

REGULATIONS FOR PARTICULAR TYPES OF SIGNS

5.1 PROHIBITED SIGNS

5.1.1 No person shall display or permit to be displayed:

(a) any sign with a video screen or any flashing, kinetic, or illusionary motion, except an electronic message display as permitted under this By-law;

(b) any sign supported entirely or partly by the roof of a building or structure and which projects above the roof;

(c) any sign displayed within a visibility triangle;

(d) any sign displayed on a vehicle, trailer or truck which is parked or located on property in a manner that is unrelated to its normal use as a vehicle and is more consistent with the use of the vehicle as a sign;

(e) any sign which obstructs or is displayed in a parking space required under the City's zoning by-laws; or,

(f) any sign within 400.0 m of the right of way of Highway 403, the Queen Elizabeth Way, the Lincoln M. Alexander Parkway or the Red Hill Valley Parkway.

5.1.2 Where a sign is not expressly permitted by this By-law, it shall be deemed to be prohibited.

A By-Law repealing and replacing By-law No. 06-243 respecting Signs within the City of Hamilton

5.1.3 Where a type of sign is not specifically permitted within a particular zone or on a property with a particular zoned use, it shall be deemed to be prohibited within that zone or on that property.

5.1.4 Notwithstanding subsections 5.1.2 and 5.1.3 and subject to the approval of Council, signs on street furniture displayed pursuant to an agreement with the City are permitted.

5.2 GROUND SIGNS INCLUDING CONSTRUCTION INFORMATION GROUND

SIGNS

5.2.1 No person shall display or permit to be displayed a Ground Sign except in accordance with the applicable general regulations under this By-law, and the specific regulations under this section of the By-law.

5.2.2 No Ground Sign shall be displayed except in accordance with the following regulations:

permit / timing

- (a) obtain a permit under this By-law;
- (b) for a Construction Information Ground Sign, displayed after any applicable approval for the construction or development project under the Planning Act has been given;
- (c) for a Construction Information Ground Sign, maximum display period of not more than 28 days after construction or development is completed;

structure

- (d) embedded in a foundation in the ground to a depth of at least 1.2 metres or secured in an alternative manner that is satisfactory to the Chief Building Official;
- (e) maximum sign area of 0.3 m² for every 1.0 m of the frontage along which the Ground Sign is located, not to exceed a total sign area of 18.0 m² for a single- faced Ground Sign or 36.0 m² for a double or multi-faced Ground Sign;
- (f) maximum height of 7.5 m;

content

- (g) for a Ground Sign, except a Construction Information Ground Sign:
- (i) includes the municipal address .number of the property on which the Ground Sign is displayed shown at the top or the bottom in numerals that are a minimum height of 15.0 cm;

A By-Law repealing and replacing By-law No. 06-243 respecting Signs within the City of Hamilton

- (ii) includes one or more of the following in copy that is a minimum height of 15.0 cm:
 - 1. the name of the business;
 - 2. the registered trademark of the business;
 - 3. the ownership of the business; or
 - 4. the name of the activity, product or service available;
- (iii) and except a Ground Sign displayed on a property used for an institutional use, may allocate a maximum 50% of the sign face to a readograph or electronic message display provided that no copy displayed on an electronic message display shall be displayed for less than three seconds, during which there shall be no movement or change in colour or intensity of illumination;
- (iv) displayed on a property used for an institutional use, may allocate a maximum 75% of the sign face to a readograph or electronic message display provided that no copy displayed on an electronic message

display shall be displayed for less than three seconds, during which there shall be no movement or change in colour or intensity of illumination;

(v) may advertise a business on the property on which the Ground Sign is displayed or an activity, product or service available on that property, or a charity's or community organization's activities;

(vi) for a Ground Sign that is not within the Downtown Community Improvement Project Area, a Business Improvement Area, the Ancaster Village Core Area, or within the Glanbrook Village Core Area, may allocate a maximum 25% of the sign area or 1.2 m², whichever is lesser, except for an electronic message display, to advertising a business that is not on the property on which the Ground Sign is displayed or an activity, product or service that is not available on that property;

