - Gordon A. Krantz

\_\_\_\_\_  
CLERK - Troy McHarg