(vii) for a Ground Sign that is within the Downtown Community Improvement Project Area, a Business Improvement Area, the Ancaster Village Core Area, or within the Glanbrook Village Core Area not advertising a business that is not on the property on which the Ground Sign is displayed or an activity, product or service that is not available on that property;

location

(h) not within 15.0 m of a traffic signal or traffic control device;

(i) not within 1.5 m or a distance equal to 75% of the height of the Ground Sign, whichever is greater, of any property line;

(j) along the same frontage used to calculate the maximum sign area;

(k) where more than one Ground Sign is displayed along a frontage, not displayed within 200 m of another Ground Sign along the same frontage;

(l) notwithstanding (k), one Ground Sign which provides courtesy or directional information only, such as a menu board or clearance sign, is permitted;

A By-Law repealing and replacing By-law No. 06-243 respecting Signs within the City of Hamilton

(m) for a Construction Information Ground Sign, on vacant property in residential and commercial zones;

(n) for a Construction Information Ground Sign, maximum of two for any single development or construction project;

(o) for a Ground Sign, except a Construction Information Ground Sign, permitted in all zones except where the use of the property is for one or more of the following uses:

- (i) a Single Detached Dwelling;
- (ii) a Semi Detached Dwelling;
- (iii) a Duplex;
- (iv) a Triplex;
- (v) a Fourplex or Quadruplex;

- (vi) a Street Townhouse;
- (vii) a Mobile Home;
- (viii) a Residential Care Facility for 6 or less residents;
- (ix) a Lodging House for 6 or less lodgers;
- (x) a Retirement Home for 6 or less residents; or,
- (xi) an Emergency Shelter for 6 or less residents.

5.2.3 No person shall display a Ground Sign on a property that ceases to be vacant or undeveloped and where any Billboard displayed on the property has not been removed.

5.10 BILLBOARDS

5.10.1 No person shall display or permit to be displayed a Billboard except in accordance with the applicable general regulations under this By-law, and the specific regulations under this section of the By-law.

5.10.2 No Billboard shall be displayed except in accordance with the following regulations:

permit

- (a) obtain a permit under this By-law;

structure

- (b) maximum sign area of 18.0 m²;

A By-Law repealing and replacing By-law No. 06-243 respecting Signs within the City of Hamilton

- (c) maximum height of 12.0 m and maximum width of 4.0 m;

content

- (d) not animated, except a Tri-Vision Billboard;
- (e) may allocate a maximum 50% of the sign face to a readograph;

location

- (f) not on a property within the Downtown Community Improvement Project Area, the Waterdown Urban Area or the Waterdown Settlement Areas;
- (g) not less than 300.0 m from another Billboard;
- (h) not less than 300.0 m from any residentially zoned property;
- (i) not less than 15.0 m from any property line;

(j) on vacant, undeveloped property zoned commercial or industrial.

5.10.3 Where a property on which a Billboard is displayed ceases to be vacant or undeveloped, the sign owner shall remove the Billboard from the property.

Authority: Item 4, Planning Committee

Report 16-018

(PCS 16082/PED16196)

CM: October 26, 2016

Bill No. 284

CITY OF HAMILTON

BY-LAW NO. 16-284

To Amend By-law No. 10-197, a By-law respecting Signs

WHEREAS Council enacted a by-law to regulate signs being City of Hamilton By-law No. 10-197;

AND WHEREAS this By-law provides for the amendment of City of Hamilton By-law No. 10-

197 with respect to digital billboards;

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

1. Section 1.1 of By-law No. 10-197 is amended by:

(a) adding the words Digital Billboard or to the definition of Billboard after the words does not include a;

(b) adding the following definition of Digital Billboard" after the definition of "Council ; "Digital Billboard" means a sign that is free standing and is supported by a structure secured to the ground and which is not supported by any building or other structure, displays copy advertising goods, products or services not sold or offered on the property where the sign is displayed by means of a digital or electronic screen and is either single faced or double faced but does not include a Billboard or a Ground Sign;

(c) adding the words "or Digital Billboard to the definition of Ground Sign after the words "a Billboard".

2. Subsection 3.2.1 of By-law No. 10-197 is amended by adding the following new paragraph (h):

(h) a Digital Billboard,

3. Subsection 3.3.2 of By-law No. 10-197 is amended by adding the words "Digital Billboard," after the words "A Billboard,".

4. Subsection 3.3.3 of By-law No. 10-197 is amended by adding the words Digital Billboard," after the words "Where a Billboard,".

5. Paragraph 5.1.1(f) of By-law No. 10-197 is deleted and replaced by the following new paragraph:

(f) any sign that is within 400.0 m of the right of way of Highway 403, the Queen Elizabeth Way, the Lincoln M. Alexander Parkway or the Red Hill Valley Parkway and is visible from the right of way except as otherwise permitted under this By-law.

6. By-law No. 10-197 is amended by adding the following new section 5.10A:

5.10A DIGITAL BILLBOARDS

5.10A.1 No person shall display or permit to be displayed a Digital Billboard except in accordance with the applicable general regulations under this By-law, and the specific regulations under this section of the By-law.

5.10A.2 No Billboard shall be displayed except in accordance with the following regulations:

permit

(a) obtain a permit under this By-law;

structure

(b) if the Digital Billboard is single faced or double faced (configured back-to-back or in a V shape):

(i) a maximum sign area of 18.6 m² for each sign face;

(ii) a maximum height of 6.1 m for each sign face; and

(iii) a maximum width of 10 m, except for a maximum width of 12 m for Digital Billboards facing the Lincoln M. Alexander Parkway;

(c) despite paragraph 5.10A.2(b), if the Digital Billboard is single faced and facing the Lincoln M. Alexander Parkway:

(i) a maximum sign area of 32.6 m²;

(ii) a maximum height of 10.7 m; and

(iii) a maximum width of 12 m;

content

- (d) a maximum luminosity level of 300 candelas per m² at night and 6000 candelas per m² during the day;
- (e) equipped with a monitoring device to ensure that the light generated does not exceed 0.3 candles above ambient light levels at a distance of:
- (i) 42 m for Digital Billboards with a sign area of not more than 18.6 m²;
- (ii) 51 m for Digital Billboards with a sign area of more than 18.6 m² but not more than 28 m²; and
- (iii) 76 m for Digital Billboards with a maximum sign area of more than 28 m² but not more than 32.6 m²;
- (f) not operate between the hours of 12 a.m. and 6 a.m.;
- (g) minimum dwell time of 6 seconds; and
- (h) maximum transition time of 1 second;

location

- (i) not on a property within the Downtown Community Improvement Project Area, the Waterdown Urban Area or the Waterdown Settlement Areas;
- (j) may be within 400 m of and visible from the Lincoln M. Alexander Parkway;
- (k) not less than 300 m from another Digital Billboard, provided that, to allow for viewing from both sides of a street, the two sides of a double-sided Digital Billboard may be separated by a maximum of 180 m when facing the Lincoln M. Alexander Parkway and by a maximum of 40 m when facing any other street;
- (l) (i) not less than 300 m from any residentially zoned property; or
- (ii) less than 300 m from any residentially zoned property if the Director is satisfied by means of a viewshed analysis that includes consideration of sign alignment, shielding and other means, that there is sufficient mitigation of the impact on residential uses within 300 m;
- (m) not less than 3.5 m from any property line; and,
- (n) not less than 30 m from an intersection provided that an intersection does not include an on or off-ramp to or from the Lincoln M. Alexander Parkway.

7. This By-law comes into force on the day it is passed.